GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES
OFFICE OF THE LIEUTENANT GOVERNOR

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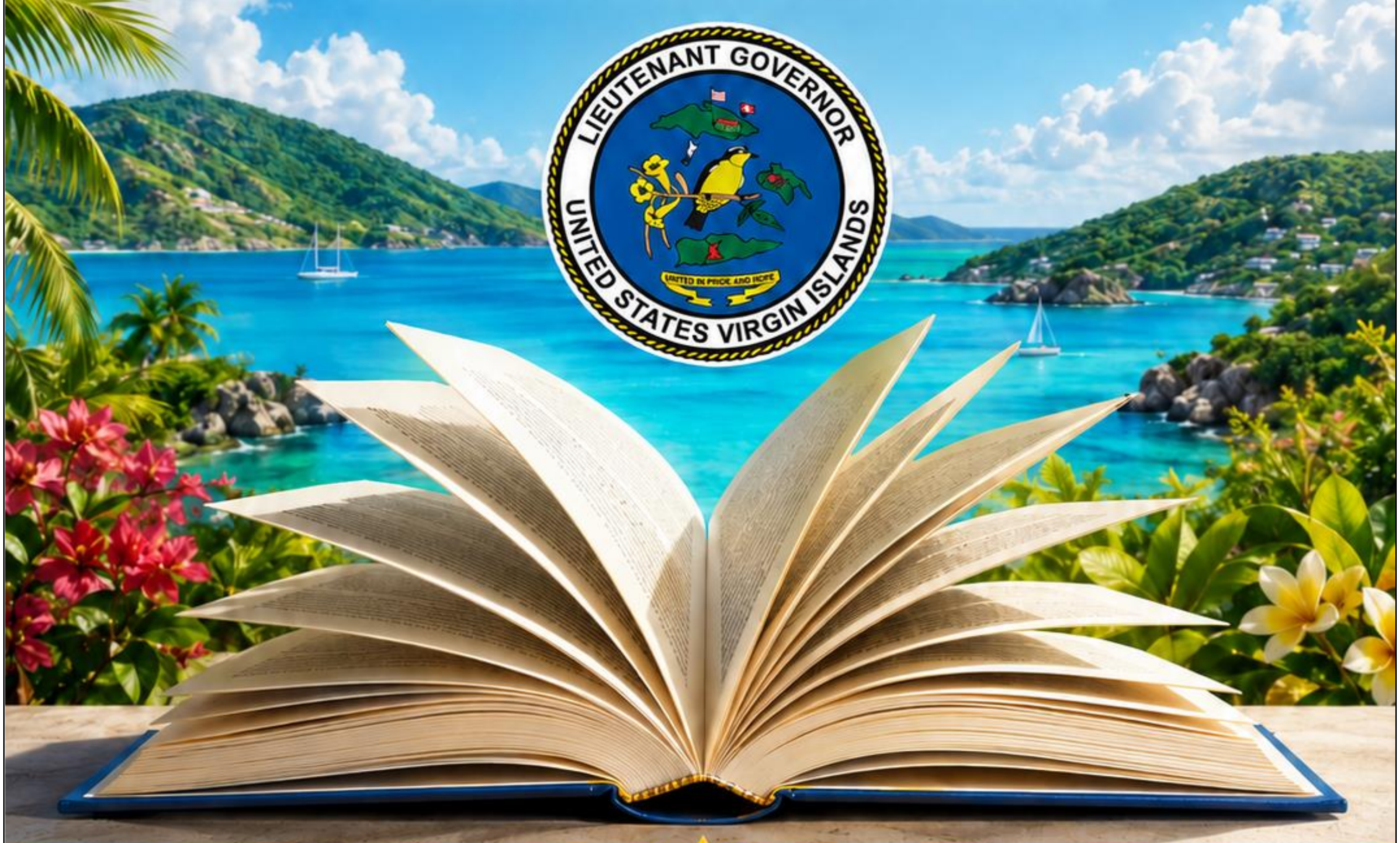
NOTARIES PUBLIC DIVISION

GLOSSARY

Essential Glossary for Notary Public Professionals

A practical reference designed to strengthen understanding of the terminology commonly encountered in notarial practice.



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A

Acknowledge: To formally declare before a notary that a signature on a document was made willingly and by the correct person.

