

## Test Your Knowledge

### Chapter 1 Quiz

- 1. To be eligible for an appointment as a notary public by the California Secretary of State, a person must:**
  - a. Be a California residence at the time of appointment (*unless appointed to serve on a military or naval reservation*) and be at least 18 years of age.
  - b. Complete a course of study approved by the Supreme Court of California.
  - c. Pass a written exam and a background check.
  - d. A & C
  
- 2. Choose the correct answer:**
  - a. A notary public's jurisdiction is limited to the county in which the notary public's oath and bond are on file.
  - b. The terms of office for a notary public are two years starting with commencement date.
  - c. A person may not serve as a notary public until both the oath and bond is filed with the county clerk, and both must be filed within 30 days of the commencement date of the term stated in the commission.
  
- 3. A notary public must obtain a bond from a California admitted surety insurer in the amount of:**
  - a. \$15,000
  - b. \$20,000
  - c. \$25,000
  
- 4. Choose the correct answer:**
  - a. The notary public bond is provided to protect the notary public against honest mistakes.
  - b. The notary's official bond is never liable in any civil action for damages action sustained from a notary public's misconduct or neglect.
  - c. The bond is to provide limited fund to reimburse members of the public who are damaged by notarial misconduct.
  - d. Error and omission or other type of liability insurance can be used in place of the notary public bond.
  
- 5. Public employee notaries public:**
  - a. May only perform notarial acts for and on behalf of their public entity employer and are not authorized to perform notarial acts on their own time.
  - b. Are not restricted in any way and may perform notarial acts on their time.
  - c. That public entity employer must control the notary public's journal at all times.

**6. Choose the correct answer:**

- a. A notary public may use a private commercial mailbox or post office as the address for his or her residence or principal.
- b. The notary public is required to notify the Secretary of State of the business address change from one county to another.
- c. Notaries public must notify California Secretary of State by certified mail within 30 days of changing their business or residence address.
- d. Willful failure to notify the California Secretary of State of a change of address is punishable as an infraction by a fine of up to \$750.

**7. Choose the correct answer:**

- a. The notary is required to pay a fee for updating the notary public's name with the California Secretary of State.
- b. The notary will receive an amended commission from the California Secretary of State with the new name, but the commission number and expiration date will remain the same.
- c. The notary public is not required to file a new oath of office and amended bond after the amended commission.

**8. Choose the correct answer:**

- a. A notary public is required to respond within 30 calendar days to the Secretary of State request for certified copies of his or her notarial journal.
- b. A notary public must respond within 30 days of receiving by regular mail any type of request relating to their official acts.
- c. A notary must respond within the time specified in the written request by the California Secretary of State for certified copies of his or her notarial journal.

**9. Private employee notaries public:**

- a. A notary public may enter into an agreement with a private employer to pay all necessary cost involved in becoming a notary public and the employer may limit the notary to provide only notarial acts directly associated with the business during working hours.
- b. The notary has a right to all fees collected in connections with the notarial acts performed during working hours.
- c. A notary public employee is not responsible for following California law, because the employer paid the fees.
- d. If an employer is found guilty of influencing a notary public into performing an improper act is guilty of a felony.

**10. Federal civil service notaries public:**

- a. The California Secretary of State may appoint federal civil service employees to serve as notaries public for military and naval reservations anywhere in the United States.
- b. A notary public appointed to serve on a military or naval reservation must be a citizen of the United States, but not a resident of California.
- c. Fees paid to these notaries public for notarial acts belong to the notary.

## Chapter II Quiz

### 1. The notary public must:

- a. Keep only **active sequential** journal at a time containing all notarial acts.
- b. Allow the boss access to the notary's journal if it was paid for by the employer
- c. Properly maintain his or her notarial journal, willfully failing to do so is guilty of a felony.

### 2. If no fee is charged for a notarial act:

- a. The journal fee column entry should be the maximum charges allowed of \$10
- b. The journal fee column entry should include all charges for the transaction
- c. Only fees for notarial act should be listed in the fee column of journal.

