

THE GAP ANALYSIS

A Comprehensive Comparison of State-Provided Notary Education vs. Required Knowledge and Skills



March 2026

www.newjerseynotaryassociation.org/notary-education-findings

New Jersey Notary Association
March 2026

THE GAP ANALYSIS

A Comprehensive Comparison of State-Provided Notary Education vs. Required Knowledge and Skills

Published by the New Jersey Notary Association
PO Box 276, Haddon Heights, NJ 08035
www.newjerseynotaryassociation.org

© 2026 New Jersey Notary Association. All rights reserved.

This document may be freely shared and reproduced in its entirety with attribution to the New Jersey Notary Association. No part of this publication may be reproduced for commercial purposes without prior written permission.

Prepared by: Patrick Anthony, President
New Jersey Notary Association

Contributors: The findings in this document are based on direct analysis of state-provided educational materials, statutory research, and decades of combined notarial experience among NJNA members.

Date of Publication: March 2026

THE GAP ANALYSIS

A Comprehensive Comparison of State-Provided Notary Education vs. Required Knowledge and Skills

Presented to:

**The Honorable Members of the New Jersey Legislature
The Honorable Elizabeth Maher Muoio, State Treasurer**

Presented by:

**Patrick Anthony, President
New Jersey Notary Association**

Date:

March 10, 2026

TABLE OF CONTENTS

SECTION	PAGE
Introduction and Methodology	4
Executive Summary of Findings	5
Identity Verification	10
Journal Requirements	16
Oaths and Affirmations	28
Acknowledgments	39
Jurats	51
Copy Certifications	64
Unauthorized Practice of Law (UPL)	75
Fees	87
Advertising and "Notario" Prohibition	97
Right to Refuse	109
Notary Seal	121
Accurate Dating	131
Venue	143
Credible Witness	155
Signature Witnessing	167
Notary Manual	179
Comprehensive Gap Analysis	191

INTRODUCTION AND METHODOLOGY

Purpose of This Document

This document presents a systematic analysis of the educational materials provided by the State of New Jersey to satisfy the notary public education requirements established by P.L.2021, c.179. The purpose of this analysis is to determine whether the state-provided education adequately prepares individuals to perform notarial acts competently, ethically, and safely.

Methodology

The analysis was conducted as follows:

- 1. Review of State Materials:** All educational videos provided by the New Jersey Division of Revenue and Enterprise Services (available at <https://www.nj.gov/treasury/revenue/videos.shtml>) were transcribed and timed. The total runtime across all chapters is 45 minutes and 7 seconds.
- 2. Identification of Required Knowledge Areas:** The New Jersey Notary Public Manual, statutory requirements (N.J.S.A. 52:7-10.1 et seq.), and professional best practices were used to identify the full scope of knowledge and skills necessary for competent notarial practice.
- 3. Gap Analysis:** Each topic was evaluated to determine:
 - What the state provides (content and time allocated)
 - What is missing (practical guidance, procedures, scripts, warnings)
 - The resulting knowledge gap for notaries relying solely on state education
- 4. Documentation:** All findings are presented with specific references to state materials and statutory provisions.

A Note on "Practical Instruction"

Throughout this analysis, a distinction is made between:

- Statutory recitation: Reading the law aloud or presenting definitions without explanation
- Practical instruction: Teaching notaries how to perform acts, including step-by-step procedures, scripts, decision-making frameworks, and risk awareness

The central finding of this analysis is that the state provides zero seconds of practical instruction across every topic examined

EXECUTIVE SUMMARY OF FINDINGS

Topic	State Time	Practical Instruction
Identity Verification	~90 seconds	0 seconds
Journal Requirements	3 minutes 50 seconds	0 seconds
Oaths and Affirmations	~60 seconds (scattered)	0 seconds
Acknowledgments	~2 minutes (scattered)	0 seconds
Jurats	~60 seconds (scattered)	0 seconds
Copy Certifications	~30 seconds	0 seconds
Unauthorized Practice of Law	~65 seconds (scattered)	0 seconds

Fees	51 seconds	0 seconds
-------------	-------------------	------------------

Advertising / "Notario"	~55 seconds (scattered)	0 seconds
--------------------------------	--------------------------------	------------------

Right to Refuse	58 seconds	0 seconds
------------------------	-------------------	------------------

Electronic Notarization	2 minutes 21 seconds	0 seconds
--------------------------------	-----------------------------	------------------

Remote Online Notarization	9 minutes 29 seconds	0 seconds
-----------------------------------	-----------------------------	------------------

Credible Witness	~10 seconds	0 seconds
-------------------------	--------------------	------------------

Signature Witnessing	~5 seconds	0 seconds
-----------------------------	-------------------	------------------

Notary Seal	~30 seconds	0 seconds
--------------------	--------------------	------------------

Accurate Dating/Corrections	0 seconds	0 seconds
------------------------------------	------------------	------------------

Venue	~5 seconds	0 seconds
--------------	-------------------	------------------

Notary Public Manual	~10 seconds	0 seconds
-----------------------------	--------------------	------------------

Advanced Notarial Acts	~12 seconds total	0 seconds
-------------------------------	--------------------------	------------------

Special Situations	0 seconds	0 seconds
---------------------------	------------------	------------------

Total State Video Time: 45 minutes, 7 seconds

Total Practical, How-To Instruction Across All Topics: 0 seconds

STATE-PROVIDED NOTARY EDUCATION: Time Allocation Analysis

Total Runtime: 45 Minutes, 7 Seconds

Chapter	Topic	Video Length	% of Total
1	Introduction	3:24	7.5%
2	Definitions	4:53	10.8%
3	Qualifications, Scope, Prohibitions	1:49	4.0%
4	Commissioning Process	4:50	10.7%
5	Denial, Revocation, Suspension	5:06	11.3%
6A	Certificates	4:22	9.7%
6B	Journals	3:50	8.5%
7	Forms of Identification / Copy Certification	2:31	5.6%
8A	Communications Technology (Definitions)	3:16	7.2%
8B	Communications Technology (Procedures)	6:13	13.8%
9	Electronic Notarization	2:21	5.2%
10	Right to Refuse	0:58	2.1%

11	Fees	0:51	1.9%
----	------	------	------

IDENTITY VERIFICATION: What 2 Minutes and 31 Seconds Provides

Chapter 7, "Forms of Identification and Copy Certification Requirements," runs 2 minutes and 31 seconds. This single video must cover both topics—identification AND copy certification—meaning the actual instruction on identity verification is approximately 90 seconds.

In that 90 seconds, here is everything the state teaches about identity verification:

Complete Transcript of Identity Verification Instruction (Chapter 7)

"With respect to forms of identification, a notarial officer who takes an acknowledgement or verification of a record, or who witnesses or attests to a signature, shall determine from personal knowledge or satisfactory evidence of the identity of the individual that the individual appearing before the officer and making the acknowledgement has the identity claimed, and that the signature on the record is the signature of the individual.

Satisfactory forms of identification are as follows.

Personal knowledge: A notarial officer has personal knowledge of the identity of an individual appearing before the notarial officer if the individual is personally known to the notarial officer through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

Documentation: A notarial officer has satisfactory evidence of the identity of an individual appearing before the notarial officer if the notarial officer can identify the individual by means of a passport, driver's license, or government-issued non-driver identification card, which is current or expired not more than 3 years before the performance of the notarial act; or another form of government-issued identification which is current or expired not more than 3 years before the performance of the notarial act, and which contains the individual's signature or a photograph of the individual's face, and is satisfactory to the notarial officer; or a verification on oath or affirmation of a credible witness personally appearing before the notarial officer, or using communication technology to appear before the notarial officer, and personally known to the notarial officer or whom the notarial officer can identify based on a passport, driver's license, or government-issued non-driver identification card, which is current or expired not more than 3 years before the performance of the notarial act.

A notarial officer may require an individual to provide additional information or identification credentials necessary to assure the notarial officer of the identity of the individual."

GAP ANALYSIS: What 90 Seconds Cannot Teach

Gap 1: Personal Knowledge – No Practical Guidance (0 seconds)

The state provides the statutory definition but nothing more. A notary is left to interpret "dealings sufficient to provide reasonable certainty" on their own. There is no guidance on:

- How to evaluate whether they truly know someone well enough
- The heightened liability of using personal knowledge
- When personal knowledge is insufficient
- What questions to ask themselves before relying on this method

Time spent on practical guidance: 0 seconds

Gap 2: Acceptable Identification Documents – Incomplete List (5 seconds)

The state lists: passport, driver's license, government-issued non-driver ID, and "another form of government-issued identification."

The state does not mention:

- U.S. Military Identification Card
- Alien Registration Card (Permanent Resident/"Green Card")
- Foreign passport (common for international transactions)
- Inmate identification card (for correctional facility notarizations)

A notary encountering any of these documents has no confirmation they are acceptable.

Time spent listing all acceptable IDs: 0 seconds on these omitted documents

Gap 3: Unacceptable Identification – Entirely Unaddressed (0 seconds)

The state never tells notaries what documents are NOT acceptable. A notary watching only these videos might reasonably accept:

- Social Security cards
- Credit cards
- Birth certificates
- Utility bills
- Bank statements
- Work or school IDs
- Digital photos of IDs on phones

None of these are acceptable as primary identification, but the state never says so.

Time spent on unacceptable IDs: 0 seconds

Gap 4: Expired IDs – Missing Critical Context (5 seconds)

The state correctly states the 3-year rule. However, it never explains the implicit requirement that the expired ID must still accurately represent the signer. A notary might accept an ID expired 2 years from someone who has aged significantly, changed appearance, or altered their physical description—all situations where the ID no longer serves its purpose.

Time spent on the "still represents" requirement and application examples: 0 seconds

Gap 5: Fraud Detection – No Instruction (0 seconds)

The state provides no guidance whatsoever on how to detect fraudulent identification. A notary has no instruction on:

- Visual inspection techniques (loose laminates, raised edges, altered text)
- Security features (holograms, microprinting, UV elements)
- Use of UV lights as a verification tool
- Signs of tampering or alteration

Time spent on fraud detection: 0 seconds

Gap 6: Signature Comparison – Entirely Omitted (0 seconds)

The state never mentions that the notary should have the signer sign the journal and compare that signature to the ID. This is one of the simplest and most effective fraud-detection steps, and it is completely absent from the state's education.

Time spent on signature comparison: 0 seconds

Gap 7: Credible Witness – Mentioned but Not Explained (10 seconds)

The credible witness is listed as an identification method. The state provides:

- The witness must be personally known to the notary OR identified by satisfactory evidence
- The witness must appear personally or via communication technology

The state does not provide:

- Any warning that this is a high-risk, last-resort procedure
- The requirement that the witness be impartial (no interest in the document)
- When this procedure is appropriate (only when no ID exists and obtaining one is impractical)
- Any step-by-step procedure
- The oath wording for the witness
- Journaling requirements (two separate entries)
- Grounds for refusal

Time spent on practical credible witness guidance: 0 seconds

Gap 8: Refusal Protocol – Mentioned Elsewhere, No Practical Guidance

Chapter 10, "Right to Refuse," runs 58 seconds and covers refusal generally. Regarding identification specifically, the state provides no:

- Specific grounds for refusal related to ID issues
- Scripts for professionally communicating refusal
- De-escalation techniques
- Understanding that the notary need not debate or justify

Time spent on refusal scripts/protocols: 0 seconds

Gap 9: Journal Documentation – Missing Specifics

Chapter 6B mentions that the journal must include the "method of identification" and a "brief description" of the identification credential. The state does not specify:

- What specific information to record (ID number, issuing agency, expiration date)
- Why this documentation is critical as evidence of due diligence
- How incomplete records fail to protect the notary

Time spent on journal documentation specifics for ID: 0 seconds

SUMMARY: Identity Verification Instruction Time

Topic	Time Spent
Personal Knowledge (practical guidance)	0 seconds
Complete list of acceptable IDs	0 seconds (partial list only)
Unacceptable IDs	0 seconds
Expired ID application guidance	0 seconds
Fraud detection techniques	0 seconds
Signature comparison	0 seconds
Credible witness procedure	0 seconds
Refusal scripts/protocols	0 seconds
Journal documentation specifics	0 seconds

Total time spent on practical, how-to instruction for identity verification: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has 90 seconds of instruction on identity verification across an entire 45-minute video series
- Has received zero practical guidance on how to actually verify identity in real-world situations
- Has no tools to detect fraudulent identification
- Has no script for refusing a problematic notarization
- Has no complete list of acceptable or unacceptable IDs
- Has no procedure for the high-risk credible witness situation
- Has no instruction on the critical signature comparison step

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Identity verification—the most fundamental duty of a notary—receives less than two minutes of that total.

Notaries are being commissioned without ever being taught how to do the one thing their office exists to do: verify identity.

JOURNAL REQUIREMENTS AND JOURNAL ENTRIES: Gap Analysis of State-Provided Education

The Statutory Mandate

Before examining what the state teaches, we must first establish what the law requires. New Jersey law is explicit and unambiguous regarding notary journals.

N.J.S.A. 52:7-10.18(a) states, with no ambiguity:

"A notary public shall maintain a journal of all notarial acts performed."

This is not optional. It is a mandatory duty of office.

The statute further specifies :

Physical Requirements:

- The journal may be tangible or electronic
- Only one journal may be maintained at a time
- If tangible: "a permanent, bound register with consecutively numbered lines and consecutively numbered pages"
- If electronic: "a permanent, tamper-evident electronic format"

Required Entry for Each Notarial Act:

1. The date and time of the notarial act
2. The type of notarial act
3. The name and address of each person for whom the notarial act is performed
4. If identity based on personal knowledge: a statement to that effect
5. If identity based on satisfactory evidence: a brief description of the method of identification and the identification credential presented, including (if applicable) the type, date of issuance, and date of expiration of an identification document, OR the name and signature of any identifying witness and the type, date of issuance, and date of expiration of a document identifying the witness
6. An itemized list of all fees charged

Loss or Theft: Notification to State Treasurer within 10 days

Retention: 10 years after the last notarial act, OR transmit to the Division of Revenue

Death of Notary: Personal representative must transmit to the Division within 45 days

The State's Educational Offering: 3 Minutes, 50 Seconds

Chapter 6B, "General Requirements for Notarial Acts, Including Journals," runs 3 minutes and 50 seconds. This single video must cover journals AND other general requirements, meaning the actual instruction on journals is approximately 3 minutes.

Here is the complete transcript of the journal instruction from Chapter 6B:

"A notary public shall maintain a journal of all notarial acts performed. The journal may be created and maintained on a tangible medium or in an electronic format. A notary public shall maintain only one journal at a time to chronicle all notarial acts, whether those notarial acts are performed regarding tangible or electronic records.

If the journal is maintained on a tangible medium, it shall be a permanent bound register with consecutively numbered lines and consecutively numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent, tamper-evident electronic format.

For each notarial act, the notary public shall record in the journal: the date and time of the notarial act; the type of notarial act, including but not limited to the taking of an acknowledgement, the taking of a proof of a deed, the administration of an oath, or the taking of an affidavit; the name and address of each person for whom the notarial act is performed.

If the identity of the individual is based on personal knowledge, a statement to that effect. If the identity of the individual is based on satisfactory evidence, a brief description of the method of identification and the identification credential presented, if any, including, if applicable, the type, date of issuance, and date of expiration of an identification document; or the name and signature of any identifying witness and, if applicable, the type, date of issuance, and date of expiration of a document identifying the witness; and an itemized list of all fees charged for the notarial act.

If a notary public's journal is lost or stolen, the notary public shall notify the state treasurer within 10 days of the loss or theft online by visiting the link shown on screen or scanning this QR code. From the service category drop-down menu, select the option 'Notary Public Application.'

The notary public shall retain the journal for 10 years after the performance of the last notarial act chronicled in the journal, or write to the state treasurer online by visiting the link shown on screen or scanning this QR code for instructions on how to send or transmit the manual securely to the division.

On resignation from, or the revocation or suspension of, a notary public's commission, the notary public shall either retain the journal for 10 years after the performance of the last notarial act chronicled in the journal or write to the state treasurer online by visiting the link

shown on screen or scanning this QR code for instructions on how to send or transmit the manual securely to the division.

On the death or adjudication of incompetency of a current or former notary public, the notary public's personal representative or guardian, or any other person knowingly in possession of the journal, shall within 45 days write to the state treasurer online by visiting the link shown on screen or scanning this QR code for instructions on how to send or transmit the manual securely.

In lieu of maintaining a journal, a notary public who is an attorney at law admitted to practice in this state, or who is employed by an attorney at law, who is employed by or acting as an agent for a title insurance company licensed to do business in this state pursuant to P.L. 2001, c. 210, may maintain a record of notarial acts in the form of files regularly maintained for the attorney's law practice or the title insurance company's business activities, as the case may be."

GAP ANALYSIS: What 3 Minutes and 50 Seconds Cannot Teach

Gap 1: The Journal as Legal Protection – Entirely Omitted

What the State Provides:

The state recites the statutory requirement but never explains *why* the journal matters. A notary watching this video learns that they "shall" keep a journal, but not what is at stake if they keep it poorly—or lose it.

What Is Missing:

- No explanation that the journal is the notary's "primary legal defense" and "professional shield"
- No discussion of how a complete journal protects the notary in a legal dispute
- No warning that incomplete or missing journal entries can destroy a notary's defense
- No context that the journal serves as contemporaneous evidence of due diligence
- No understanding that in the event of a lawsuit or complaint, the journal is the first place investigators look

Time spent on the "why" – the journal's role as legal protection: 0 seconds

Resulting Knowledge Gap:

A notary may keep a journal because they were told to, but without understanding its protective function, they are far more likely to cut corners, omit details, or fail to safeguard it properly. They have no motivation to treat it as the critical legal document it is.

Gap 2: Physical Specifications – Partial Information Only

What the State Provides:

The state correctly states that a tangible journal must be "a permanent bound register with consecutively numbered lines and consecutively numbered pages."

What Is Missing:

- No explanation of *why* these specifications matter (to prevent page removal/insertion without evidence of tampering)
- No guidance on what "bound" actually means (sewn or glued binding; spiral binding is NOT acceptable)
- No warning about what constitutes a non-compliant journal (spiral notebooks, three-ring binders, loose-leaf notebooks)
- No recommendation on where to purchase compliant journals
- No guidance on what to look for when selecting a journal

Time spent on practical guidance for selecting a compliant journal: 0 seconds

Resulting Knowledge Gap:

A notary might purchase any notebook labeled "notary journal" without understanding why certain features matter. Worse, they might use a spiral notebook or three-ring binder, unknowingly violating the law and rendering their records potentially inadmissible or questionable.

Gap 3: The "One Journal" Rule – Stated But Not Explained

What the State Provides:

The state states that a notary "shall maintain only one journal at a time to chronicle all notarial acts, whether those notarial acts are performed regarding tangible or electronic records."

What Is Missing:

- No explanation of *why* this rule exists (to prevent fragmentation of the official record)
- No guidance on what to do if the journal is full before the commission ends
- No instruction on how to transition to a new journal (must complete the old journal, start a new one, and note the transition)
- No warning against maintaining separate journals for different types of acts

Time spent on practical application of the "one journal" rule: 0 seconds

Resulting Knowledge Gap:

A notary who performs both paper and electronic notarizations might mistakenly keep two journals—one for each type—directly violating the law. The state never tells them not to.

Gap 4: The Journal Entry Sequence – Entirely Omitted

What the State Provides:

The state lists the required data fields for a journal entry.

What Is Missing:

- No step-by-step procedure for *when* to complete the journal entry during the notarial act
- No instruction that the journal entry should be completed *before* the notarial certificate on the document
- No requirement that the signer sign the journal *before* signing the document
- No guidance on the critical step of comparing the journal signature to the ID signature immediately after the signer signs

Time spent on procedural sequence: 0 seconds

Resulting Knowledge Gap:

A notary might complete the journal entry after the notarization, or after the signer has left, defeating the entire purpose of a contemporaneous record. They might have the signer sign the document first, then the journal—or never have them sign the journal at all. The state provides no guardrails.

Gap 5: Signature Comparison – Entirely Omitted

What the State Provides:

Nothing. The state never mentions that the notary should have the signer sign the journal and compare that signature to the ID.

What Is Missing:

- The requirement that the signer sign the journal
- The critical step of immediately comparing that fresh signature to the signature on the ID

- What specific characteristics to examine (formation of letters, how they cross 't's or dot 'i's, flourishes, overall flow)
- Recognition that a dramatic mismatch warrants refusal
- Documentation of this comparison in the journal

Time spent on signature comparison: 0 seconds

Resulting Knowledge Gap:

A notary could have the signer sign the journal, never look at the ID again, and have no idea the signatures don't match. This is perhaps the simplest fraud-detection step, and it is completely absent from the state's education.

Gap 6: Identification Documentation – Incomplete Guidance

What the State Provides:

The state lists that the journal must include, for satisfactory evidence, "a brief description of the method of identification and the identification credential presented, if any, including, if applicable, the type, date of issuance, and date of expiration of an identification document."

What Is Missing:

- No specific instruction on *what exactly* to record: ID type, ID number, issuing agency, expiration date
- No example of a proper entry
- No explanation of why this level of detail matters (to prove what you examined if the notarization is later challenged)
- No guidance on what to do if the signer has no ID (credible witness procedure—covered separately)

Time spent on specific documentation guidance: 0 seconds

Resulting Knowledge Gap:

A notary might record "driver's license" without the number, agency, or expiration—insufficient to prove what they actually examined. In a legal challenge, this incomplete record offers no protection.

Gap 7: Document Description – Vague and Unhelpful

What the State Provides:

The state lists that the journal must include "the type of notarial act" but does not specify that the document itself should be described.

What Is Missing:

- Requirement to describe the document notarized (e.g., "Quitclaim Deed - 123 Main Street" rather than just "deed")
- Guidance on how specific to be
- Warning against recording sensitive personal information (SSN, account numbers) found within documents
- Examples of good vs. poor document descriptions

Time spent on document description guidance: 0 seconds

Resulting Knowledge Gap:

A notary might record "acknowledgment" without any description of the underlying document, making it impossible to connect the journal entry to the notarization months or years later.

Gap 8: Corrections and Errors – Entirely Omitted

What the State Provides:

Nothing. The state never addresses what to do when a mistake is made in the journal.

What Is Missing:

- The absolute prohibition on using white-out, erasers, or obliterating entries
- The proper correction method: single line through the error (keeping it legible), write correct information nearby, initial and date the correction
- The importance of preserving the original erroneous entry as part of the audit trail
- Guidance on what to do if a signer signs on the wrong line

Time spent on error correction: 0 seconds

Resulting Knowledge Gap:

A notary who makes a mistake might use white-out or scribble out the error, destroying the evidentiary value of the journal and potentially creating suspicion of tampering. The state never tells them the proper procedure.

Gap 9: Multiple Signers – Entirely Omitted

What the State Provides:

The state lists that the journal must include "the name and address of each person for whom the notarial act is performed."

What Is Missing:

- Clarification that each signer requires a *separate journal entry*
- Guidance that a document with three signers requires three entries, each with its own signature line
- Instruction that each signer must be identified individually
- Warning against having one signer sign for all

Time spent on multiple signer procedures: 0 seconds

Resulting Knowledge Gap:

A notary might create one journal entry for a document with three signers, listing all three names but having only one sign the journal. This completely fails to document that each signer actually appeared.

Gap 10: Refused Notarizations – Entirely Omitted

What the State Provides:

Nothing in the journal chapter. Chapter 10 mentions the right to refuse but does not address journaling.

What Is Missing:

- Recognition that while not required, documenting refusals is a best practice
- What information to record: date, time, would-be signer's name, reason for refusal
- Why this matters (to demonstrate proper conduct if the refusal is later questioned)
- Instruction that the would-be signer should NOT sign this entry

Time spent on refusal documentation: 0 seconds

Resulting Knowledge Gap:

A notary who properly refuses a notarization has no record of why. If the rejected signer later files a complaint claiming the notary refused without cause, the notary has no documentation to support their position.

Gap 11: Journal Security and Access – Vague and Incomplete

What the State Provides:

The state states that the notary is responsible for the security of the stamping device but says nothing about journal security.

What Is Missing:

- Requirement that the journal be kept in a locked, secured area under the notary's exclusive control
- Warning that the journal must never be left unattended or accessible to others
- Clarification that even if an employer paid for the journal, it remains the notary's personal property and official record
- Instruction that employers may not retain the journal
- Guidance on secure transportation for mobile notaries

Time spent on journal security protocols: 0 seconds

Resulting Knowledge Gap:

A notary might leave their journal on an office desk, accessible to coworkers, or surrender it to an employer who demands it for "safekeeping." All of these actions violate the notary's duty to maintain exclusive control, but the state never says so.

Gap 12: Post-Commission Handling – Statutory Recitation Only

What the State Provides:

The state recites the statutory requirements: retain for 10 years, transmit to the Division upon resignation, personal representative transmits within 45 days upon death.

What Is Missing:

- No guidance on *how* to securely retain a journal for 10 years
- No instruction on secure destruction methods after the retention period (cross-cut shredding, professional destruction services)
- No warning against simply throwing a journal in the trash
- No recommendation to include journal instructions in estate planning
- No template for the "immediate-access journal instructions" that should be placed in the front of every journal

Time spent on practical post-commission guidance: 0 seconds

Resulting Knowledge Gap:

A notary who completes their commission might destroy the journal improperly, leaving sensitive personal information readable in the trash. A notary who dies may leave their family with no idea what to do with the journal, resulting in improper disposal or privacy breaches.

Gap 13: The Attorney/Title Company Exception – Mentioned But Unexplained

What the State Provides:

The state mentions that attorneys, those employed by attorneys, and those employed by title insurance companies may maintain records "in the form of files regularly maintained."

What Is Missing:

- No clarification that this is an exception to the journal requirement, not an additional option
- No guidance on what "files regularly maintained" means in practice
- No warning that this exception applies only to those specific categories
- No instruction that if you qualify for this exception, you must still maintain records—just in a different format

Time spent on explaining the exception: 0 seconds (it is merely stated)

Resulting Knowledge Gap:

A notary who works for a law firm might mistakenly think they don't need to keep *any* records, when in fact they must maintain records in the firm's regular files.

Gap 14: The Journal as Evidence – Entirely Omitted

What the State Provides:

Nothing. The state never addresses the legal status of the journal.

What Is Missing:

- Explanation that the journal is an official state record, not personal property in the traditional sense
- Understanding that the journal can be subpoenaed in legal proceedings
- The notary's obligation to produce the journal if lawfully required

- The protection that a complete, accurate journal provides in such proceedings

Time spent on the journal's role as evidence: 0 seconds

Resulting Knowledge Gap:

A notary served with a subpoena for their journal may not understand their obligations or rights. They may not appreciate why the completeness of their entries suddenly matters enormously.

SUMMARY: Journal Instruction Time

Topic	Time Spent
Journal as legal protection (the "why")	0 seconds
Physical specifications (practical guidance)	0 seconds
"One journal" rule (practical application)	0 seconds
Journal entry sequence (step-by-step)	0 seconds
Signature comparison	0 seconds
Identification documentation (specifics)	0 seconds
Document description guidance	0 seconds
Error correction procedures	0 seconds
Multiple signer procedures	0 seconds
Refusal documentation	0 seconds
Journal security protocols	0 seconds
Post-commission handling (practical)	0 seconds

Attorney exception explanation

0 seconds

Journal as evidence

0 seconds

Total time spent on practical, how-to instruction for journal maintenance: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows they must keep a journal but has no idea *why* it matters as legal protection
- Knows the journal must be "bound" but might purchase a spiral notebook, not understanding why that's non-compliant
- Knows the required data fields but has no guidance on *how* to complete them properly
- Has no procedure for when to complete the entry during the notarial act
- Has never been told to have the signer sign the journal and compare signatures
- Has no idea how to correct an error
- Has no guidance on handling multiple signers
- Has no protocol for documenting refused notarizations
- Has no instruction on securing the journal or what to do when the commission ends
- Has no understanding that their journal could be subpoenaed and that its completeness will determine whether it protects them

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Journal maintenance—a mandatory duty of office with significant legal implications—receives less than 4 minutes of that total, and zero seconds of practical, how-to instruction.

Notaries are being commissioned without ever being taught how to maintain the one record that will save them if their notarizations are ever challenged.

OATHS AND AFFIRMATIONS: Gap Analysis of State-Provided Education

The Statutory Authority

Before examining what the state teaches, we must first establish what the law authorizes and requires. New Jersey law grants notaries the power to administer oaths and affirmations.

N.J.S.A. 41:2-1 et seq. grants notaries public the authority to administer oaths and affirmations. This is one of the core functions of the office.

N.J.S.A. 41:2-4 provides the form of oath:

"An oath may be administered in the following form: 'You do solemnly swear (or affirm) that the testimony you shall give shall be the truth, the whole truth and nothing but the truth.' A person may swear with uplifted hand or in any form the person deems binding on their conscience."

N.J.S.A. 2A:62-1 addresses perjury—the legal consequence of making a false statement under oath—making it a crime of the fourth degree.

The State's Educational Offering: Scattered Across Multiple Chapters

Unlike identity verification or journal maintenance, the topic of oaths and affirmations is not contained in a single chapter. It appears in fragments across multiple videos:

Chapter	Topic	Time on Oaths/Affirmations
Chapter 2	Definitions	Mentions "verification on oath or affirmation" in definition list
Chapter 6B	Journals	Lists "administration of an oath" as a journal entry type
Chapter 8B	Communication Technology	Mentions administering oaths via RON
Chapter 10	Right to Refuse	No mention

There is no dedicated video on oaths and affirmations. The total instruction time across all videos is approximately 90 seconds, mostly consisting of the term appearing in lists and definitions.

Here is the complete transcript of every mention of oaths and affirmations across all state videos:

From Chapter 2 (Definitions):

"Verification on oath or affirmation is when a person makes a statement in a document and, in front of a notarial officer, solemnly declares that the statement is true."

