

Wyandot County Clerk of Courts

Ann K. Dunbar, Clerk

Legal Office
109 S. Sandusky Avenue, Rm. 31
Upper Sandusky OH 43351
Phone (419)-294-1432
Fax (419)-294-6414

Title & License Bureau
235 N. Sandusky Avenue
Upper Sandusky OH 43351
Phone (419)-294-6413 or 0016
Fax (419)-294-5880

INFORMATION SHEET FOR NOTARY PUBLIC EXAMINATION

Any citizen of the State of Ohio over the age of 18 years, who has qualified in the opinion of a Judge of the Supreme Court, Court of Appeals or Common Pleas Court and who has established his/her knowledge, through a written test, of the law of Ohio relating to Notary Public, may be appointed a Notary Public.

A Notary Public is appointed by the Governor of the State of Ohio upon certification of the Court of Common Pleas as to the qualifications of applicant.

A Notary Public, other than an attorney at law or stenographic reporter of a court of record, may act as a Notary Public only within the state in which such notary is appointed.

A Notary Public who is not admitted to the practice of law is prohibited under penalty of fine in the amount of \$25.00 to \$500.00 from preparing, with or without compensation, a deed, mortgage, lease or any instrument in writing purported to convey or create an interest in or a lien upon real estate, a bill of sale, a will, a contract, fiduciary's account or anything other than the formal parts of an affidavit.

A Notary is prohibited from giving legal advice under the penalty of the same fine above set forth. A Notary Public may make a protest, administer an oath, take an acknowledgment or take a deposition.

A Notary Public, who certifies that an oath has been administered when in fact, it has not been, is subject to removal from office, and if so removed, is ineligible to be reappointed for a period of three (3) years, and subject to a fine up to \$100.00 and imprisonment up to 30 days or both.

A Notary Public who acts as such after his/her term has expired is subject to a forfeiture of not more than \$500.00 and is permanently ineligible for reappointment.

A Notary Public who charges or receives for an act of service done or rendered by him/her a fee greater than the amount prescribed by law or dishonestly or unfaithfully discharges his duties as a Notary Public shall be removed from his/her office by the Governor of the State. A person so removed shall be ineligible for reappointment to the office of Notary Public.

A Notary Public, who is interested as an individual in the subject matter of a document, in that he/she is a grantor or grantee or otherwise a party to the instrument, may not take anyone's acknowledgment to such instrument.

A Notary Public is qualified to take the acknowledgment of a relative by blood or marriage.

Effective in 2005, a Notary who has changed his/her name or address, pursuant to Ohio Revised Code § 147.05 (C), shall notify the Secretary of State and the Clerk of Courts Office within 30 days of the change, in writing. The Clerk shall have a form prescribed by the Secretary of State which shall be completed and sent to the Notary Commission by the Notary, or the Notary may go to the website of the Notary Commission to print the form to be sent in.

Should the Notary be required to send in a change of legal name and the new Commission has not yet been recorded with the Clerk of Court's Office, the Notary shall sign his/her legal name, indicating below the signature why the name is different from the recorded name, i.e. just married, legal name change, etc.

An acknowledgment taken by a Notary Public must be on the same sheet of paper as the instrument acknowledged or if the instrument is made up of more than one sheet, the acknowledgment must appear on the last sheet and cannot be on a separate sheet following the last sheet.

A Notary Public who fails to state his official character in the acknowledgment of an instrument, has failed to effect a valid acknowledgment.

To avoid illegible signature obscuring the identity of a Notary Public, the law requires that the name of the Notary be typed or plainly printed beneath the signature.

The term of appointment of a Notary Public, other than an attorney at law, is five (5) years. An attorney at law is entitled to a lifetime commission as a Notary Public or as long as he/she remains a resident of this state in good standing.

While the law of Ohio, under certain circumstances, recognizes the validity of the acknowledgment taken by Notary Publics over a telephone, the technical legal requirements of the circumstances under which this may be done and the special form of the written acknowledgment itself are such that no one other than an attorney at law or a Notary having the immediate counsel and advice of an attorney at law, should attempt to take such an acknowledgment.

The Code of Ohio provides that before entering upon the discharge of his/her duties, a Notary Public shall provide himself with the seal of a Notary Public, this seal is to contain the emblem of the State, the words "Notary Public", "Notarial Seal", or words to that effect, the name of the Notary and the State of Ohio. However, the name of the Notary and the limit of his jurisdiction may instead of appearing on the seal, be printed typewritten or stamped in legible, printed letters near his/her signature on each document signed by him/her. Expiration date must also appear with signature.

A Notary Public, before acting as such, must record his/her Commission with the Clerk of Courts of the county in which he resides.

THE TEST FOR NOTARY PUBLIC MAY BE TAKEN ANYTIME FROM 8:30 AM TO 4:30 PM, MONDAY THRU FRIDAY IN THE CLERK OF COURTS OFFICE.