### 3. Choose the correct answer:

- a. If the notarial journal is surrendered to a peace officer, the notary must obtain a receipt for the journal and must notify the California Secretary of State by certified mail within 10 days of the date of surrender.
- b. An employer may inspect or copy of a notary's journal at any time even in the notary's absence as long as it is directly associated with the business purposes of the employer.
- c. Upon receipt of a subpoena duces tecum or a court order a notary must send the journal into the court for examination and copying.

### 4. Choose the correct answer:

- a. If a notary public's journal is stole, lost or misplaced the notary must notify the California Secretary of State within 10 days.
- b. If the notary old journal is returned or found, entries must not be made in the old journal, the notary must continue to use the new journal.
- c. If a notary resigns, is disqualified or is removed from office, the notarial journal and all other notarial records must be delivered to the California Secretary of State.

### 5. Choose the correct answer:

- a. A notary must have and use a seal purchased from a vendor or manufacturer authorized by the County Clerks office.
- b. Failure to secure the seal may result in suspension or revocation of the commission, and civil and criminal penalties.
- c. If the notary public's seal is lost, misplaced destroyed, broken or otherwise unworkable the notary must within 10 days, notify by mail or deliver written notice to the California Secretary of State.

**6. Choose the correct answer:**

- a. The seal can be used for the purpose of carrying out duties and responsibilities of a notary public and also for most other office duties.
- b. The use of the notary seal is not required for acknowledgments on California subdivision maps since the material used for such maps is generally not compatible with ink used on the seals.
- c. The notary seal must be surrendered to the County

**7. A notary public:**

- a. Must fill in the blank areas of a document before he or she can notarize it.
- b. Cannot notarize his/her own signature or a transaction in which the notary public has a direct financial or beneficial interest.
- c. Can notarize documents that does not have required notarial wording, beginning January 2008.

**8. A notary public:**

- a. Cannot notarize a signature on a document written in a foreign language.
- b. May use an interpreter if he or she cannot communicate with the customer.
- c. Must confirm the identity of the person signing the document, before performing most notarial acts.

**9. Choose the correct answer:**

- a. Since January 1, 2008, a notary public's personal knowledge of a signer is now sufficient to establish the identity of the signer.
- b. The oath or affirmation of a single credible witness or two credible witnesses is acceptable to establish the identity of a signer who otherwise would be difficult or impossible to present paper identification documents.
- c. When a notary uses the oath or affirmation of either a single credible witness or two credible witnesses, to establish the identity of a signer, each witness must be personally known by the notary.

**10. Choose the correct answer:**

- a. The venue statement establishes where the notary public performed the acknowledgment and where the signer personally appeared before the notary.
- b. A document containing statements, sworn or affirmed, by the signer to be true and correct typically is referred to as an acknowledgment.
- c. The jurat is the notarial certificate attached to a document or found at the end of a document and the signer swears under oath or affirms that they saw the owner sign the document.

**11. The jurat:**

- a. May be signed out side of the notary presence and acknowledges to the notary that the signature is their own.
- b. The venue statement on the jurat establishes the truthfulness of the contents.
- c. The jurat is the notarial certificate attached to a document or found at the end of a document and the signer swears under oath or affirms that the contents of the document are true and correct.

**12. Choose the correct answer:**

- a. If a person has signed a document but cannot appear before a notary public, another person (the subscribing witness) can appear on that person's behalf to prove the person signed the document.
- b. A proof of execution by a subscribing witness cannot be used on any document requiring a notary to obtain a thumbprint from the party signing the document in the notary public's journal, except a deed of trust.
- c. The identity of the subscribing witness must be established by the oath or affirmation of two credible witnesses whom the notary public personally knows and who personally knows the subscribing witnesses, everyone must present ID and provide fingerprints in the notary's journal.

**13. Choose the correct answer:**

- a. A person who cannot write his or her name cannot acknowledgment his or her signature on a document.
- b. A person who cannot write his or her name can acknowledgment his or her signature on a document or subscribe and swear to an affidavit by mark.
- c. A person who cannot write his or her name is required to provide additional identification document and two witnesses to establish his or identity under oath.

**14. Choose the correct answer:**

- a. A notary may certify copies of a power of attorney and copies of his or her journal, or portions of the journal, in response to a written request of the Secretary of State or a subpoena or court order.
- b. A notary may certify of copies birth, fetal, death, and marriage records by obtaining the information from the Secretary of State or the country recorder.
- c. A notary public may assist a person in completing any immigration document or give advice regarding which form to be completed.

