

## CHAPTER 10 THE TEST

### Chapter Objective:

**This section describes what to expect concerning the State Exam and registration process.**

You will need to register for the exam and select an examination site. You can register on line at <https://notary.cps.ca.gov> or by phone at 1-916-263-3520 Mon thru Fri 8am-5pm. Walk-in registration is also available but not guaranteed.

Be sure to arrive 30 min prior to the exam time. The fee for first time examinees or those renewing their commission is \$40. The fee for those who have previously taken the test and failed is \$20.00. Fees must be made with check or money order. The Cooperative Personnel Services (CPS) is contracted with the state to administer the test and their Proctors do not accept cash since all monies are forwarded to the Secretary of State.

Take your completed application to the examination site. This application is then also forwarded to the Secretary of State for qualifying information. If taking a seminar, this application will be available for you at the seminar site. Be certain to submit your “Proof of Completion” for the mandatory educational requirements or you will not receive a commission even if you pass the examination.

Testing will be a maximum of 50 minutes; the CPS proctor administers the test and they will require you to bring identification (driver’s license, DMV ID card, passport or US military card). **Do not ask the CPS Proctors notary questions because as Proctors for the Notary Examination, they are not permitted to be notaries themselves.** If you are retaking the exam, you should also bring in a completed application form and the fail letter notification. Bring two #2 pencils (not required at our seminar site).

Finally, the actual test is a closed-book exam with 30 questions. You must receive a score of at least 70% to pass which means that you can miss up to 9 questions. If you have completed this study course and feel comfortable with the material presented, and have read through the State Handbook, you should absolutely have no problems passing the exam.

**SAMPLE NOTARY EXAM**  
30 Questions- Select the BEST answer

The idea on the notary exam is that the **BEST** answer is the right answer. This requires that you read the question very carefully and then read **EVERY** answer before making your selection. Just because an answer is sometimes right depending on the situation does not mean that it is the best answer available to you. Perhaps another answer is right in every circumstance and therefore that answer becomes the **BEST** and most correct answer.

Some questions will be written in a complex manner and the best answer may sometimes be obscured by the other answers that may seem correct. If you do not know the answer, eliminate the ones you absolutely know cannot be correct. Then, from the remaining answers, try to place them in a scenario which utilizes the knowledge you have acquired through this course. If all else fails, select your best guess. Never leave an answer blank. Take the time to review your answers after you are finished to make sure that you haven't misread the question. Answers will be discussed during the seminar. Good luck!

- 1) Charging someone more than the allowable fees as prescribed may result in:
  - a) A fine of up to \$750
  - b) A fine of up to \$1,500
  - c) A suspended or revoked commission
  - d) a & c
  
- 2) The office of the Notary Public is authorized through a written commission from:
  - a) The Federal Government Notary Commission
  - b) Cooperative Personnel Services (CPS)
  - c) Secretary of State, California
  - d) None of the above
  
- 3) Notaries who are commissioned within the State of California are permitted to notarize documents:
  - a) Anywhere in the state of California.
  - b) Only in the county where the notary has filed a bond and oath.
  - c) In any state as long as the document venue states that it was completed in California.
  - d) Anywhere in the United States
  
- 4) Upon receiving the letter of commission, where should the notary should file their oath and bond?
  - a) The Secretary of State.
  - b) In the county of residence.
  - c) In the county where the notary maintains his or her principal place of business.
  - d) All of the above