Acknowledgment: An Act in which a Notary certifies having positively identified a document's signer who personally appeared before the Notary and admitted having signed the document.

Acknowledgment, certificate of: The written statement by a notary certifying that an acknowledgment has been made.

Administer: To officially give or oversee an oath, affirmation, or other formal statement.

Administrative Penalty: Punishment imposed by authorities who regulate Notaries, in the form of revocation, suspension or denial of a commission and, in some states, fines or mandatory education.

Affiant: A person who makes a sworn statement in writing (affidavit). Signer of an affidavit.

Affidavit: A written statement made under oath or affirmation, used as evidence. Written statement signed before a Notary by a person who swears or affirms to the Notary that the statement is true

Affirmation: A formal, solemn declaration made in place of an oath, without reference to a deity.

Affix: To attach or apply, as in placing a notary's seal or signature on a document.

Apostille: A certification confirming the authenticity of a public document for international use under the Hague Convention. A certificate issued by the appropriate office of a state government (for example, Lt. Governor, Secretary of State, depending on the state) for purposes of authenticating a notary's signature and official status as a notary on a particular date. An apostille may be required for a notarized document that is bound for a foreign country that participates in the 1961 Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents. Obtaining an apostille is the responsibility of the document custodian, not the notary.

Appointment: The act of being officially assigned a role, such as a notary public commission.

Attest: To witness and formally certify the authenticity of a document or signature.

Attorney-in-Fact: The person authorized by a power of attorney to act on behalf of another.

Authenticate: To verify or confirm the genuineness of a document or signature.

Awareness: Being able to understand what is happening and to act responsibly.

B

Bill of Sale: A document that passes title of personal property.

Bond: A Notary bond is a written guarantee that money up to a limit will be paid by a surety to a person financially damaged by a Notary's misconduct in the event the Notary fails to do so.

C

Capacity: Specific role of a representative signer, attorney in fact, trustee, corporate officer, partner or other when signing for another person, organization or legal entity.

Certificate: A written statement made by a notary regarding a notarial act performed.

Certified Copy: A copy of a document that a notary certifies as a true and accurate reproduction of the original.

Certificate Form: Notarial certificate wording on a separate sheet of paper that is attached to a document. Used when no wording is provided, when the provided certificate wording does not comply with state requirements, when there is no room for the seal on the document or when another Notary has already used a preprinted certificate.

Certify: To authenticate or attest as being true or as represented.

Civil Action: A legal proceeding involving private rights, not criminal charges.

Civil Liability: Legal responsibility for actions that cause harm or loss in a non-criminal matter.

Civil Penalty: Payment of funds by a Notary resulting from a lawsuit to recover financial losses that were claimed to have been caused by the Notary's misconduct.

Closing Agent: A person who manages the finalization of a real estate or loan transaction.

CNSA (Certified Notary Signing Agent): A notary with specialized training to handle loan and real estate document signings.

Commercial Paper: Negotiable instruments, such as checks or promissory notes, used in business transactions.

Coerce, Coercion: To make someone feel they must do something (such as sign a document) when they do not want to do so.

Commission: Authorize to perform notarial acts; written authorization to perform Notary acts that is issued by a state’s governor, secretary of state or other empowering official. This is called an appointment in some states and jurisdictions.

Conveyance: A document affecting or changing the title/ownership of real property.

Copy Certification: Is the official verification that a photocopy is a true, complete, and accurate reproduction of an original document. An authorized individual (e.g., notary public, solicitor, or official) compares the original to the copy, then signs and stamps it to prove its authenticity. *Synonyms include attested copy, certified true copy, or verified copy*

County Clerk: Official whose duties may include keeping a file of the bonds and signed oaths of office of Notaries, issuing certificates of authority for those Notaries and accepting custody of journals surrendered by those Notaries upon retirement. In some states called a "prothonotary."

Credible Witness: A trustworthy person who confirms the identity of a signer to a notary.

Custodian or Document Custodian: Keeper of a document.

D

Deed: A document by which a person conveys (transfers) real property.

a. **Quitclaim Deed**: a deed intended to pass any title, interest, or claim which the grantor may have in the real property, but not professing that such title is valid or containing any warranty for title.
b. **Warranty Deed**: a deed in which the grantor warrants or guarantees good clear title to the real property.