**15. Choose the correct answer:**

- a. A notary public who is also a registered and bonded immigration consultant may charge \$10 per person for completion a set of immigration forms.
- b. A notary public may advertise that he or she is a notary public and also an immigration specialist or consultant.
- c. The notary public may translate the term "notary public" as "notario public or nario" into Spanish in his or her advertisement .
- d.

**16. Choose the correct answer:**

- a. A notary public may take an oral deposition by writing it out in longhand or typing it out longhand on an electronic device.
- b. Once a person has obtained his or her notary commission, there are no other requirements to perform a confidential marriage and issue confidential marriage license in the state of California.
- c. The fee for notarizing an acknowledgement or proof of deed, or other instrument, including the seal and writing the certificate, certifying a copy of a power of attorney, \$15 for each signature acknowledged.

**17. Choose the correct answer:**

- a. Deposition, copy certification administering the oath to the witness, and line item copied from the notary journal maximum cost is "0" per signature.
- b. If a notary public is appointed to act for and on behalf of a state or county public agency as an employee of the agency, fees must be charged for all services and those fees must be remitted or turned over to the employing agency.
- c. Military and naval reservations must charge a fee for notarial service or act.

**Chapter III Quiz**

**1. Choose the correct answer:**

- a. Misconduct by notaries public or others in connection with notarial acts are only punishable by administrative laws and proceedings.
- b. A misdemeanor is usually punishable by probation only.
- c. Criminal misconduct may be a felony, misdemeanor or infraction and an additional fine may also be imposed.

**2. Choose the correct answer:**

- a. Civil misconduct subjects a notary public to fines and may also lead to suspension or revocation of the notary public's commission for one year.
- b. A notary public and the sureties on the notary public's official bond are liable in a civil action for all damages sustained from a notary public's misconduct.
- c. The punishment for failing to discharge the duties and responsible required of a notary public is a \$750 fine.

**3. Choose the correct answer:**

- a. A notary public who has a direct financial or beneficial interest in a transaction cannot perform any notarial act in connection with that transaction.
- b. If a notary public is named as a party in a contract or is being assigned the proceeds, he or she does not have a financial interest in connection transaction; therefore, he or she may notarize the document.
- c. A notary has a 10% interest in a mortgage that is being refinanced; the notary may notarize the documents because the proceeds will remain in the bank's possession.

**4. Choose the correct answer:**

- a. If a notary public is a grantee on a deed on the sale of house, he or she may not perform any notarial act in connection with that transaction.
- b. A notary who is an agent for another or works for a company that will receive benefits from a transaction is prohibited from performing any notarial acts in connection with the transactions.
- c. A notary public may prepare, draft or select legal documents, assist customers who are unsure which type of notarization is required.

**5. Choose the correct answer:**

- a. A notary public may avoid an investigation or disciplinary action of any misconduct if he or she resigns his or her commission.
- b. In general the civil penalty typically assessed by the California Secretary of State is up to \$1500 per violation for notarial misconduct.
- c. The notary may retain the commission after the penalties are satisfied.

**6. Choose the correct answer:**

- a. For charging more than the maximum fees for notarial services, the Secretary of State may levy penalties of up to \$750 in addition to either denial of an application or revocation or suspension of a commission.
- b. A \$2500 civil penalty may be levied against a notary public if he or she fails to obtain the satisfactory evidence required to establish the identity of a credible witness.
- c. Forgery is punishable by imprisonment in the state prison, or by imprisonment in the county jail for not more than five years.

**7. Choose the correct answer:**

- a. A notary public is guilty of a misdemeanor if he or she knowingly and willfully with intent to defraud, with knowledge that the deed of trust contains false statements or is forged in whole or in part, performs any notarial act in relation of a deed of trust of real property containing not more than four dwelling units.
- b. A notary public is guilty of a misdemeanor if he or she willfully fails or refuses to deliver all notarial records and papers to the county clerk within 30 days of resignation or removal from office or within 30 days of commission expiration if the notary fails to be reappointed.
- c. Every person who, with intent to defraud, counterfeits or forges the seal or handwriting of another is guilty of a misdemeanor.