From Chapter 6B (Journals):

"the type of notarial act, including but not limited to the taking of an acknowledgement, the taking of a proof of a deed, the administration of an oath, or the taking of an affidavit"

From Chapter 8B (Communication Technology):

"A notarial officer in this state may administer an oath to a remotely located individual using communication technology."

From Chapter 11 (Fees):

"for administering oaths, taking affidavits, providing proofs of a deed, and taking acknowledgements, \$2.50 per act"

That is the entirety of the state's instruction on oaths and affirmations. Approximately 90 seconds of content that consists almost entirely of the phrase appearing in lists.

GAP ANALYSIS: What 90 Seconds of Scattered Mentions Cannot Teach

Gap 1: The Difference Between Oaths and Affirmations – Entirely Omitted

What the State Provides:

The state mentions "oath or affirmation" as a paired phrase but never explains the distinction. A notary watching these videos sees the phrase repeated but receives no instruction on what it means or when to use which.

What Is Missing:

- No explanation that an oath includes a reference to a deity or higher power (e.g., "so help you God")
- No explanation that an affirmation is a secular pledge without religious reference, carrying identical legal weight
- No guidance that the signer has the right to choose between oath and affirmation
- No instruction that the notary must present both options neutrally and respect the signer's preference
- No discussion of why both options exist (to accommodate diverse religious and philosophical beliefs)

Time spent on the oath vs. affirmation distinction: 0 seconds

Resulting Knowledge Gap:

A notary encountering a signer who objects to religious language has no idea that an affirmation is available. They may either refuse to proceed or inadvertently pressure the signer into an oath against their beliefs. The signer's legal rights are violated, and the notary never knows.

Gap 2: The Signer's Right of Choice – Entirely Omitted

What the State Provides:

Nothing. The state never mentions that the signer chooses between oath and affirmation.

What Is Missing:

- No statement that this is the signer's decision, not the notary's
- No guidance on how to present the options neutrally
- No warning against imposing one's own preferences on the signer
- No instruction on what to do if the signer is unsure

Time spent on the signer's right of choice: 0 seconds

Resulting Knowledge Gap:

A notary might default to "oath" without offering the alternative, leaving signers with religious objections in the uncomfortable position of having to correct the notary or proceed against their conscience. The notary is unaware they have created this situation.

Gap 3: The Requirement of a Verbal Response – Entirely Omitted

What the State Provides:

Nothing. The state never mentions that the signer must respond verbally.

What Is Missing:

- No statement that the signer must give a clear, verbal response (not a nod, not "uh-huh," not silence)
- No explanation of why a verbal response is legally required (to create a clear record that the oath was taken)
- No guidance on what to do if the signer responds inadequately
- No scripts for prompting a proper response

Time spent on the verbal response requirement: 0 seconds

Resulting Knowledge Gap:

A notary might accept a nod or a mumbled "okay" as sufficient, completely unaware that the oath was never properly administered. The entire legal foundation of the subsequent jurat or verification collapses, and the notary has no idea.

Gap 4: The Oath/Affirmation Scripts – Entirely Omitted

What the State Provides:

Nothing. The state provides no actual wording for administering an oath or affirmation.

What Is Missing:

- No script for administering an oath
- No script for administering an affirmation
- No guidance on tailoring the wording to the context (affidavit, deposition, testimony)
- No examples of proper phrasing

Time spent on oath/affirmation scripts: 0 seconds

Resulting Knowledge Gap:

A notary facing their first signer who needs a jurat has no words to say. They may improvise inadequately, omit critical elements, or simply not administer any oath at all—performing an acknowledgement instead of a jurat and completely defeating the legal purpose of the document.

Gap 5: The Difference Between Oath/Affirmation for Jurats vs. Verifications – Entirely Omitted

What the State Provides:

Nothing. The state never distinguishes between administering an oath for a jurat (pre-written document) versus a verification (oral testimony being recorded).

What Is Missing:

- No explanation that a jurat requires the signer to swear to the truth of a document that already exists
- No explanation that a verification requires the signer to swear to the truth of testimony about to be given
- No guidance on how the oath wording differs in these contexts
- No instruction on the notary's role in recording testimony

Time spent on this distinction: 0 seconds

Resulting Knowledge Gap:

A notary asked to preside over a deposition has no idea that the oath wording should be tailored to testimony, or that they may need to certify a transcript. They are completely unprepared for one of the most complex notarial acts.

Gap 6: The Requirement That the Oath Precede the Signing (for Jurats) – Entirely Omitted

What the State Provides:

Nothing. The state never explains the timing requirement for jurats.

What Is Missing:

- No instruction that for a jurat, the oath must be administered *before* the signer signs the document
- No guidance on what to do if the document is already signed (must be re-signed after oath)
- No warning that notarizing a pre-signed document as a jurat invalidates the entire act

Time spent on timing requirements: 0 seconds

Resulting Knowledge Gap:

A notary presented with a pre-signed affidavit might notarize it as a jurat, completely unaware that the oath must precede the signature. The document is legally worthless,

the signer never actually swore to its contents, and the notary has facilitated a fraudulent filing.

Gap 7: The "Raising the Right Hand" Ceremony – Historical Context and Modern Practice

What the State Provides:

Nothing. The state never mentions this common practice.

What Is Missing:

- No explanation that raising the right hand is a traditional ceremony, not a legal requirement
- No guidance that the notary may suggest it but cannot require it
- No historical context that might help notaries understand why signers expect it
- No instruction on what to do if a signer refuses to raise their hand (affirmation is the alternative)

Time spent on this topic: 0 seconds

Resulting Knowledge Gap:

A notary might insist that a signer raise their right hand, not understanding that this is optional. A signer who refuses might be denied service based on the notary's misunderstanding of the law.

Gap 8: Perjury – The Legal Consequences of False Swearing – Entirely Omitted

What the State Provides:

Nothing. The state never mentions perjury.

What Is Missing:

- No explanation that making a false statement under oath is a crime (perjury, N.J.S.A. 2A:62-1)
- No guidance that the notary should ensure signers understand they are swearing under penalty of perjury
- No warning of the serious consequences signers face for lying
- No instruction on how this knowledge should inform the notary's solemnity in administering the oath

Time spent on perjury: 0 seconds

Resulting Knowledge Gap:

A notary may administer an oath without ever conveying its gravity. Signers may not understand they are making a legally binding commitment with criminal consequences for falsehood. The deterrent effect of perjury is lost, and signers may treat the oath as meaningless ceremony.

Gap 9: Administering Oaths via Remote Technology – Mentioned But Not Explained

What the State Provides:

Chapter 8B states: "A notarial officer in this state may administer an oath to a remotely located individual using communication technology."

What Is Missing:

- No guidance on how this differs from in-person administration
- No instruction on ensuring the signer's verbal response is clearly audible
- No discussion of recording requirements for RON oaths
- No warning that the same solemnity and legal consequences apply

Time spent on practical RON oath guidance: 0 seconds

Resulting Knowledge Gap:

A notary performing their first remote oath has no framework for ensuring the procedure is valid. They may not realize that the same standards of verbal response, understanding, and documentation apply remotely as in person.

Gap 10: Journal Documentation for Oaths/Affirmations – Incomplete

What the State Provides:

Chapter 6B lists "the administration of an oath" as a type of notarial act to be recorded in the journal.

What Is Missing:

- No instruction to specify *which* was administered (oath or affirmation)
- No guidance on recording this distinction in the journal
- No example of a proper journal entry for an oath versus an affirmation

- No warning that failing to record this distinction could create ambiguity later

Time spent on journal specifics for oaths/affirmations: 0 seconds

Resulting Knowledge Gap:

A notary's journal might show "oath" when they actually administered an affirmation, or simply "notarization" without specifying. Years later, if the document is challenged, there is no record of what procedure was actually followed.

Gap 11: Certificate Wording for Oaths vs. Affirmations – Entirely Omitted

What the State Provides:

Chapter 6A discusses certificates generally but provides no specific wording for jurats or oaths/affirmations. It mentions "short forms" but does not provide them.

What Is Missing:

- No sample jurat certificate
- No explanation that the certificate must read "Subscribed and sworn to before me" for oaths
- No explanation that it must read "Subscribed and affirmed before me" for affirmations
- No guidance on correcting pre-printed certificates that don't match the procedure used
- No warning that using the wrong wording can invalidate the notarization

Time spent on certificate wording for oaths/affirmations: 0 seconds

Resulting Knowledge Gap:

A notary who administers an affirmation but signs a certificate that says "sworn to" has created a discrepancy. If challenged, there is no way to know what actually occurred. The notary has no guidance on how to correct this.

Gap 12: Handling Non-English Speakers – Entirely Omitted

What the State Provides:

Nothing. The state never addresses language barriers in oath administration.

What Is Missing:

- No guidance on what to do if the signer does not speak English
- No instruction on using interpreters
- No explanation that the oath must be administered in a language the signer understands
- No procedure for qualifying and swearing in an interpreter

Time spent on language barriers: 0 seconds

Resulting Knowledge Gap:

A notary presented with a non-English-speaking signer has no framework for proceeding legally. They may attempt to administer an oath the signer cannot understand, or refuse service entirely, not knowing that interpreters may be used with proper procedures.

Gap 13: Handling Signers with Disabilities – Entirely Omitted

What the State Provides:

Nothing. The state never addresses accommodations for signers with disabilities.

What Is Missing:

- No guidance on administering oaths to signers who are deaf or hard of hearing
- No instruction on working with sign language interpreters
- No discussion of accommodations for signers with speech impairments
- No recognition that the verbal response requirement may need adaptation

Time spent on disability accommodations: 0 seconds

Resulting Knowledge Gap:

A notary may refuse service to a deaf signer, not understanding that with a qualified interpreter, the oath can be properly administered. The signer's right to notarial services is denied based on the notary's lack of training.

Gap 14: Creating the Proper Atmosphere – Entirely Omitted

What the State Provides:

Nothing. The state never addresses the notary's demeanor or the solemnity of the occasion.

What Is Missing:

- No guidance on speaking clearly and seriously
- No instruction on ensuring privacy and minimizing distractions
- No discussion of how to convey the gravity of the proceeding without intimidating the signer
- No recognition that the notary's demeanor affects whether signers take the oath seriously

Time spent on professional demeanor: 0 seconds

Resulting Knowledge Gap:

A notary might administer an oath casually, while distracted, or in a chaotic environment, undermining the solemnity of the proceeding and potentially causing signers not to appreciate the legal consequences of false swearing.

SUMMARY: Oaths and Affirmations Instruction Time

Topic	Time Spent
Oath vs. affirmation distinction	0 seconds
Signer's right of choice	0 seconds
Verbal response requirement	0 seconds
Oath/affirmation scripts	0 seconds
Jurat vs. verification distinction	0 seconds
Timing requirement (oath before signing)	0 seconds
Raising the right hand (optional ceremony)	0 seconds

Perjury and legal consequences	0 seconds
RON oath procedures (practical)	0 seconds
Journal documentation specifics	0 seconds
Certificate wording	0 seconds
Non-English speakers	0 seconds
Disability accommodations	0 seconds
Professional demeanor	0 seconds

Total time spent on practical, how-to instruction for oaths and affirmations: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows the phrase "oath or affirmation" but has no idea what the difference is
- Does not know that the signer has the right to choose
- Has no script to use when administering an oath or affirmation
- Does not know that a verbal response is required
- Has no idea that for a jurat, the oath must precede the signature
- Has never heard of perjury or its consequences
- Does not know what certificate wording to use
- Has no guidance on handling non-English speakers or signers with disabilities
- Has no framework for creating the solemn atmosphere the law intends

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Oaths and affirmations—one of the core powers of the notarial office, with direct consequences for perjury—receive approximately 90 seconds of scattered mentions and zero seconds of practical instruction.

Notaries are being commissioned to administer oaths and affirmations without ever being told how to do it, what words to say, or what legal consequences hang in the balance.

ACKNOWLEDGMENTS: Gap Analysis of State-Provided Education

The Statutory Definition

Before examining what the state teaches, we must first establish what the law defines as an acknowledgment.

N.J.S.A. 52:7-10.1(a) defines "acknowledgment" as:

"a declaration by an individual before a notarial officer that the individual has signed a record for the purpose stated in the record and, if the record is signed in a representative capacity, that the individual signed the record with proper authority and signed it as the act of the individual or entity identified in the record."

The acknowledgment is the most common notarial act performed in New Jersey. It is required for deeds, contracts, powers of attorney, and countless other documents that form the backbone of commerce, property ownership, and legal affairs.

The State's Educational Offering: Scattered Mentions Across Multiple Chapters

Like oaths and affirmations, acknowledgments are not covered in a dedicated video. The topic appears in fragments across several chapters:

Chapter	Topic	Time on Acknowledgments
Chapter 2	Definitions	Defines "acknowledgment"
Chapter 6A	Certificates	Mentions acknowledgments in certificate context
Chapter 6B	Journals	Lists "taking of an acknowledgement" as a journal entry type
Chapter 7	Forms of Identification	Mentions acknowledgments in ID context

There is no dedicated video on acknowledgments. The total instruction time across all videos is approximately 2 minutes, consisting primarily of the term appearing in lists and the statutory definition being read aloud.

Here is the complete transcript of every mention of acknowledgments across all state videos:

From Chapter 2 (Definitions):

"Acknowledgement is a notarial act. It documents that a person has declared in front of a notary that they have signed a record for the intended purpose mentioned in that record. If the record is signed on behalf of someone else or an organization, the person declares that they had the authority to sign on behalf of that individual or organization, and they signed it as the act of the individual or organization identified in the record."

From Chapter 6A (Certificates):

"All notarial acts shall be evidenced by a certificate. Certificates shall be executed contemporaneously with the performance of the notarial ACT be signed and dated by the notarial officer identify the jurisdiction in which the notarial ACT is performed contain the title of Office of the notarial officer and if the notarial officer is a notary public indicate the date of expiration of the officer's commission."

From Chapter 6B (Journals):

"the type of notarial act, including but not limited to the taking of an acknowledgement, the taking of a proof of a deed, the administration of an oath, or the taking of an affidavit"

From Chapter 7 (Forms of Identification):

"A notarial officer who takes an acknowledgement or verification of a record, or who witnesses or attests to a signature, shall determine from personal knowledge or satisfactory evidence of the identity of the individual that the individual appearing before the officer and making the acknowledgement has the identity claimed, and that the signature on the record is the signature of the individual."

From Chapter 11 (Fees):

"for administering oaths, taking affidavits, providing proofs of a deed, and taking acknowledgements, \$2.50 per act"

That is the entirety of the state's instruction on acknowledgments. Approximately 2 minutes of content that consists of the statutory definition being read aloud and the term appearing in lists.

GAP ANALYSIS: What 2 Minutes of Scattered Mentions Cannot Teach

Gap 1: The Three Core Elements of a Valid Acknowledgment – Entirely Omitted

What the State Provides:

The state's definition mentions that a person "declares" and that they have "signed" the record. It does not break down the acknowledgment into its component parts or explain what must actually occur for the act to be valid.

What Is Missing:

- No explanation that an acknowledgment requires three non-negotiable elements:
 1. Personal appearance – the signer must be physically present before the notary
 2. Positive identification – the notary must verify the signer's identity
 3. Voluntary acknowledgment – the signer must declare that they signed willingly
- No guidance on what each element means in practice
- No warning that missing any element renders the acknowledgment invalid
- No explanation that these elements collectively verify the genuineness and willingness of the signature

Time spent on the three core elements: 0 seconds

Resulting Knowledge Gap:

A notary performing their first acknowledgment has no checklist of what must occur. They may complete the certificate without ever obtaining a verbal acknowledgment, or without properly verifying identity, and have no idea the act was invalid.

Gap 2: Personal Appearance – The Absolute Requirement

What the State Provides:

The definition states the person appears "in front of a notary," but provides no elaboration.

What Is Missing:

- No explanation that personal appearance is absolute and cannot be waived
- No warning that the signer cannot appear by phone, video (unless RON), or through a window
- No guidance on what constitutes "appearance" (direct interaction, ability to observe demeanor)
- No instruction that the notary must maintain continuous presence throughout the act
- No discussion of the narrow exception for Remote Online Notarization and its separate requirements

Time spent on personal appearance guidance: 0 seconds

Resulting Knowledge Gap:

A notary might accept a signer who is in the next room, or who appears by FaceTime for a traditional acknowledgment, not understanding that this completely invalidates the act. The state never tells them otherwise.

Gap 3: The Difference Between Acknowledgments and Jurats – Entirely Omitted

What the State Provides:

The state defines acknowledgments separately from jurats but never explains the critical distinction between them.

What Is Missing:

- No comparison of the two acts
- No explanation that an acknowledgment verifies voluntary signature while a jurat verifies truthfulness of content
- No guidance that an acknowledgment does not involve swearing to the truth of the document's contents
- No warning that confusing these acts is a serious error
- No explanation that a document requiring a jurat cannot be satisfied with an acknowledgment

Time spent on acknowledgment vs. jurat distinction: 0 seconds

Resulting Knowledge Gap:

A notary presented with an affidavit (which requires a jurat) might perform an acknowledgment instead, completely defeating the legal purpose of the document. The signer never swears to the truth of the contents, and the affidavit is worthless.

Gap 4: Pre-Signed Documents – Acceptability and Procedure

What the State Provides:

Nothing. The state never addresses whether a document can be signed before the notarization.

What Is Missing:

- No explanation that for acknowledgments, the document may be signed before the signer appears
- No guidance that this is acceptable and common
- No instruction that the notary must still obtain a verbal acknowledgment that the signature was voluntary
- No warning that for jurats, pre-signing is not acceptable

Time spent on pre-signed document guidance: 0 seconds

Resulting Knowledge Gap:

A notary might refuse service to someone who signed a deed days earlier, not knowing that acknowledgments are specifically designed for this situation. Alternatively, they might accept a pre-signed affidavit as a jurat, committing the opposite error.

Gap 5: Obtaining the Verbal Acknowledgment – The Core of the Act

What the State Provides:

The definition states that the person "declares" they have signed. It provides no guidance on how to obtain this declaration.

What Is Missing:

- No script for obtaining the verbal acknowledgment
- No guidance on what question to ask: "Do you acknowledge that this is your signature and that you signed this document voluntarily?"
- No instruction that the response must be verbal and affirmative
- No explanation that the acknowledgment is the signer's confirmation, not the notary's assumption
- No guidance on what to do if the signer seems uncertain or refuses to acknowledge

Time spent on the verbal acknowledgment script: 0 seconds

Resulting Knowledge Gap:

A notary might complete the certificate without ever asking the signer to acknowledge anything. They assume that because the signer is present and the document is signed, the acknowledgment has occurred. The entire legal foundation of the act is missing, and the notary never knows.

Gap 6: Representative Capacity Acknowledgments – Critical Distinction

What the State Provides:

The definition mentions that if the record is signed "on behalf of someone else or an organization," the person declares they had authority. It provides no further guidance.

What Is Missing:

- No explanation of what "representative capacity" means in practice
- No guidance on the different types of representative acknowledgments:
 - Corporate officers signing for a corporation
 - Partners signing for a partnership
 - Trustees signing for a trust
 - Attorneys-in-fact signing under a power of attorney
- No instruction on what certificate wording to use for each
- No guidance on what to ask the signer to confirm their authority
- No warning that the notary is not required to verify the underlying authority (e.g., review corporate minutes), but must be satisfied the signer is representing themselves truthfully

Time spent on representative capacity guidance: 0 seconds

Resulting Knowledge Gap:

A notary presented with a corporate officer has no idea what certificate to use or what questions to ask. They might use an individual acknowledgment for a corporate signing, creating a defective notarization that could be rejected by recording offices.

Gap 7: Attorney-in-Fact Acknowledgments – Special Considerations

What the State Provides:

Nothing specific. The definition mentions signing "on behalf of someone else" but does not address powers of attorney.

What Is Missing:

- No explanation that an attorney-in-fact signs under a power of attorney
- No guidance on the special certificate wording required
- No instruction that the notary should visually confirm that a power of attorney document exists
- No warning that the notary is not verifying the validity of the power of attorney, only the identity of the person signing as attorney-in-fact
- No guidance on what to do if the signer cannot produce the power of attorney

Time spent on attorney-in-fact guidance: 0 seconds

Resulting Knowledge Gap:

A notary presented with someone signing as attorney-in-fact has no framework for proceeding. They may use the wrong certificate, or refuse service entirely, not knowing how to handle this common situation.

Gap 8: Certificate Wording – No Sample Certificates Provided

What the State Provides:

Chapter 6A mentions that certificates must meet certain requirements and that "short forms" are available. It does not provide any sample certificates or specific wording.

What Is Missing:

- No sample individual acknowledgment certificate
- No sample representative capacity acknowledgment certificate
- No sample attorney-in-fact acknowledgment certificate
- No guidance on completing blank spaces (venue, date, signer's name)
- No instruction on correcting pronouns ("he/she/they") by striking through inapplicable terms
- No explanation of the difference between "known to me" and "satisfactorily proven" and how to indicate which was used

Time spent on certificate wording and samples: 0 seconds

Resulting Knowledge Gap:

A notary who needs to complete an acknowledgment certificate has no model to follow. They may fill it out incorrectly, omit required elements, or use the wrong wording entirely. The document may be rejected by recording offices, causing delays and expenses for the signer.

Gap 9: Venue – The Critical Importance of Location

What the State Provides:

Chapter 6A mentions that the certificate must "identify the jurisdiction in which the notarial act is performed." It provides no further guidance.

What Is Missing:

- No explanation of what "venue" means (state and county where the notarization physically occurs)
- No guidance that venue is not the notary's home county or business address, but the actual physical location
- No warning that using the wrong county can cause document rejection
- No instruction on how to determine the correct county, especially when near county lines
- No "Pause and Place" protocol or similar tool to prevent errors

Time spent on venue guidance: 0 seconds

Resulting Knowledge Gap:

A mobile notary who travels across counties might always use their home county in the venue, not understanding that each notarization requires the county where they are physically standing. Documents are rejected, and the notary has no idea why.

Gap 10: The Signer's Awareness and Willingness – Assessment Required

What the State Provides:

Nothing. The state never addresses the notary's obligation to assess the signer's mental state.

What Is Missing:

- No guidance that the notary must be satisfied the signer appears to be acting willingly, without duress or coercion
- No instruction on observing the signer's demeanor for signs of confusion or pressure
- No guidance on what to do if the signer seems confused or uncertain
- No warning that proceeding despite red flags exposes the notary to liability
- No script for pausing or refusing when concerns arise

Time spent on assessing willingness and capacity: 0 seconds

Resulting Knowledge Gap:

A notary might notarize for a signer who is clearly confused, being pressured by a family member, or showing signs of dementia. They have no framework for recognizing these red flags or knowing when to refuse.

Gap 11: Multiple Signers – Individual Treatment Required

What the State Provides:

Nothing. The state never addresses documents with multiple signers.

What Is Missing:

- No guidance that each signer requires individual identity verification
- No instruction that each signer must personally acknowledge their own signature
- No explanation that separate journal entries are required for each signer
- No warning against having one signer speak for all

Time spent on multiple signer guidance: 0 seconds

Resulting Knowledge Gap:

A notary presented with a document requiring three signatures might verify one signer, have that signer acknowledge for all, and create one journal entry. The other two signers never appeared, were never identified, and never acknowledged anything. The notarization is completely invalid.

Gap 12: Document Examination – Completeness Check

What the State Provides:

Nothing. The state never mentions examining the document.

What Is Missing:

- No guidance that the notary should quickly scan the document for obvious blank spaces
- No instruction that material blanks should be filled or marked "N/A" before notarization
- No warning that notarizing an incomplete document can facilitate fraud
- No guidance on how to point out blanks without suggesting what to write (avoiding UPL)

Time spent on document examination: 0 seconds

Resulting Knowledge Gap:

A notary might notarize a deed with the grantee name left blank, allowing that blank to be filled in later with anyone's name. They have facilitated fraud without knowing it.

Gap 13: Journal Documentation for Acknowledgments

What the State Provides:

Chapter 6B lists "the taking of an acknowledgement" as a journal entry type.

What Is Missing:

- No guidance on recording that an acknowledgment was performed
- No instruction to note if the acknowledgment was in individual or representative capacity
- No example of a proper journal entry for an acknowledgment
- No guidance on documenting the verbal acknowledgment in the "additional information" section

Time spent on journal specifics for acknowledgments: 0 seconds

Resulting Knowledge Gap:

A notary's journal might show "acknowledgment" but contain no record of whether it was individual or representative, or any indication that the verbal acknowledgment was obtained. Years later, if challenged, there is no record of what actually occurred.

Gap 14: Refusing an Acknowledgment – Grounds and Protocol

What the State Provides:

Chapter 10 mentions the right to refuse generally but provides no acknowledgment-specific guidance.

What Is Missing:

- No specific grounds for refusing an acknowledgment:
 - Signer cannot be identified
 - Signer refuses to acknowledge the signature
 - Signer appears confused or under duress
 - Document has material blanks
- No scripts for refusing an acknowledgment professionally
- No guidance on documenting the refusal in the journal

Time spent on acknowledgment refusal guidance: 0 seconds

Resulting Knowledge Gap:

A notary who should refuse an acknowledgment may proceed because they have no framework for recognizing when refusal is required, or no script for doing so professionally.

SUMMARY: Acknowledgments Instruction Time

Topic	Time Spent
Three core elements of an acknowledgment	0 seconds
Personal appearance requirement (practical)	0 seconds
Acknowledgment vs. jurat distinction	0 seconds
Pre-signed document acceptability	0 seconds
Verbal acknowledgment script	0 seconds
Representative capacity guidance	0 seconds
Attorney-in-fact guidance	0 seconds
Certificate wording and samples	0 seconds
Venue guidance	0 seconds
Assessing willingness and capacity	0 seconds
Multiple signer procedures	0 seconds
Document examination	0 seconds
Journal documentation specifics	0 seconds

Refusal grounds and protocol

0 seconds

Total time spent on practical, how-to instruction for acknowledgments: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has heard the definition of "acknowledgment" but has no idea what the three required elements are
- Does not know that the signer must verbally acknowledge their signature
- Has no script for obtaining that acknowledgment
- Does not know the difference between an acknowledgment and a jurat
- Has no sample certificates to follow
- Does not know what venue means or how to determine the correct county
- Has no guidance on handling corporate officers or attorneys-in-fact
- Does not know to check the document for blanks
- Has no framework for recognizing when a signer is confused or coerced
- Has no procedure for handling multiple signers

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Acknowledgments—the most common notarial act performed in New Jersey, required for deeds, contracts, and countless other documents—receive approximately 2 minutes of scattered mentions and zero seconds of practical instruction.

Notaries are being commissioned to perform acknowledgments without ever being told how to do them, what words to say, what certificates to use, or how to recognize when they must refuse.

JURATS: Gap Analysis of State-Provided Education

The Statutory Definition and Context

Before examining what the state teaches, we must first establish what the law defines as a jurat and how it differs from other notarial acts.

New Jersey Statutes Annotated § 41:2-17 addresses the authority to administer oaths and affirms the validity of jurats taken before notaries :

"Any oath, affirmation, or affidavit required or authorized to be taken in any suit or legal proceeding in this State... may be taken before any notary public... and a recital that he or she is such notary or officer in the jurat or certificate of such oath, affirmation, or affidavit, and his or her official designation annexed to his or her signature, and attested under his or her official seal, shall be sufficient proof that the person before whom the same is taken is such notary or officer."

The jurat (from Latin *jurare* – "to swear") is a notarial act in which the signer:

1. Personally appears before the notary
2. Signs the document in the notary's presence
3. Takes an oath or affirmation from the notary vouching for the truthfulness or accuracy of the signed document

Unlike an acknowledgment, which merely verifies the identity of the signer and their voluntary signature, a jurat subjects the signer to perjury for any false statements contained in the document .

The State's Educational Offering: Scattered Mentions Only

The topic of jurats is not covered in any dedicated video. It appears in fragments across several chapters, with no video specifically addressing jurats:

Chapter	Topic	Time on Jurats
Chapter 2	Definitions	Mentions "verification on oath or affirmation" in definition list
Chapter 6A	Certificates	References certificates generally, no jurat-specific guidance

Chapter 6B	Journals	Lists "administration of an oath" and "taking of an affidavit" as journal entry types
Chapter 7	Forms of Identification	Mentions "verification of a record" in ID context
Chapter 8B	Communication Technology	Mentions administering oaths via RON
Chapter 10	Right to Refuse	No mention
Chapter 11	Fees	Lists fee for "administering oaths, taking affidavits" (\$2.50)

There is no dedicated video on jurats. The total instruction time across all videos is approximately 60 seconds, consisting primarily of the term appearing in lists and the statutory definition being read aloud in other contexts.

Here is the complete transcript of every mention related to jurats across all state videos:

From Chapter 2 (Definitions):

"Verification on oath or affirmation is when a person makes a statement in a document and, in front of a notarial officer, solemnly declares that the statement is true."

From Chapter 6B (Journals):

"the type of notarial act, including but not limited to the taking of an acknowledgement, the taking of a proof of a deed, the administration of an oath, or the taking of an affidavit"

From Chapter 7 (Forms of Identification):

"A notarial officer who takes an acknowledgement or verification of a record, or who witnesses or attests to a signature, shall determine from personal knowledge or satisfactory evidence of the identity of the individual that the individual appearing before the officer and making the acknowledgement has the identity claimed, and that the signature on the record is the signature of the individual."

From Chapter 11 (Fees):

"for administering oaths, taking affidavits, providing proofs of a deed, and taking acknowledgements, \$2.50 per act"

That is the entirety of the state's instruction on jurats. Approximately 60 seconds of content that consists almost entirely of the term appearing in lists, with no practical guidance on how to perform this critical notarial act.