Deponent: The person giving sworn testimony in a deposition.

Deposition: The testimony of a witness, under oath or affirmation, taken outside of court in which lawyers ask oral questions of the deponent. The testimony is usually reduced to writing and duly authenticated and is intended to be used in a trial of a civil action or a criminal prosecution.

Digital Signature: A specific type of electronic signature used to denote encryption technology. It is a process that provides for a secure signature on an electronic document, one that can prove the signature belongs to the person who signed it, and that can be associated with the document in such a way that any modifications to the document invalidate the signature.

Dispose: To get rid of or discard, often referring to handling completed or voided documents.

Duress: Unlawful pressure or threats used to force someone to act against their will.

E

Electronic Notarization: The process of performing a notarial act according to the applicable states laws on an electronic document, rather than a paper document.

Electronic Signature: Any electronic character, symbol, letter, sound, or process that has been attached to or logically associated with an electronic record, and executed or adopted by a person with the intent that it shall be his signature.

Escrow: Putting documents, property, or funds in the hands of an independent third party.

Execute a Document: To perform all formalities necessary to make a document fully effective. This is often a matter of just signing, but may also require a notarial act, delivery, or other element.

Executor: a person in charge of carrying out the provisions of a will.

Embosser Seal: A device that creates a raised impression of a notary's seal on paper. A press-like device that imprints a raised image into a paper surface to form a Notary seal.

Errors and Omissions (E&O) Insurance: Insurance protecting notaries against claims of negligence or mistakes in their official duties. Contract between a Notary and an indemnity company whereby, in the event of a lawsuit against the Notary resulting from certain acts in performing a notarization, the company absorbs the Notary's costs and financial liabilities up to an agreed limit.

F

False Certificate: Notary wording that contains incorrect information.

Felony: A serious crime punishable by imprisonment for more than one year.

G

Grantee: A person (usually the buyer) who receives the deed of real property from the grantor.

Grantor: A person (usually the seller) who transfers a deed of real property to the grantee.

Guardian: A person in charge or a minor and/or their property. Person with the lawful power and duty to manage the affairs of another individual; conservator.

H

Hague Convention: Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents, a treaty signed by more than 90 nations, including the United States, that simplifies the authentication of notarized documents sent between nations.

I

Identification Document (ID Card): Document or card that establishes the bearer's identity. Examples include passports, driver's licenses, and nondriver's IDs, among others.

Impartiality: State of being unbiased; specifically, having no motive but to perform notarial duties legally and ethically.

Impartial Witness: Observer without bias; one who has no financial or beneficial interest in the transaction at hand.

Inking Seal: A device that imprints ink on paper to form a photocopiable Notary seal.

Instrument: This may be a written document or an electronic document. As used in notarial law and practice, an instrument is a document that requires a signature and a notarial act to be fully executed.

J

Journal Entry: Information recorded in a journal describing a particular notarization.

Journal of Notary Acts: A Notary journal is a detailed, chronological record of the Notary Public's official acts. A record maintained by a notary of all notarial acts performed.

Jurat: An act in which a Notary certifies having watched the signing of a document and administered an oath or affirmation.

Jurisdiction/Venue: The legal geographic area (jurisdiction) and physical location (venue) where a notarial act occurs. Geographic area - a state or county - in which a Notary Public is authorized to perform acts.

L

Loose Certificate: A separate notarial certificate is attached to a document when there's insufficient space on the original. A document with notarial wording that is separate from, and attached to, the document being notarized. It is used when no wording is provided on the document, when that provided wording does not comply with the state's requirements, when there is no room for the notary seal on the document, or when another notary has already used a preprinted certificate in the case of multiple signers.

Long-Form Certificate: Standard or unabridged Notary certificate wording.

L.S. (locus sigilli): Latin for "place of the seal," indicating where a seal should be placed. Abbreviation of the Latin term locus sigilli, meaning "place of the seal." A traditional element indicating where the seal imprint is to be placed.

Lien: A legal right or security attached to real estate or personal property until the payment of some debt, obligation, or duty.

Living Will: Written statement of a person's wishes concerning medical treatment in the event the signer has an illness or injury and is unable to give instructions on his or her own behalf.

M

Marriage: The act of uniting two people as spouses.