- 5) The \$15,000 notary bond:
- a) Provides the minimum required amount of liability insurance for the notary.
  - b) Limits the maximum amount of recoverable monetary award against a notary in a civil lawsuit.
  - c) Must be obtained through a California admitted surety company.
  - d) All of the above.
- 6) When a notary completes either a jurat or acknowledgment, they are:
- a) Guaranteeing that the signer proved their authorized capacity before the notary.
  - b) Assuring the truth and accuracy of the contents within all documents.
  - c) Guaranteeing that the signer personally appeared before the notary at the time of notarization.
  - d) All of the above.
- 7) A non-attorney notary may never give legal advice. An example of a notary giving legal advice is:
- a) Requiring identification for an acknowledgment.
  - b) To require a solemn oath from the signer as to the truthfulness of the document's contents.
  - c) Determining the notary act to be performed .
  - d) All of the above.
- 8) When completing a signature by mark, under what circumstances must the notary verify the identity of the document principal?
- a) Never
  - b) Only when the two witnesses also are used as credible witnesses.
  - c) If one witness is used as a credible witness and is personally known to the notary.
  - d) Always
- 9) Suppose John Smith who is named as grantee on a Grant Deed that is to be notarized agrees to be a Credible Witness for his friend, Bob Jones, named as Grantor on a different Grant Deed. Which following statement is true?
- a) John Smith may not be used as a credible witness for Bob Jones since he is a friend of Bob Jones.
  - b) John Smith may be used as a credible witness for Bob Jones in this case.
  - c) Credible Witnesses may never be used for Quitclaim Deeds, Grant Deeds, Deeds of Trust, Security Agreements or Mortgage Agreements.
  - d) The notary should contact the originator of the document requiring Bob Jones's signature prior to using John Smith as a Credible Witness.
- 10) If a notary is issued a license to authorize a confidential marriage, it is valid only:
- a) For 90 days and only in the county of the notary's principal place of business.
  - b) For 90 days and only in the county in which the license was obtained which must also be the notary's place of residence.

- c) For 90 days and statewide.
- d) None of the above

11) Mary Smith falsely informs a notary that her husband has passed away and gives the notary a newly completed Grant Deed which transfers the property into her name. She even provides a falsified Affidavit of Death of Joint Tenancy to the notary stating that her husband had died. The notary is obligated to notarize the new Grant Deed since there is no indication that the notary is aware of the deception, but, when the matter is investigated in the future, Mary Smith may face which type of prosecution according to notary law?

- a) A misdemeanor punishable by up to 1 year in prison.
- b) A felony with a possible fine of up to \$75,000.
- c) A felony punishable by up to 1 year in prison.
- d) A felony punishable by up to 1 year in prison and a possible fine of up to \$75,000.

12) The VENUE specifically indicates:

- a) The state and county where the document was physically notarized.
- b) The state and county where the document was drawn.
- c) The state and county where the notary has filed his or her bond and oath.
- d) The state and county which has reference within the document.

13) Suppose a husband and wife wishes to notarize a grant deed transfer to a third party who accompanies them to your office. Upon signing, the husband explains that someone had stolen his wallet and the only identification he has is a DMV temporary license, which does not have his photograph on it. The temporary license also states that it is not an approved form of identification. His wife and the grantee are there with him, however, and you suggest that since there are two other persons with him, they could act in the capacity of credible witnesses and still have his signature notarized. Were you right?

- a) Yes, because you may use two credible witnesses if someone does not have ID.
- b) No, credible witnesses may only be used if they both know the notary and the signer. There is no indication that the witnesses know the notary.
- c) Yes, credible witnesses may used even if they are related to the signer.
- d) None of the above

14) Suppose a document is signed as Jason W. Smith, Jr. and the identification document presented lists Jason Wilson Smith, the notary should:

- a) Accept the identifying document since the middle name for Jason W. Smith is completely spelled out and the identifying document can have more information than the signature, but never less.
- b) Complete the notarization as long as Mr. Smith swears to the truthfulness of the identifying document.
- c) Notarize the document as requested
- d) Require an alternative form of identification based on insufficient evidence for the principal's identification.

15) David E. Jones and Carolyn S. Jones, recently married, both personally appear before the notary and request notary services relating to a Deed of Trust. Upon presentation of their identification, the notary notices that Carolyn's identification document still has her maiden name but Carolyn quickly presents a copy of a marriage certificate showing that her name has been changed to Jones. The notary must:

- a) Refuse to notarize the document since acceptable identification is not presented for Carolyn.
- b) Require that they both return when she has an acceptable form of identification.
- c) A & B
- d) None of the above

16) When using one credible witness to verify the identity of the signer, the credible witness :

- a) Must prove their identity to the notary.
- b) May be known by either the signer or the notary, but not necessarily both.
- c) May not have a beneficial or financial interest in the document being notarized.
- d) All of the above

17) Thumbprints are required in the notary's sequential journal for:

- a) All document signers, credible witnesses and/or subscribing witnesses.
- b) All acknowledgments, but not jurats.
- c) Deeds, deeds of trust and quitclaims affecting real property (not on Deeds of Reconveyance or Trustee's Deeds if property is in foreclosure).
- d) Any notarization regardless of the nature of the document.

