

# Frequently Asked Maine Notary Public Questions

## 1. How do I find a Notary Public or a Dedimus Justice in Maine?

Please visit [www.maine.gov/sos/cec/notary/notaries.html](http://www.maine.gov/sos/cec/notary/notaries.html) to find the “Notary Public & Dedimus Justice Search” link available under “Online Services”. You may search by town/city, county or name of the notary public or dedimus justice.

## 2. What are the requirements to apply for a Maine Notary Public commission?

To apply to become a Maine notary public, you must:

- Be at least 18 years old;
- Demonstrate the ability to read and write the English language;
- Be either a Maine resident or have a business or place of employment with a Maine location;
- Not have been convicted of or pled guilty or no contest to a disqualifying offense;
- Not have been convicted of or pled guilty or no contest to any crime punishable by one year or more of imprisonment;
- Not have been convicted of any crime involving fraud, dishonesty or deceit;
- Not have received a finding or have made any admission of liability in any legal proceeding or disciplinary action against you based on fraud, dishonesty, or deceit; and
- Not had a notary commission in any state revoked, suspended, conditioned, or not renewed for cause.

## 3. Can I apply to be a new Maine Notary Public online?

**No.** All applicants for a new notary public commission must complete and deliver to the Secretary of State the most recent “Application for a Notary Public Commission”. The form may be found on the Secretary of State’s website at [www.maine.gov/sos/cec/notary/notaries.html](http://www.maine.gov/sos/cec/notary/notaries.html).

## 4. What is the fee to become a Notary Public?

The fee is \$50.00. The fee may be paid using a check or credit or debit card. When paying by check, please make the check payable to the Treasurer, State of Maine.

## 5. My notary application has been approved and I have received a Certificate of Qualification, what do I do?

You have 30 calendar days from the date of appointment to appear before a Dedimus Justice to take the oath prescribed by [4 M.R.S. § 1922\(3\)](#). You may search for a Dedimus in your area at [https://apps1.web.maine.gov/cgi-bin/online/notary/search/search\\_index.pl](https://apps1.web.maine.gov/cgi-bin/online/notary/search/search_index.pl)

You have 45 calendar days from the date of appointment to return the completed certificate of qualification to the Secretary of State

If the Secretary of State does not receive the certificate within the 45 calendar days or the certificate demonstrates that the applicant was not sworn into office within 30 calendar days of appointment, the Secretary will notify the applicant of the failure to qualify. From the date of that notice, the applicant has 90 calendar days to request a reappointment by the Secretary of State.

## 6. Can a Maine Notary Public solemnize marriages?

**No.** Effective July 1, 2023, [19 M.R.S § 655](#) repealed the authority of a notary public to solemnize marriages in Maine. However, [5 M.R.S. § 90-G](#) created a separate office of “Marriage Officiant” for the purpose of solemnizing marriages. For more information and to obtain the form to apply for a marriage

officiant license, please visit [www.maine.gov/sos/cec/notary/marriage/marriageofficiant.html](http://www.maine.gov/sos/cec/notary/marriage/marriageofficiant.html).

All notaries public with an active notary public commission who are residents of Maine will automatically be issued a separate marriage officiant license if the notary has not declined (opted out) to be licensed as a marriage officiant by July 1, 2023.

A notary public who declines and later wishes to become authorized to solemnize marriages must file a separate application for a marriage officiant license.

If a notary public failed to opt out and receives a marriage officiant license from the Secretary of State, the marriage officiant licensee may surrender the license by logging into the “Total Notary Solution” available under “Online Services” at [www.maine.gov/sos/cec/notary/notaries.html](http://www.maine.gov/sos/cec/notary/notaries.html) and selecting “opt out” of the marriage officiant license or by submitting written notice to the Secretary of State. Once the written surrender of license has been submitted, the marriage officiant license is no longer valid. Upon submission of the written notice, the licensee must return their license certificate to the Secretary of State.

#### **7. What is the term of office/length of time of a notary public commission?**

A Maine notary commission is valid for seven (7) years. The notary public may apply for renewal of the notary public commission.

#### **8. I am not a Maine resident, can I become a Maine Notary Public?**

**Yes.** However, you must meet one of the following provisions to be eligible:

- Must have a place of employment located in Maine; or
- Must have a business located in Maine.

#### **9. Once approved for a notary public commission will my information be shared publicly?**

**Yes.** Once your notary public commission becomes active, your name, city or town of residence (**not your street address**), contact telephone number, and email address will be posted on the Secretary of State’s publicly accessible website.

#### **10. Is a Notary Public required to keep a journal?**

**Yes.** A notarial officer **MUST** maintain a journal for all electronic and remote notarizations.

A journal **is not** required for in-person paper notarizations. However, the Secretary of State strongly suggests that you maintain a journal for all notarial acts.

A journal may be created in a permanent, bound register which contains page numbers or in an electronic format, which must be in a permanent, tamper-evident electronic format complying with the rules of the Secretary of State.

**For all in-person paper notarizations:** You may only keep one journal at any one time.

**For all remote and electronic notarizations:** You are permitted to keep more than one journal at the same time.

Journals must be retained for 10 years after the performance of the last notarial act recorded in the journal.

## 11. What is remote notarization?

Remote notarization means a notarial act performed by a notarial officer, approved by the Secretary of State, for a remotely located individual using communication technology approved by the Secretary of State.

To clarify, the remotely located individual may be in another state or outside the United States.

## 12. What is electronic notarization?

Electronic notarization means performing a notarial act with respect to an electronic record using an electronic signature.

Regardless of the method used to perform a notarization, personal appearance **is always required**.