GAP ANALYSIS: What 60 Seconds of Scattered Mentions Cannot Teach

Gap 1: The Definition and Purpose of a Jurat – Never Explained

What the State Provides:

The state mentions "verification on oath or affirmation" in the definitions chapter but never explains what a jurat actually is or when it is required. The term "jurat" itself never appears in the state's transcripts—only "verification on oath or affirmation."

What Is Missing:

- No explanation that a jurat is a distinct notarial act with specific requirements
- No definition of the term "jurat" or its origins
- No explanation of the legal purpose: to compel truthfulness under penalty of perjury
- No guidance on what types of documents require a jurat (affidavits, sworn statements, depositions, court filings)
- No explanation that a jurat transforms a document into sworn testimony

Time spent on defining and explaining jurats: 0 seconds

Resulting Knowledge Gap:

A notary presented with an affidavit has no idea that a jurat is required. They may treat it as an acknowledgment, completely defeating the legal purpose of the document. The signer never swears to the truth of the contents, and the affidavit is worthless.

Gap 2: The Three Core Elements of a Valid Jurat – Entirely Omitted

What the State Provides:

The state's scattered mentions include fragments: "verification on oath" and "taking an affidavit" appear in lists, but the elements are never assembled into a coherent whole.

What Is Missing:

- No explanation that a jurat requires three non-negotiable elements:
 1. Personal appearance – the signer must be physically present before the notary
 2. Positive identification – the notary must verify the signer's identity
 3. Administration of oath or affirmation – the signer must swear or affirm to the truthfulness of the document's contents
 4. Signing in the notary's presence – the signer must sign the document *after* taking the oath
- No guidance on what each element means in practice
- No warning that missing any element renders the jurat invalid
- No explanation that these elements collectively create a sworn statement subject to perjury

Time spent on the core elements of a jurat: 0 seconds

Resulting Knowledge Gap:

A notary performing their first jurat has no checklist of what must occur. They may complete the certificate without ever administering an oath, or allow the signer to sign before taking the oath, and have no idea the act was invalid.

Gap 3: Jurat vs. Acknowledgment – The Critical Distinction Omitted

What the State Provides:

The state defines acknowledgments separately from verifications but never explains the critical distinction between them. A notary watching these videos would have no way to know they are fundamentally different acts with different legal consequences.

What Is Missing:

- No comparison of the two acts
- No explanation that an acknowledgment verifies voluntary signature while a jurat verifies truthfulness of content
- No chart or side-by-side comparison
- No guidance that a document requiring a jurat cannot be satisfied with an acknowledgment
- No warning that confusing these acts is a serious error that can invalidate legal proceedings

Time spent on jurat vs. acknowledgment distinction: 0 seconds

Resulting Knowledge Gap:

A notary presented with an affidavit (which requires a jurat) might perform an acknowledgment instead, completely defeating the legal purpose of the document. The

signer never swears to the truth of the contents, and the affidavit is worthless. If used in court, the entire proceeding could be compromised.

Gap 4: The Timing Requirement – Oath Must Precede Signing

What the State Provides:

Nothing. The state never addresses when the oath must occur in relation to the signing.

What Is Missing:

- No instruction that for a jurat, the oath must be administered before the signer signs the document
- No explanation of why this matters (the oath is what makes the subsequent signing a sworn statement)
- No guidance on what to do if the document is already signed (must be re-signed after oath)
- No warning that notarizing a pre-signed document as a jurat invalidates the entire act

Time spent on timing requirements: 0 seconds

Resulting Knowledge Gap:

A notary presented with a pre-signed affidavit might notarize it as a jurat, completely unaware that the oath must precede the signature. The document is legally worthless, the signer never actually swore to its contents, and the notary has facilitated a fraudulent filing. In a legal proceeding, this defect could be discovered years later, with serious consequences.

Gap 5: The Verbal Oath/Affirmation – No Scripts Provided

What the State Provides:

The state never provides any wording for administering an oath or affirmation in the context of a jurat.

What Is Missing:

- No script for administering an oath: "Do you solemnly swear that the contents of this document are true and correct, so help you God?"
- No script for administering an affirmation: "Do you solemnly affirm, under penalty of perjury, that the statements in this document are true and correct?"
- No guidance on tailoring the wording to the document type

- No instruction that the response must be verbal and affirmative
- No guidance on what to do if the signer responds inadequately (nod, "uh-huh," silence)

Time spent on oath/affirmation scripts for jurats: 0 seconds

Resulting Knowledge Gap:

A notary facing their first signer who needs a jurat has no words to say. They may improvise inadequately, omit critical elements, or simply not administer any oath at all—performing an acknowledgment instead and completely defeating the legal purpose of the document.

Gap 6: The Requirement That the Signer Sign in the Notary's Presence

What the State Provides:

Nothing. The state never addresses where and when the signing must occur.

What Is Missing:

- No instruction that the signer must sign the document in the notary's physical presence
- No guidance that the notary must actually witness the pen touching the paper
- No warning that a jurat cannot be performed if the document was signed earlier
- No guidance on what to do if the document is already signed (draw a line through the signature and have them sign again, or use a fresh copy)

Time spent on in-presence signing requirement: 0 seconds

Resulting Knowledge Gap:

A notary might accept a document signed earlier, have the signer swear to it, and notarize it as a jurat. The entire act is invalid because the oath did not precede the signing, and the notary never witnessed the signature.

Gap 7: Handling Pre-Signed Documents – No Procedure

What the State Provides:

Nothing. The state never addresses this common scenario.

What Is Missing:

- No recognition that signers frequently present pre-signed documents
- No guidance on the two acceptable corrections:
 1. Draw a single line through the existing signature and have the signer sign again in your presence after the oath
 2. Use a fresh, unsigned copy of the document
- No warning that proceeding with the pre-signed document invalidates the jurat
- No instruction on documenting the correction in the journal

Time spent on pre-signed document procedures: 0 seconds

Resulting Knowledge Gap:

A notary presented with a pre-signed affidavit has no framework for handling it. They may proceed anyway, creating an invalid notarization, or they may refuse service entirely, not knowing there is a simple correction procedure.

Gap 8: Certificate Wording for Jurats – No Samples Provided

What the State Provides:

Chapter 6A mentions that certificates must meet certain requirements and that "short forms" are available. It does not provide any sample jurat certificates or specific wording.

What Is Missing:

- No sample jurat certificate for oaths: "Subscribed and sworn to before me on this ____ day of _____, 20, by _____"
- No sample jurat certificate for affirmations: "Subscribed and affirmed before me on this ____ day of _____, 20, by _____"
- No guidance on the difference between "sworn to" and "affirmed" in certificate wording
- No instruction on correcting pre-printed certificates that say "sworn" when an affirmation was administered
- No guidance on completing blank spaces (venue, date, signer's name)

Time spent on jurat certificate wording and samples: 0 seconds

Resulting Knowledge Gap:

A notary who needs to complete a jurat certificate has no model to follow. They may fill it out incorrectly, omit required elements, or use the wrong wording entirely. If they administer an affirmation but sign a certificate that says "sworn to," there is a discrepancy that could cause the document to be rejected or questioned.

Gap 9: Perjury – The Legal Consequences of False Swearing

What the State Provides:

Nothing. The state never mentions perjury or its consequences.

What Is Missing:

- No explanation that making a false statement under oath is a crime (perjury, N.J.S.A. 2A:62-1)
- No explanation of the penalties (criminal charges, fines, imprisonment)
- No guidance that the notary should ensure signers understand they are swearing under penalty of perjury
- No instruction on how this knowledge should inform the notary's solemnity in administering the jurat
- No warning that the signer's perjury liability is what gives jurats their legal force

Time spent on perjury: 0 seconds

Resulting Knowledge Gap:

A notary may administer a jurat without ever conveying its gravity. Signers may not understand they are making a legally binding commitment with criminal consequences for falsehood. The deterrent effect of perjury is lost, and signers may treat the oath as meaningless ceremony. Worse, the notary has no idea they are facilitating potential perjury.

Gap 10: Jurats for Affidavits vs. Depositions vs. Verifications – No Distinction

What the State Provides:

Nothing. The state never distinguishes between different contexts for sworn statements.

What Is Missing:

- No explanation that an affidavit is a written statement sworn to before a notary
- No explanation that a deposition involves oral testimony transcribed and sworn to
- No explanation that a verification involves swearing to the truth of a pleading or document
- No guidance on how the oath wording may differ in these contexts
- No instruction on the notary's role in depositions (administering oath to witness and stenographer)

Time spent on different jurat contexts: 0 seconds

Resulting Knowledge Gap:

A notary asked to preside over a deposition has no idea that different procedures apply. They may not know they need to swear in the stenographer, or that they may need to certify the transcript. They are completely unprepared for one of the most complex notarial acts.

Gap 11: The Signer's Awareness and Willingness – Assessment Required

What the State Provides:

Chapter 10 mentions that a notary may refuse if the signer is not competent or the signature is involuntary, but provides no jurat-specific guidance.

What Is Missing:

- No guidance that for a jurat, the notary must be doubly satisfied: that the signer understands they are swearing to the truth of the document and that they are doing so willingly
- No instruction on observing the signer's demeanor for signs of confusion or pressure
- No guidance on what to do if the signer seems uncertain about the document's contents
- No script for pausing or refusing when concerns arise: "Before we proceed, are you completely certain everything in this document is true? You're swearing to its accuracy under penalty of perjury."

Time spent on assessing willingness and capacity for jurats: 0 seconds

Resulting Knowledge Gap:

A notary might administer a jurat to a signer who is clearly confused about the document's contents, or who is being pressured by someone else. They have no framework for recognizing these red flags or knowing when to refuse. The signer may later face perjury charges for statements they didn't understand.

Gap 12: Journal Documentation for Jurats

What the State Provides:

Chapter 6B lists "the administration of an oath" and "the taking of an affidavit" as journal entry types.

What Is Missing:

- No guidance to specify which was administered (oath or affirmation)
- No instruction to record that a jurat was performed (not just an oath)
- No guidance on noting the document type and title
- No example of a proper journal entry for a jurat
- No instruction on documenting any special circumstances (re-signing, use of interpreter)

Time spent on journal specifics for jurats: 0 seconds

Resulting Knowledge Gap:

A notary's journal might show "oath" when they actually performed a jurat, or simply "notarization" without specifying. Years later, if the document is challenged, there is no record of what procedure was actually followed or whether the oath was properly administered.

Gap 13: Refusing a Jurat – Grounds and Protocol

What the State Provides:

Chapter 10 mentions the right to refuse generally but provides no jurat-specific guidance.

What Is Missing:

- No specific grounds for refusing a jurat:
 - Document is pre-signed and signer refuses to re-sign
 - Signer cannot or will not take the oath/affirmation
 - Signer seems uncertain about the document's truthfulness
 - Signer appears confused or under duress
 - Document has material blanks
- No scripts for refusing a jurat professionally
- No guidance on documenting the refusal in the journal

Time spent on jurat refusal guidance: 0 seconds

Resulting Knowledge Gap:

A notary who should refuse a jurat may proceed because they have no framework for recognizing when refusal is required, or no script for doing so professionally. A signer who is uncertain about the truth of their statements may be pressured into swearing falsely, with the notary facilitating potential perjury.

Gap 14: Jurats via Remote Technology – Mentioned But Not Explained

What the State Provides:

Chapter 8B states: "A notarial officer in this state may administer an oath to a remotely located individual using communication technology."

What Is Missing:

- No guidance on how jurats differ when performed remotely
- No instruction on ensuring the signer signs in the notary's virtual presence
- No guidance on the timing requirement (oath before signing) in a remote context
- No discussion of recording requirements for RON jurats
- No warning that the same standards of verbal response, understanding, and documentation apply remotely

Time spent on practical RON jurat guidance: 0 seconds

Resulting Knowledge Gap:

A notary performing their first remote jurat has no framework for ensuring the procedure is valid. They may not realize that the signer must still sign in their virtual presence after the oath, or that the same verbal response requirements apply.

SUMMARY: Jurats Instruction Time

Topic	Time Spent
Definition and purpose of jurats	0 seconds
Three core elements of a jurat	0 seconds
Jurat vs. acknowledgment distinction	0 seconds

Timing requirement (oath before signing)	0 seconds
Oath/affirmation scripts	0 seconds
In-presence signing requirement	0 seconds
Pre-signed document procedure	0 seconds
Certificate wording and samples	0 seconds
Perjury and legal consequences	0 seconds
Different jurat contexts (affidavit, deposition)	0 seconds
Assessing willingness and capacity	0 seconds
Journal documentation specifics	0 seconds
Refusal grounds and protocol	0 seconds
RON jurat procedures (practical)	0 seconds

Total time spent on practical, how-to instruction for jurats: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has never heard the term "jurat" – it does not appear in any video transcript
- Does not know that a jurat is different from an acknowledgment
- Has no idea that a jurat requires the signer to sign in their presence *after* taking an oath
- Has no script for administering the oath
- Does not know what to do if the document is already signed
- Has no sample certificate to follow
- Has never been told that perjury is the consequence of false swearing
- Does not know that a jurat for a deposition differs from a jurat for an affidavit
- Has no framework for recognizing when a signer should not take an oath

- Will create journal entries insufficient to prove what actually occurred

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Jurats—a notarial act that subjects signers to criminal penalties for perjury and is required for countless court filings, affidavits, and sworn statements—receives approximately 60 seconds of scattered mentions and zero seconds of practical instruction.

Notaries are being commissioned to administer jurats without ever being told what a jurat is, how it differs from an acknowledgment, what words to say, what certificates to use, or that perjury is at stake.

APPENDIX: The Legal Definition of Jurat (From Other Jurisdictions)

While New Jersey's statute does not define "jurat" in one place, other states provide helpful definitions that illustrate what New Jersey's education omits:

New Mexico Statutes § 14-12A-2(F) defines "jurat" as:

"a notarial act in which a person at a single time and place:

(1) appears in person before the notary public and presents a document;

(2) is personally known to the notary public or identified by the notary public through satisfactory evidence;

(3) signs the document in the presence of the notary public; and

(4) takes an oath or affirmation from the notary public that the person is voluntarily affixing his signature and vouching for the truthfulness or accuracy of the signed document"

This definition contains four specific requirements, each of which requires practical instruction. New Jersey's education provides none of them.

COPY CERTIFICATIONS: Gap Analysis of State-Provided Education

The Statutory Authority

Before examining what the state teaches, we must first establish what the law permits and prohibits regarding copy certifications.

N.J.S.A. 52:7-10.1(f)(5) includes "certifying or attesting a copy" as a notarial act a notary may perform.

N.J.S.A. 52:7-10.8(d) states:

"A notarial officer who certifies or attests a copy of a record or an item that was copied shall determine that the copy is a full, true, and accurate transcription or reproduction of the record or item."

However, critical limitations on this authority come from common law and public policy, not from a single statute. Notaries are prohibited from certifying copies of public records (birth certificates, death certificates, marriage licenses, court documents) because only the official custodian of those records may issue certified copies. Similarly, notaries cannot certify copies of recordable documents (deeds, mortgages) because doing so could create multiple "official" versions of title documents.

The State's Educational Offering: 30 Seconds in Chapter 7

Copy certifications are covered in Chapter 7, "Forms of Identification and Copy Certification Requirements," which runs 2 minutes and 31 seconds total. This single video must cover BOTH identification AND copy certifications, meaning the actual instruction on copy certifications is approximately 30 seconds.

Here is the complete transcript of the copy certification instruction from Chapter 7:

"With regard to copy certification requirements, a notarial officer who certifies or attests to a copy of a record or an item that was copied shall determine that the copy is a full, true, and accurate transcription or reproduction of the record or item."

That is the entirety of the state's instruction on copy certifications. Thirty seconds of content that consists of a single sentence reciting the statutory requirement.

There is no mention of:

- What documents CAN be certified

- What documents CANNOT be certified
- The critical prohibitions against certifying public records
- The prohibition against certifying recordable documents
- The procedure for making or supervising the copy
- The requirement that the original be physically presented
- The step-by-step comparison process
- What to do when someone asks for a prohibited document
- Certificate wording
- Journaling requirements

GAP ANALYSIS: What 30 Seconds Cannot Teach

Gap 1: The Critical Prohibitions – Entirely Omitted

What the State Provides:

The state states what the notary MUST do (determine the copy is accurate) but says nothing about what the notary CANNOT do.

What Is Missing:

- No mention that notaries CANNOT certify copies of public records:
 - Birth certificates
 - Death certificates
 - Marriage licenses and civil union certificates
 - Divorce decrees
 - Court judgments and orders
 - Filed pleadings
 - Any document maintained by a government agency as an official record
- No mention that notaries CANNOT certify copies of recordable documents:
 - Deeds
 - Mortgages
 - Liens
 - UCC financing statements
 - Any document that is recorded with a county clerk or register of deeds
- No explanation of WHY these prohibitions exist:
 - To prevent fraud (multiple "official" copies of vital records)
 - To maintain chain of title (only one authoritative version of a deed)
 - To respect the exclusive authority of official record custodians
 - To prevent confusion and competing claims of authenticity
- No "Golden Rule" for when to refuse: "When in doubt, refuse"

Time spent on prohibitions: 0 seconds

Resulting Knowledge Gap:

A notary asked to certify a copy of a birth certificate has no idea this is prohibited. They may proceed, create a "certified copy," and the person receiving it may rely on it for a passport, job application, or other purpose. The document is worthless, the person may face consequences for relying on an invalid certification, and the notary has no idea they did anything wrong.

Gap 2: What Documents CAN Be Certified – No Guidance

What the State Provides:

Nothing. The state never tells notaries what they ARE permitted to certify.

What Is Missing:

- No list of acceptable documents:
 - Educational documents (diplomas, transcripts, degrees)
 - Business records (internal documents, correspondence, contracts)
 - Personal documents (letters, manuscripts, family records)
 - Financial documents (bank statements, utility bills for address verification)
 - Private organization documents (membership cards, insurance cards, corporate minutes)
- No guidance on how to distinguish between public records and private documents
- No explanation that the document must be presented by someone with a legitimate interest
- No warning that even for acceptable documents, the original must be presented

Time spent on acceptable documents: 0 seconds

Resulting Knowledge Gap:

A notary may refuse to certify a diploma because they have no guidance on what's allowed. Or they may certify a document they shouldn't because they have no list of prohibitions. Either way, the public is poorly served.

Gap 3: The Requirement That the Original Be Physically Presented – Omitted

What the State Provides:

The state says the notary must "determine that the copy is a full, true, and accurate

transcription or reproduction of the record or item." This implicitly requires comparison to the original, but the requirement is not stated explicitly.

What Is Missing:

- No explicit statement that the original document must be physically presented to the notary
- No warning that photocopies, digital images, or screenshots cannot serve as the basis for certification
- No guidance that the notary must hold and examine the actual original document
- No explanation of why this matters (to ensure the copy is made from the genuine original, not from another copy)

Time spent on original presentation requirement: 0 seconds

Resulting Knowledge Gap:

A notary might accept a photocopy of a diploma and certify that copy, not realizing they need the original. The certified copy is worthless because it certifies only that the copy matches another copy, not that it matches the original.

Gap 4: The Requirement That the Notary Make or Supervise the Copy – Omitted

What the State Provides:

Nothing. The state never addresses who makes the copy or under what circumstances.

What Is Missing:

- No requirement that the notary either make the copy themselves or directly supervise the copying process
- No explanation of why this matters (to ensure chain of custody and that the copy is made directly from the original)
- No guidance that pre-made copies brought by the signer cannot be certified
- No warning that accepting a pre-made copy opens the door to fraud (the copy might be of a different document or an altered version)

Time spent on copy creation requirements: 0 seconds

Resulting Knowledge Gap:

A signer might bring a pre-made copy of a diploma and ask the notary to certify it. The notary, having no guidance, might do so, not realizing they have certified a copy without ever seeing the original or verifying that the copy was accurately made.

Gap 5: The Comparison Process – No Procedure

What the State Provides:

The state says the notary shall "determine that the copy is a full, true, and accurate transcription or reproduction." It provides no guidance on how to make this determination.

What Is Missing:

- No step-by-step procedure for comparing the original to the copy
- No guidance on what to check:
 - Complete text reproduction
 - Image clarity and completeness
 - Page order and orientation
 - Color accuracy (if color copying)
 - Missing sections or cut-off text
 - Front and back of documents (if applicable)
- No instruction on initialing multiple pages
- No warning to check for signs of alteration or tampering

Time spent on comparison procedure: 0 seconds

Resulting Knowledge Gap:

A notary might glance at the copy and original, declare them "close enough," and certify the copy. They may miss missing pages, cut-off text, or subtle alterations. The certified copy is inaccurate, and the notary is liable.

Gap 6: Certificate Wording – No Sample Provided

What the State Provides:

Nothing specific to copy certifications. Chapter 6A mentions certificates generally but provides no sample copy certification wording.

What Is Missing:

- No sample copy certification certificate
- No guidance on what the certificate should state: "I hereby certify that the preceding or attached document is a true, accurate, and complete copy of the original document presented to me."

- No instruction on where to place the certificate (attached to the copy, never to the original)
- No guidance on completing blank spaces (date, signer's name)
- No warning that the certificate must be attached to the copy, not the original

Time spent on certificate wording: 0 seconds

Resulting Knowledge Gap:

A notary who needs to certify a copy has no model to follow. They may create an insufficient certificate, omit required elements, or attach the certificate to the original document (damaging the original).

Gap 7: Journal Documentation – No Guidance

What the State Provides:

Nothing specific to copy certifications. Chapter 6B lists required journal elements generally.

What Is Missing:

- No guidance on what to record for a copy certification:
 - Type of act: "Copy Certification"
 - Document description (e.g., "Copy of College Diploma")
 - Name of person requesting certification
 - Identification verification (strongly recommended, though not always required)
 - Fee charged
- No example of a proper journal entry
- No guidance on documenting any special circumstances

Time spent on journal specifics for copy certifications: 0 seconds

Resulting Knowledge Gap:

A notary's journal might show "copy certification" but contain no record of what document was certified, who requested it, or that the original was examined. If challenged, there is no evidence of due diligence.

Gap 8: The Credible Witness Alternative – Not Mentioned in This Context

What the State Provides:

Nothing. The state never addresses situations where the person requesting certification cannot be identified.

What Is Missing:

- No guidance that while copy certification does not always require identification (the act certifies the document, not the person), it is a best practice to verify identity
- No guidance on what to do if the person cannot produce ID
- No mention that a credible witness procedure could theoretically be used, but adds complexity

Time spent on identification for copy certifications: 0 seconds

Resulting Knowledge Gap:

A notary might certify a copy for someone without verifying their identity, then later discover the person had no right to the document. The notary has no record of who received the certified copy.

Gap 9: Refusing a Copy Certification – No Guidance

What the State Provides:

Nothing specific to copy certifications. Chapter 10 mentions the right to refuse generally.

What Is Missing:

- No specific grounds for refusing a copy certification:
 - Document is a public record (birth certificate, court document)
 - Document is a recordable instrument (deed, mortgage)
 - Original is not physically presented
 - Copy is pre-made and notarization was not supervised
 - Copy is incomplete or inaccurate
 - Notary cannot verify the document's authenticity
- No scripts for refusing professionally
- No guidance on explaining why the refusal is required by law
- No instruction on documenting the refusal

Time spent on refusal guidance for copy certifications: 0 seconds

Resulting Knowledge Gap:

A notary who should refuse a copy certification may proceed because they have no

framework for recognizing when refusal is required. A signer seeking a certified copy of a birth certificate may become angry when refused, and the notary has no script for explaining why.

Gap 10: Deposition Certification – A Completely Different Act

What the State Provides:

Nothing. The state never distinguishes between certifying a copy of a document and certifying a deposition transcript.

What Is Missing:

- No explanation that "certifying a deposition" is a completely different notarial act involving:
 - Administering oaths to witnesses and stenographers
 - Overseeing the deposition proceeding
 - Certifying that the transcript accurately reflects the testimony
 - Using a完全不同 certificate with specific language
- No warning that notaries asked to "certify a deposition" need completely different procedures
- No guidance on the deposition certification certificate

Time spent on deposition certification: 0 seconds

Resulting Knowledge Gap:

A notary asked to certify a deposition transcript might treat it like a copy certification, completely missing the entire procedural context. They may fail to administer oaths, fail to oversee the proceeding, and create a certification that is legally worthless.

Gap 11: The "Public Record" Prohibition – No Legal Context

What the State Provides:

Nothing. The state never mentions this fundamental limitation.

What Is Missing:

- No explanation that notaries lack authority to certify copies of public records because only the official custodian can do so
- No citation to the legal principle or statute (common law, N.J.S.A. 47:3-1 et seq. regarding custodians of records)

- No guidance on how to respond when asked: "I'm sorry, but New Jersey law prohibits notaries from certifying copies of public records. You'll need to obtain a certified copy from [appropriate agency]."
- No warning that certifying a public record could result in disciplinary action

Time spent on the public record prohibition: 0 seconds

Resulting Knowledge Gap:

A notary may never learn that birth certificates, death certificates, and marriage licenses are off-limits. They may certify dozens of such documents over their career, each one a violation of law and professional standards, completely unaware they are doing anything wrong.

Gap 12: The "Recordable Document" Prohibition – No Explanation

What the State Provides:

Nothing. The state never mentions this limitation.

What Is Missing:

- No explanation that notaries cannot certify copies of deeds, mortgages, or other documents that are recorded with county officials
- No explanation of why (to prevent chain of title issues and multiple "official" versions)
- No guidance on how to respond when asked
- No warning of the consequences (document rejection, title disputes, liability)

Time spent on the recordable document prohibition: 0 seconds

Resulting Knowledge Gap:

A notary asked to certify a copy of a deed may do so, not realizing they are creating a document that could cloud title or be used fraudulently. If that certified copy is later used in a real estate transaction, the notary could face significant liability.

Gap 13: The "Golden Rule" – No Decision Framework

What the State Provides:

Nothing. The state provides no framework for making decisions when uncertain.

What Is Missing:

- No "When in Doubt, Refuse" principle
- No guidance on erring on the side of caution
- No instruction that it's better to refuse a questionable request than to risk an invalid certification
- No recognition that notaries are not required to certify copies and can always decline

Time spent on decision framework: 0 seconds

Resulting Knowledge Gap:

A notary faced with an ambiguous request has no framework for decision-making. They may proceed when they should refuse, or refuse when they could proceed, because they have no principles to guide them.

SUMMARY: Copy Certifications Instruction Time

Topic	Time Spent
Prohibition against public records	0 seconds
Prohibition against recordable documents	0 seconds
Acceptable documents list	0 seconds
Original presentation requirement	0 seconds
Copy creation/supervision requirement	0 seconds
Comparison procedure	0 seconds
Certificate wording and samples	0 seconds
Journal documentation specifics	0 seconds
Identification for copy certifications	0 seconds
Refusal grounds and protocol	0 seconds

Deposition certification (distinct act)	0 seconds
Legal context for prohibitions	0 seconds
"Golden Rule" decision framework	0 seconds

Total time spent on practical, how-to instruction for copy certifications: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has 30 seconds of instruction on copy certifications
- Has never been told that birth certificates, death certificates, and marriage licenses cannot be certified
- Has never been told that deeds and mortgages cannot be certified
- Has no idea that the original must be physically presented
- Does not know they must make the copy or supervise its creation
- Has no procedure for comparing the original to the copy
- Has no sample certificate to follow
- Has no journaling guidance
- Has no framework for refusing prohibited requests
- May certify prohibited documents for years, completely unaware they are violating the law

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Copy certifications—a notarial act with significant liability due to the critical prohibitions that notaries must know—receives approximately 30 seconds of instruction, consisting of a single sentence reciting the statutory requirement, with no mention whatsoever of the prohibitions that define the act's limits.

Notaries are being commissioned to certify copies without ever being told what they cannot certify. This is not education. This is a setup for liability.

UNAUTHORIZED PRACTICE OF LAW (UPL): Gap Analysis of State-Provided Education

The Legal Prohibition

Before examining what the state teaches, we must first establish the legal framework governing unauthorized practice of law by notaries.

N.J.S.A. 52:7-16.1 specifically addresses non-attorney notaries:

"A notary public who is not an attorney admitted to practice law in this State shall not use the title 'notario publico' or any equivalent non-English language term, or advertise the services of a notary public, in any language, in any media, if the advertisement includes the term 'notario publico' or any equivalent non-English language term, unless the advertisement contains the following notice in English and in the same language as the advertisement: 'I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice.'"

N.J.S.A. 2C:21-22 makes unauthorized practice of law a crime, providing that a person is guilty of a disorderly persons offense if they:

*"(a) Hold themselves out as authorized to practice law; or
(b) Engage in the practice of law or undertake, for consideration, to provide legal advice or counsel to another person, unless they are authorized to do so."*

For non-attorney notaries, UPL occurs when they cross the line from performing notarial acts into providing legal advice, drafting documents, selecting document types for signers, or explaining legal consequences.

The State's Educational Offering: Scattered Mentions Across Multiple Chapters

The topic of UPL is not covered in any dedicated video. It appears in fragments across several chapters, with no video specifically addressing what constitutes UPL or how to avoid it:

Chapter	Topic	Time on UPL
Chapter 3	Qualifications, Scope, Prohibitions	Mentions advertising restrictions and "notario" prohibition (approx. 30 seconds)

Chapter 4	Commissioning Process	Mentions clerk's warning about advertising and disclaimer (approx. 20 seconds)
Chapter 5	Denial, Revocation, Suspension	Lists "giving legal advice" and "acting as immigration consultant" as grounds for discipline (approx. 15 seconds)
Chapter 10	Right to Refuse	No mention
Chapter 11	Fees	No mention

There is no dedicated video on UPL. The total instruction time across all videos is approximately 65 seconds, consisting primarily of the prohibition being mentioned in lists and the "notario" disclaimer being read aloud.

Here is the complete transcript of every mention related to UPL across all state videos:

From Chapter 3 (Qualifications, Scope, Prohibitions):

"A notary public who is not a licensed attorney may not use or advertise the title of lawyer or attorney at law, or equivalent terms, in any other language. Non-attorney notaries may not call themselves a lawyer or use titles such as Attorney at Law in any language.