18) When a document requires the signatures of two persons, and both signatures require notarization, both signers:

- a) Must be present before the notary at the same time during signing.
- b) Can appear at different times, but the notary should only complete only one notarial certificate (acknowledgment or jurat).
- c) Must request a certified copy of the completed document showing that both signatures have been notarized.
- d) Can appear at different times, but the notary should complete a separate notarial certificate (acknowledgment or jurat) for each signer.

19) A first offense for failing to comply with legislation regarding the posting of proper verbiage in both English and non-English, including the posting of fees (if a notary is advertising his or her services in any non-English language) will result in:

- a) Immediate and definite revocation of the notary commission.
- b) There is no such legislation.
- c) A 6-month suspension of the notary commission.
- d) None of the above

20) When notifying the Secretary of State within 10 days that a journal has been surrendered due to the issuance of a warrant, the notary must also include:

- a) A copy of the receipt for the journal.

- b) The period of journal entries.
  - c) The commission number and expiration date of the notary.
  - d) All of the above
- 21) Some (but not necessarily all) information that the journal entries must include are:
- a) Birth date of the signer, signature of the signer, fee charged, date, time.
  - b) Signature of the signer, fee charged, serial number and expiration date of the identifying document used or some indication of how the signer was identified.
  - c) Fee charged, name of the document, thumbprint for all documents notarized.
  - d) Names of all document principals for every document notarized.
- 22) Allowable fees for notary services include:
- a) \$10/notarized signature, \$20 for depositions, \$.30 for copies of notary journal entries, \$10 for protesting a non-payment, \$5 for serving the protest and \$5 for filing the protest, \$10 for certifying a copy of a Power of Attorney.
  - b) \$10/ notarized signature, \$10 for depositions, \$.30 for copies of notary journal entries, \$10 for protesting a non-payment, \$5 for serving the protest and \$5 for filing the protest, \$10 for certifying a copy of a Power of Attorney.
  - c) There are no limitations of fees.
  - d) None of the above
- 23) A fine of up to \$750 may be issued to the notary for which of the following
- a) Notarizing documents without being commissioned.
  - b) Acting as an attorney.
  - c) Failing to give the oath when required, failure to complete an acknowledgment at the time of notarization, charging more than the prescribed fees or negligent failure to perform duties required of a notary.
  - d) b & c only
- 24) Negligent failure to fully carry out your notary duties as required can result in:
- a) A felony
  - b) Suspension or revocation
  - c) \$750 fine
  - d) b & c
- 25) Finally, you have received the letter from the Secretary of State which contains your Certificate of Commission. You have sent your letters of authorization to an approved seal manufacturer and have received your notary seal back before you have had time to file your bond and oath. A friend brings you a Deed of Trust to notarize and since he is your friend, you go ahead and notarize the document since you are planning on filing your bond and oath in a few days anyway. You are guilty of:
- a) A misdemeanor punishable by a \$1,500 fine.
  - b) A misdemeanor
  - c) A felony
  - d) Nothing since you already have received your commission.