**8. Choose the correct answer:**

- a. Any notary public who willfully fails to keep the seal under direct exclusive control; and surrenders the official journal to any person not authorized to possess it is guilty of a misdemeanor.
- b. Willful failure to notify the California Secretary of State of a change of principal of address or of a name change is punishable as an infraction by a fine up to \$750
- c. Any person practicing law, who is not an active member of the State Bar, is guilty of a felony and a fine up to \$1500.

## **Final Exam (*Choose the best answer*)**

- 1. The main purpose of an acknowledgement is to:**
  - a) Authenticate signatures
  - b) Establish mental competence
  - c) Compel truthfulness in a signer
  
- 2. When taking an acknowledgment:**
  - a) The document must be signed in front of the notary.
  - b) The notary may accept a document that has signed out side of the notary's presence.
  - c) Must administer an oath
  
- 3. An acceptable ID card must:**
  - a) Be current
  - b) Include the description and photo of its bearer
  - c) Be current (or issued within the previous 5years), Include the expiration date, serial or ID numbers, description, signature and photograph of the signer.
  
- 4. When a document signer comes to the notary public with two credible witnesses to establish his or her identity, the notary must:**
  - a) Personally know both of the credible witnesses.
  - b) Have the credible witnesses identify themselves with proper identification cards.
  - c) Personally know the document signer.
  
- 5. A California notary may notarize in:**
  - a) Any county in the State of California
  - b) Only the county where he/she is commissioned
  - c) Only in the immediate surrounding counties
  
- 6. The notary's bond is to**
  - a) Provide limited fund to reimburse members of public who are damaged by notarial misconduct.
  - b) Always protects the notary public from financial loss for misconduct.
  - c) Provide for attorney fees in case of a civil law suite
  
- 7. If a notary takes an acknowledgment for five different documents at one time, how many journal entries should he or she make in the sequential journal?**
  - a) A separate line must be used for each document.
  - b) The journal entries can be combined on one line if the description is the same.
  - c) The journal entries can be combined if an oath is given
  
- 8. Foreign language documents:**
  - a) May never be notarized by a California notary public
  - b) Are not susceptible to fraud
  - c) May be notarized by California notaries as long as the notarial certificate and

document signature are in English or in a language the notary can read.

- 9. Every officer, including a notary public, is guilty of a misdemeanor:**
  - a) If the officer makes and delivers a certificate, which the officer knows to be false
  - b) If the officer practice law relating to the official journal.
  - c) If the officer fails to swear under oath before signing the document
  
- 10. A notary may offer legal advice/practice law:**
  - a) If the notary is knowledgeable about the subject matter
  - b) If the signer insists on an explanation before signing
  - c) A notary public is prohibited from giving advice unless the notary public is also a licensed California attorney.
  
- 11. A notary may notarize an incomplete document:**
  - a) If the boss insists and promises it will be filled in as soon as the secretary arrives.
  - b) If only a few words or spaces have been left out and can easily be filled in later
  - c) A notary public cannot take an acknowledgment on a document that is incomplete.
  
- 12. A notary has to surrender the journal to the boss:**
  - a) Upon termination of employment
  - b) When the boss has paid in full for the commission
  - c) NEVER under any circumstances
  
- 13. The notary must keep the journal and seal in a locked and secure area:**
  - a) At all times
  - b) Only if the office is not locked at night
  - c) When other notaries are around who may steal the supplies
  
- 14. A notary public who works at multiple offices:**
  - a) May keep an active notarial journal in each of the offices.
  - b) My keep multiple journals to satisfy the need of each office.
  - c) Must only one active sequential journal at a time containing all notarial acts.
  
- 15. If the notary journal is lost or stolen, he/she should notify:**
  - a) County clerk's office
  - b) The boss who was in charge on the day of the theft or loss
  - c) The Secretary of State immediately, by certified or registered mail
  
- 16. A notary is required to take the thumbprint of the signer:**
  - a) Every time a document is notarized
  - b) If the signer agrees to be fingerprinted
  - c) All signers of deeds, quitclaim deeds, deeds of trust affecting any real property or a power of attorney document.