If a notary public advertises their services in any language, they are required to include a notice containing the following statement: I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice. This statement must be translated if the advertisement is not in English."

From Chapter 4 (Commissioning Process):

"After the administration of the oath, the clerk shall provide a notice to the person that a notary public who is not licensed as an attorney at law shall not use or advertise the title of lawyer or attorney at law, or equivalent terms, in any language, which mean or imply that the notary public is licensed as an attorney at law in the State of New Jersey or in any other jurisdiction of the United States. The notice shall also state that a notary public who advertises the notary public's services, in any language, is required to provide with such advertisement a notice in the language of the advertisement which contains the following statement or translation of the following statement if the advertisement is not in English: 'I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice.'"

From Chapter 5 (Denial, Revocation, Suspension):

"In the case of a notary public who is not an attorney licensed to practice law, any of the following: giving legal advice; acting as an immigration consultant or an expert on immigration matters; otherwise performing the duties of an attorney licensed to practice law in New Jersey; a disciplinary or other administrative action resulting in a finding of culpability if the applicant holds any professional license regulated by the state; or creating or reinforcing, by any means, a false impression that the person is licensed to engage in the practice of law in this state or any other state."

That is the entirety of the state's instruction on UPL. Approximately 65 seconds of content that consists of:

- The prohibition against using "attorney" titles
- The required disclaimer language for advertising
- A list in Chapter 5 that includes "giving legal advice" as a ground for discipline

There is no practical guidance on what constitutes "giving legal advice," how to avoid it, what to do when signers ask questions, or how to handle the certificate selection process.

GAP ANALYSIS: What 65 Seconds Cannot Teach

Gap 1: What Constitutes "Giving Legal Advice" – Never Defined

What the State Provides:

The state lists "giving legal advice" as a prohibited act in Chapter 5. It provides no definition of what this means in practice.

What Is Missing:

- No explanation of what "legal advice" actually means
- No distinction between legal advice and permissible information
- No examples of prohibited activities:
 - Telling a signer what document they need
 - Explaining the legal effect of a document
 - Suggesting what to write in blank spaces
 - Recommending which notarial certificate to use
 - Interpreting contract terms or legal language
 - Advising on legal strategies or approaches
- No examples of permissible activities:
 - Reading a document aloud verbatim
 - Explaining notarial procedures (difference between acknowledgment and jurat)

- Showing sample certificates
- Neutrally pointing out blank spaces
- Recommending consultation with an attorney

Time spent on defining legal advice: 0 seconds

Resulting Knowledge Gap:

A notary has no framework for distinguishing between permissible help and prohibited advice. When a signer asks, "What should I write here?" or "Is this the right document for me?" the notary has no guidance on how to respond safely. They may unknowingly cross the line into UPL, exposing themselves to discipline and liability.

Gap 2: The Certificate Selection Protocol – Entirely Omitted

What the State Provides:

Nothing. The state never addresses the common situation where a document lacks a notarial certificate and the signer asks which one to use.

What Is Missing:

- No recognition that this is a high-risk UPL situation
- No protocol for handling certificate selection safely:
 1. Explain that you can show the options but cannot choose for them
 2. Display sample acknowledgment and jurat certificates
 3. Explain the procedures for each (not the legal consequences)
 4. Have the signer choose
 5. If uncertain, recommend consulting the document's recipient or an attorney
- No warning that selecting a certificate for a signer constitutes legal advice
- No script for handling uncertainty: "I cannot tell you which certificate to use—that would be practicing law. You should contact the person who gave you this document or consult with an attorney."

Time spent on certificate selection guidance: 0 seconds

Resulting Knowledge Gap:

A notary presented with a document lacking a certificate may look at the two options and tell the signer, "You need a jurat" or "This should be an acknowledgment." They have just practiced law without knowing it. The signer relies on this advice, and if the wrong certificate is used, the document may be rejected or invalid.

Gap 3: Handling Blank Spaces – No Guidance

What the State Provides:

Nothing. The state never addresses what to do when a signer asks what to write in blank spaces.

What Is Missing:

- No guidance that suggesting what to write in blanks constitutes legal advice
- No script for handling blank space questions:
 - "I cannot tell you what to write there."
 - "You should consult with the person who gave you this document or an attorney."
 - "I can point out that this section is blank, but I cannot advise you on how to complete it."
- No instruction on the "N/A" option for inapplicable sections
- No warning that filling in blanks for signers is prohibited
- No guidance on refusing to notarize if material blanks remain unfilled

Time spent on blank space guidance: 0 seconds

Resulting Knowledge Gap:

A signer points to a blank line and asks, "What goes here?" The notary, wanting to be helpful, says, "Put your name there" or "That's for the date." The notary has just provided document completion assistance—a form of UPL. They have no idea they've crossed a line.

Gap 4: Document Drafting and Preparation – No Guidance

What the State Provides:

Nothing. The state never mentions that notaries cannot draft legal documents for others.

What Is Missing:

- No explanation that creating, completing, or filling in legal documents for others is UPL
- No list of prohibited activities:
 - Drafting deeds, wills, trusts, or contracts
 - Completing power of attorney forms
 - Filling out court forms or legal pleadings
 - Preparing immigration documents or applications
- No guidance on what to do when asked to "help" with document preparation

- No warning that even "simple" forms may require legal judgment

Time spent on document drafting guidance: 0 seconds

Resulting Knowledge Gap:

A friend asks the notary to "help with this simple form" for a divorce or immigration application. The notary, wanting to assist, fills in information based on what the friend says. They have just engaged in UPL, potentially with serious consequences for the friend's legal matter.

Gap 5: The "Notario Publico" Prohibition – Stated But Not Explained

What the State Provides:

The state correctly states that non-attorney notaries cannot use the term "notario publico" or equivalent terms without the required disclaimer.

What Is Missing:

- No explanation of why this prohibition exists
- No explanation of the vastly different role of a "Notario Publico" in Latin American countries (highly trained legal professional equivalent to an attorney)
- No warning that using this term, even with a disclaimer, can mislead vulnerable populations
- No guidance on how to explain the difference to Spanish-speaking clients
- No recognition that the potential for harm is so great that the safest approach is complete avoidance of the term

Time spent on explaining the "notario" problem: 0 seconds

Resulting Knowledge Gap:

A Spanish-speaking client asks why the notary doesn't call themselves a "notario." The notary has no context for explaining the difference. The client may proceed assuming the notary has legal authority they do not possess, with potentially devastating consequences for immigration or other legal matters.

Gap 6: Immigration Advice – Specific Prohibition, No Guidance

What the State Provides:

Chapter 5 lists "acting as an immigration consultant or an expert on immigration matters" as a ground for discipline.

What Is Missing:

- No explanation of what constitutes immigration advice
- No warning that even "helping" with immigration forms can be UPL
- No guidance on the severe consequences for immigrants who receive bad advice (deportation, bars to entry, loss of status)
- No instruction that immigration matters are particularly high-risk and should be referred to accredited representatives or attorneys
- No script for responding to immigration-related requests: "I cannot provide any advice on immigration matters. You should consult with an attorney or accredited representative."

Time spent on immigration advice guidance: 0 seconds

Resulting Knowledge Gap:

A notary asked to "help with paperwork" for a family member's immigration application may not realize this is one of the most dangerous areas for UPL. They may provide innocent assistance that results in catastrophic consequences for the applicant and serious discipline for the notary.

Gap 7: Explaining Legal Documents – No Guidance

What the State Provides:

Nothing. The state never addresses what to do when a signer asks what a document means.

What Is Missing:

- No explanation that interpreting or explaining the meaning of a document constitutes legal advice
- No distinction between reading a document aloud (permissible) and explaining what it means (prohibited)
- No script for handling requests for explanation:
 - "I can read the document to you, but I cannot explain what it means."
 - "I'm not qualified to interpret legal language. You should consult with an attorney."
- No warning that even well-intentioned explanations can be wrong and cause harm

Time spent on document explanation guidance: 0 seconds

Resulting Knowledge Gap:

A signer asks, "What does this paragraph mean?" The notary, trying to be helpful, offers

their understanding. They may be completely wrong, the signer may rely on that misunderstanding, and legal harm may result. The notary has no idea they should have simply declined to interpret.

Gap 8: Recommending Legal Strategies – No Guidance

What the State Provides:

Nothing. The state never addresses recommending courses of action.

What Is Missing:

- No explanation that suggesting what someone "should do" legally is UPL
- No guidance on avoiding phrases like "You should..." or "What you need is..."
- No recognition that even seemingly neutral suggestions can constitute legal advice
- No script for redirecting such questions: "I can't advise you on what to do. That's a decision you need to make with legal counsel."

Time spent on strategy recommendations: 0 seconds

Resulting Knowledge Gap:

A signer asks, "Should I sign this power of attorney?" The notary says, "It's probably fine." They have just provided legal advice. If the document later causes problems, the notary may be held responsible.

Gap 9: The Consequences of UPL – Incomplete

What the State Provides:

Chapter 5 lists UPL as grounds for denial, revocation, or suspension of a commission. It mentions "giving legal advice" in a list of prohibited acts.

What Is Missing:

- No explanation of the full range of consequences:
 - Administrative: commission suspension or revocation
 - Civil: lawsuits for damages caused by incorrect advice
 - Criminal: charges under N.J.S.A. 2C:21-22 (disorderly persons offense or worse)
 - Financial: legal defense costs, judgments, fines
 - Professional: damage to reputation, loss of career

- No warning that UPL can result in personal liability not covered by E&O insurance (intentional misconduct exclusions)
- No real-world examples of notaries who faced consequences

Time spent on consequences of UPL: 0 seconds (beyond being listed as a ground for discipline)

Resulting Knowledge Gap:

A notary may not realize how serious UPL is. They may think the worst that can happen is losing their commission. They have no idea they could be sued for damages, face criminal charges, or be personally liable for thousands of dollars.

Gap 10: Referring to Attorneys – No Guidance

What the State Provides:

Nothing. The state never tells notaries to refer legal questions to attorneys.

What Is Missing:

- No instruction that the safest response to any legal question is referral to an attorney
- No script for making referrals: "That's a legal question. I recommend you consult with an attorney."
- No guidance on how to find attorneys for referrals
- No recognition that referring is not just safe but professional

Time spent on referral guidance: 0 seconds

Resulting Knowledge Gap:

A notary may try to answer questions themselves rather than referring, not realizing that referral is the professional and safe approach. They may feel they're being unhelpful by referring, when in fact they're protecting everyone involved.

Gap 11: The "Reasonable Person" Standard – No Guidance

What the State Provides:

Nothing. The state never addresses how a notary's actions might be perceived.

What Is Missing:

- No explanation that even if the notary doesn't intend to give legal advice, a reasonable person might perceive them as doing so
- No guidance on avoiding situations that create the appearance of practicing law
- No warning that perception matters in disciplinary proceedings
- No instruction on maintaining clear boundaries in communications

Time spent on perception and appearance: 0 seconds

Resulting Knowledge Gap:

A notary who says "I do this all the time" or "This is the form you need" may think they're just being helpful. A reasonable person, however, might perceive them as having expertise and providing advice. The notary has no awareness of how they're perceived.

Gap 12: Journal Documentation for UPL-Related Situations – No Guidance

What the State Provides:

Nothing. The state never addresses documenting situations where UPL could be an issue.

What Is Missing:

- No guidance on documenting when a signer asks legal questions and is referred to an attorney
- No instruction on noting when a signer insists on a particular certificate despite explanation
- No guidance on recording refusals based on UPL concerns
- No recognition that such documentation protects the notary if later questioned

Time spent on journal documentation for UPL-related matters: 0 seconds

Resulting Knowledge Gap:

A notary who correctly refers a signer to an attorney has no record of that referral. If the signer later claims the notary gave advice, the notary has no documentation to support their position.

SUMMARY: UPL Instruction Time

Topic	Time Spent
What constitutes "giving legal advice" (definition)	0 seconds
Examples of prohibited activities	0 seconds
Examples of permissible activities	0 seconds
Certificate selection protocol	0 seconds
Handling blank spaces	0 seconds
Document drafting and preparation	0 seconds
"Notario publico" explanation (why it's prohibited)	0 seconds
Immigration advice (specific guidance)	0 seconds
Explaining legal documents	0 seconds
Recommending legal strategies	0 seconds
Full consequences of UPL	0 seconds
Referring to attorneys (scripts)	0 seconds
"Reasonable person" standard	0 seconds
Journal documentation	0 seconds
Total time spent on practical, how-to instruction for avoiding UPL: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows they cannot call themselves a "notario" without a disclaimer
- Knows they must include a disclaimer in advertising
- Knows "giving legal advice" is grounds for discipline
- Has absolutely no idea what "giving legal advice" means in practice
- Has no guidance on how to handle a signer who asks what document they need
- Has no script for responding to blank space questions
- Has no protocol for helping a signer choose a certificate
- Does not know that explaining a document's meaning is prohibited
- Has no idea that UPL carries criminal penalties
- May unknowingly practice law every day, completely unaware they are crossing a line

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Unauthorized Practice of Law—the single greatest source of liability for non-attorney notaries, with consequences including criminal charges, civil liability, and commission revocation—receives approximately 65 seconds of instruction consisting of the prohibition being mentioned in lists, with zero practical guidance on how to avoid it.

Notaries are being commissioned without ever being taught where the line is between permissible help and prohibited advice. This is not education. This is a setup for disaster.

FEES: Gap Analysis of State-Provided Education

The Statutory Fee Schedule

Before examining what the state teaches, we must first establish what the law permits regarding notary fees.

N.J.S.A. 52:7-19 establishes the maximum fees notaries may charge:

Service	Maximum Fee
Administering oaths, taking affidavits, taking proofs of deed, taking acknowledgments	\$2.50 per act
Administering oaths, taking affidavits, taking proofs of deed, and taking acknowledgments of grantors in real estate transfers (regardless of number of services in a single transaction)	\$15.00
Administering oaths, taking affidavits, and taking acknowledgments of mortgagors in real estate financing (regardless of number of services in a single transaction)	\$25.00

These are maximum fees. Notaries may charge less or nothing, but cannot exceed these amounts.

Not addressed in the statute but established by practice and policy:

- Travel fees are separate and must be agreed in advance
- Fees cannot be charged for refused notarizations
- Fees are per notarial act, not per document

The State's Educational Offering: 51 Seconds in Chapter 11

Fees are covered in Chapter 11, "Fees for Notarial Service," which runs 51 seconds. This is a dedicated chapter, but it consists entirely of reading the fee schedule aloud.

Here is the complete transcript of Chapter 11:

"Notarial officers may collect the following fees for services rendered: one, for administering oaths, taking affidavits, providing proofs of a deed, and taking acknowledgements, \$2.50 per act; two, for administering oaths, taking affidavits, providing proofs of a deed, and taking acknowledgements of the granters in the transfer of real estate, regardless of the number of such services performed in a single transaction to transfer real estate, \$15; three, for administering oaths, taking affidavits, and taking acknowledgements of the mortgages in the financing of real estate, regardless of the number of such services performed in a single transaction to finance real estate, \$25."

That is the entirety of the state's instruction on fees. Fifty-one seconds of content that consists entirely of reading the statutory fee schedule. There is no guidance on:

- How to apply the fee schedule in real-world situations
- Travel fees
- Fees for refused notarizations
- Multiple signers
- Journal documentation
- Ethical considerations

GAP ANALYSIS: What 51 Seconds Cannot Teach

Gap 1: "Per Act" vs. "Per Document" – No Explanation

What the State Provides:

The state says "\$2.50 per act" but does not explain what constitutes an "act."

What Is Missing:

- No explanation that fees are charged per notarial act, not per document
- No guidance that a document with three signers requires three separate acknowledgments, each at \$2.50 (total \$7.50)
- No explanation that a single document requiring both an acknowledgment and a jurat (rare but possible) would be two acts
- No warning that charging a flat \$2.50 for a document with multiple signers undercharges (if charging by the document) or overcharges (if trying to charge \$2.50 per signer but calling it one act)

Time spent on "per act" explanation: 0 seconds

Resulting Knowledge Gap:

A notary presented with a document requiring signatures from three people might charge a total of \$2.50, not realizing they are entitled to \$7.50. Or they might charge \$7.50 but record it improperly in their journal. Either way, they have no framework for understanding how fees apply.

Gap 2: The Real Estate Transaction Fees – No Practical Application Guidance

What the State Provides:

The state reads the statutory language for real estate transaction fees: \$15 for grantor acknowledgments in a transfer, \$25 for mortgagor acknowledgments in financing.

What Is Missing:

- No explanation of what these fees actually cover
- No guidance on the phrase "regardless of the number of such services performed in a single transaction"
- No explanation that this means a single transaction involving multiple grantors (e.g., a husband and wife selling their home) still caps at \$15 total, not \$15 per grantor
- No guidance on what constitutes a "single transaction"
- No examples applying these fees to real-world scenarios
- No warning that these are maximums for the entire transaction, not per signer

Time spent on real estate fee guidance: 0 seconds

Resulting Knowledge Gap:

A notary handling a real estate closing with a husband and wife selling their home might charge \$15 per grantor (\$30 total), not realizing the statute caps the entire transaction at \$15. They have overcharged and violated the law without knowing it.

Gap 3: Travel Fees – Entirely Omitted

What the State Provides:

Nothing. The state never mentions travel fees.

What Is Missing:

- No acknowledgment that travel fees are permitted
- No guidance that travel fees are separate from notarial fees and not subject to the statutory maximums
- No instruction that travel fees must be agreed in advance with the client
- No guidance on what constitutes a reasonable travel fee
- No warning that travel fees must be documented separately in the journal
- No explanation that travel fees are for the notary's time and expenses, not for the notarial act itself

Time spent on travel fees: 0 seconds

Resulting Knowledge Gap:

A mobile notary may charge a travel fee without clearly communicating it in advance, leading to disputes with clients. Or they may fail to charge a travel fee at all, losing money on mobile visits. They have no framework for handling this common situation.

Gap 4: Fees for Refused Notarizations – Entirely Omitted

What the State Provides:

Nothing. The state never addresses whether fees can be charged when a notarization is refused.

What Is Missing:

- No clear statement that fees cannot be charged for refused notarizations
- No explanation of why (the fee is for the notarial act performed; if no act is performed, no fee is earned)
- No guidance on what to do if the refusal occurs after travel (travel fee may still be charged if agreed in advance, but not the notarial fee)
- No instruction on documenting refused notarizations and any associated travel fees
- No warning that charging for a refused notarization could result in disciplinary action

Time spent on refused notarization fees: 0 seconds

Resulting Knowledge Gap:

A notary travels to a client's home, spends time reviewing documents, and then refuses because the ID is invalid. They may try to charge a fee for their time, not realizing this is prohibited. The client complains, and the notary faces discipline.

Gap 5: Multiple Signers – No Guidance

What the State Provides:

The state says "\$2.50 per act" but does not explain how this applies to multiple signers.

What Is Missing:

- No explanation that each signer requires a separate notarial act, even if on the same document
- No guidance that three signers = three acts = \$7.50 maximum total

- No instruction on how to document fees for multiple signers in the journal (separate entries, each with its own fee)
- No warning that combining fees into one journal entry creates an incomplete record

Time spent on multiple signer fee guidance: 0 seconds

Resulting Knowledge Gap:

A notary with three signers might create one journal entry and charge \$7.50, recording the fee once. If challenged, there is no record of which signer paid what or that three separate acts were performed.

Gap 6: Fee Disclosure Requirements – Entirely Omitted

What the State Provides:

Nothing. The state never mentions disclosing fees to clients.

What Is Missing:

- No requirement that fees be disclosed before performing the notarial act
- No guidance on how to disclose fees (verbally, posted schedule, written agreement)
- No explanation that undisclosed fees can lead to disputes and complaints
- No warning that surprise fees damage professional reputation and trust
- No instruction on best practices for fee transparency

Time spent on fee disclosure: 0 seconds

Resulting Knowledge Gap:

A notary may complete a notarization and then announce the fee, leaving the signer feeling trapped and angry. The signer may complain, and the notary has no defense because they never disclosed the fee upfront.

Gap 7: Journal Documentation of Fees – Incomplete Guidance

What the State Provides:

Chapter 6B lists "an itemized list of all fees charged" as a required journal entry element.

What Is Missing:

- No explanation of what "itemized" means in practice

- No guidance on recording fees when multiple signers are involved
- No instruction on separating travel fees from notarial fees in the journal
- No example of a proper fee entry
- No warning that failing to record fees creates an incomplete record

Time spent on fee documentation specifics: 0 seconds

Resulting Knowledge Gap:

A notary might record "\$7.50" in the journal without indicating it was for three separate acknowledgments. If questioned, there is no record supporting how that fee was calculated.

Gap 8: Prohibited Fee Practices – Entirely Omitted

What the State Provides:

Nothing. The state never tells notaries what they cannot do with fees.

What Is Missing:

- No list of prohibited practices:
 - Charging more than the statutory maximum
 - Charging for refused notarizations
 - Charging for document preparation (UPL)
 - Charging for legal advice
 - Accepting fees for notarizations not performed
- No explanation of why these practices are prohibited
- No warning of the consequences (disciplinary action, refunds, complaints)

Time spent on prohibited fee practices: 0 seconds

Resulting Knowledge Gap:

A notary may charge \$5 for an acknowledgment, not knowing the maximum is \$2.50. They are violating the law and don't know it.

Gap 9: Employer Policies vs. State Law – No Guidance

What the State Provides:

Nothing. The state never addresses conflicts between employer policies and fee regulations.

What Is Missing:

- No guidance that state law supersedes employer policy
- No instruction on what to do if an employer demands fees be set differently than state law allows
- No warning that the notary is personally responsible for complying with fee regulations, regardless of employer direction
- No script for discussing fee compliance with employers

Time spent on employer policy guidance: 0 seconds

Resulting Knowledge Gap:

An employer may tell a notary to charge \$5 for notarizations to "cover costs." The notary, not knowing this violates state law, complies and faces discipline. The employer is not disciplined—the notary is.

Gap 10: No-Fee Notarizations – No Guidance

What the State Provides:

Nothing. The state never addresses notarizing without charging a fee.

What Is Missing:

- No acknowledgment that notaries may choose to charge less or nothing
- No guidance on documenting no-fee notarizations in the journal (enter "0" or "none")
- No explanation that waiving fees is permissible and common

Time spent on no-fee guidance: 0 seconds

Resulting Knowledge Gap:

A notary who notarizes for a friend or family member might not record any fee in the journal, not realizing they should still document that no fee was charged.

Gap 11: The "Per Act" Rule for Oaths and Affirmations – No Clarification

What the State Provides:

The state lists "administering oaths" as a \$2.50 service but does not clarify that this is part of a jurat, not a standalone service.

What Is Missing:

- No explanation that administering an oath for a jurat is part of the jurat, not a separate fee
- No guidance that a jurat includes both oath administration and signature witnessing, but is still one act at \$2.50
- No warning against charging separately for the oath and the signature witnessing
- No explanation of how the fee applies to verifications on oath or affirmation

Time spent on oath fee clarification: 0 seconds

Resulting Knowledge Gap:

A notary might charge \$2.50 for administering the oath and another \$2.50 for witnessing the signature on a jurat, not realizing this is one act, not two. They have double-charged and violated the fee schedule.

Gap 12: The Real Estate "Transaction" Definition – No Guidance

What the State Provides:

The state uses the phrase "single transaction" but does not define it.

What Is Missing:

- No explanation of what constitutes a "single transaction"
- No guidance on whether a refinance and a simultaneous home equity loan are one transaction or two
- No instruction on how to handle closings involving multiple properties
- No warning that misapplying the transaction fee can result in overcharging
- No examples of proper application

Time spent on defining "transaction": 0 seconds

Resulting Knowledge Gap:

A notary handling a closing that includes both a sale and a new mortgage might charge \$15 for the grantor acknowledgments and \$25 for the mortgagor acknowledgments—correctly. But if the same parties are involved in multiple related transactions, the notary has no framework for determining whether they are separate.

Gap 13: Fees and the Appearance of Impropriety – No Guidance

What the State Provides:

Nothing. The state never addresses ethical considerations around fees.

What Is Missing:

- No guidance on how fee arrangements might create the appearance of impropriety
- No warning against fee structures that could be seen as coercive or exploitative
- No instruction on maintaining professional boundaries through transparent fee practices
- No recognition that fee disputes are a common source of complaints against notaries

Time spent on ethical fee considerations: 0 seconds

Resulting Knowledge Gap:

A notary who charges different fees to different clients without explanation may face complaints of discrimination or unfair treatment. They have no framework for understanding how fee practices affect their professional reputation.

SUMMARY: Fees Instruction Time

Topic	Time Spent
"Per act" vs. "per document" explanation	0 seconds
Real estate transaction fee application	0 seconds
Travel fees (permitted, must be agreed in advance)	0 seconds
Fees for refused notarizations (prohibited)	0 seconds
Multiple signer fee calculation	0 seconds
Fee disclosure requirements	0 seconds
Journal documentation specifics	0 seconds
Prohibited fee practices	0 seconds

Employer policy conflicts	0 seconds
No-fee notarization documentation	0 seconds
Oath administration as part of jurat	0 seconds
"Transaction" definition	0 seconds
Ethical fee considerations	0 seconds

Total time spent on practical, how-to instruction for fees: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has heard the fee schedule read aloud (51 seconds)
- Knows the maximum amounts for basic services
- Has absolutely no idea how to apply these fees in real-world situations
- Does not know that a document with three signers requires three separate fees
- Has never been told that travel fees are permitted but must be agreed in advance
- Does not know they cannot charge for refused notarizations
- Has no guidance on disclosing fees before performing the act
- Does not know how to properly document fees in their journal
- Has no list of prohibited fee practices
- Does not know that charging \$5 for an acknowledgment is illegal

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Fees—a topic that generates numerous complaints against notaries and carries disciplinary consequences—receives 51 seconds of instruction consisting entirely of reading the statutory schedule, with zero practical guidance on how to apply it.

Notaries are being commissioned without ever being taught how to calculate fees properly, when they can charge travel fees, that they cannot charge for refusals, or how to document fees in their journals. This is not education. This is a setup for complaints and discipline.

ADVERTISING AND "NOTARIO" PROHIBITION: Gap Analysis of State-Provided Education

The Statutory Framework

Before examining what the state teaches, we must first establish what the law requires regarding notary advertising.

N.J.S.A. 52:7-16.1 specifically addresses non-attorney notaries and advertising:

"A notary public who is not an attorney admitted to practice law in this State shall not use the title 'notario publico' or any equivalent non-English language term, or advertise the services of a notary public, in any language, in any media, if the advertisement includes the term 'notario publico' or any equivalent non-English language term, unless the advertisement contains the following notice in English and in the same language as the advertisement: 'I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice.'"

N.J.S.A. 52:7-14(b) requires that upon swearing in, the county clerk must provide notice that:

"a notary public who is not licensed as an attorney at law shall not use or advertise the title of lawyer or attorney at law, or equivalent terms, in any language, which mean or imply that the notary public is licensed as an attorney at law in the State of New Jersey or in any other jurisdiction of the United States."

The law also requires that any advertisement of notary services in any language must include the required disclaimer translated into that language.

The "notario" prohibition exists because in many Latin American countries, a "Notario Público" is a highly trained legal professional with authority equivalent to an attorney. Using this title in the United States without the required disclaimer can mislead Spanish-speaking individuals into believing the notary has legal authority they do not possess.

The State's Educational Offering: Scattered Mentions Across Multiple Chapters

Advertising restrictions are mentioned in several chapters, but there is no dedicated video on advertising:

Chapter	Topic	Time on Advertising
Chapter 3	Qualifications, Scope, Prohibitions	Mentions advertising restrictions and "notario" prohibition (approx. 30 seconds)
Chapter 4	Commissioning Process	Mentions clerk's warning about advertising and disclaimer (approx. 20 seconds)
Chapter 5	Denial, Revocation, Suspension	Lists "false or misleading advertising" as ground for discipline (approx. 5 seconds)

There is no dedicated video on advertising. The total instruction time across all videos is approximately 55 seconds, consisting primarily of the statutory language being read aloud.

Here is the complete transcript of every mention related to advertising across all state videos:

From Chapter 3 (Qualifications, Scope, Prohibitions):

"A notary public who is not a licensed attorney may not use or advertise the title of lawyer or attorney at law, or equivalent terms, in any other language. Non-attorney notaries may not call themselves a lawyer or use titles such as Attorney at Law in any language.

If a notary public advertises their services in any language, they are required to include a notice containing the following statement: I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice. This statement must be translated if the advertisement is not in English."

From Chapter 4 (Commissioning Process):

"After the administration of the oath, the clerk shall provide a notice to the person that a notary public who is not licensed as an attorney at law shall not use or advertise the title of lawyer or attorney at law, or equivalent terms, in any language, which mean or imply that the notary public is licensed as an attorney at law in the State of New Jersey or in any other jurisdiction of the United States. The notice shall also state that a notary public who advertises the notary public's services, in any language, is required to provide with such advertisement a notice in the language of the advertisement which contains the following statement or translation of the following statement if the advertisement is not in English: 'I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice.'"

From Chapter 5 (Denial, Revocation, Suspension):

"use of false or misleading advertising or representation by the notary public representing that the notary is commissioned, licensed, or authorized to practice or engage in work that the notary is not commissioned, licensed, or authorized to engage in"

That is the entirety of the state's instruction on advertising. Approximately 55 seconds of content that consists of:

- The prohibition against using "attorney" titles
- The required disclaimer language
- A mention that false/misleading advertising is grounds for discipline

There is no practical guidance on what constitutes false or misleading advertising, how to create compliant advertisements, what the "notario" prohibition really means, or how to avoid common advertising pitfalls.

GAP ANALYSIS: What 55 Seconds Cannot Teach

Gap 1: The "Notario Publico" Problem – No Explanation

What the State Provides:

The state states that non-attorney notaries cannot use the term "notario publico" or equivalent terms without the required disclaimer.