- 26) Suppose Mr. Jones's house had been burglarized and the insurance company asked Mr. Jones to provide notarized photographs of any items claiming to be stolen in order to back up his claim. Mr. Jones brings in the photographs and attaches them to a statement which states that he swears that the photographs are true and correct. He then requests that you notarize each photograph along with the statement in order to prove to the insurance company that he did not in any way alter the photos since appearing before the notary. What is your response?
- a) Refuse to notarize the statement or the photographs since the proper notarial verbiage is not present.
  - b) Notarize the photographs only.
  - c) Refuse the notarization since you are not allowed to notarize photographs.
  - d) Notarize the statement only
- 27) If a journal entry requires a right thumbprint, but no right thumb is available, the notary should:
- a) Refuse the notary.
  - b) Complete the notary using the left thumbprint if available and noting which thumb was used and an explanation as to why in the journal.
  - c) Omit the thumbprint from the journal.
  - d) Require an additional signer.
- 28) If a notary is convicted of committing perjury, the punishment can be:
- a) State imprisonment of 2,3 or 4 years.
  - b) Conviction of a felony.
  - c) Revocation of the notary commission.
  - d) All of the above
- 29) Failing to notify the Secretary of State of a lost, broken or damaged seal can result in a fine of:
- a) \$750
  - b) \$1,500
  - c) \$2,500
  - d) \$1,000
- 30) A notary changing his or her name (due to a marriage, for example) must:
- a) Submit an application with the Secretary of State for a name change.
  - b) File a new oath of office and an amendment to the bond within 30 days.
  - c) Obtain a Certificate of Authorization to manufacture a new seal with the new name (but the commission number remains the same).
  - d) All of the above

**ANSWER KEY**  
**SAMPLE NOTARY EXAM**  
30 Questions- Select the BEST answer

- 1) Charging someone more than the allowable fees as prescribed may result in:
- a) A fine of up to \$750  
Yes, but not the best answer available
  - b) A fine of up to \$1,500  
No..the fine is \$750
  - c) A suspended or revoked commission  
Yes, but not the best answer available
  - d) A & C
- 2) The office of the Notary is authorized through a written commission from:
- a) The Federal Government Notary Commission  
There is no such commission
  - b) Cooperative Personnel Services (CPS)  
This is the testing agency, not the Commissioning agency. (By the way, CPS Proctors will not provide any information at the testing site about notary questions since they are not permitted to become notaries themselves!)
  - c) Secretary of State, California  
Correct
  - d) None of the above
- 3) Notaries who are commissioned within the State of California are permitted to notarize documents:
- a) Anywhere in the State of California  
Correct, but remember that the notary must comply with the laws of California. For example, if a State requires that a notary certify the capacity of a signer (i.e. CEO, Treasurer), the notary may not do so.
  - b) Only in the county where the notary has filed a bond and oath
  - c) In any state as long as the document venue states that it was completed in California
  - d) Anywhere in the United States
- 4) Upon receiving the letter of commission, where should the notary should file their oath and bond?
- a) The Secretary of State  
NO...see below
  - b) In the County of residence  
The principal place of business is the determining condition
  - c) In the County where the notary maintains his or her principal place of business
  - d) All of the above

- 5) The \$15,000 notary bond:
- a) Provides the minimum required amount of liability insurance for the notary  
The notary bond provides protection for the public, not the notary.
  - b) Limits the maximum amount of recoverable monetary award against a notary in a civil lawsuit  
The notary is personally liable for all monetary awards regardless of the amount
  - c) Must be obtained through a California admitted surety company  
Correct
  - d) all of the above
6. When a notary completes a jurat or acknowledgment, they are:
- a) Guaranteeing that the signer proved their authorized capacity before the notary  
The notary is not allowed to certify the capacity of a signer in California
  - b) Assuring the truth and accuracy of the contents within the document  
Notarization can never guarantee or assure the truth and accuracy of a document's contents.
  - c) Guaranteeing that the signer personally appeared before the notary at the time of notarization  
Correct
  - d) Certifying the document  
The notary may only certify copies of Powers of Attorney and their own journal
- 7) A non-attorney notary may never give legal advice. An example of a notary giving legal advice is:
- a) Requiring identification for an acknowledgment  
In this case, the notary is required to obtain identification
  - b) To require a solemn oath from the signer as to the truthfulness of the document's contents  
This requirement is necessary in order to complete a Jurat
  - c) Determining the notary act to be performed  
Correct. The notary may not suggest to the client whether to perform an Acknowledgment or a Jurat. To do so is considered to be a practice of law. The client must be referred to the originator of the document.
  - d) All of the above
- 8) When completing a signature by mark, under what circumstances must the notary verify the identity of the document principal?
- a) Never  
The document principal signed the document with an "x" but the notary must still verify his or her identification.
  - b) Only when the two witnesses also are used as credible witnesses
  - c) If one witness is used as a credible witness and is personally known to the notary
  - d) Always

9) Suppose John Smith who is named as grantee on a Grant Deed that is to be notarized agrees to be a Credible Witness for his friend, Bob Jones, named as Grantor on a different Grant Deed. Which following statement is true?