Ministerial Official: A public officer who follows written rules without having to use significant judgment or discretion. A Notary is a ministerial official.

Misconduct: Improper or illegal actions taken during the performance of official duties.

Misdemeanor: A less serious crime than a felony, usually punishable by a fine or short-term imprisonment.

Mortgage on Real Property: A document creating a lien on a property.

N

Negligence: The failure to use such care as a reasonably prudent and careful person would use under similar circumstances.

Notarial Act: An official act that a notary public is authorized to perform by statute.

Notary Acts, Notarizations: Witnessing duties of a Notary that are specified by law. Most often, the Notary's duties involve signed documents and require the Notary to ensure a signer's identity and/or to administer an oath or affirmation.

Notarial Certificate: A written statement signed and sealed by the notary public certifying the facts of the notarial act performed immediately prior to filling out the notarial certificate.

Notary Journal: A notary journal, also known as a notary record book, notary log, or protocol, is an official, chronological record of every notarial act a notary public performs. It serves as a detailed, secure, and often legally required log that includes the date/time, document type, signer identity, method of ID verification, and signer signature.

Notary Misconduct: Notary's violation of a law, regulation, official directive or expected standard of honesty, care or good judgment, usually in executing a notarization.

Notary Public: An official authorized to witness and certify signatures, administer oaths, and perform other official acts. Person of proven integrity appointed by the Office of the Lt. Governor to serve the public as an impartial witness with duties specified by law. The Notary has the power to witness the signing of documents and to administer oaths.

Notary Seal: A Notary seal is an inking or embossing device that imprints the Notary's name, title (Notary Public) and jurisdiction on a notarized document. Also may include such information as the county where the commission and bond are on file, commission number and date of commission expiration.

O

Oath: A solemn promise to tell the truth or fulfill a duty, often invoking a deity. Any form of attestation or pledge by which a person signifies that he/she is bound in conscience and out of a sense of responsibility to a Supreme Being to the truthfulness of some statement. Willingly swearing to untrue statements constitutes perjury.

Oath of Office: Oath promising to faithfully discharge the duties of a particular office.

Official Notary Seal: The specific seal or stamp required by law for a notary's official acts.

P

Perjury: Making a false statement under oath or affirmation. Perjury is a crime punishable by a fine and/or prison term.

Personal Appearance: Appearing in person, face to face, in the same room with the Notary at the time of the notarization; not before and not after.

Personal Knowledge: Familiarity with an individual resulting from random interactions over a period of time sufficient to eliminate every reasonable doubt that the individual has the identity claimed.

Personally Known: Refers to knowing a person for a period of time and under circumstances that leave you no doubt as to that person's true identity. A situation where the notary knows the signer without requiring identification.

Power of Attorney (POA): A document authorizing a person to act as another's agent or representative. A legal document giving someone the authority to act on another's behalf. Document granting authority for a person to act as attorney-in-fact for another.

Principal: The person who signs the power of attorney to allow the attorney-in-fact to have certain powers to act on behalf of the principal.

Proof: A declaration made by a subscribing witness usually stating that he/she witnessed the signature of the signer of the document.

Prove: Authenticate the signature of a principal signer not appearing before a Notary.

Q

Quality of Officer: Term sometimes appearing on Notary certificates and meaning "title of official," such as "Notary Public."

R

Recordable Document: A document that the recording authority (clerk of the county court, for example) is authorized to record, usually by state statute. A certified copy of a recordable document must be obtained from the recording authority.

Representative Capacity: Having the authority to act for and on behalf of a person, corporation, partnership, trust, or other entity as:

c. An authorized officer, agent, or partner;
d. A public officer, personal representative, or guardian;
e. An attorney-in-fact for a principal;
f. An authorized representative or in any other capacity recited in the instrument.

Resignation: Voluntary departure from the office of notary public.

Revoke: To officially cancel or withdraw a notary's commission or authority.

S

S.S. (scilicet) or SCT: Abbreviations found in notarial certificates, meaning "to wit, namely" in Latin. Archaic term generally used to indicate the exact location of the performance of a notarial act. "S.S." is usually found near the venue.

Satisfactory Evidence: Sufficient proof (such as ID or a credible witness) to confirm a signer's identity. Reliable identification document, or the sworn or affirmed statement of a credible identifying witness, that satisfactorily proves that an individual has the identity claimed.