What Is Missing:

- No explanation of WHY this prohibition exists
- No explanation of the vastly different role of a "Notario Público" in Latin American countries (highly trained legal professional equivalent to an attorney)
- No warning that using this term, even with a disclaimer, can mislead vulnerable populations
- No guidance on how to explain the difference to Spanish-speaking clients

- No recognition that the potential for harm is so great that many experts recommend complete avoidance of the term, even with a disclaimer
- No discussion of the severe consequences for immigrants who are misled into believing a notary has legal authority

Time spent on explaining the "notario" problem: 0 seconds

Resulting Knowledge Gap:

A notary may see the term "notario" as simply a translation of "notary" and use it in Spanish-language advertising, thinking the disclaimer is sufficient. They have no idea that this term carries immense legal weight in Latin American communities and that even with a disclaimer, they may be misleading vulnerable individuals. A Spanish-speaking client may see "notario" and assume the notary has attorney-level authority, with potentially devastating consequences for immigration or other legal matters.

Gap 2: What Constitutes "False or Misleading Advertising" – No Definition

What the State Provides:

Chapter 5 lists "false or misleading advertising" as a ground for discipline but provides no definition or examples.

What Is Missing:

- No explanation of what makes advertising false or misleading
- No examples of prohibited claims:
 - Implying special expertise or credentials not held
 - Guaranteeing results (e.g., "guaranteed acceptance")
 - Suggesting influence with government agencies
 - Using terms like "immigration specialist" without proper credentials
 - Implying the ability to provide legal advice
- No guidance on what constitutes "representing that the notary is authorized to engage in work that the notary is not commissioned to engage in"
- No warning that even implied claims can be misleading

Time spent on defining false/misleading advertising: 0 seconds

Resulting Knowledge Gap:

A notary might advertise "Immigration Documents Notarized" without realizing this could be seen as implying expertise in immigration matters. Or they might use "Expert Notary Services" without understanding that "expert" could be seen as a misleading claim. They have no framework for evaluating their own advertising.

Gap 3: The Required Disclaimer – When and Where It Must Appear

What the State Provides:

The state reads the required disclaimer language and states that it must be included if a notary advertises in any language.

What Is Missing:

- No guidance on what constitutes "advertising" for purposes of the disclaimer requirement
- Does a business card count? (Yes)
- Does a website count? (Yes)
- Does a social media profile count? (Yes)
- Does a flyer on a community bulletin board count? (Yes)
- Does a signature block in an email count? (Possibly, if it promotes services)
- No guidance on how prominently the disclaimer must appear
- No guidance on font size or placement
- No instruction that the disclaimer must be in the same language as the advertisement
- No examples of compliant advertisements

Time spent on practical disclaimer guidance: 0 seconds

Resulting Knowledge Gap:

A notary may print business cards with "Notary Public" and their contact information, not realizing that this simple card constitutes an advertisement requiring the disclaimer. They may hand out hundreds of cards before learning they are violating the law.

Gap 4: Translations of the Disclaimer – No Guidance

What the State Provides:

The state states that the disclaimer must be translated if the advertisement is not in English.

What Is Missing:

- No guidance on who should perform the translation
- No warning that machine translations (Google Translate) may be inaccurate
- No recommendation to have translations reviewed by a qualified translator
- No recognition that an inaccurate translation could be worse than no disclaimer

- No examples of properly translated disclaimers in common languages (Spanish, Chinese, Korean, etc.)

Time spent on translation guidance: 0 seconds

Resulting Knowledge Gap:

A notary creating a Spanish-language advertisement may use an online translation tool to translate the disclaimer, resulting in garbled or inaccurate language. The disclaimer fails its purpose, and the notary may still be held responsible.

Gap 5: The Difference Between "Notary Public" and "Notario Publico" – No Explanation

What the State Provides:

The state prohibits using "notario publico" but does not explain why this distinction matters.

What Is Missing:

- No explanation that in many countries, a "Notario Público" is a highly trained legal professional with authority to draft documents, provide legal advice, and represent clients
- No explanation that U.S. notaries have none of these powers
- No guidance on how to explain this difference to Spanish-speaking clients who may ask
- No warning that clients may come to them expecting legal services based on the title
- No script for handling such situations: "In the United States, a notary public is different from a notario in Latin America. I am not an attorney and cannot give legal advice."

Time spent on explaining the distinction: 0 seconds

Resulting Knowledge Gap:

A Spanish-speaking client approaches a notary and asks for help with immigration forms, believing the notary has legal authority because they saw "notario" in an advertisement. The notary has no framework for understanding why the client is confused or how to explain their actual role.

Gap 6: Prohibited Titles Beyond "Notario" – No Guidance

What the State Provides:

The state prohibits using "lawyer" or "attorney at law" or equivalent terms.

What Is Missing:

- No guidance on what constitutes "equivalent terms"
- Would "legal document specialist" be considered equivalent? (Possibly)
- Would "immigration consultant" be considered equivalent? (Yes, if unlicensed)
- Would "legal technician" be considered equivalent? (Possibly)
- Would "document preparation expert" be considered equivalent? (Possibly)
- No warning that even terms not explicitly listed can violate the prohibition if they imply legal authority

Time spent on equivalent terms: 0 seconds

Resulting Knowledge Gap:

A notary may advertise as a "Legal Document Preparer" not realizing this could be seen as implying legal authority. They may face discipline for using a title they thought was acceptable.

Gap 7: Advertising Services Beyond Notarization – No Guidance

What the State Provides:

Nothing. The state never addresses advertising services beyond notarial acts.

What Is Missing:

- No guidance on what services can be advertised alongside notary services
- No warning that offering "document preparation" or "immigration assistance" alongside notary services triggers additional scrutiny
- No explanation that if a notary offers both notary and non-notary services, the disclaimer must still be included
- No guidance on how to structure advertising to avoid implying legal authority while offering permissible services

Time spent on advertising multiple services: 0 seconds

Resulting Knowledge Gap:

A notary who also offers translation services may advertise both together, not realizing that the combination could create the impression they are a one-stop shop for legal matters. They have no guidance on how to present multiple services safely.

Gap 8: Website and Social Media Advertising – No Guidance

What the State Provides:

Nothing. The state never addresses modern advertising platforms.

What Is Missing:

- No guidance on how the disclaimer applies to websites (must appear somewhere? On every page?)
- No guidance on social media profiles (does a bio count as an advertisement?)
- No guidance on online directories (if listed as a notary, is disclaimer required?)
- No guidance on email signatures (does a standard signature block require a disclaimer?)
- No recognition that modern advertising extends far beyond traditional print media

Time spent on digital advertising guidance: 0 seconds

Resulting Knowledge Gap:

A notary creates a website to promote their services but places the disclaimer only on a separate "disclaimer" page, not realizing it must appear with the advertisement itself. Their entire website may be non-compliant.

Gap 9: The Consequences of Non-Compliant Advertising – Incomplete

What the State Provides:

Chapter 5 lists "false or misleading advertising" as grounds for discipline.

What Is Missing:

- No explanation of the specific consequences for advertising violations
- No warning that using "notario" without the proper disclaimer can result in:
 - Commission revocation
 - Fines
 - Civil liability if someone is misled and harmed
 - Criminal charges in egregious cases
- No real-world examples of notaries who faced consequences
- No recognition that advertising violations are taken seriously because they can harm vulnerable populations

Time spent on consequences of advertising violations: 0 seconds (beyond being listed as a ground for discipline)

Resulting Knowledge Gap:

A notary may think advertising violations are minor technicalities. They have no idea that using "notario" improperly can end their career and expose them to liability.

Gap 10: The Appearance of Expertise – No Guidance

What the State Provides:

Nothing. The state never addresses how advertising can create an appearance of expertise.

What Is Missing:

- No guidance on avoiding language that implies special knowledge or credentials
- No warning against using terms like "specialist," "expert," or "professional" without qualification
- No recognition that even factual statements can create misleading impressions
- No instruction on maintaining humility in advertising

Time spent on appearance of expertise: 0 seconds

Resulting Knowledge Gap:

A notary advertises "Experienced Notary for All Your Legal Document Needs." A reasonable person might interpret this as implying the notary has legal expertise. The notary has no idea their advertising could be seen as misleading.

Gap 11: Jurat vs. Acknowledgment in Advertising – No Guidance

What the State Provides:

Nothing. The state never addresses whether notaries can advertise specific notarial acts.

What Is Missing:

- No guidance on whether listing specific acts (acknowledgments, jurats, oaths) is permissible (it is)
- No warning against describing these acts in ways that imply legal knowledge
- No instruction on using precise, neutral language when listing services

Time spent on advertising specific acts: 0 seconds

Resulting Knowledge Gap:

A notary might advertise "Affidavits Sworn" which is accurate, but they have no framework for ensuring their service descriptions remain within bounds.

Gap 12: Referral Arrangements and Advertising – No Guidance

What the State Provides:

Nothing. The state never addresses how notaries can handle referrals to attorneys.

What Is Missing:

- No guidance on whether notaries can advertise that they can refer clients to attorneys (generally permissible)
- No warning against implying the referral implies endorsement of the notary's legal knowledge
- No instruction on how to handle situations where clients need services beyond notarization

Time spent on referral advertising: 0 seconds

Resulting Knowledge Gap:

A notary might advertise "Attorney Referrals Available" not realizing this could be seen as implying they have relationships with attorneys that vouch for their credibility. They have no guidance on safe language.

Gap 13: Sample Compliant Advertisements – No Examples

What the State Provides:

Nothing. The state provides no examples of what compliant advertising looks like.

What Is Missing:

- No sample business card with proper disclaimer placement
- No sample website footer with disclaimer language
- No sample social media bio
- No sample flyer or brochure
- No examples of what NOT to do

Time spent on sample advertisements: 0 seconds

Resulting Knowledge Gap:

A notary creating their first business card or website has no model to follow. They may inadvertently create non-compliant advertising with no way of knowing.

SUMMARY: Advertising Instruction Time

Topic	Time Spent
"Notario publico" problem (explanation of why)	0 seconds
Definition of false/misleading advertising	0 seconds
What constitutes "advertising" (business cards, websites, etc.)	0 seconds
Disclaimer placement and prominence	0 seconds
Translation guidance	0 seconds
Difference between U.S. notary and foreign notario	0 seconds
Prohibited equivalent terms	0 seconds
Advertising multiple services	0 seconds
Digital and social media advertising	0 seconds
Consequences of advertising violations	0 seconds
Appearance of expertise	0 seconds
Advertising specific notarial acts	0 seconds
Referral arrangements	0 seconds
Sample compliant advertisements	0 seconds

Total time spent on practical, how-to instruction for advertising: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows they cannot call themselves a "notario" without a disclaimer
- Knows they cannot use "attorney" titles
- Knows the required disclaimer language
- Knows false advertising is grounds for discipline
- Has absolutely no idea why the "notario" prohibition exists or how serious it is
- Does not know that a simple business card requires the disclaimer
- Has no guidance on where to place the disclaimer or how prominently
- Does not know what constitutes "false or misleading" advertising
- Has no idea that their website, social media, and email signature may all require compliance
- Cannot explain to a Spanish-speaking client why they are not a "notario"
- Has no sample of compliant advertising to follow

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Advertising restrictions—a topic with serious consequences for vulnerable populations and significant disciplinary potential—receives approximately 55 seconds of instruction consisting of statutory language being read aloud, with zero practical guidance on how to advertise compliantly.

Notaries are being commissioned without ever being taught what advertising is, where disclaimers must appear, why the "notario" prohibition matters, or how to avoid misleading the public. This is not education. This is a setup for violations that harm the very people notaries are supposed to protect.

RIGHT TO REFUSE: Gap Analysis of State-Provided Education

The Statutory Authority

Before examining what the state teaches, we must first establish what the law provides regarding a notary's right to refuse service.

N.J.S.A. 52:7-10.17 explicitly grants notaries the authority to refuse to perform a notarial act:

"A notarial officer may refuse to perform a notarial act if the officer is not satisfied that:

(1) the individual executing the record is competent or has the capacity to execute the record;

(2) the individual's signature is knowingly and voluntarily made;

(3) the individual's signature on the record or statement substantially conforms to the signature on a form of identification used to determine the identity of the individual; or

(4) the physical appearance of the individual signing the record or statement substantially conforms to the photograph on a form of identification used to determine the identity of the individual.

A notarial officer may refuse to perform a notarial act unless the individual presenting the record provides the officer with proof that refusal is prohibited by a State of New Jersey law."

This is not merely a right—it is a duty. When a notary has reason to doubt any of these elements, refusal is not optional; it is required to maintain the integrity of the notarial act and protect the public from fraud.

The State's Educational Offering: 58 Seconds in Chapter 10

The right to refuse is covered in Chapter 10, "Right to Refuse to Perform a Notarial Act: Criteria for Refusal," which runs 58 seconds. This is a dedicated chapter, but it consists entirely of reading the statutory criteria aloud.

Here is the complete transcript of Chapter 10:

"A notarial officer may refuse to perform a notarial act if the officer is not satisfied that:

one, the individual executing the record is competent or has the capacity to execute the

record; two, the individual's signature is knowingly involuntarily made; three, the individual's

signature on the record or statement substantially conforms to the signature on a form of identification used to determine the identity of the individual; or four, the physical

appearance of the individual signing the record or statement substantially conforms to the photograph on a form of identification used to determine the identity of the individual.

A notarial officer may refuse to perform a notarial act unless the individual presenting the record provides the officer with proof that refusal is prohibited by a State of New Jersey law."

That is the entirety of the state's instruction on the right to refuse. Fifty-eight seconds of content that consists entirely of reading the statutory criteria. There is no guidance on:

- What these criteria mean in practice
- How to assess competency or capacity
- How to determine if a signature is "knowingly and voluntarily made"
- What to do when a signature doesn't substantially conform
- How to handle the situation when refusal is necessary
- What to say to the signer
- How to document the refusal

GAP ANALYSIS: What 58 Seconds Cannot Teach

Gap 1: Assessing Competency or Capacity – No Guidance

What the State Provides:

The state lists "competent or has the capacity to execute the record" as a criterion but provides no guidance on what this means or how to assess it.

What Is Missing:

- No definition of competency or capacity in this context
- No guidance on what "competent" means for notarial purposes (different from medical or legal determinations of competency)
- No list of red flags that might indicate lack of capacity:
 - Confusion about the document's purpose or contents
 - Inability to answer basic questions coherently
 - Memory lapses regarding personal information
 - Disorientation about time, place, or situation
 - Looking to others for answers repeatedly
 - Inability to understand what they are signing
- No guidance on what questions to ask to assess understanding:
 - "Can you tell me what this document is about?"
 - "What will this document be used for?"
 - "Are you signing this of your own free will?"
- No instruction on what to do if capacity is in question

- No recognition that notaries are not medical professionals but must still make a reasonable assessment

Time spent on capacity assessment guidance: 0 seconds

Resulting Knowledge Gap:

A notary is presented with an elderly signer who seems confused, keeps asking the same questions, and looks to their adult child for answers before responding. The notary has no framework for recognizing these red flags or knowing when to refuse. They proceed, and later it's discovered the signer had dementia and the document was executed under undue influence. The notary faces liability and discipline, all because they were never taught what to look for.

Gap 2: Assessing Voluntariness – No Guidance

What the State Provides:

The state lists "the individual's signature is knowingly involuntarily made" as a criterion but provides no guidance on what this means or how to assess it.

What Is Missing:

- No explanation of what "involuntarily made" looks like in practice
- No list of red flags indicating possible duress or coercion:
 - Signer appears fearful or anxious
 - Someone else is doing all the talking
 - Signer looks to another person before answering questions
 - Signer is being rushed or pressured
 - Another person is hovering or intimidating
 - Signer seems reluctant or hesitant
- No guidance on how to create a private moment to speak with the signer alone
- No script for asking about voluntariness:
 - "Are you signing this document of your own free will?"
 - "Has anyone pressured you to sign this?"
 - "Do you feel comfortable with what you're signing?"
- No instruction on what to do if signs of coercion are present

Time spent on voluntariness assessment: 0 seconds

Resulting Knowledge Gap:

A notary encounters a situation where an elderly parent is being pressured by adult children to sign a power of attorney. The parent seems reluctant, hesitates, and looks nervously at the children before answering. The notary, having no framework for

recognizing coercion, proceeds. The parent later challenges the document, and the notary is deposed, forced to admit they noticed hesitation but didn't know what to do.

Gap 3: Signature Comparison – Already Addressed in ID Gap, But No Refusal Context

What the State Provides:

The state lists signature conformity as a criterion but provides no guidance on what to do when signatures don't match.

What Is Missing:

- No instruction that signature mismatch is grounds for immediate refusal
- No guidance on how to handle the situation professionally when signatures don't match
- No script for addressing a mismatch:
 - "I notice the signature in my journal doesn't match the signature on your ID. I can't proceed with this notarization."
 - "For your protection, I need to be certain of your identity. Since the signatures don't match, I can't complete this today."
- No recognition that this is one of the clearest grounds for refusal

Time spent on signature mismatch refusal guidance: 0 seconds

Resulting Knowledge Gap:

A notary compares the journal signature to the ID signature and notices they are dramatically different. Not knowing what to do, they proceed anyway, hoping it's fine. They have just notarized a document for someone who may be an impostor.

Gap 4: Photograph Comparison – Already Addressed, But No Refusal Context

What the State Provides:

The state lists photograph conformity as a criterion but provides no guidance on what to do when the photo doesn't match.

What Is Missing:

- No instruction that photo mismatch is grounds for refusal

- No guidance on how to handle situations where the person has changed significantly but the ID is still technically valid
- No script for addressing photo concerns:
 - "The photo on this ID doesn't look like you. I need to be certain of your identity before I can proceed."
 - "I'm not comfortable that this ID still represents your appearance. Do you have another form of identification?"

Time spent on photo mismatch refusal guidance: 0 seconds

Resulting Knowledge Gap:

A notary is presented with an ID from someone who has aged significantly, grown a beard, or changed hair color. The photo no longer represents them, but the notary proceeds anyway, not knowing they should refuse.

Gap 5: The "Not Satisfied" Standard – No Explanation

What the State Provides:

The state says the notary may refuse if "not satisfied" but does not explain what this means.

What Is Missing:

- No explanation that "not satisfied" means the notary has any doubt whatsoever
- No guidance that the standard is subjective and the notary's judgment controls
- No instruction that the notary does not need proof of wrongdoing—only a lack of satisfaction
- No warning that proceeding despite doubt exposes the notary to liability
- No recognition that the "not satisfied" standard is a shield for the notary

Time spent on explaining the "not satisfied" standard: 0 seconds

Resulting Knowledge Gap:

A notary has a gut feeling that something is wrong but can't articulate exactly what. They proceed anyway, not realizing that "not satisfied" means they should have refused. Their gut feeling was enough, but they didn't know it.

Gap 6: The Duty to Refuse – Not Just a Right

What the State Provides:

The state says the notary "may refuse," framing it as an option.

What Is Missing:

- No explanation that in many situations, refusal is not optional—it is a duty
- No guidance that when red flags are present, proceeding is a violation of the notary's responsibilities
- No warning that failing to refuse when grounds exist can result in liability and discipline
- No recognition that the public depends on notaries to refuse when something is wrong

Time spent on duty to refuse: 0 seconds

Resulting Knowledge Gap:

A notary views refusal as a personal choice rather than a professional obligation. They may proceed in questionable situations to avoid conflict or inconvenience, not realizing they are violating their duty.

Gap 7: How to Refuse – No Scripts or Protocol

What the State Provides:

Nothing. The state never addresses how to actually refuse a notarization.

What Is Missing:

- No scripts for professional refusal:
 - "I apologize for any inconvenience, but I cannot proceed with this notarization because [state clear, factual reason]."
 - "According to New Jersey notary law, I need to be satisfied of your identity, and I'm not able to be satisfied at this time."
 - "The signature in my journal doesn't match your ID, so I can't complete this notarization."
 - "I have concerns about whether you're signing this voluntarily, so I need to decline."
- No guidance on maintaining professionalism while refusing
- No instruction on not debating or justifying beyond the factual reason
- No guidance on de-escalating hostile reactions
- No recognition that how you refuse matters as much as that you refuse

Time spent on refusal scripts and protocol: 0 seconds

Resulting Knowledge Gap:

A notary who needs to refuse has no words to say. They may become flustered,

apologize excessively, or fail to communicate clearly. The signer becomes angry, and the situation escalates. The notary has no tools to handle it professionally.

Gap 8: Documenting Refusals – Entirely Omitted

What the State Provides:

Nothing. The state never mentions documenting refusals in the journal.

What Is Missing:

- No guidance that while not required by statute, documenting refusals is a best practice
- No instruction on what to record:
 - Date and time of the attempted notarization
 - Name of the would-be signer
 - Reason for refusal (e.g., "Could not produce valid ID," "Signatures did not match," "Signer appeared confused")
 - Any other relevant observations
- No explanation of why this matters (to demonstrate proper conduct if the refusal is later questioned)
- No instruction that the would-be signer should NOT sign this entry

Time spent on refusal documentation: 0 seconds

Resulting Knowledge Gap:

A notary properly refuses a notarization for a valid reason. The rejected signer later files a complaint claiming the notary refused without cause. The notary has no record of the refusal, no documentation of the reason, and no evidence to support their position. It becomes their word against the complainant's.

Gap 9: Specific Grounds for Refusal by Act Type – No Guidance

What the State Provides:

The state lists general criteria but does not apply them to specific notarial acts.

What Is Missing:

- No guidance on refusal grounds specific to acknowledgments:
 - Signer refuses to acknowledge signature
 - Signer cannot identify the document
- No guidance on refusal grounds specific to jurats:

- Signer cannot or will not take oath
- Signer seems uncertain about truthfulness of contents
- Document is pre-signed and signer refuses to re-sign
- No guidance on refusal grounds specific to copy certifications:
 - Document is a public record (prohibited)
 - Original is not physically presented
 - Copy is pre-made and not supervised
- No guidance on refusal grounds specific to oaths/affirmations:
 - Signer will not provide verbal response
 - Signer does not understand they are swearing under penalty of perjury

Time spent on act-specific refusal grounds: 0 seconds

Resulting Knowledge Gap:

A notary may encounter a situation where a signer refuses to verbally acknowledge their signature for an acknowledgment. The notary has no framework for knowing this is a valid ground for refusal. They may proceed anyway, completing an acknowledgment without the required verbal declaration.

Gap 10: Handling Pressure to Proceed – No Guidance

What the State Provides:

Nothing. The state never addresses how to handle situations where signers or others pressure the notary to proceed despite doubts.

What Is Missing:

- No guidance on how to respond to pressure:
 - "I understand you're in a hurry, but I need to follow the law."
 - "My commission requires me to be satisfied before I can proceed."
 - "I'm not comfortable proceeding, and I have to follow my professional judgment."
- No instruction on maintaining professionalism under pressure
- No recognition that pressure is a common part of notarial practice
- No warning against giving in to pressure to avoid conflict

Time spent on handling pressure: 0 seconds

Resulting Knowledge Gap:

A signer becomes angry and demanding when the notary expresses doubts. The notary, uncomfortable with conflict, gives in and proceeds. They have just violated their duty and exposed themselves to liability.

Gap 11: The "Unless Prohibited by Law" Exception – No Explanation

What the State Provides:

The state mentions that a notary may refuse "unless the individual presenting the record provides the officer with proof that refusal is prohibited by a State of New Jersey law."

What Is Missing:

- No explanation of what this means
- No examples of situations where refusal might be prohibited (rare, mostly involving government entities)
- No guidance on what "proof" would look like
- No warning that this exception is narrow and rarely applies
- No instruction that in the absence of such proof, refusal is permitted

Time spent on explaining the exception: 0 seconds

Resulting Knowledge Gap:

A notary may be intimidated by a signer who claims they cannot refuse, not knowing that the exception is narrow and requires actual proof. They may proceed when they should refuse.

Gap 12: Discrimination Concerns – No Guidance

What the State Provides:

Nothing. The state never addresses the relationship between the right to refuse and anti-discrimination laws.

What Is Missing:

- No guidance that refusal cannot be based on discriminatory reasons (race, religion, national origin, etc.)
- No instruction that the reason for refusal must be based on the statutory criteria, not personal bias
- No warning that discriminatory refusal could result in civil rights complaints
- No recognition that notaries must apply refusal criteria consistently to all

Time spent on discrimination and refusal: 0 seconds

Resulting Knowledge Gap:

A notary may refuse service to someone based on personal discomfort with their

appearance or background, not realizing this is illegal discrimination. They may face a civil rights complaint and have no understanding of why their refusal was improper.

Gap 13: The Psychological Aspect of Refusal – No Guidance

What the State Provides:

Nothing. The state never addresses the emotional difficulty of refusing service.

What Is Missing:

- No recognition that refusing is often uncomfortable and stressful
- No guidance on building confidence to refuse when necessary
- No instruction that refusal is a sign of professionalism, not failure
- No encouragement that protecting the public sometimes means saying no
- No recognition that notaries need emotional tools to handle difficult situations

Time spent on psychological preparation: 0 seconds

Resulting Knowledge Gap:

A notary may know they should refuse but lack the confidence to do so. They proceed out of fear of confrontation, not because they believe the notarization is proper. They have no preparation for the emotional challenge of refusal.

SUMMARY: Right to Refuse Instruction Time

Topic	Time Spent
Assessing competency/capacity (practical guidance)	0 seconds
Assessing voluntariness/coercion	0 seconds
Signature mismatch refusal	0 seconds
Photo mismatch refusal	0 seconds
"Not satisfied" standard explanation	0 seconds
Duty to refuse (not just a right)	0 seconds
Refusal scripts and protocol	0 seconds
Documenting refusals	0 seconds
Act-specific refusal grounds	0 seconds
Handling pressure to proceed	0 seconds
"Unless prohibited by law" exception	0 seconds
Discrimination concerns	0 seconds
Psychological preparation	0 seconds
Total time spent on practical, how-to instruction for the right to refuse: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows the four statutory criteria for refusal (58 seconds of reading)
- Has absolutely no idea how to apply these criteria in real-world situations
- Does not know what "competent or has capacity" looks like or how to assess it
- Cannot recognize signs of duress or coercion
- Has no script for refusing professionally
- Does not know that refusal should be documented
- Has no framework for handling pressure from angry signers
- Does not know that refusal is often a duty, not just an option
- May proceed when they should refuse because they lack confidence and tools
- May refuse for discriminatory reasons because they have no guidance on proper grounds

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. The right to refuse—one of the most important tools a notary has to protect themselves and the public—receives 58 seconds of instruction consisting entirely of the statutory criteria being read aloud, with zero practical guidance on how to exercise this right.

Notaries are being commissioned without ever being taught how to recognize when refusal is required, what to say, how to document it, or how to handle the emotional challenge of saying no. This is not education. This is a setup for professional failure.

NOTARY SEAL – PROPER USE AND SECURITY: Gap Analysis of State-Provided Education

The Statutory Requirements

Before examining what the state teaches, we must first establish what the law requires regarding the notary seal.

N.J.S.A. 52:7-10.5 (Official Stamp) requires:

"A notary public shall affix an official stamp to every notarial act performed. The official stamp shall:

- (1) include the notary public's name, the words 'Notary Public, State of New Jersey,' and the commission expiration date;*
- (2) be capable of being copied together with the record to which it is affixed; and*
- (3) be kept in the exclusive control of the notary public."*

N.J.S.A. 52:7-10.6 (Stamping Device) further provides:

"(a) A notary public is responsible for the security of the stamping device used by the notary public and may not allow another individual to use the device to perform a notarial act, except at the specific instruction of a notary public who cannot physically use the stamping device.

(b) The stamping device is the property of the notary public and not of the notary public's employer, even if the employer paid for the stamping device.

(c) If the stamping device used by the notary public is lost or stolen, the notary public or the notary public's personal representative shall notify the state treasurer of the loss or theft within 10 days."

The law distinguishes between the "official stamp" (the image affixed to documents) and the "stamping device" (the physical tool that creates the stamp).

The State's Educational Offering: Approximately 30 Seconds in Chapter 6A

The notary seal is covered in Chapter 6A, "Certificates," which runs 4 minutes and 22 seconds total. The seal is mentioned in approximately 30 seconds of that video.

Here is the complete transcript of every mention related to the notary seal across all state videos:

From Chapter 6A (Certificates):

"The official stamp of a notary public shall include the name of the notary public, the title 'Notary Public,' State of New Jersey, and the notary public's commission expiration date, and be capable of being copied together with the record to which it is affixed or attached, or with which it is logically associated.

If a notarial act regarding a tangible record is performed by a notary public, an official stamp shall be affixed to, or embossed on, the certificate near the signature of the notary public, to be clear and readable. If a notarial act regarding an electronic record is performed by a notary public, an official stamp must be attached to, or logically associated with, the certificate.

A notary public is responsible for the security of the stamping device used by the notary public and may not allow another individual to use the device to perform a notarial act, except at the specific instruction of a notary public who cannot physically use the stamping device. The stamping device is the property of the notary public and not of the notary public's employer, even if the employer paid for the stamping device.

If the stamping device used by the notary public is lost or stolen, the notary public, or the notary public's personal representative, shall notify the state treasurer of the loss or theft within 10 calendar days online through the Revenue General Inquiry form."

That is the entirety of the state's instruction on the notary seal. Approximately 30 seconds of content that consists of reading the statutory requirements aloud.

GAP ANALYSIS: What 30 Seconds Cannot Teach

Gap 1: The Difference Between Required Ink Stamp and Optional Embosser – Entirely Omitted

What the State Provides:

The state mentions that an official stamp "shall be affixed to, or embossed on" the certificate, creating confusion about whether an embosser alone is sufficient.