- a. John Smith may not be used as a credible witness for Bob Jones since he is a friend of Bob Jones  
Incorrect. John Smith may be used as a credible witness so long as he is not named within the document or has no beneficial interest in the document.
- b. John Smith may be used as a credible witness for Bob Jones in this case.
- c. Credible Witnesses may never be used for Quitclaim Deeds, Grant Deeds, Deeds of Trust, Security Agreements or Mortgage Agreements.  
This is true of Subscribing Witnesses not Credible Witnesses
- d) The notary should contact the originator of the document requiring Bob Jones's signature prior to using John Smith as a Credible Witness.  
There is no need to contact the originator of the document in this case.

10) If a notary is issued a license to authorize a confidential marriage, it is valid only:

- a) for 90 days and only in the county of the notary's principal place of business
- b) for 90 days and only in the county in which the license was obtained which must also be the notary's place of residence.
- c) for 90 days and statewide
- d) none of the above

11) Mary Smith falsely informs a notary that her husband has passed away and gives the notary a newly completed Grant Deed which transfers the property into her name. She even provides a falsified Affidavit of Death of Joint Tenancy to the notary stating that her husband had died. The notary is obligated to notarize the new Grant Deed since there is no indication that the notary is aware of the deception; but, when the matter is investigated in the future, assuming the new Grant Deed has been filed, Mary Smith may face which type of prosecution according to notary law?

- a) A misdemeanor punishable by up to 1 year in prison
- b) A felony with a possible fine of up to \$75,000  
First, note that the notary is not being requested to notarize the husband's signature, only her own; however, Mary Smith is presenting falsified documents to the notary as well as making a false statement to the notary in order to transfer property from her and her husband's name into her name alone. Anyone who knowingly makes a false sworn statement to a notary for a document which affects transfer of property title or places an encumbrance on a party is guilty of a felony. Any person filing with the county recorder false or forged documents of this nature is guilty of a felony and the fine on this action can be up to \$75,000.
- c) A felony punishable by up to 1 year in prison

- d) A felony punishable by up to 1 year in prison and a possible fine of up to \$75,000  
This answer looks better, but we do not have an indication of the 1 year in prison in notary law. Who knows how long of a prison term might be applied?

12. The VENUE specifically indicates:

- a) The state and county where the document was physically notarized  
Correct
- b) The state and county where the document was drawn  
Incorrect
- c) The state and county where the notary has filed his or her bond and oath  
Incorrect
- d) The state and county which has reference within the document  
Incorrect

13) Suppose a husband and wife wishes to notarize a grant deed transfer to a third party who accompanies them to your office. Upon signing, the husband explains that someone had stolen his wallet and the only identification he has is a DMV temporary license, which does not have his photograph on it. The temporary license also states that it is not an approved form of identification. His wife and the grantee are there with him, however, and you suggest that since there are two other persons with him, they could act in the capacity of credible witnesses and still have his signature notarized. Were you right?

- a) Yes, because all you need is two credible witnesses if someone does not have ID.

However, the Credible witnesses may not be named or have a beneficial interest in the document.

- b) No, Credible witnesses may only be used if they both know the notary and the signer. There is no indication that the witnesses know the notary.

Two credible witnesses who prove their identity to the notary are used specifically when the notary does not personally know one. The two credible witnesses in this case would be fine except that they are both named within the document.

- c) Yes, credible witnesses may used even if they are related to the signer.

Credible witnesses related to the signer may be used but not when named within the document.

- d) None of the above

Correct. In this case the two credible witnesses are named within the document and cannot be used. They must leave and return with another proper form of identification in order to have this transfer notarized.

14) Suppose a document is signed as Jason W. Smith, Jr. and the identification document presented lists Jason Wilson Smith, the notary should:

- a) Accept the identifying document since the middle name for Jason W. Smith is completely spelled out and the identifying document can have more information than the signature, but never less.

