

**WINFIELD PUBLIC LIBRARY  
NOTARY PUBLIC POLICY**

**September 2021**

## Notary Public Services

The Winfield Public Library may have notary service available and if so will provide in accordance with the Illinois Notary Public Act (5 ILCS 312). Library notaries will decline to provide notary services in situations that do not comply with the provisions of this law, including any prohibited acts. Current guidelines can be found in the Illinois Notary Public Handbook, available through the Illinois Secretary of State Office's website.

Notary services at the Winfield Public Library are free-of-charge, but they are not guaranteed. The library recommends that those seeking notary services contact the library prior to their visit to ensure that a notary is available and to verify types of services provided. Since notary services are offered as a courtesy and are not the commissioned employee's primary duty, requestors may be asked to wait, reschedule, or make an appointment for services. Upon provision of notary service, a copy of this policy shall be provided to the signatory.

According to the National Notary Assn., "...notarization is the assurance by a duly appointed and impartial Notary Public that a document is authentic, that its signature is genuine, and that its signer acted without duress or intimidation and intended the terms of the document to be in full force and effect." As such, the notaries public at the Winfield Public Library adhere to the following:

- Documents to be notarized must be signed in the presence of the notary and all signatories must be present. Likewise, any oath must be administered in the presence of the notary.
- Signers must possess a current, valid, state or federal government-issued identification document that includes the requestor's photo and signature. Such documents include a state-issued driver's license or ID card, a U.S. passport, or a U.S. military ID.
- Documents must be completely filled out with no empty sections other than where the requestor will sign the document. Sections that don't apply should be marked "N/A."
- Documents will only be notarized with the current date.
- Illinois law requires that a notary and the person seeking notarization be able to communicate directly with each other. Therefore, the library is only able to notarize documents in English and for requestors that understand the English language at the present time. Translators are not permitted.
- A notary shall not take acknowledgement of any person who is blind until the notary has read the instrument to such person.
- A notary cannot take the acknowledgement of a person who is mentally incapacitated or who does not appear to understand the nature and effect of a document.
- Library notaries cannot provide legal advice or counseling regarding documents, nor can they prepare documents.
- The library reserves the right to refuse notary services at any time.

The library provides only basic notary services. The following are not available for notary services:

- Deeds or other documents of conveyance of ownership of real estate property
- Mortgages, or other refinancing documents

- Government I-9 forms/Employment Eligibility Verification
- Estate planning documents (wills, codicils, living wills or trusts)
- Apostilles - a form that certifies that a document issued in one country can be used and considered valid in another country
- Documents that are not in English
- Additional witnesses for documents: The library does not provide witnesses and witnesses may not be solicited from staff or patrons using the library. In order to serve as a witness, the witness must personally know the person whose document is being notarized and must be in possession of valid photo identification.
- Certification of Copies: Illinois law does not authorize a notary public to certify copies of any document, including but not limited to passports, driver's licenses, birth certificates, death notices, and marriage certificates. Persons requesting certified copies will be referred to the official who has custody of the original document or to the office where the document has been officially filed.
- Verification of the validity of all documents is the responsibility of the signers.
- Notaries will not provide services if the requestor, document, or circumstance of the request for notary services raises an issue of authenticity, ambiguity, doubt, or uncertainty for the library. In this event, the notary may, at their discretion, decline to provide notary public service.

All notarial acts will be recorded in the notary's Notary Public Record Book or "journal," and signers will be asked for their signature next to their entry in the journal. Information recorded in the journal includes:

- Date
- Each signer's name and address
- Each signer's signature
- Type of ID provided, ID number from identification document (e.g. driver's license number), and the expiration date of the ID
- Description of the document being notarized

The library shall pay for any fees associated with staff training or the acquisition of a bond for staff providing notary services.

Signed and adopted by the Winfield Library Board of Trustees this 8<sup>th</sup> day of

September, 2021.

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President,  
Library Board of Trustees

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Secretary