- 17. An acknowledgement certifies that the signer of the document:**
- a) Personally appeared before the notary on the date and in the county indicated
  - b) Signed the document in front of the notary
  - c) Took an oath swearing that the contents of the document are true
- 18. A Jurat certifies that the person signing the document:**
- a) Did so in the presence of the notary
  - b) Appeared the day after the document was signed
  - c) Was not required to take an oath or affirmation
- 19. The maximum fees a notary may charge for an acknowledgement is:**
- a) \$10
  - b) \$5 or less
  - c) \$20
- 20. Satisfactory evidence is:**
- a) Credible witnesses or proper identification document
  - b) Social Security Card
  - c) Personal knowledge
- 21. The notary seal may be circular (2" in diameter max) or rectangular (1"x2 1/2" max) and must include:**
- a) The notary's name and commission number
  - b) The notary's expiration date
  - c) The notary's name, county, commission number, expiration date, and the word notary public.
- 22. Preparation, drafting or selection of a legal document in relation to any legal document or legal matter is considered\_\_\_\_\_**
- a) Forgery
  - b) Practicing Law
  - c) Conflict of interest
- 23. A notary may certify copies of power of attorney documents and also:**
- a) A notary's own document
  - b) Under certain circumstances copies of or portion of his or her the journal
  - c) A birth, fetal or death certificate
- 24. The identity of a document signer can be established by:**
- a) The oath or affirmation of a single credible witness or two credible witnesses
  - b) Personal knowledge alone.
  - c) Subscribing Witness

- 25. The notary must establish the identity of a subscribing witness by:**
- a) The oath of a credible witness whom the notary personally knows and who personally knows the subscribing witness.
  - b) The ID card of the subscribing witness.
  - c) By the oath or affirmation of the document signer
- 26. A notary may notarize a document for a signer with whom he/she cannot communicate:**
- a) By using an interpreter or translator
  - b) By using a close friend who can be trusted
  - c) The notary should always speak the same language
- 27. A notary may notarize for foreigners:**
- a) Only if they are U.S. citizens
  - b) Only if they have foreign ID cards
  - c) May notarize for any member of the general public as long as it's legal
- 28. When the signer cannot write his/her name and signs with a mark, there must be two witnesses and one of the witnesses must:**
- a) Sign in place of the signer
  - b) Sign next to the signer
  - c) Write the signer's name next to the mark and then sign his/her name as a witness
- 29. The notary's commission does not take affect until:**
- a) The oath and bond is filed at the county clerk's office
  - b) The notary has done the first notarization
  - c) The Secretary of State has notified the notary
- 30. A private employer may enter into an agreement with a notary public to:**
- a) Limit the providing of notarial services to the public during working hours
  - b) Limit the providing of notarial services outside of working hours
  - c) Prevent the notary from taking the journal and seal if the position is terminated.
- 31. Before performing the notarial acts of acknowledgments and jurats, a notary is required to obtain \_\_\_\_\_ of the signer's identity .**
- a) Subscribing witness.
  - b) Satisfactory evidence.
  - c) Personally knowledge.
- 32. For a replacement seal, a notary must request a Certificate of Authorization from:**
- a) Secretary of State
  - b) County clerk's office

- c) The local print shop

**33. A notary's oath of office must be taken within:**

- a) 5 days
- b) 30 days
- c) 0 days

**34. What is the penalty for charging more than the maximum for notarial services**

- a) Up to \$5,000
- b) Suspend, revoke or refusal of commission
- c) Suspend, revoke or refusal of commission and a fine up to \$750 may be imposed

**35. The law requires a notary who advertises in a language other than English to post a notice in English and in the foreign language the statement "I am not an attorney and cannot give legal advice". What is the penalty for failing to do so?**

- a) 4 years in prison
- b) Up to \$1500 and one year suspension of the notaries commission
- c) Grounds for suspension or revocation of a notary's commission for a first time offense and permanent revocation for a second offense.