Unfortunately, without the “Jr.” also present on the identifying document, it cannot be used.

b) Complete the notarization as long as Mr. Smith swears to the truthfulness of the identifying document.

This example is not an acceptable form of identification

c) Notarize the document as requested

The notary will need to have an alternate form of identification since “Jr.” is not present on the identification document in this example.

d) Require an alternative form of identification based on insufficient evidence for the principal’s identification.

15) David E. Jones and Carolyn S. Jones, recently married, both personally appear before the notary and request notary services relating to a Deed of Trust. Upon presentation of their identification, the notary notices that Carolyn’s identification document still has her maiden name but she quickly presents a copy of a marriage certificate showing that her name has been changed to Jones. The notary must:

a) Refuse to notarize the document since acceptable identification is not presented for Carolyn

b) Require that they both return when she has an acceptable form of identification  
The Deed of Trust can be notarized for David but Carolyn will need to return with proper identification or credible witnesses.

c) A & B

d) None of the above

The document can be immediately notarized for David but not for Carolyn

16) When using one credible witness to verify the identity of the signer, the credible witness:

a) Must prove their identity to the notary

When using one Credible Witness, the Notary and the Signer must personally know the Credible Witness.

b) May be known by either the signer or the notary, but not necessarily both  
Both the signer and the Notary must know the Credible Witness; otherwise, two credible witnesses are used.

c) May not have a beneficial or financial interest in the document being notarized  
Correct

d) All of the above

17) Thumbprints are required in the Notary’s sequential journal for:

a) All document signers, credible witnesses and/or subscribing witnesses

Thumbprints are required only for deeds, deeds of trust and quitclaims affecting real property.

b) All acknowledgments, but not jurats

Incorrect

c) Deeds, deeds of trust and quitclaims affecting real property (not on Deeds of Reconveyance or Trustee’s Deeds if property is in foreclosure)

Correct

- d) Any notarization regardless of the nature of the document

Incorrect, but most notaries obtain thumbprints for everything anyway unless the client refuses to provide the thumbprint.

18) When a document requires the signatures of two persons, and both signatures require notarization, both signers:

- a) Must be present before the notary at the same time during signing.

No. They may appear at different times

- b) Can appear at different times, but the notary should only complete a single notarial certificate (acknowledgment or jurat) for both.

A notarial certificate must be completed for each since they appeared at different times. A "loose certificate" should be completed and attached for the second signer at the time the notary notarizes the second signature.

- c) Must request a certified copy of the completed document showing that both signatures have been notarized.

Incorrect

- d) Can appear at different times, but the notary should complete a separate notarial certificate (acknowledgment or jurat) for each signer.

Correct

19) Failing to comply with legislation regarding the posting of proper verbiage in both English and Non-English, (if a Notary is advertising their services in any non-English language) will result in:

- a) Immediate and definite revocation of the notary commission.

Incorrect- a minimum of one-year suspension, but not immediate revocation

- b) There is no such legislation.

Incorrect

- c) A 6-month suspension of the notary commission.