What Is Missing:

- No clear explanation that an ink stamp is mandatory and an embosser is optional
- No guidance that an embosser may only be used in addition to an ink stamp, never in place of one
- No explanation of the difference between the two devices
- No recommendation that using an embosser is a best practice for security
- No guidance on when an embosser is particularly valuable (high-value documents, real estate transactions)

Time spent on ink stamp vs. embosser distinction: 0 seconds

Resulting Knowledge Gap:

A notary may purchase only an embossing seal, believing this satisfies the requirement because the state said "affixed to or embossed on." They perform notarizations for months or years using only an embosser, completely unaware that every notarization is invalid because they lack the required ink stamp.

Gap 2: The Required Elements of the Stamp – Listed But Not Explained

What the State Provides:

The state lists the required elements: name, "Notary Public, State of New Jersey," and commission expiration date.

What Is Missing:

- No explanation that the name must appear exactly as commissioned (no abbreviations or variations)
- No guidance on format: "Jane A. Doe" not "J. Doe"
- No explanation that "State of New Jersey" must be spelled out, not abbreviated
- No guidance on font size or legibility requirements
- No warning that stamps must be replaced when they become faint or illegible
- No examples of proper vs. improper stamps

Time spent on stamp element guidance: 0 seconds

Resulting Knowledge Gap:

A notary orders a stamp with "J. Doe" instead of their full name as commissioned. They use this stamp for years, and every notarization is potentially defective because the stamp does not match their commission. They have no idea.

Gap 3: Placement of the Seal – Vague Guidance

What the State Provides:

The state says the stamp shall be affixed "near the signature of the notary public, to be clear and readable."

What Is Missing:

- No guidance on what "near" means in practice

- No instruction to avoid placing the stamp over printed text, signatures, or critical information
- No guidance on handling multiple-page documents (stamp only on the certificate page)
- No warning against stamping in margins too small for clear reading
- No instruction on ensuring the stamp is fully legible and not smudged
- No guidance on what to do if the stamp doesn't print clearly

Time spent on placement guidance: 0 seconds

Resulting Knowledge Gap:

A notary places their stamp directly over printed text, obscuring important information. The document is rejected by a recording office, causing delays and expenses for the signer. The notary has no idea they did anything wrong.

Gap 4: Security of the Stamping Device – Statutory Language Only

What the State Provides:

The state reads the statutory requirement that the notary is responsible for security and may not allow another to use the device.

What Is Missing:

- No practical guidance on what "security" means:
 - Store the stamp in a locked, secure location when not in use
 - Never leave the stamp unattended on a desk
 - Maintain exclusive control even in workplace settings
 - Transport the stamp securely for mobile notarizations
- No explanation of why security matters (to prevent fraudulent use)
- No warning that even an employer who paid for the stamp cannot use it or retain it
- No guidance on what "exclusive control" means in practice

Time spent on practical security guidance: 0 seconds

Resulting Knowledge Gap:

A notary leaves their stamp on their office desk when not at work. A coworker uses it to notarize a document without authorization. The notary is responsible for the fraudulent notarization and faces discipline, all because they were never told how to secure their stamp.

Gap 5: Employer Ownership – Stated But Not Explained

What the State Provides:

The state states that the stamping device is the property of the notary, not the employer, even if the employer paid for it.

What Is Missing:

- No explanation of why this matters
- No guidance on what to do if an employer demands the stamp
- No script for handling employer requests: "The law is clear that this stamp belongs to me personally, even though you paid for it. I'm happy to keep it secure here, but I can't surrender it to you."
- No warning that surrendering the stamp to an employer violates the law
- No guidance on taking the stamp when leaving employment

Time spent on employer ownership guidance: 0 seconds

Resulting Knowledge Gap:

A notary leaves their job, and their employer demands they leave the stamp behind because the employer paid for it. The notary, not knowing the law protects their ownership, surrenders the stamp. The employer continues using it, and the notary is liable for any fraudulent notarizations performed with their stamp.

Gap 6: Loss or Theft – Notification Requirement Stated

What the State Provides:

The state states that the notary must notify the state treasurer within 10 days if the stamping device is lost or stolen.

What Is Missing:

- No guidance on what to do immediately upon discovery (file a police report)
- No instruction on how to notify the state (online form mentioned but no details)
- No guidance on what information to provide
- No warning about monitoring for fraudulent use of the lost/stolen stamp
- No instruction on obtaining a replacement stamp
- No guidance on notifying frequent clients or others who might receive documents bearing the stolen stamp

Time spent on loss/theft procedure: 0 seconds

Resulting Knowledge Gap:

A notary's stamp is stolen. They notify the state within 10 days as required, but take no other action. Months later, fraudulent documents bearing their stamp appear. The notary has no police report, no record of the theft beyond the state notification, and no way to prove they weren't involved.

Gap 7: Destruction of the Seal After Commission Expiration – Entirely Omitted

What the State Provides:

Nothing. The state never addresses what to do with the stamp when the commission expires or is resigned.

What Is Missing:

- No instruction that the stamp must be destroyed when the commission ends
- No guidance on proper destruction methods:
 - Physically destroying the stamp mechanism
 - Shredding rubber stamps
 - Rendering embossers inoperable
 - Using a cross-cut shredder for self-inking stamps
- No warning that keeping an expired stamp risks fraudulent use
- No guidance on documenting destruction

Time spent on end-of-commission seal handling: 0 seconds

Resulting Knowledge Gap:

A notary's commission expires. They keep their stamp in a drawer "just in case." Years later, someone finds the stamp and uses it to notarize fraudulent documents. The former notary is investigated and potentially liable, all because they were never told to destroy the stamp.

Gap 8: Electronic Seals – Mentioned But Not Explained

What the State Provides:

The state mentions that for electronic records, the official stamp must be "attached to or logically associated with" the certificate.

What Is Missing:

- No explanation of what an electronic seal is or how it works
- No guidance on selecting electronic seal technology
- No instruction on ensuring the electronic seal is "tamper-evident"
- No guidance on the difference between electronic and physical seals
- No warning about the security requirements for electronic seals (unique to notary, under sole control, etc.)

Time spent on electronic seal guidance: 0 seconds

Resulting Knowledge Gap:

A notary begins performing electronic notarizations without understanding what constitutes a valid electronic seal. They may use technology that doesn't meet security requirements, invalidating every electronic notarization they perform.

Gap 9: The "Clear and Readable" Requirement – No Guidance

What the State Provides:

The state says the stamp must be "clear and readable."

What Is Missing:

- No guidance on what "clear and readable" means
- No instruction on testing the stamp before each use
- No guidance on replacing ink pads or stamps when impressions become faint
- No warning that smudged, faint, or incomplete stamps may cause document rejection
- No instruction on what to do if a stamp doesn't print clearly (re-stamp nearby if space permits, but don't obscure)

Time spent on clarity guidance: 0 seconds

Resulting Knowledge Gap:

A notary uses a stamp with low ink, producing faint, partially illegible impressions. The document is rejected, and the notary has no idea that a simple maintenance issue caused the problem.

Gap 10: Multiple Impressions – No Guidance

What the State Provides:

Nothing. The state never addresses what to do if the first stamp impression is imperfect.

What Is Missing:

- No guidance on whether a second impression can be made nearby
- No warning against stamping directly over the first impression (creating a blob)
- No instruction on handling situations where space is limited
- No recognition that this common situation requires judgment

Time spent on multiple impression guidance: 0 seconds

Resulting Knowledge Gap:

A notary's first stamp impression is faint. They stamp directly over it, creating an illegible blob. The document is rejected, and the notary doesn't know they should have stamped in a nearby blank space instead.

Gap 11: The Stamping Device as "Property of the Notary" – Implications for Estate Planning

What the State Provides:

The state states the stamping device is the property of the notary.

What Is Missing:

- No guidance on what happens to the stamp upon the notary's death
- No instruction that the stamp should be destroyed by the personal representative
- No guidance on including stamp destruction instructions in estate planning
- No recognition that an undestroyed stamp could be used fraudulently after death

Time spent on post-death stamp handling: 0 seconds

Resulting Knowledge Gap:

A notary dies, and their family finds the stamp among their belongings. Not knowing what to do, they keep it as a memento. Someone later uses it fraudulently. The family faces investigation, and the deceased notary's reputation is damaged.

SUMMARY: Notary Seal Instruction Time

Topic	Time Spent
Ink stamp vs. embosser distinction	0 seconds
Required elements (practical application)	0 seconds
Proper placement guidance	0 seconds
Practical security protocols	0 seconds
Employer ownership (practical implications)	0 seconds
Loss/theft procedure (beyond notification)	0 seconds
Destruction after commission expiration	0 seconds
Electronic seal guidance	0 seconds
"Clear and readable" maintenance	0 seconds
Multiple impressions	0 seconds
Post-death handling	0 seconds
Total time spent on practical, how-to instruction for the notary seal: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows the required elements of the stamp (name, title, expiration)
- Knows they must secure the stamping device
- Knows the stamp is their property, not their employer's
- Knows to report loss or theft within 10 days
- Has absolutely no idea that an embosser alone is insufficient
- Does not know their name must appear exactly as commissioned
- Has no guidance on where to place the stamp on a document
- Does not know how to actually secure the stamp in practice
- Has no script for handling employer demands for the stamp
- Has no procedure for what to do immediately after loss or theft
- Does not know they must destroy the stamp when their commission ends
- Has no idea that their family needs instructions for the stamp after their death

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. The notary seal—the physical representation of notarial authority, required on every single notarization—receives approximately 30 seconds of instruction consisting of statutory language being read aloud, with zero practical guidance on how to use, secure, and ultimately destroy it.

Notaries are being commissioned without ever being taught how to properly use the one tool that authenticates every act they perform. This is not education. This is a setup for invalid documents and professional liability.

ACCURATE DATING AND CORRECTIONS: Gap Analysis of State-Provided Education

The Legal Significance of Accurate Dating

Before examining what the state teaches, we must first understand why accurate dating matters. When a notary affixes a date to a notarial certificate, they are making a sworn statement of fact that the notarial act occurred on that specific day. This temporal accuracy is fundamental to the integrity of legal documents for several reasons:

- Document Validity: Many legal documents have specific effective dates that rely on the notarization date
- Recording Deadlines: Deeds, mortgages, and other documents must be recorded within certain timeframes
- Statute of Limitations: Legal deadlines may run from the date of notarization
- Chain of Title: Real estate transactions depend on accurate chronological ordering of documents
- Fraud Prevention: Backdating is a common tool in fraudulent schemes

Backdating (placing an earlier date) and future-dating (placing a later date) are both prohibited. The date on the certificate must reflect the actual date the notarial act was performed.

N.J.S.A. 52:7-10.16(b) requires that the certificate "be executed contemporaneously with the notarial act" and "indicate the date of expiration of the officer's commission." The requirement that the certificate be executed "contemporaneously" necessarily implies that the date must be accurate.

The State's Educational Offering: 0 Seconds

The state's videos contain no instruction whatsoever on accurate dating or error correction.

The topic is not mentioned in any chapter. Not once. A notary watching all 45 minutes of state-provided education will hear nothing about:

- The requirement to use the actual date
- The prohibition against backdating
- The prohibition against future-dating
- How to correct a date error on a certificate
- How to correct a journal error
- The legal consequences of falsifying dates

Total instruction time on accurate dating and corrections: 0 seconds

GAP ANALYSIS: What 0 Seconds Cannot Teach

Gap 1: The Requirement to Use the Actual Date – Entirely Omitted

What the State Provides:

Nothing. The state never states that the date on the certificate must be the actual date of notarization.

What Is Missing:

- No statement that the date must reflect when the notarial act actually occurred
- No explanation that the date is a sworn statement of fact
- No guidance that the date in the journal must match the date on the certificate
- No warning that discrepancies between journal and certificate dates are evidence of misconduct

Time spent on the actual date requirement: 0 seconds

Resulting Knowledge Gap:

A notary may use whatever date seems convenient—the date the document was signed, the date it will be filed, or just "today" without verifying. They have no idea that the date is a legally significant fact that must be accurate.

Gap 2: Backdating – Prohibition and Consequences – Entirely Omitted

What the State Provides:

Nothing. The state never mentions backdating.

What Is Missing:

- No definition of backdating (placing an earlier date than the actual notarization)
- No explanation that backdating is always prohibited, regardless of reason
- No warning that backdating can constitute fraud
- No explanation of the legal consequences:
 - Document invalidity
 - Professional discipline
 - Civil liability
 - Potential criminal charges (forgery, falsifying records)

- No real-world examples:
 - "The deadline was Friday, can you just put Friday's date?" (No)
 - "I signed this last week, just use that date." (No)
- No scripts for resisting pressure to backdate

Time spent on backdating guidance: 0 seconds

Resulting Knowledge Gap:

A signer asks a notary to backdate a document to meet a missed filing deadline. The notary, wanting to be helpful and having no training on why this is wrong, agrees. They have just committed fraud, invalidated the document, and exposed themselves to liability and discipline—all because they were never told this was prohibited.

Gap 3: Future-Dating – Prohibition and Consequences – Entirely Omitted

What the State Provides:

Nothing. The state never mentions future-dating.

What Is Missing:

- No definition of future-dating (placing a later date than the actual notarization)
- No explanation that future-dating is always prohibited
- No warning that future-dating is equally as serious as backdating
- No explanation of why (the document purports to have been notarized on a date that hasn't occurred yet)
- No real-world examples
- No scripts for resisting pressure to future-date

Time spent on future-dating guidance: 0 seconds

Resulting Knowledge Gap:

A notary agrees to notarize a document today but use tomorrow's date because the signer won't be available then. The notary has no idea this is just as illegal as backdating.

Gap 4: The Connection Between Journal and Certificate Dates – Entirely Omitted

What the State Provides:

Nothing. The state never mentions that journal and certificate dates must match.

What Is Missing:

- No instruction that the date in the journal must be the same as the date on the certificate
- No explanation that discrepancies create evidence of misconduct
- No warning that inconsistent dates will be discovered if the notarization is challenged
- No guidance on what to do if a discrepancy is discovered later

Time spent on date consistency: 0 seconds

Resulting Knowledge Gap:

A notary completes a journal entry on Monday but forgets to date the certificate until Tuesday, using Tuesday's date. The journal shows Monday, the certificate shows Tuesday. If challenged, the notary has no explanation for this discrepancy and no training on how to handle it.

Gap 5: Correcting a Date Error on a Certificate – No Procedure

What the State Provides:

Nothing. The state never addresses how to correct an error on a notarial certificate.

What Is Missing:

- No guidance that errors can be corrected
- No prohibition against using white-out, erasers, or obliterating the error
- No instruction on the proper correction method:
 1. Draw a single line through the incorrect date (keep it legible)
 2. Write the correct date nearby
 3. Initial and date the correction
- No explanation of why the original must remain legible (to show the correction, not concealment)
- No guidance on when a new certificate should be used instead of correcting
- No warning that improper corrections can invalidate the notarization

Time spent on certificate error correction: 0 seconds

Resulting Knowledge Gap:

A notary writes the wrong month on a jurat certificate. They use white-out to cover the error and write the correct date. The document is later rejected because white-out

indicates tampering. The notary has no idea they should have drawn a single line through the error and initialed it.

Gap 6: Correcting a Journal Error – No Procedure

What the State Provides:

Nothing. The state never addresses how to correct errors in the journal.

What Is Missing:

- No prohibition against white-out, erasers, or obliterating entries
- No instruction on the proper correction method:
 1. Draw a single line through the incorrect information (keep it legible)
 2. Write the correct information nearby
 3. Initial and date the correction
- No explanation of why the original must remain legible (audit trail)
- No guidance on correcting a signer's signature on the wrong line
- No guidance on what to do if an entire entry is wrong

Time spent on journal error correction: 0 seconds

Resulting Knowledge Gap:

A notary realizes they wrote the wrong document description in their journal. They scribble over it, making it illegible, and write the correct description. If the journal is ever subpoenaed, the obliteration looks like an attempt to hide something. The notary has no defense because they destroyed the original record.

Gap 7: When to Use a New Certificate Instead of Correcting – No Guidance

What the State Provides:

Nothing. The state never addresses when a correction is appropriate versus when a new notarization is required.

What Is Missing:

- No guidance that for major errors, a new certificate should be attached
- No instruction on when to start over entirely
- No guidance on handling errors on documents that cannot be replaced (e.g., original deeds)

- No recognition that notaries need judgment about when a correction is sufficient

Time spent on correction vs. new certificate guidance: 0 seconds

Resulting Knowledge Gap:

A notary makes a significant error on a certificate—wrong signer name, wrong venue, wrong act type. They attempt to correct it with a line and initials, not realizing that the entire certificate should be replaced. The document is rejected, and the notary doesn't know why.

Gap 8: Resisting Pressure to Misdate – No Scripts

What the State Provides:

Nothing. The state never addresses the common scenario where signers or others pressure notaries to use incorrect dates.

What Is Missing:

- No recognition that pressure to misdate is common
- No scripts for responding professionally:
 - "I understand the deadline is tight, but I'm required by law to use today's actual date."
 - "I cannot backdate the document—that would be illegal and could invalidate the entire filing."
 - "The date on the certificate must reflect when you appeared before me. That's today."
 - "Falsifying dates could result in my commission being revoked. I'm sure you don't want that."
- No guidance on maintaining professionalism under pressure
- No warning that giving in to pressure is a disciplinary offense

Time spent on resistance scripts: 0 seconds

Resulting Knowledge Gap:

A signer becomes angry when the notary refuses to backdate. The notary, having no script and no confidence, gives in. They have just committed a violation that could end their career.

Gap 9: The Legal Consequences of Date Falsification – Entirely Omitted

What the State Provides:

Nothing. The state never mentions that falsifying dates has serious consequences.

What Is Missing:

- No warning that backdating or future-dating can constitute:
 - Official misconduct
 - Fraud
 - Forgery (in extreme cases)
- No explanation of potential penalties:
 - Commission revocation
 - Civil liability for damages
 - Criminal charges
 - Personal financial ruin
- No real-world examples of notaries who faced consequences for date falsification

Time spent on consequences of date falsification: 0 seconds

Resulting Knowledge Gap:

A notary who backdates a document thinks the worst that can happen is they get in trouble. They have no idea they could be sued for damages, face criminal charges, and lose their livelihood.

Gap 10: The "Contemporaneous" Requirement – No Explanation

What the State Provides:

Chapter 6A mentions that certificates shall be "executed contemporaneously with the performance of the notarial act" but does not explain what this means.

What Is Missing:

- No explanation that "contemporaneously" means at the same time
- No guidance that certificates cannot be pre-signed or pre-dated
- No warning that signing a certificate later (e.g., at the end of the day) violates this requirement
- No recognition that the date is part of the "contemporaneous" requirement

Time spent on explaining "contemporaneously": 0 seconds (the word is read but not explained)

Resulting Knowledge Gap:

A notary pre-signs several blank certificates at the beginning of the day to "save time." They have no idea this violates the law and could result in discipline.

Gap 11: The "Sworn Statement" Nature of the Date – No Context

What the State Provides:

Nothing. The state never explains that the date is part of the notary's sworn attestation.

What Is Missing:

- No explanation that by signing and sealing the certificate, the notary is swearing that the date is accurate
- No connection to perjury or false swearing
- No recognition that an incorrect date is not a minor error—it's a false statement
- No guidance on the seriousness of attesting to something that isn't true

Time spent on the sworn nature of dating: 0 seconds

Resulting Knowledge Gap:

A notary views the date as a minor administrative detail, not a sworn statement. They are casual about its accuracy, not understanding that they are attesting to its truth under penalty of law.

Gap 12: Multiple Document Dating – No Guidance

What the State Provides:

Nothing. The state never addresses notarizing multiple documents for the same signer on the same day.

What Is Missing:

- No guidance that all certificates should bear the same date if performed on the same day
- No instruction on ensuring consistency across documents
- No warning that different dates on documents notarized the same day would create questions

Time spent on multiple document dating: 0 seconds

Resulting Knowledge Gap:

A notary notarizes five documents for the same signer but spaces the dates out over several days in the certificates (while using the same journal date). The inconsistency creates questions that the notary cannot answer.

Gap 13: Date Format – No Guidance

What the State Provides:

Nothing. The state never addresses how to write the date.

What Is Missing:

- No guidance on using the full date (month, day, year)
- No warning against using all numerals (1/2/24 could be January 2 or February 1)
- No recommendation to write out the month to avoid ambiguity
- No recognition that ambiguous dates can cause document rejection

Time spent on date format: 0 seconds

Resulting Knowledge Gap:

A notary writes "2/1/24" on a certificate. Is that February 1, 2024, or January 2, 2024? The ambiguity causes the document to be rejected, and the notary doesn't understand why.

Gap 14: Commission Expiration Date – No Reminder

What the State Provides:

The state mentions that the certificate must include the commission expiration date but does not address its relationship to the notarization date.

What Is Missing:

- No reminder that the notarization date must be before the commission expiration date
- No warning that notarizing after the commission expires is illegal
- No guidance on what to do if the commission expires soon
- No instruction on checking the expiration date regularly

Time spent on expiration date awareness: 0 seconds

Resulting Knowledge Gap:

A notary's commission expires on March 1. On March 2, they notarize a document, not realizing their authority has ended. The notarization is invalid, and the notary has performed an illegal act.

Gap 15: Correcting the Signer's Name or Other Information – No Guidance

What the State Provides:

Nothing. The state only addresses the date, not other certificate elements.

What Is Missing:

- No guidance on correcting the signer's name if misspelled
- No guidance on correcting the venue if wrong
- No guidance on correcting the notarial act type if misstated
- No recognition that the same correction principles apply to all certificate elements

Time spent on correcting other certificate elements: 0 seconds

Resulting Knowledge Gap:

A notary misspells the signer's name on a certificate. They use white-out to correct it, not knowing they should have drawn a line through the error and initialed it. The document is rejected for tampering.

SUMMARY: Accurate Dating and Corrections Instruction Time

Topic	Time Spent
Actual date requirement	0 seconds
Backdating prohibition and consequences	0 seconds
Future-dating prohibition and consequences	0 seconds
Journal/certificate date consistency	0 seconds
Certificate error correction procedure	0 seconds
Journal error correction procedure	0 seconds
When to use new certificate vs. correct	0 seconds
Scripts for resisting pressure to misdate	0 seconds
Legal consequences of date falsification	0 seconds
"Contemporaneous" requirement explanation	0 seconds
Sworn nature of the date	0 seconds
Multiple document dating	0 seconds
Date format guidance	0 seconds
Commission expiration date awareness	0 seconds
Correcting other certificate elements	0 seconds
Total time spent on practical, how-to instruction for accurate dating and corrections: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has never heard that the date on the certificate must be the actual date of notarization
- Has no idea that backdating is illegal
- Does not know that future-dating is equally illegal
- Has no procedure for correcting an error on a certificate
- Has no procedure for correcting an error in their journal
- Has no script for resisting pressure to misdate documents
- Has no awareness that falsifying dates can result in commission revocation, civil liability, and criminal charges
- Does not know that the date is a sworn statement, not an administrative detail
- May use white-out on certificates, creating evidence of tampering
- May backdate documents to accommodate signers, committing fraud without knowing it

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Accurate dating and error correction—fundamental aspects of notarial practice with significant legal consequences—receive zero seconds of instruction.

Notaries are being commissioned without ever being told that the date matters, that backdating is illegal, or how to correct an error when they make one. This is not education. This is a setup for professional disaster.

VENUE: Gap Analysis of State-Provided Education

The Legal Requirement

Before examining what the state teaches, we must first establish what the law requires regarding venue on notarial certificates.

N.J.S.A. 52:7-10.16(b) requires that the certificate:

"identify the jurisdiction in which the notarial act is performed"

This is the venue—the statement of where the notarization physically occurred. It typically appears at the top of the certificate as:

"State of New Jersey, County of [Name]"

The venue is not a formality. It establishes:

- That the notary was acting within the geographical boundaries of their commission
- The legal jurisdiction whose notarial laws govern the act
- The location for recording purposes (critical for real estate documents)
- The factual basis for the notary's authority to act

Critical Point: The venue is where the notary is physically standing at the moment of notarization, not where they live, where their office is located, or where their commission is filed.

The State's Educational Offering: Approximately 5 Seconds in Chapter 6A

Venue is mentioned in Chapter 6A, "Certificates," which runs 4 minutes and 22 seconds total. The venue is mentioned in approximately 5 seconds of that video.

Here is the complete transcript of every mention related to venue across all state videos:

From Chapter 6A (Certificates):

"Certificates shall be executed contemporaneously with the performance of the notarial act; be signed and dated by the notarial officer; identify the jurisdiction in which the notarial act is performed; contain the title of office of the notarial officer; and, if the notarial officer is a notary public, indicate the date of expiration of the officer's commission."

That is the entirety of the state's instruction on venue. Five seconds of content that consists of the phrase "identify the jurisdiction in which the notarial act is performed" buried in a list of certificate requirements.

There is no explanation of:

- What "jurisdiction" means in this context
- That the venue must include both state and county
- That the venue is where the notary is physically located
- That the venue is NOT the notary's home county or business address
- How to determine the correct county
- The consequences of using the wrong venue

GAP ANALYSIS: What 5 Seconds Cannot Teach

Gap 1: What "Venue" Actually Means – Entirely Omitted

What the State Provides:

The state uses the phrase "identify the jurisdiction" but never defines it or explains what this means in practice.

What Is Missing:

- No definition of "venue" in the notarial context
- No explanation that venue means the geographic location where the notarization occurs
- No instruction that venue typically appears as "State of New Jersey, County of [Name]"
- No explanation that the venue establishes the legal framework for the notarial act
- No recognition that venue is a fundamental element of every notarial certificate

Time spent on defining venue: 0 seconds

Resulting Knowledge Gap:

A notary sees "State of New Jersey, County of ____" at the top of a certificate but has no idea what to put in the blank or why it matters. They may leave it blank, fill in anything, or skip it entirely—all of which can invalidate the certificate.

Gap 2: The "Where Am I Standing?" Rule – Entirely Omitted

What the State Provides:

Nothing. The state never explains that the venue is determined by the notary's physical location.

What Is Missing:

- No statement that the venue is where the notary is physically present at the moment of notarization
- No explanation that the venue has nothing to do with where the notary lives or works
- No "Golden Rule" of venue: "Where am I standing right now?"
- No examples illustrating this critical point

Time spent on physical location rule: 0 seconds

Resulting Knowledge Gap:

A notary whose commission is filed in Essex County travels to a client's home in Bergen County to perform a notarization. They write "Essex County" in the venue because that's where they live and where their commission is filed. The document is later rejected because the venue is wrong. The notary has no idea they made an error.

Gap 3: Home County vs. Actual Location – No Distinction

What the State Provides:

Nothing. The state never distinguishes between where the notary is based and where they are physically present.

What Is Missing:

- No explanation that the county listed in the venue is not the notary's home county, business county, or commission filing county
- No warning that this is a common and serious error
- No examples contrasting correct and incorrect venue usage:
 - Incorrect: Notary based in Mercer County, notarizes in Atlantic County, writes "Mercer County"
 - Correct: Notary based in Mercer County, notarizes in Atlantic County, writes "Atlantic County"
- No recognition that mobile notaries are particularly at risk for this error

Time spent on home vs. actual location distinction: 0 seconds

Resulting Knowledge Gap:

A mobile notary performs notarizations in multiple counties every week. They use their

home county in every venue, never realizing that each notarization requires the county where they were physically standing. Every document they've ever notarized may have an incorrect venue.

Gap 4: How to Determine the Correct County – No Guidance

What the State Provides:

Nothing. The state never tells notaries how to figure out what county they're in.

What Is Missing:

- No guidance on using GPS or mapping apps to confirm county
- No recommendation to keep a county map in the car for mobile notaries
- No instruction to verify county boundaries when near county lines
- No suggestion to ask the client or check address information
- No recognition that even experienced notaries need to verify

Time spent on county determination: 0 seconds

Resulting Knowledge Gap:

A notary is at a large corporate campus that spans two counties. They assume they know which county they're in but are wrong. The venue is incorrect, and the document is rejected. The notary had no tools or training to verify.

Gap 5: The "Pause and Place" Protocol – No Procedural Tool

What the State Provides:

Nothing. The state provides no procedure for ensuring venue accuracy.

What Is Missing:

- No step-by-step protocol to prevent venue errors
- No "Pause and Place" or similar tool:
 1. Complete the journal entry first
 2. Before touching the certificate, consciously pause
 3. Ask: "Where am I standing right now?"
 4. Confirm county boundaries if uncertain
 5. Write the venue deliberately
- No recognition that habit and routine are the enemies of accurate venue

Time spent on procedural tools: 0 seconds

Resulting Knowledge Gap:

A notary rushes through notarizations on autopilot, writing the same county every time without thinking. They have no mental trigger to pause and verify their location, leading to repeated errors.

Gap 6: Consequences of Incorrect Venue – Entirely Omitted

What the State Provides:

Nothing. The state never tells notaries what happens if they get the venue wrong.

What Is Missing:

- No warning that incorrect venue can cause document rejection by recording offices
- No explanation that rejected documents cause delays, expenses, and frustration for signers
- No warning that repeated venue errors can lead to complaints and discipline
- No recognition that venue errors undermine confidence in the notary's work
- No real-world examples of documents rejected for wrong venue

Time spent on consequences: 0 seconds

Resulting Knowledge Gap:

A notary uses the wrong county on a deed. Months later, the deed is rejected by the county clerk's office, delaying a real estate closing and causing financial harm. The notary is sued and has no idea why—they were never told venue mattered.

Gap 7: Venue for Mobile Notaries – No Special Guidance

What the State Provides:

Nothing. The state never addresses the unique challenges faced by mobile notaries.

What Is Missing:

- No recognition that mobile notaries may perform notarizations in multiple counties in a single day
- No guidance on tracking location throughout the day
- No recommendation to verify county for each appointment

- No warning that familiarity with an area can lead to assumptions that are wrong

Time spent on mobile notary venue guidance: 0 seconds

Resulting Knowledge Gap:

A mobile notary has appointments in three different counties on the same day. They write the same county on all certificates, not realizing they need to change it for each location.