**36. An oath serves the same purpose as an affirmation, therefore either must be given:**

- a) When taking depositions and affidavits
- b) Only when a signer is not known to the notary
- c) When a power of attorney is being used by the signer

**37. A notary may refuse a request to notarize:**

- a) If the request is unlawful
- b) If the request is lawful and the signer can pay the fee
- c) If the signer is of a different ethnic group

**38. If the California Secretary of State either denies an application or proceeds to revoke or suspend the commission of a notary public, the person affected has a right to:**

- a) A hearing on the matter
- b) Contact the county clerk's office
- c) Go to court before a local judge

**39. Which of the following can be notarized without applying the notary seal?**

- a) Signature affidavit
- b) California subdivision map
- c) Affidavit of consent

**40. A proof of execution by a subscribing witness may be performed on:**

- a) A deed of trust (security agreement)

- b) A grant deed
  - c) A trustee's deed
- 41. A US Marine veteran and a US Forest retiree each has a pension benefit form to be notarized, what fees should the notary charge?**
- a) Only the US Marine should be charged the minimum fee of \$10
  - b) Both should be charged the minimum fee of \$ 10
  - c) The US Forest retiree should be charged but not the US Marine.
- 42. When a notary is removed from office for any reason, and fails to deliver all records and papers to the county clerk's office where their oath is on file within 30 days after the removal, that notary is guilty of a:**
- a) Civil penalty
  - b) Misdemeanor
  - c) Felony
- 43. If a notary's journal is lost he/she must notify the Secretary of State. The notification must include:**
- a) The period of the notarization, the notary's commission number an expiration date and a photocopy of the police report, if applicable
  - b) The notary's commission and seal
  - c) The notary's sequential journal
- 44. A notary's seal must be clear and photographically reproducible. If the impression is smeared it could be:**
- a) Documented on the notary's record at the Secretary of State
  - b) Rejected at recording
  - c) Returned to the owner of the document
- 45. On the certificate of acknowledgment, the venue:**
- a) Specifies the notary's seal number
  - b) The date the document was notarized
  - c) The State and County where the notarization took place
- 46. The main difference between the jurat and the acknowledgment**
- a) The acknowledgment requires an oath or affirmation
  - b) The jurat requires an oath or an affirmation
  - c) The both must be signed in front of the notary public
- 47. Proof of execution by a subscribing witness cannot be used on:**
- a) Power of attorney or any documents requiring the notary public to obtain a thumbprint in the notary's journal
  - b) Any legal document
  - c) An Acknowledgment

**48. If a notary provides a copy of a line item from the notary's journal, what is maximum fee can the notary charge?**

- a) The cost must not exceed thirty cents (\$0.30) per page
- b) A maximum fee of \$10
- c) The notary is not allowed to charge a fee for this service.

**49. If a notary is found guilty of completing an acknowledgment that contains statements known by the notary to be false, he or she may be guilty of a \_\_\_\_\_ in addition to other penalties.**

- a) An administrative penalty
- b) Misdemeanor
- c) An administrative infraction

**50. What is the penalty for practicing law when not an active member of the State Bar?**

- a) Misdemeanor punishable by up to two year in a county jail or by a fine of up to \$1000, or both fine and imprisonment.
- b) Misdemeanor punishable by up to one year in a county jail or by a fine of up to \$1000, or both fine and imprisonment.
- c) \$1,000 fine

# ANSWER SHEET

## **Chapter I Quiz**

1d, 2c, 3a, 4b, 5a, 6c, 7b, 8c, 9a, 10b

## **Chapter II Quiz:**

1a, 2c, 3a, 4b, 5b, 6b, 7b, 8c, 9b, 10a, 11c, 12b, 13b, 14a, 15a 16a, 17b

## **Chapter III Quiz**

1c, 2b, 3a, 4a, 5b, 6a, 7b, 8a

## **FINAL EXAM**

1a, 2b, 3c, 4b, 5a, 6a, 7a, 8c, 9a, 10c, 11c, 12c, 13a, 14c, 15c, 16c, 17a, 18a, 19a,  
20a, 21c, 22b, 23b, 24a, 25a, 26c, 27c, 28c, 29a, 30a, 31b, 32a, 33b, 34c, 35c, 36a,  
37a, 38a, 39b, 40c, 41c, 42b, 43a, 44b, 45c, 46b, 47a, 48a, 49b, 50b