Sanctions: Penalties or disciplinary actions imposed for violations or misconduct.

Seal of Notary: A Notary seal is an inking or embossing device that imprints the Notary's name, title (Notary Public), and jurisdiction on a notarized document. This may also include information such as the county where the commission and bond are on file, the commission number, and the date of commission expiration.

Short-Form Certificate: Notary certificate with abridged or condensed wording.

Signature by Mark: An "X" or other symbol made in place of a signature by a person unable to write and witnessed by a Notary and two other persons.

Signature by Proxy: Signature made on behalf of a principal by a Notary or third party who is not an attorney in fact. Notary signatures by proxy are allowed only in a few states.

Signature of Notary: Handwritten name of and by the Notary, matching exactly with the name on the Notary's commissioning paper.

Signing Agent: A Notary who specializes in loan document assignments, performing courier duties for loan packages as well as notarizing the borrower's signature on loan documents. Sometimes referred to as a "Notary Signing Agent" or "NSA." A notary who specializes in handling and notarizing loan and real estate documents.

Signing Service: A company that coordinates document signings, often hiring notaries as contractors.

Statute: A law established by legislation.

Statute of Limitations: A law that sets a time limit on initiating criminal prosecution or a civil action.

Subpoena: A writ that compels a person to testify in a proceeding. A formal, legally binding writ issued by a court, government agency, or attorney that compels a person to testify, provide documents, or produce evidence in a legal proceeding. Derived from the Latin phrase meaning "under penalty," failure to comply with a subpoena can result in penalties such as fines, contempt of court, or imprisonment.

Subscribe: Sign. To place one's signature on a document, either as the signer of the document or as a witness to the signer's signature. To sign a document.

Subscribing Witness: A person who witnesses the signing of a document and then signs as a witness.

Surety: Person or company obliged to pay money up to a limit in the event a bonded individual fails to do so; guarantor.

Suspend: To temporarily remove a notary's authority to act. To stop for a period; interrupt.

Swear/Sworn: To make a solemn promise; to vow, usually before God. To take an oath.

T

Testator: The person making a will.

Testimonium clause: The part of a document where the parties and witnesses sign and the notary certifies. Wording in a Notary certificate whereby the Notary formally attests to the facts. Typically phrased as, "Witness my hand and official seal."

Thumbprint: Notaries public should not take thumbprints unless one of the following conditions is met: (A) the client requests it, (B) state laws require it.

U

Unauthorized Practice of Law: Practice of law by a person who is not a legal professional. An illegal act of a non-attorney in helping another person to draft, prepare, complete, select or understand a document or transaction.

V

Venue/ Jurisdiction: The location where the notarial act takes place, usually stated in the following format at the beginning of the notarial certificate: State of _________ County of ________

Verification: A formal declaration that the contents of a document are true.

Vital Record: An original document held by a state agency (or sometimes also held by the county of record) having to do with the birth, marriage, divorce, or death of an individual. Birth certificate, death certificate, marriage certificate or other public record of demographic data.

W

Waiver of Fees: An official statement relinquishing the right to collect a fee for notarial services. A statement that waives or gives up the right to charge for notarial services.

Will: An instrument by which a person makes a disposition of his or her property to take effect after his or her death. A Legal document containing a person's wishes about the disposition of personal property after death; short for "last will and testament."

Willingness: Acting freely without duress or undue influence.

Witness: To observe the execution of, as that of an instrument, or to sign one’s name to an instrument, to authenticate it (attest it). One who has personally seen something; to observe.

Why Understanding These Terms Matters

A clear understanding of common notary terminology is essential for anyone involved in the notarization process. Familiarity with this terminology allows individuals to confidently manage documents such as powers of attorney, affidavits, and other records requiring notarized signatures. Understanding the roles, procedures, and legal terminology associated with notarization helps ensure a smoother and more efficient process while minimizing confusion and reducing the risk of errors.

Notarization is more than a procedural formality; it serves as an important safeguard that helps verify authenticity, deter fraud, and protect the integrity of legal and financial documents. A strong understanding of commonly used notarial terms promotes accuracy, reinforces public trust, and helps ensure that every notarization is performed properly and in accordance with professional standards.

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