Gap 8: Venue for Workplace Notaries – No Guidance

What the State Provides:

Nothing. The state never addresses notaries who work in one county but may notarize elsewhere.

What Is Missing:

- No guidance that even if you work in one county, venue changes when you travel
- No instruction for notaries who attend conferences, trainings, or off-site meetings
- No recognition that workplace notaries may notarize for colleagues while traveling
- No examples: "Your office is in Mercer County, but you attend a conference in Atlantic County and notarize for a colleague—venue is Atlantic County."

Time spent on workplace notary venue: 0 seconds

Resulting Knowledge Gap:

A notary attends a conference in another county and notarizes a document for a colleague. They use their office county out of habit, and the document is later rejected.

Gap 9: Venue for Remote Online Notarization – No Guidance

What the State Provides:

Nothing specific. The state mentions that RON acts are "deemed performed in New Jersey" but does not address county.

What Is Missing:

- No guidance on what county to use for RON (the notary's physical location, not the signer's)

- No explanation that the notary must still determine their own county
- No warning that RON does not change the venue requirement
- No recognition that this is a common point of confusion

Time spent on RON venue: 0 seconds

Resulting Knowledge Gap:

A notary performing RON thinks the venue should be the signer's location or "virtual" and leaves the county blank or uses the wrong one. The certificate is defective.

Gap 10: Venue When Near County Lines – No Guidance

What the State Provides:

Nothing. The state never addresses the challenge of notarizing near county boundaries.

What Is Missing:

- No warning that county lines are not always obvious
- No guidance to verify when uncertainty exists
- No suggestion to use GPS or ask the client
- No recognition that being "close" to a county line doesn't mean you're in that county

Time spent on county line guidance: 0 seconds

Resulting Knowledge Gap:

A notary is at a location near the border of two counties. They guess, guess wrong, and the document is rejected. They had no training on how to handle this situation.

Gap 11: Venue for Multiple Notarizations in Different Locations – No Guidance

What the State Provides:

Nothing. The state never addresses performing multiple notarizations in different locations on the same day.

What Is Missing:

- No guidance that each notarization requires its own venue based on where it occurred

- No instruction on tracking location for each act
- No warning that using the same venue for all notarizations performed that day is wrong if locations differ

Time spent on multiple location guidance: 0 seconds

Resulting Knowledge Gap:

A notary performs three notarizations in three different counties on the same day. They write the same county on all three certificates, and two of them are wrong.

Gap 12: Venue and the Journal – No Connection

What the State Provides:

Nothing. The state never connects venue to journal entries.

What Is Missing:

- No guidance that the venue should be recorded in the journal or at least verifiable through the journal
- No instruction that the journal entry should reflect where the notarization occurred
- No recognition that the journal can serve as evidence of venue if questioned

Time spent on journal connection: 0 seconds

Resulting Knowledge Gap:

A notary's venue is questioned years later. Their journal contains no information about where the notarization occurred, so they have no evidence to support the venue they used.

Gap 13: Correcting a Venue Error – No Guidance

What the State Provides:

Nothing. The state never addresses how to fix a venue error if discovered.

What Is Missing:

- No guidance on whether venue errors can be corrected (they can, using the same correction procedures as other certificate errors)
- No instruction on proper correction method:
 1. Draw a single line through the incorrect county

2. Write the correct county nearby
 3. Initial and date the correction
- No warning that venue errors discovered after the document is recorded may require legal action to correct

Time spent on venue error correction: 0 seconds

Resulting Knowledge Gap:

A notary discovers they used the wrong county on a deed that has already been recorded. They have no idea whether this can be fixed or what to do about it.

Gap 14: Venue for Out-of-State Signers (In-Person) – No Guidance

What the State Provides:

Nothing. The state never addresses notarizing for out-of-state signers who travel to New Jersey.

What Is Missing:

- No guidance that if the signer comes to New Jersey, the venue is the New Jersey county where the notarization occurs
- No explanation that the signer's residency doesn't matter for venue
- No warning against using the signer's home state in the venue

Time spent on out-of-state signer venue: 0 seconds

Resulting Knowledge Gap:

A New York resident travels to New Jersey for a signing. The notary writes "New York" in the venue, not realizing they should use the New Jersey county where they are standing. The document is rejected.

Gap 15: Venue as a Fraud Prevention Tool – No Context

What the State Provides:

Nothing. The state never explains that venue helps establish the chain of custody and authenticity of documents.

What Is Missing:

- No explanation that venue provides geographical context important in legal proceedings

- No recognition that accurate venue contributes to the integrity of the notarial act
- No connection between venue and fraud prevention

Time spent on venue's broader purpose: 0 seconds

Resulting Knowledge Gap:

A notary views venue as meaningless paperwork, not as an integral part of the notarial certificate that helps prevent fraud and establish authenticity.

SUMMARY: Venue Instruction Time

Topic	Time Spent
Definition of venue	0 seconds
"Where am I standing?" rule	0 seconds
Home county vs. actual location	0 seconds
How to determine correct county	0 seconds
"Pause and Place" protocol	0 seconds
Consequences of incorrect venue	0 seconds
Mobile notary venue guidance	0 seconds
Workplace notary venue guidance	0 seconds
RON venue guidance	0 seconds
County line guidance	0 seconds
Multiple location guidance	0 seconds
Journal connection	0 seconds
Correcting venue errors	0 seconds
Out-of-state signer venue	0 seconds
Venue as fraud prevention	0 seconds
Total time spent on practical, how-to instruction for venue: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has heard the phrase "identify the jurisdiction" in a list of certificate requirements
- Has absolutely no idea what "venue" actually means
- Does not know that venue is where they are physically standing
- Will likely use their home county for every notarization, regardless of where they are
- Has no procedure for determining the correct county
- Has no tools for verifying county when uncertain
- Does not know that incorrect venue can cause document rejection
- Has no guidance on correcting venue errors
- Will make venue errors repeatedly throughout their career, completely unaware

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Venue—a fundamental element of every notarial certificate, required for document recording and legal validity—receives approximately 5 seconds of instruction consisting of a phrase buried in a list, with zero practical guidance on what it means or how to determine it.

Notaries are being commissioned without ever being taught where to put the notarization location, how to find it, or why it matters. This is not education. This is a setup for rejected documents and professional liability.

CREDIBLE WITNESS: Gap Analysis of State-Provided Education

The Legal Framework

Before examining what the state teaches, we must first establish what the law provides regarding credible witnesses for identity verification.

N.J.S.A. 52:7-10.8(e)(2) includes the credible witness as a method of establishing satisfactory evidence of identity:

"A notarial officer has satisfactory evidence of the identity of an individual appearing before the notarial officer if the notarial officer can identify the individual by means of: ... a verification on oath or affirmation of a credible witness personally appearing before the notarial officer or using communication technology to appear before the notarial officer pursuant to section 19 of P.L.2021, c.179 (C.59:7-10.10) and personally known to the notarial officer or whom the notarial officer can identify on the basis of a passport, driver's license, or government-issued, non-driver identification card, which is current or expired not more than three years before the performance of the notarial act."

The credible witness procedure is a last-resort method of identification, permitted only when:

1. The signer cannot produce any acceptable form of identification
2. Obtaining such identification is impractical or impossible
3. A credible witness who knows the signer can appear and swear to their identity

This is a high-risk procedure because the notary is relying on the oath of another person rather than government-issued documentation. If the witness is lying or mistaken, the notary bears responsibility.

The State's Educational Offering: Approximately 10 Seconds in Chapter 7

The credible witness is mentioned in Chapter 7, "Forms of Identification and Copy Certification Requirements," which runs 2 minutes and 31 seconds total. The credible witness receives approximately 10 seconds of mention.

Here is the complete transcript of every mention related to the credible witness across all state videos:

From Chapter 7 (Forms of Identification):

"or a verification on oath or affirmation of a credible witness personally appearing before the notarial officer, or using communication technology to appear before the notarial officer, and personally known to the notarial officer or whom the notarial officer can identify based on a passport, driver's license, or government-issued non-driver identification card, which is current or expired not more than 3 years before the performance of the notarial act."

That is the entirety of the state's instruction on the credible witness. Approximately 10 seconds of content that consists of the statutory language being read aloud as part of a longer sentence about identification methods.

There is no:

- Warning that this is a high-risk procedure
- Explanation of when it is appropriate to use
- Requirement that the witness be impartial
- Step-by-step procedure
- Oath wording for the witness
- Journaling requirements
- Grounds for refusal

GAP ANALYSIS: What 10 Seconds Cannot Teach

Gap 1: The "Last Resort" Nature of the Procedure – Entirely Omitted

What the State Provides:

The state lists the credible witness as one identification method among several, with no indication that it is different from or riskier than others.

What Is Missing:

- No warning that this is a last-resort procedure, not a routine option
- No explanation that it should only be used when the signer cannot produce acceptable ID and obtaining ID is impractical or impossible
- No guidance on what "impractical or impossible" means (e.g., homeless individual, recent theft of wallet, elderly person who never had ID)
- No recognition that using this procedure when other ID is available is inappropriate and increases liability

Time spent on "last resort" guidance: 0 seconds

Resulting Knowledge Gap:

A notary treats the credible witness as just another option, like a driver's license. They

routinely offer it to signers who simply forgot their ID or prefer not to show it. The notary has no idea they are engaging in a high-risk procedure unnecessarily.

Gap 2: The High-Risk Warning – Entirely Omitted

What the State Provides:

Nothing. The state never indicates that this procedure carries greater risk than other identification methods.

What Is Missing:

- No warning that the notary is relying on the oath of another person rather than government documentation
- No explanation that if the witness is lying or mistaken, the notary bears full responsibility
- No recognition that this procedure shifts the burden of verification from a document to personal credibility
- No guidance on the heightened scrutiny required

Time spent on high-risk warning: 0 seconds

Resulting Knowledge Gap:

A notary uses a credible witness without understanding the risk. The witness is later discovered to have lied about the signer's identity. The notarization is invalid, and the notary faces liability. They had no idea they were taking on this level of risk.

Gap 3: The Impartiality Requirement – Entirely Omitted

What the State Provides:

Nothing. The state never mentions that the witness must be impartial.

What Is Missing:

- No requirement that the witness have no financial or beneficial interest in the document
- No guidance that the witness should not be named in the document
- No warning that using an interested witness compromises the integrity of the procedure
- No recognition that a witness with a stake in the outcome may not be credible

Time spent on impartiality: 0 seconds

Resulting Knowledge Gap:

A notary allows the signer's spouse, who is also a beneficiary of the document, to serve as the credible witness. The witness has every reason to lie, and the notary has no idea this is improper.

Gap 4: Relationship Between Witness and Signer – No Guidance

What the State Provides:

Nothing. The state never addresses what relationship the witness must have to the signer.

What Is Missing:

- No requirement that the witness personally know the signer
- No guidance on what "personally know" means (sufficient familiarity to positively identify)
- No warning that the witness must be able to swear that they know the signer's identity
- No recognition that the witness's knowledge of the signer is the entire basis for the procedure

Time spent on witness-signer relationship: 0 seconds

Resulting Knowledge Gap:

A notary accepts a witness who vaguely knows the signer through a friend but cannot confidently attest to their identity. The witness swears anyway, and the notary has no framework for evaluating whether the witness's knowledge is sufficient.

Gap 5: Witness Identification – Stated But Not Explained

What the State Provides:

The state states that the witness must be "personally known to the notarial officer or whom the notarial officer can identify based on" acceptable ID.

What Is Missing:

- No explanation that the witness must be identified with the same rigor as a signer

- No guidance on what constitutes "personal knowledge" of the witness (same standards as for signers)
- No instruction on examining the witness's ID and recording it in the journal
- No recognition that if the notary cannot identify the witness, the procedure cannot proceed

Time spent on witness identification guidance: 0 seconds

Resulting Knowledge Gap:

A notary accepts a witness without properly verifying their identity, relying on the fact that the witness is "with" the signer. The witness is actually an impostor, and the notarization is fraudulent.

Gap 6: The Oath to the Witness – No Wording Provided

What the State Provides:

The state mentions "verification on oath or affirmation of a credible witness" but provides no wording for this oath.

What Is Missing:

- No script for administering the oath to the witness
- No guidance on what the witness must swear to:
 - That they personally know the signer
 - That they know the signer to be the person named in the document
 - That they have no interest in the document
- No sample wording:
 - "Do you swear or affirm that you personally know this person to be [signer's name], that they are the person named in this document, and that you have no financial or beneficial interest in this document?"
- No instruction that the response must be verbal and affirmative

Time spent on witness oath wording: 0 seconds

Resulting Knowledge Gap:

A notary asks the witness, "Do you know this person?" The witness says yes, and the notary proceeds. The witness never swore an oath, never affirmed under penalty of perjury, and the entire procedure is invalid.

Gap 7: Step-by-Step Procedure – Entirely Omitted

What the State Provides:

Nothing. The state provides no procedure for performing a credible witness identification.

What Is Missing:

- No step-by-step protocol:
 1. Both signer and witness must personally appear before you at the same time
 2. Verify the witness's identity (personal knowledge or satisfactory evidence)
 3. Administer oath to the witness using proper wording
 4. Witness verbally attests to signer's identity
 5. Rely on witness's oath to satisfy identity verification for signer
 6. Complete two separate journal entries (one for signer, one for witness)
 7. Proceed with notarial act for signer
- No recognition that this procedure requires meticulous adherence to every step
- No warning that skipping any step invalidates the procedure

Time spent on step-by-step procedure: 0 seconds

Resulting Knowledge Gap:

A notary attempts a credible witness procedure but has no framework. They may have the witness appear separately, fail to swear them in, or create only one journal entry. The procedure is invalid, and the notary doesn't know it.

Gap 8: Journaling Requirements – Entirely Omitted

What the State Provides:

Nothing. The state never addresses how to journal a credible witness procedure.

What Is Missing:

- No instruction that two separate journal entries are required:
 1. For the signer: Note that identity was verified via credible witness, and include the witness's name
 2. For the witness: Record their identification details and their role as a credible witness for the signer
- No guidance on what specific information to record for the witness (ID type, number, issuing agency, expiration)
- No example of proper journal entries
- No recognition that incomplete journaling defeats the purpose of documentation

Time spent on journaling guidance: 0 seconds

Resulting Knowledge Gap:

A notary creates one journal entry for the signer, noting "ID via credible witness," but creates no entry for the witness. Years later, when the notarization is challenged, there is no record of who the witness was, how they were identified, or that they took an oath. The notary has no evidence of due diligence.

Gap 9: When to Refuse – No Guidance

What the State Provides:

Nothing. The state never tells notaries when they should refuse to use a credible witness.

What Is Missing:

- No list of grounds for refusal:
 - The witness has any financial or beneficial interest in the document
 - The witness is named in the document
 - The witness cannot be properly identified
 - The witness seems uncertain or reluctant
 - The witness does not actually know the signer
 - The signer could reasonably obtain proper ID
 - Any doubt whatsoever about the witness's credibility
- No recognition that when in doubt, the notary must refuse
- No script for refusing professionally

Time spent on refusal guidance: 0 seconds

Resulting Knowledge Gap:

A notary has doubts about the witness but proceeds anyway because they feel pressure to complete the notarization. The witness is later discovered to have lied, and the notary faces liability. They had no framework for knowing they should have refused.

Gap 10: Documenting the Witness's Oath – No Guidance

What the State Provides:

Nothing. The state never mentions that the witness's oath should be documented.

What Is Missing:

- No instruction to note in the journal that the witness took an oath

- No guidance on recording the fact that the witness affirmed under penalty of perjury
- No recognition that this documentation is critical evidence of due diligence

Time spent on oath documentation: 0 seconds

Resulting Knowledge Gap:

A notary administers an oath but doesn't document it. If challenged, there is no record that the oath ever occurred.

Gap 11: The "Personally Known" Standard for Witnesses – No Guidance

What the State Provides:

The state mentions that the witness must be "personally known" to the notary or identified by ID.

What Is Missing:

- No explanation of what "personally known" means for a witness (same standard as for signers)
- No guidance on the heightened scrutiny required for personal knowledge of a witness
- No warning that if using personal knowledge, the notary bears the same risk as with signers
- No self-inquiry questions: "Do I know this witness well enough to eliminate reasonable doubt about their identity?"

Time spent on personal knowledge standard for witnesses: 0 seconds

Resulting Knowledge Gap:

A notary accepts a witness they've met once at a community event as "personally known." They have no idea this is insufficient and that they are taking on significant risk.

Gap 12: The Credible Witness for RON – Mentioned But Not Explained

What the State Provides:

The state mentions that the credible witness may appear "using communication technology" for RON.

What Is Missing:

- No guidance on how this works in practice
- No instruction on additional verification steps for remote witnesses
- No recognition that remote credible witnesses add another layer of complexity
- No warning about the increased risk of remote credible witness procedures

Time spent on RON credible witness guidance: 0 seconds

Resulting Knowledge Gap:

A notary performing RON attempts to use a remote credible witness without understanding the additional security measures required. The procedure is invalid.

Gap 13: Multiple Credible Witnesses – No Guidance

What the State Provides:

Nothing. The state never addresses whether more than one credible witness can be used.

What Is Missing:

- No guidance that while the statute speaks of "a" credible witness, using multiple witnesses can provide additional assurance
- No instruction on how to handle multiple witnesses (each must be identified, sworn, and journaled separately)
- No recognition that some notaries choose to use two witnesses for added protection

Time spent on multiple witnesses: 0 seconds

Resulting Knowledge Gap:

A notary is presented with two witnesses who can vouch for the signer. They don't know whether to use one or both, or how to handle the procedure if using both.

Gap 14: The Witness's Signature – No Requirement Mentioned

What the State Provides:

Nothing. The state never mentions whether the witness must sign anything.

What Is Missing:

- No guidance that the witness should sign the journal (required)
- No instruction that the witness's signature provides additional evidence of their appearance
- No recognition that the witness's signature is part of the audit trail

Time spent on witness signature: 0 seconds

Resulting Knowledge Gap:

A notary administers an oath to the witness but doesn't have them sign anything. If challenged, there is no record that the witness ever appeared.

Gap 15: The Difference Between Credible Witness and Document Witness – No Distinction

What the State Provides:

Nothing. The state never distinguishes between a credible witness (for identification) and a witness to a document signing.

What Is Missing:

- No explanation that these are completely different roles
- No guidance that a credible witness is for ID verification, not for witnessing the signature
- No warning against confusing the two
- No recognition that a person could serve both roles, but the procedures are separate

Time spent on distinction: 0 seconds

Resulting Knowledge Gap:

A notary thinks that having someone witness the signature satisfies the credible witness requirement for ID. They have no idea these are separate procedures with separate requirements.

SUMMARY: Credible Witness Instruction Time

Topic	Time Spent
"Last resort" nature	0 seconds
High-risk warning	0 seconds
Impartiality requirement	0 seconds
Witness-signer relationship	0 seconds
Witness identification (practical)	0 seconds
Oath wording for witness	0 seconds
Step-by-step procedure	0 seconds
Journaling requirements (two entries)	0 seconds
Refusal grounds	0 seconds
Oath documentation	0 seconds
"Personally known" standard for witnesses	0 seconds
RON credible witness guidance	0 seconds
Multiple witnesses	0 seconds
Witness signature requirement	0 seconds
Credible witness vs. document witness	0 seconds
Total time spent on practical, how-to instruction for the credible witness: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has heard the phrase "credible witness" in a long sentence about identification methods
- Has absolutely no idea that this is a last-resort, high-risk procedure
- Does not know that the witness must be impartial
- Has no step-by-step procedure to follow
- Has no oath wording for the witness
- Does not know that two journal entries are required
- Has no guidance on when to refuse
- May use the procedure routinely, for convenience, not realizing the risk
- May use an interested witness (spouse, beneficiary) without knowing it's improper
- May fail to swear the witness or document the oath
- Will create only one journal entry, leaving no record of the witness

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. The credible witness procedure—a high-risk, last-resort identification method with significant liability—receives approximately 10 seconds of instruction consisting of statutory language being read aloud, with zero practical guidance on how to perform it safely.

Notaries are being commissioned to perform this high-risk procedure without ever being told it's high-risk, without a procedure, without oath wording, without journaling requirements, and without any understanding of when to refuse. This is not education. This is a setup for fraud and liability.

SIGNATURE WITNESSING: Gap Analysis of State-Provided Education

The Legal Framework

Before examining what the state teaches, we must first establish what the law provides regarding signature witnessing as a notarial act.

N.J.S.A. 52:7-10.1(f)(4) includes "witnessing or attesting a signature" as a notarial act a notary may perform.

N.J.S.A. 52:7-10.8(c) requires:

"A notarial officer who witnesses or attests to a signature shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and signing the record has the identity claimed."

Signature witnessing is a distinct notarial act where the notary certifies that they personally observed the signer sign the document. Unlike an acknowledgment, which verifies a signature that may have been made earlier, signature witnessing requires the notary to see the signing occur in real time.

This act is often confused with acknowledgments, but they serve different purposes and use different certificate wording.

The State's Educational Offering: Approximately 5 Seconds (Scattered Mentions)

Signature witnessing is mentioned in lists of notarial acts, but there is no dedicated instruction on what it is, how it differs from other acts, or how to perform it.

Here is the complete transcript of every mention related to signature witnessing across all state videos:

From Chapter 2 (Definitions):

"Notarial act refers to an action that a notary public in New Jersey can legally do, whether it involves a physical or electronic record. This includes: one, confirming that someone acknowledges their signature on a document; two, having someone swear an oath or make a solemn promise; three, verifying information under oath or affirmation; four, watching someone sign a document and confirming it; ..."

From Chapter 7 (Forms of Identification):

"A notarial officer who takes an acknowledgement or verification of a record, or who witnesses or attests to a signature, shall determine from personal knowledge or satisfactory evidence of the identity of the individual that the individual appearing before the officer and making the acknowledgement has the identity claimed, and that the signature on the record is the signature of the individual."

That is the entirety of the state's instruction on signature witnessing. Approximately 5 seconds of content that consists of:

- "watching someone sign a document and confirming it" in a list of notarial acts
- "witnesses or attests to a signature" in a sentence about identification requirements

There is no explanation of:

- What signature witnessing actually is
- How it differs from an acknowledgment
- When it is used
- The requirement that the notary actually see the signing occur
- What to do if they miss the signing
- Certificate wording for signature witnessing
- How to handle serving as both a witness and a notary

GAP ANALYSIS: What 5 Seconds Cannot Teach

Gap 1: Definition and Purpose of Signature Witnessing – Entirely Omitted

What the State Provides:

The state includes "watching someone sign a document and confirming it" in a list of notarial acts, with no further explanation.

What Is Missing:

- No definition of signature witnessing as a distinct notarial act
- No explanation of its purpose: to certify that the notary personally observed the signing
- No guidance on when this act is used (wills, trusts, certain contracts, documents requiring witness to execution)
- No recognition that this is different from acknowledgments and jurats

Time spent on defining signature witnessing: 0 seconds

Resulting Knowledge Gap:

A notary has no idea what signature witnessing is or when it's required. They may encounter a document that requires signature witnessing and have no framework for understanding what they need to do.

Gap 2: Signature Witnessing vs. Acknowledgment – Critical Distinction Omitted

What the State Provides:

Nothing. The state never distinguishes between witnessing a signature and taking an acknowledgment.

What Is Missing:

- No explanation of the fundamental difference:
 - Acknowledgment: Signer confirms a signature was made voluntarily (may have been signed earlier)
 - Signature Witnessing: Notary actually sees the signature being made
- No comparison chart or side-by-side analysis
- No guidance on when each is appropriate
- No warning that confusing these acts is a common and serious error

Time spent on acknowledgment vs. witnessing distinction: 0 seconds

Resulting Knowledge Gap:

A notary treats every notarization as an acknowledgment. When presented with a document requiring signature witnessing, they simply have the signer acknowledge a signature made earlier. The document is invalid, and the notary has no idea why.

Gap 3: The "Personal Observation" Requirement – Entirely Omitted

What the State Provides:

The state says "watching someone sign a document" but provides no elaboration on what this means.

What Is Missing:

- No requirement that the notary must actually see the pen touch the paper
- No guidance on what constitutes "watching" (direct line of sight, no obstructions, focused attention)

- No instruction that the signing must occur in the notary's physical presence
- No warning against divided attention (looking away, phone calls, conversations)
- No recognition that if the notary doesn't see it, they can't certify it

Time spent on personal observation requirement: 0 seconds

Resulting Knowledge Gap:

A notary is in the room while the signer signs but is looking at their phone, reviewing another document, or talking to someone else. They didn't actually see the signing occur, but they proceed anyway. Their certification that they witnessed the signature is false.

Gap 4: What to Do If You Miss the Signing – No Guidance

What the State Provides:

Nothing. The state never addresses this common scenario.

What Is Missing:

- No instruction that if the notary does not actually see the signing, they cannot complete the signature witnessing
- No guidance on the proper response: "I'm sorry, I didn't see you sign that. Please sign again in my presence so I can witness it."
- No recognition that this situation requires the signer to sign again
- No warning against certifying something you didn't witness

Time spent on "missed signing" guidance: 0 seconds

Resulting Knowledge Gap:

A notary looks away for a moment, and when they look back, the document is signed. They assume it's fine and complete the witnessing. They have just certified something that isn't true.

Gap 5: Signature Witnessing vs. Jurat – No Distinction

What the State Provides:

Nothing. The state never distinguishes between witnessing a signature and administering a jurat.

What Is Missing:

- No explanation that a jurat includes signature witnessing plus an oath
- No guidance that for a jurat, the signature must be witnessed and the signer must swear to the contents
- No recognition that signature witnessing alone does not involve an oath
- No warning against treating a jurat as a simple witnessing

Time spent on witnessing vs. jurat distinction: 0 seconds

Resulting Knowledge Gap:

A notary treats a jurat as just signature witnessing and fails to administer the required oath. The sworn statement is not sworn, and the document is invalid.

Gap 6: Certificate Wording for Signature Witnessing – No Sample Provided

What the State Provides:

Nothing. The state provides no sample certificate wording for signature witnessing.

What Is Missing:

- No sample signature witnessing certificate:
*"State of New Jersey, County of _____
 On this _____ day of _____, 20, before me, the undersigned notary public, personally appeared _____, personally known to me or proved through satisfactory evidence to be the individual who signed the attached instrument in my presence."*
- No guidance on how this wording differs from acknowledgment and jurat certificates
- No instruction on completing blank spaces
- No warning that using the wrong certificate wording misrepresents the act performed

Time spent on certificate wording: 0 seconds

Resulting Knowledge Gap:

A notary who needs to perform a signature witnessing has no idea what certificate to use. They may use an acknowledgment certificate, which misstates what occurred and could invalidate the document.

Gap 7: Identification Requirements – Mentioned But Not Applied

What the State Provides:

The state mentions that a notary witnessing a signature must determine identity from personal knowledge or satisfactory evidence.

What Is Missing:

- No guidance on applying identification standards to signature witnessing
- No instruction that the same rigorous identification is required as for acknowledgments
- No recognition that witnessing a signature without knowing who is signing defeats the entire purpose
- No examples of proper identification for signature witnessing

Time spent on identification for witnessing: 0 seconds

Resulting Knowledge Gap:

A notary thinks that because they're just "watching someone sign," they don't need to verify identity as strictly. They proceed with minimal ID check, and the signer is an impostor.

Gap 8: Serving as Both a Witness and a Notary – No Guidance

What the State Provides:

Nothing. The state never addresses the common situation where a notary is asked to serve as both a witness to the document and as the notary.

What Is Missing:

- No guidance that a notary can serve in both roles, but they are separate roles with separate signatures
- No instruction on how to handle this:
 1. Sign as a witness: "Witness: [your signature]" without notary title
 2. Complete the notarial certificate with your title and seal
- No warning that the notary must have no financial interest in the document (same impartiality requirements apply)
- No recognition that this is common for wills, powers of attorney, and advance directives

Time spent on dual-role guidance: 0 seconds

Resulting Knowledge Gap:

A notary asked to witness a will signs only as a notary, not as a witness, or signs as a

witness using their notary title. The document may be invalid because the witness requirements weren't met.

Gap 9: Multiple Signers – No Guidance

What the State Provides:

Nothing. The state never addresses witnessing signatures for multiple signers.

What Is Missing:

- No instruction that each signer must be individually observed signing
- No guidance that separate journal entries are required for each signer
- No warning against having one signer sign for all
- No recognition that the notary must witness each signature separately

Time spent on multiple signer witnessing: 0 seconds

Resulting Knowledge Gap:

A document requires signatures from three people. The notary watches one sign, then assumes the others signed and completes the witnessing for all three. Two of the signatures were never witnessed.

Gap 10: Journal Documentation for Signature Witnessing – No Guidance

What the State Provides:

Chapter 6B lists required journal elements generally but provides no signature witnessing specifics.

What Is Missing:

- No guidance to specify "Signature Witnessing" as the type of notarial act
- No instruction on recording that the signing was personally observed
- No example of a proper journal entry for signature witnessing
- No guidance on documenting any special circumstances (assisted signing, use of interpreter)

Time spent on journal specifics for signature witnessing: 0 seconds

Resulting Knowledge Gap:

A notary's journal shows "notarization" but doesn't specify that it was signature witnessing. Years later, if challenged, there is no record of what act was actually performed.

Gap 11: Assisted Signing – No Guidance

What the State Provides:

Nothing. The state never addresses situations where a signer requires physical assistance to sign.

What Is Missing:

- No guidance that a notary may witness an assisted signing
- No instruction on the proper procedure:
 - Signer directs another person to sign on their behalf
 - Notary must witness the signing
 - Certificate should note: "Signature affixed by [name] at the direction of [signer]"
- No recognition that this is a common accommodation for individuals with disabilities

Time spent on assisted signing guidance: 0 seconds

Resulting Knowledge Gap:

A signer with a physical disability cannot hold a pen and asks their companion to sign for them. The notary has no idea whether this is permitted or how to document it.