A minimum of one-year suspension

- d) None of the above

A minimum of one-year suspension and a possibility of revocation

20. When notifying the Secretary of State that a journal has been surrendered, the notary must also include:

- a) A copy of the receipt for the journal

Yes, but the answer is d) all of the above

- b) The period of journal entries

Yes, but the answer is d) all of the above

- c) The commission number and expiration date of the notary

Yes, but the answer is d) all of the above

- d) All of the above

Correct

- 21) Some (but not necessarily all) information that the journal entries must include are:
- a) Birth date of the signer, signature of the signer, fee charged, date, time  
Birth date is not required
  - b) Signature of the signer, fee charged, serial number and expiration date of the identifying document used or some indication of how the signer was identified.  
Correct. Please note that not everything is included here. For example, you need the date and time the document was notarized. The question does suggest that all information in the journal is listed. It only states that these items are required.
  - c) Fee charged, name of the document, thumbprint for all documents notarized  
Thumbprints are required for deeds, grant deeds and quitclaims affecting real property, not for all documents.
  - d) Names of all document principals for every document notarized  
Remember that not all document principals sign the document in every instance. For example, document principals in a Grant Deed are the Grantors and Grantees, but only the Grantors will sign the document and have it notarized.
- 22) Allowable fees for notary services include:
- a) \$10/notarized signature, \$20 for depositions, \$.30 for copies of notary journal entries, \$10 for protesting a non-payment, \$5 for serving the protest and \$5 for filing the protest, \$10 for certifying a copy of a Power of Attorney
  - b) \$10/ notarized signature, \$10 for depositions, \$.30 for copies of notary journal entries  
It is \$20 for depositions
  - c) There are no limitations of fees  
Obviously incorrect
  - d) None of the above
- 23) A fine of up to \$750 may be issued to the notary for which of the following
- a) Notarizing documents without being commissioned  
This fine is \$1,500
  - b) Acting as an attorney.  
No stipulated fine but could include suspension or revocation along with personal financial liability and criminal prosecution.
  - c) Failing to give the oath when required, failure to complete an acknowledgment at the time of notarization, charging more than the prescribed fees or negligent failure to perform duties required of a notary.  
Correct
  - d) b & c only
- 24) Negligent failure to fully carry out your notary duties as required can result in:
- a) A felony
  - b) Suspension or revocation

- c) \$750 fine
- d) b & c

25) Finally, you have received the letter from the Secretary of State which contains your Certificate of Commission. You have sent your letters of authorization to an approved seal manufacturer and have received your notary seal back before you have had time to file your bond and oath. A friend brings you a Deed of Trust to notarize and since he is your friend, you go ahead and notarize the document since you are planning on filing your bond and oath in a few days anyway. You are guilty of:

a) a misdemeanor punishable by a \$1,500 fine

b) a misdemeanor

Acting as a notary without commission is usually a misdemeanor but when it affects the encumbrance of property it is a felony.

c) a felony

It is a felony

d) nothing since you already have received your commission

You are not a commissioned notary until you file your oath and bond.

26) Suppose Mr. Jones's house had been burglarized and the insurance company asked Mr. Jones to provide notarized photographs of any items claiming to be stolen in order to back up his claim. Mr. Jones brings in the photographs and attaches them to a statement which states that he swears that the photographs are true and correct. He then requests that you notarize each photograph along with the statement in order to prove to the insurance company that he did not in any way alter the photos since appearing before the notary. What is your response?

a) Refuse to notarize the statement or the photographs since the proper notarial verbiage is not present.

You may not notarize the photographs but you may certainly notarize the statement with a Jurat since it a statement in which the signer is guaranteeing the truthfulness of the statement.

b) Notarize the photographs only

You may never place your notary seal on any document not containing proper notarial verbiage.

c) Refuse the notarization since you are not allowed to notarize photographs

You may not notarize the photographs but you may certainly notarize the statement with a Jurat since it a statement in which the signer is guaranteeing the truthfulness of the statement.

d) Notarize the statement only

Correct

27) If a journal entry requires a right thumbprint but no right thumb is available, the notary should:

a) Refuse the notary

b) Complete the notary using the left thumbprint if available and noting which thumb was used and an explanation as to why in the journal.

Right thumbprints are required for certain types of documents and if the right is not available, the left may be used or if the left is unavailable a fingerprint may be used. In all events, if the right thumb is not available, the notary needs to indicate which one was used and why.

- b. Omit the thumbprint from the journal
  - c. Require an additional signer
- 
- 28) If a notary is convicted of committing perjury, the punishment can be:
- a) State imprisonment of 2,3 or 4 years
  - b) Conviction of a felony
  - c) Suspension or revocation of the notary commission
  - d) All of the above
- 
- 29) Failing to notify the Secretary of State of a lost, broken or damaged seal can result in a fine of:
- a) \$750
  - b) \$1,500
  - c) \$2,500
  - d) \$1,000
- 
- 30) A notary changing their name (due to a marriage, for example) must:
- a) Submit an application with the Secretary of State for a name change
  - b) File a new oath of office and an amendment to the bond within 30 days
  - c) Obtain a Certificate of Authorization to manufacture a new seal with the new name (but the commission number remains the same)
  - d) All of the above