Gap 12: The Signer's Awareness and Willingness – No Guidance

What the State Provides:

Nothing specific to signature witnessing. Chapter 10 covers refusal generally.

What Is Missing:

- No guidance that for signature witnessing, the notary must be satisfied the signer is signing willingly and understands the act
- No instruction on observing demeanor for signs of duress or confusion
- No guidance on what to do if the signer seems reluctant or pressured

- No recognition that witnessing a signature under duress is still witnessing a signature, but the notary should refuse

Time spent on assessing willingness for witnessing: 0 seconds

Resulting Knowledge Gap:

A notary witnesses a signature where the signer is clearly being pressured by someone else. They proceed because they "witnessed the signature." They have no idea they should have refused.

Gap 13: Electronic Signature Witnessing – No Guidance

What the State Provides:

Nothing. The state never addresses witnessing electronic signatures.

What Is Missing:

- No guidance on how signature witnessing applies to electronic documents
- No instruction on what it means to "witness" an electronic signature (observing the signer apply the electronic signature)
- No recognition that the same personal observation requirement applies
- No guidance on technology considerations

Time spent on electronic signature witnessing: 0 seconds

Resulting Knowledge Gap:

A notary performing electronic notarizations thinks signature witnessing doesn't apply or is different. They fail to actually observe the electronic signature being applied.

Gap 14: Refusing a Signature Witnessing – No Guidance

What the State Provides:

Nothing specific to signature witnessing. Chapter 10 covers refusal generally.

What Is Missing:

- No specific grounds for refusing a signature witnessing:
 - Notary did not actually see the signing occur
 - Signer cannot be properly identified
 - Signer appears to be signing under duress
 - Signer is confused about what they are signing

- Document has material blanks
- No scripts for refusing professionally
- No guidance on documenting the refusal

Time spent on refusal guidance for signature witnessing: 0 seconds

Resulting Knowledge Gap:

A notary who should refuse a signature witnessing proceeds because they have no framework for recognizing when refusal is required.

Gap 15: The Difference Between Witnessing and Notarizing – No Context

What the State Provides:

Nothing. The state never explains that a person can witness a signature without notarizing it.

What Is Missing:

- No explanation that a notary can serve as a regular witness without performing a notarial act
- No guidance that when serving as a regular witness, no notarial certificate, seal, or journal entry is required
- No recognition that this is different from signature witnessing as a notarial act
- No instruction on how to handle situations where only a witness is required

Time spent on regular witness vs. notarial witness distinction: 0 seconds

Resulting Knowledge Gap:

A notary asked to witness a document treats every witness request as a notarization, charging fees and applying seals when none are required or appropriate.

SUMMARY: Signature Witnessing Instruction Time

Topic	Time Spent
Definition and purpose	0 seconds
Acknowledgment vs. witnessing distinction	0 seconds
Personal observation requirement	0 seconds
What to do if you miss the signing	0 seconds
Witnessing vs. jurat distinction	0 seconds
Certificate wording and samples	0 seconds
Identification requirements (applied)	0 seconds
Serving as both witness and notary	0 seconds
Multiple signers	0 seconds
Journal documentation specifics	0 seconds
Assisted signing	0 seconds
Assessing willingness	0 seconds
Electronic signature witnessing	0 seconds
Refusal grounds	0 seconds
Regular witness vs. notarial witness	0 seconds
Total time spent on practical, how-to instruction for signature witnessing: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has heard the phrase "watching someone sign a document" in a list of notarial acts
- Has absolutely no idea what signature witnessing actually is
- Does not know that it requires actually seeing the signature occur
- Cannot distinguish it from acknowledgments or jurats
- Has no certificate wording to use
- Does not know they can serve as both a witness and a notary
- Has no guidance on what to do if they miss the signing
- May treat every notarization as an acknowledgment, even when witnessing is required
- May certify that they witnessed a signature they didn't actually see

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Signature witnessing—a distinct notarial act with specific requirements, frequently confused with acknowledgments, and essential for documents like wills—receives approximately 5 seconds of instruction consisting of the phrase appearing in lists, with zero practical guidance on how to perform it.

Notaries are being commissioned without ever being taught what signature witnessing is, how it differs from other acts, what certificate to use, or that they must actually see the signature occur. This is not education. This is a setup for invalid documents and professional liability.

NOTARY PUBLIC MANUAL: Gap Analysis of State-Provided Education

The Role of the Manual

Before examining what the state teaches, we must first establish the purpose and importance of the Notary Public Manual.

The New Jersey Notary Public Manual is the official publication of the Division of Revenue and Enterprise Services. It contains:

- The full text of notarial laws and regulations
- Official guidance on performing notarial acts
- Sample certificates and forms
- Contact information and resources
- Procedures for commissioning and renewal

The manual is intended to be the primary reference resource for notaries throughout their commission. Unlike the educational videos, which are a one-time requirement, the manual is meant to be consulted regularly whenever questions arise.

N.J.S.A. 52:7-10.2(b) requires that applicants "acknowledge that they have read and understood the Notary Public Manual" as part of the educational requirement.

The State's Educational Offering: Approximately 10 Seconds in Chapter 1

The Notary Public Manual is mentioned in Chapter 1, "Introduction," which runs 3 minutes and 24 seconds total. The manual receives approximately 10 seconds of mention.

Here is the complete transcript of every mention related to the Notary Public Manual across all state videos:

From Chapter 1 (Introduction):

"This online training covers the content found in the New Jersey Notary Public Manual published by the New Jersey Division of Revenue and Enterprise Services. You may download the manual from our website.

To access the manual, follow the link currently shown on screen or scan this QR code."

That is the entirety of the state's instruction on the Notary Public Manual. Approximately 10 seconds of content that tells notaries the manual exists and where to find it.

There is no guidance on:

- What the manual contains
- How to use it as a reference tool
- When to consult it
- How to find answers to specific questions
- That the manual should be kept accessible
- That the manual is updated and notaries should check for updates
- How the manual relates to the educational videos

GAP ANALYSIS: What 10 Seconds Cannot Teach

Gap 1: What the Manual Contains – Entirely Omitted

What the State Provides:

The state says the training "covers the content found in" the manual, implying the manual contains more information, but provides no details.

What Is Missing:

- No explanation of the manual's contents:
 - Full text of notarial statutes (N.J.S.A. 52:7-10.1 et seq.)
 - Administrative regulations
 - Sample certificates for all notarial acts
 - Fee schedules
 - Contact information for state agencies
 - Procedures for address changes, name changes, renewals
 - Guidance on specific situations
- No overview of how the manual is organized
- No recognition that the manual is more comprehensive than the videos

Time spent on manual contents: 0 seconds

Resulting Knowledge Gap:

A notary downloads the manual but never opens it because they don't know what's in it or why they would need it. The manual sits unused on their computer while they guess at procedures.

Gap 2: The Manual as a Reference Tool – No Guidance

What the State Provides:

Nothing. The state never explains that the manual is for ongoing reference, not just one-time reading.

What Is Missing:

- No explanation that the manual is meant to be consulted throughout the commission
- No guidance on when to consult it:
 - When encountering an unfamiliar notarial act
 - When a signer asks a question about procedure
 - When unsure about certificate wording
 - When a situation seems unusual or high-risk
 - Before performing a notarial act for the first time
- No recognition that notaries cannot remember everything and need a reliable reference

Time spent on manual as reference: 0 seconds

Resulting Knowledge Gap:

A notary encounters a situation they don't understand—a credible witness request, a foreign language document, a deposition. They don't think to consult the manual because they were never told it's a reference tool. They proceed based on guesswork and make errors.

Gap 3: How to Find Information in the Manual – No Guidance

What the State Provides:

Nothing. The state never teaches notaries how to actually use the manual.

What Is Missing:

- No guidance on using the table of contents
- No guidance on using the index
- No instruction on searching for keywords
- No explanation of how the manual is organized (statutes first, then guidance, then samples)
- No practice exercises in finding information
- No recognition that notaries need research skills

Time spent on manual navigation: 0 seconds

Resulting Knowledge Gap:

A notary opens the manual but can't find what they need. The document is long and dense, and they have no training in how to navigate it. They give up and rely on memory or guesswork.

Gap 4: The Relationship Between Videos and Manual – No Explanation

What the State Provides:

The state says the training "covers the content found in" the manual, implying the videos are a summary.

What Is Missing:

- No explanation that the videos are an introduction and the manual is the comprehensive resource
- No guidance on what topics are covered only in the manual
- No recognition that the 45-minute videos cannot possibly cover everything in the manual
- No instruction to use the manual to fill the gaps left by the videos
- No warning that relying only on the videos leaves significant knowledge gaps

Time spent on videos vs. manual relationship: 0 seconds

Resulting Knowledge Gap:

A notary watches the videos and assumes they now know everything they need. They never consult the manual, not realizing that the videos covered only a fraction of the material. They operate with dangerous knowledge gaps for their entire commission.

Gap 5: Updates and Revisions – No Guidance

What the State Provides:

Nothing. The state never mentions that the manual may be updated.

What Is Missing:

- No warning that laws and procedures can change
- No guidance on checking for updated versions of the manual
- No instruction on how to verify they have the current version
- No explanation of where to find updates (same website)

- No recognition that using an outdated manual can lead to errors

Time spent on manual updates: 0 seconds

Resulting Knowledge Gap:

A notary downloads the manual once when commissioned. Years later, laws have changed, but they are still using the old version. They perform notarizations based on outdated requirements without knowing it.

Gap 6: The Manual as a Legal Defense – No Context

What the State Provides:

Nothing. The state never explains that following the manual provides legal protection.

What Is Missing:

- No explanation that the manual represents the state's official guidance
- No recognition that following the manual demonstrates good faith compliance
- No guidance that if a notarization is challenged, being able to say "I followed the manual" is a strong defense
- No warning that deviating from the manual without cause increases liability

Time spent on manual as defense: 0 seconds

Resulting Knowledge Gap:

A notary faces a complaint about a notarization. They have no documentation that they followed official guidance, and they never learned that the manual could have protected them.

Gap 7: The "Read and Understood" Requirement – No Context

What the State Provides:

Nothing. The state never mentions that applicants must "acknowledge that they have read and understood" the manual.

What Is Missing:

- No explanation that this is a legal requirement
- No guidance on what "understood" means
- No instruction on how to ensure understanding (reading carefully, taking notes, consulting questions)

- No recognition that this requirement exists for a reason—the manual is essential
- No warning that signing this acknowledgment without actually reading and understanding the manual is problematic

Time spent on the "read and understood" requirement: 0 seconds

Resulting Knowledge Gap:

A notary clicks "I acknowledge" without ever opening the manual. They have no idea they just made a false statement and that they've missed critical information.

Gap 8: Specific Topics Only Covered in the Manual – No Guidance

What the State Provides:

Nothing. The state never tells notaries what they'll miss if they don't read the manual.

What Is Missing:

- No list of important topics covered only in the manual:
 - Detailed sample certificates for every situation
 - Complete fee schedule with explanations
 - Contact information for state agencies
 - Procedures for name changes and address changes
 - Information on the disciplinary process
 - Glossary of terms
 - Historical context and background
- No recognition that the videos are just highlights

Time spent on manual exclusivity: 0 seconds

Resulting Knowledge Gap:

A notary who only watches the videos doesn't know what they don't know. They may never learn about important procedures simply because they weren't in the videos.

Gap 9: Keeping the Manual Accessible – No Guidance

What the State Provides:

Nothing. The state never tells notaries to keep the manual where they can find it.

What Is Missing:

- No recommendation to download and save the manual

- No guidance on keeping a copy on their phone for mobile reference
- No suggestion to bookmark the manual website
- No instruction to keep a printed copy for situations where electronic access isn't available
- No recognition that notaries need quick access to information

Time spent on manual accessibility: 0 seconds

Resulting Knowledge Gap:

A notary is at a client's home and encounters an unfamiliar situation. They have no access to the manual because it's on their work computer. They guess instead of looking it up.

Gap 10: The Manual and the Exam – No Connection

What the State Provides:

Nothing. The state never tells notaries that the manual is the source material for the exam.

What Is Missing:

- No explanation that exam questions are based on the manual
- No guidance to use the manual to study
- No instruction on focusing on certain sections for exam preparation
- No recognition that watching the videos alone is insufficient to pass the exam (or shouldn't be sufficient)

Time spent on manual-exam connection: 0 seconds

Resulting Knowledge Gap:

A notary studies only by watching the videos and is surprised when exam questions cover material not in the videos. They don't realize they needed to read the manual.

Gap 11: The Manual for Specific Notarial Acts – No Cross-Reference

What the State Provides:

Throughout the videos, the state occasionally says "for more information, consult the manual" but provides no specifics.

What Is Missing:

- No specific cross-references: "For sample jurat certificates, see page X of the manual"
- No guidance on which sections of the manual correspond to which video chapters
- No instruction to use the manual alongside the videos
- No recognition that notaries need to know where to look

Time spent on specific cross-references: 0 seconds

Resulting Knowledge Gap:

A notary hears "consult the manual" but doesn't know where to look. The manual is large, and they have no guidance on finding what they need.

Gap 12: The Manual and Continuing Education – No Connection

What the State Provides:

Nothing. The state never mentions that the manual is useful for renewing notaries as well.

What Is Missing:

- No guidance that renewing notaries should review the manual
- No recognition that laws may have changed since their last commission
- No instruction to check for updated versions before renewal
- No connection between the manual and continuing education requirements

Time spent on manual for renewing notaries: 0 seconds

Resulting Knowledge Gap:

A renewing notary assumes nothing has changed and doesn't review the manual. They miss important updates and continue using outdated procedures.

Gap 13: The Manual as a Teaching Tool – No Guidance

What the State Provides:

Nothing. The state never suggests that experienced notaries might use the manual to help others.

What Is Missing:

- No guidance that notaries can use the manual to answer questions from signers

- No instruction on referring signers to the manual for information
- No recognition that the manual can help notaries explain procedures to clients
- No connection between the manual and public education

Time spent on manual as teaching tool: 0 seconds

Resulting Knowledge Gap:

A signer asks a notary about the law. The notary doesn't know the answer and doesn't think to look it up in the manual. They guess or say something incorrect.

Gap 14: The Manual's Legal Authority – No Context

What the State Provides:

Nothing. The state never explains the legal status of the manual.

What Is Missing:

- No explanation that the manual is published by the state treasurer and represents official guidance
- No recognition that courts and agencies may rely on the manual
- No warning that deviating from the manual may be evidence of non-compliance
- No instruction that the manual should be followed unless there is a clear reason not to

Time spent on manual's authority: 0 seconds

Resulting Knowledge Gap:

A notary treats the manual as optional reading rather than official guidance. They deviate from its procedures without understanding the risk.

Gap 15: Multiple Formats of the Manual – No Guidance

What the State Provides:

The state provides a link and QR code to download the manual.

What Is Missing:

- No guidance on whether the manual is available in other formats (print, accessible versions)
- No instruction on obtaining a printed copy if needed
- No recognition that some notaries may prefer or need different formats

- No information on accommodations for notaries with disabilities

Time spent on manual formats: 0 seconds

Resulting Knowledge Gap:

A notary with limited internet access or a visual impairment may struggle to use the online manual. They don't know if other formats are available.

SUMMARY: Notary Public Manual Instruction Time

Topic	Time Spent
What the manual contains	0 seconds
Manual as reference tool	0 seconds
How to find information	0 seconds
Videos vs. manual relationship	0 seconds
Updates and revisions	0 seconds
Manual as legal defense	0 seconds
"Read and understood" requirement	0 seconds
Topics only in manual	0 seconds
Keeping manual accessible	0 seconds
Manual-exam connection	0 seconds
Specific cross-references	0 seconds
Manual for renewing notaries	0 seconds
Manual as teaching tool	0 seconds
Manual's legal authority	0 seconds
Manual formats	0 seconds
Total time spent on practical, how-to instruction for using the Notary Public Manual: 0 seconds	

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Knows the manual exists and where to download it (10 seconds)
- Has absolutely no idea what the manual contains
- Does not know that the manual is for ongoing reference, not one-time reading
- Has no training in how to find information in the manual
- Does not realize that the videos cover only a fraction of what's in the manual
- Does not know to check for updates
- Has no idea that following the manual provides legal protection
- May never open the manual after downloading it
- Will operate with dangerous knowledge gaps for their entire commission
- May make errors that could have been prevented by simply consulting the manual

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. The Notary Public Manual—the official reference resource that notaries are required to acknowledge having "read and understood"—receives approximately 10 seconds of instruction consisting of a link and a QR code.

Notaries are being commissioned without ever being taught what the manual contains, how to use it, why it matters, or that they should consult it throughout their commission. This is not education. This is a setup for ignorance and error.

COMPREHENSIVE GAP ANALYSIS: Topics Not Addressed in State-Provided Education

The following topics receive no practical instruction whatsoever in the state's 45-minute video series. While some are mentioned in passing—a word in a definition list, a phrase in a statutory recitation—none are taught in any meaningful way. A notary relying solely on this education would have no framework for handling these situations, no procedures to follow, no scripts to use, and no awareness of the risks involved.

Topic 1: Verification on Oath or Affirmation (Depositions, Sworn Testimony)

State Coverage: Chapter 2 (definition only) — approximately 10 seconds

What Is Missing:

- No explanation of the difference between a verification and a jurat
 - No guidance on the notary's role in depositions
 - No procedure for recording testimony
 - No guidance on certifying transcripts
 - No certificate wording for verifications
 - No instruction on handling objections or witness reluctance
 - No guidance on working with court reporters or stenographers
 - No warning about the complexity and liability of deposition notarizations
-

Topic 2: Noting a Protest of a Negotiable Instrument

State Coverage: Mentioned in Chapter 2 definition list – approximately 2 seconds

What Is Missing:

- No explanation of what a protest is
 - No guidance on when it is used
 - No procedure for presentment and demand
 - No noting or protest certificate wording
 - No recognition that this is rarely used but still an authorized act
 - No warning about the complexity and liability
 - No guidance on the timing requirements for protests
 - No instruction on handling dishonored instruments
-

Topic 3: Certifying a Deposition

State Coverage: Not mentioned at all – 0 seconds

What Is Missing:

- No distinction between certifying a copy and certifying a deposition
 - No guidance on the notary's role in depositions
 - No procedure for administering oaths to witnesses and stenographers
 - No certificate wording for deposition certification
 - No guidance on handling transcripts and exhibits
 - No instruction on handling objections and witness conduct
 - No warning about the notary's impartiality requirements in legal proceedings
-

Topic 4: Handling Special Situations

State Coverage: Not addressed in any video – 0 seconds

What Is Missing:

- Signers with disabilities (deaf, blind, physical limitations)
 - Non-English speaking signers and interpreters
 - Signers who appear confused or under the influence
 - Hostile or aggressive signers
 - Documents with blank spaces
 - Documents in foreign languages
 - Signers who cannot sign (directed signature)
 - Notarizing in hospitals, nursing homes, or correctional facilities
 - Signers with dementia or cognitive impairment
 - Situations involving suspected fraud or coercion
 - De-escalation techniques for difficult signers
 - When to terminate a notarization for safety reasons
-

Topic 5: Impartiality and Conflicts of Interest (Beyond Spouse)

State Coverage: Chapter 3 mentions spouse prohibition – approximately 10 seconds

What Is Missing:

- No guidance on notarizing for other family members (parents, children, siblings, grandparents, grandchildren, in-laws)
- No "potential future benefit" test
- No concept of the "appearance of impartiality"
- No guidance on when shared surnames might cause document rejection

- No journal disclosure recommendations for permissible family notarizations
 - No recognition that perception matters as much as reality
 - No guidance on notarizing for business associates, supervisors, subordinates, or partners
 - No discussion of financial interest beyond spouse
 - No scripts for politely declining when a conflict exists or appears to exist
-

Topic 6: Personal Liability and Errors & Omissions Insurance

State Coverage: Not mentioned at all – 0 seconds

What Is Missing:

- No warning that notaries can be sued personally
 - No explanation of the difference between employer liability and personal liability
 - No mention of E&O insurance or why it's important
 - No guidance on what E&O covers (negligence) vs. what it excludes (intentional misconduct)
 - No recognition that notaries face real financial risk
 - No discussion of subrogation (insurance companies suing notaries to recover losses)
 - No guidance on how much coverage to consider
 - No warning that employer insurance may not cover the notary personally
 - No explanation that a single error can result in financial devastation
-

Topic 7: The Commission Itself – Post-Commission Obligations

State Coverage: Chapter 4 covers the application process – approximately 4:50, but post-commission obligations are missing

What Is Missing:

- No guidance on what to do if renewal is delayed
 - No warning about performing notarizations after expiration (criminal offense)
 - No guidance on name changes (mentioned but not explained in practical terms)
 - No instruction on what happens to the journal after the commission ends
 - No guidance on what to do if you move out of state
 - No instruction on resigning a commission
 - No guidance on handling a commission certificate that is lost or stolen
 - No information on checking commission status online
 - No guidance on updating contact information with the state
-

Topic 8: Disciplinary Process and Complaint Defense

State Coverage: Chapter 5 lists grounds for discipline – approximately 5:06

What Is Missing:

- No explanation of how complaints are investigated
- No guidance on what to do if a complaint is filed
- No instruction on how to respond to an investigation
- No explanation of the right to legal representation
- No guidance on the hearing process

- No explanation of potential outcomes and appeals
 - No instruction on how to avoid complaints through proper practice
 - No real-world examples of disciplinary cases
 - No guidance on the difference between administrative discipline and civil liability
-

Topic 9: Record Retention and Destruction

State Coverage: Chapter 6B mentions 10-year retention – approximately 30 seconds

What Is Missing:

- No guidance on how to securely retain journals for 10 years
 - No instruction on secure destruction methods (cross-cut shredding, professional services, burning where permitted)
 - No warning against simply throwing journals in the trash
 - No guidance on what to do with electronic records
 - No recommendation to include journal instructions in estate planning
 - No template for immediate-access instructions for family members
 - No guidance on handling journals if the notary becomes incapacitated
 - No warning that improper disposal violates privacy laws
-

Topic 10: Death of a Notary – What Happens to the Journal and Seal

State Coverage: Chapter 6B mentions personal representative must transmit journal within 45 days – approximately 10 seconds

What Is Missing:

- No guidance for family members on what to do
 - No instruction on how to find the journal
 - No guidance on how to contact the state treasurer
 - No instruction on what to do with the seal (must be destroyed)
 - No guidance on how to protect signer privacy
 - No instruction on what to do if the journal cannot be found
 - No template for instructions to be placed in the journal itself
 - No recognition that families are often completely unaware of these requirements
 - No warning about liability if the journal is misused after death
-

Topic 11: Mobile Notary Practice Considerations

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- Safety considerations for traveling to clients
 - Scheduling and logistics
 - Travel fee agreements (must be agreed in advance)
 - Verification of location for venue determination
 - Equipment to carry (journal, stamp, supplies, UV light)
 - Handling last-minute cancellations and no-shows
 - Working in unfamiliar environments
 - Privacy concerns in client homes or facilities
 - Special considerations for hospitals and nursing homes
 - Insurance considerations for mobile practice
 - Marketing and client communication
-

Topic 12: Notarizing for Family Members (Beyond Spouse)

State Coverage: Chapter 3 addresses spouse only – approximately 5 seconds

What Is Missing:

- No guidance on parents, children, siblings, grandparents, grandchildren
 - No guidance on in-laws and extended family
 - No "potential future benefit" test to determine if a conflict exists
 - No concept of the "appearance of impartiality"
 - No guidance on when shared surnames might cause document rejection
 - No journal disclosure recommendations for permissible family notarizations
 - No guidance on when to refer to another notary
 - No scripts for politely declining while preserving relationships
 - No recognition that even technically permissible family notarizations may be questioned
-

Topic 13: Notarizing for Employers or Business Associates

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on notarizing for supervisors or subordinates
- No guidance on notarizing for business partners
- No guidance on notarizing for clients of your employer
- No concept of the appearance of coercion in employment relationships
- No discussion of when financial interest may exist
- No journal documentation recommendations

- No guidance on when to refer to another notary
 - No recognition that power dynamics in employment can affect voluntariness
 - No warning that employer pressure to notarize improperly must be resisted
-

Topic 14: Document Examination – What to Look For

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on checking for blank spaces
 - No instruction on ensuring documents are complete before notarizing
 - No guidance on looking for alterations or suspicious features
 - No instruction on verifying that signatures are where they should be
 - No guidance on ensuring the document matches the notarial act requested
 - No instruction on what to do if blanks are found
 - No explanation of what constitutes a "material" blank
 - No guidance on pointing out blanks without practicing law (UPL)
 - No warning that notarizing incomplete documents facilitates fraud
-

Topic 15: Notarizing for Minors

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on whether minors can sign documents (generally yes, if they understand)
 - No guidance on identification issues for minors (may not have government ID)
 - No guidance on parental consent considerations
 - No guidance on capacity assessment for minors
 - No guidance on special considerations for school-related documents
 - No journal documentation recommendations for minor signers
 - No warning about the heightened scrutiny required for minor signers
 - No guidance on working with guardians or parents
-

Topic 16: Notarizing for Non-Citizens and Foreign Nationals

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on acceptable identification for non-citizens (foreign passports, green cards, consular ID)
- No guidance on language barriers and interpreters
- No guidance on cultural considerations
- No warning about special concerns with immigration documents
- No guidance on UPL risks with immigration advice
- No guidance on verification of foreign documents
- No instruction on handling situations where the only ID is foreign
- No warning about the heightened vulnerability of immigrant populations

Topic 17: Notarizing in Health Care Facilities

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on hospitals, nursing homes, assisted living facilities
 - No guidance on assessing capacity in medical settings
 - No guidance on working with medical staff
 - No guidance on privacy concerns (HIPAA)
 - No guidance on signers who are medicated or in pain
 - No guidance on bedside notarizations
 - No guidance on infection control considerations
 - No guidance on documentation of location and circumstances
 - No warning about the heightened risk of coercion or confusion in medical settings
-

Topic 18: Notarizing in Correctional Facilities

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on security procedures
- No guidance on working with correctional staff
- No guidance on inmate identification (facility-issued ID is acceptable)
- No guidance on assessing capacity and voluntariness in a coercive environment
- No guidance on special security concerns
- No guidance on documentation requirements
- No guidance on visiting procedures and advance arrangements
- No warning about the inherent power imbalances in correctional settings

Topic 19: Notarizing Wills and Codicils

State Coverage: Chapter 8A mentions that RON rules do not apply to wills – approximately 2 seconds

What Is Missing:

- No guidance on the special requirements for will execution
 - No guidance on the notary's role in will signing ceremonies
 - No guidance on serving as both witness and notary
 - No guidance on the number of witnesses required
 - No guidance on self-proving affidavits
 - No warning about the extreme caution required for wills
 - No recommendation to refer to attorneys for will executions
 - No guidance on the difference between witnessing a will and notarizing a will
 - No warning about the liability risks with testamentary documents
-

Topic 20: Notarizing Powers of Attorney

State Coverage: Not addressed at all – 0 seconds

What Is Missing:

- No guidance on the importance of POA documents
- No guidance on verifying the principal's identity and capacity
- No warning about the high risk of fraud in POA executions
- No guidance on special certificate requirements
- No guidance on the difference between POA acknowledgment and attorney-in-fact acknowledgment
- No guidance on UPL concerns with POA advice
- No journal documentation recommendations
- No warning that POA notarizations are frequently challenged in court
- No guidance on what to do if the principal appears confused or pressured

SUMMARY: Topics Receiving No Practical Instruction

Topic Category	Number of Topics	Practical Instruction
Advanced Notarial Acts	3	0 seconds
Special Situations	1 (but encompasses dozens of scenarios)	0 seconds
Ethics and Impartiality	2	0 seconds
Risk Management	2	0 seconds
Commission Management	3	0 seconds
Practice Settings	4	0 seconds
Specific Document Types	2	0 seconds
Vulnerable Populations	3	0 seconds

Total Topics Identified: 20 major topic areas, encompassing countless specific scenarios

Total Practical Instruction: 0 seconds

THE CUMULATIVE EFFECT

A notary who receives only the state-provided education:

- Has heard statutory definitions read aloud for 45 minutes
- Has received zero practical instruction on how to perform any notarial act
- Has no scripts for administering oaths, obtaining acknowledgments, or refusing service
- Has no procedures for verifying identity, completing journal entries, or correcting errors
- Has no framework for recognizing fraud, coercion, or lack of capacity
- Has no guidance on the critical prohibitions that define the limits of their authority
- Has no awareness of their personal liability or the importance of E&O insurance
- Has no tools for handling special situations or difficult signers
- Has no preparation for depositions, protests, or other advanced acts
- Has no guidance on notarizing for family, employers, or in special settings
- Has no idea how to handle wills, powers of attorney, or other high-risk documents
- Has no understanding of what happens to their journal and seal after death
- Has no framework for protecting themselves or the public

This is not a failure of the notary. This is a failure of the education system.

The law requires six hours of education. The state provides 45 minutes of video. Across every single topic—from the most fundamental duty of identity verification to the most complex acts like certifying depositions—the state provides zero seconds of practical, how-to instruction.

Notaries are being commissioned without ever being taught how to do the job. They are sent into the field with statutory definitions but no procedures, no scripts, no frameworks, and no awareness of the risks they face. This is not education. This is a dereliction of the statutory duty imposed by P.L.2021, c.179.

THE GAP ANALYSIS

A Comprehensive Comparison of State-Provided Notary Education vs. Required Knowledge and Skills

For more information, contact:

New Jersey Notary Association
PO Box 276
Haddon Heights, NJ 08035
Email: info@newjerseynotaryassociation.org
Website: www.newjerseynotaryassociation.org

Digital Access:

www.newjerseynotaryassociation.org/notary-education-findings

This document is a public service of the New Jersey Notary Association. It may be freely shared and reproduced with attribution.