## 13. Does Maine law now allow remote and electronic notarizations?

**Yes.** Effective July 1, 2023, Maine adopted the Revised Uniform Law on Notarial Acts (RULONA) which provides for remote and electronic notarizations.

**However, before** a notarial officer can perform a **remote notarization** or a notarial act with respect to an **electronic document** or using an **electronic signature**, the notarial officer **must** complete and submit the “Notice to Perform Electronic and/or Remote Online Notarizations” form to the Secretary of State and must receive **approval by the Secretary of State**.

**Remote notarizations.** In a remote notarization, the signer of a document (referred to as a remotely located individual) is not in person with the notarial officer; rather, the notarization process is conducted using a technology provider that has been approved by the Secretary of State so that a notarial officer and a remotely located individual are able to communicate with each other simultaneously by sight and sound.

**Electronic notarizations.** In an electronic notarization, the signer of the record **must be** in person with the notarial officer and not remotely located. The notarial officer will provide the mechanism for the record to be signed electronically using the technology of an approved technology provider. The type of mechanism to be used will depend on the technology used by the notarial officer. An example of a mechanism to sign a document electronically would be an electronic signature keypad that you often see when paying with a credit card.

More information on remote and electronic notarizations can be found on our website at [www.maine.gov/sos/cec/notary/Remote/remoteorelectronic.html](http://www.maine.gov/sos/cec/notary/Remote/remoteorelectronic.html).

## 14. What is required before a notarial officer can start conducting remote or electronic notarizations?

**Before** a notarial officer can perform a **remote notarization** or a notarial act with respect to an **electronic document** or using an **electronic signature**, the notarial officer **must** complete and submit the “Notice to Perform Electronic and/or Remote Notarizations” form to the Secretary of State and must receive **approval by the Secretary of State**.

The following is some of the information that is required:

- The name(s) of the provider(s) of technology **approved** by the **Secretary of State** that the notarial officer has selected to use;
- A certification from each provider of technology confirming that the notarial officer has received **training** in the use of that technology and has been **approved** as a user of that technology;

- A certification by the notarial officer that the officer has read and understands the requirements of 4 M.R.S. chapter 39 and the administrative rules; and
- An example of the notarial officer's **electronic signature** and **official electronic stamp**.

**15. Instead of using a technology provider that has been approved by the Secretary of State, can I use Zoom or FaceTime?**

**No.** You may not use software or apps such as Zoom or FaceTime. You must use the communication technology provided by a technology provider that has been approved by the Secretary of State.

**16. Does the notarial officer need to take training or another test to be approved to do remote or electronic notarizations?**

**Yes.** A notarial officer is required to do the training in the use of the approved provider's technology. No additional test is required with the Secretary of State.

**17. I received approval from the Secretary of State to do remote and electronic notarizations, but I have a change in my technology provider, what must I do?**

You are required to notify the Secretary of State within ten (10) business days of making the change.

**18. Can I notarize a document for a family member?**

**No.** A notarial officer may not perform a notarial act:

- For any person if that person is the notary's spouse, domestic partner, parent, sibling or child or an in-law or a step or half relative.
- For a record to which the notary or the notary's spouse, domestic partner, parent, sibling or child or an in-law or a step or half relative is a party or in which any of them has a direct beneficial interest.

**19. What is the difference between a notary public and a notarial officer?**

A notarial officer is a notary public or other individual authorized to perform a notarial act under Maine law. Such as:

- A notary public commissioned by the Secretary of State;
- A justice, judge, clerk or deputy clerk of a court of this State; or
- An attorney-at-law duly admitted and eligible to practice in the courts of this State.

**20. What is a notarial certificate (certificate of notarial act)?**

A notarial certificate is a certificate which indicates the type of notarial act performed by the notarial officer and **must be included on all notarial acts**. A notarial act must be evidenced by the certificate.

The certificate must:

- Be executed during the performance of the notarial act;
- Be signed and dated by the notarial officer and, if the notarial officer is a notary public, be signed in the same manner as on file with the Secretary of State;

- Identify the jurisdiction in which the notarial act is performed;
- Contain the title of office of the notarial officer;
- If the notarial officer is a notary public, must include the commission expiration date; and
- Contain the legibly printed or typed name of the notarial officer.

## 21. When presented with a document that does not include a notarial certificate, what do I do?

A notarial certificate is required on all notarial acts. If one is not included on the document, it is the decision of the signer as to which notarial certificate to affix.

You may provide examples of the various notarial certificates to them, or they may contact the recipient of the document for verification of which notarial certificate to use.

## 22. I changed my name and/or address, what do I need to do?

You must notify the Secretary of State within thirty (30) calendar days of any change to the notary's status or information previously submitted. These changes can be completed online by going to "Total Notary Solution" available under "Online Services" at [www.maine.gov/sos/cec/notary/notaries.html](http://www.maine.gov/sos/cec/notary/notaries.html). Log into your notary record to update any changes needed.

If you are changing your name, you will also need to complete the [Change of Signature](#) form and submit it to the Secretary of State. This form may be emailed to [cec.notaries@maine.gov](mailto:cec.notaries@maine.gov).

An amended certificate of commission will be issued by the Secretary of State upon receipt of notice of a name change or change of residence to a new municipality.

**Please note:** If you also have the separate marriage officiant license to solemnize marriages, you will also need to submit changes in writing to the Secretary of State. **Remember, a notary public and a marriage officiant are separate offices** as of July 1, 2023, so you must update both your notary public and marriage officiant records.

## 23. Is a notary stamp required?

A notarial act regarding an in-person paper record does not require the use of a notary public stamp. However, the Secretary of State strongly suggests that a notary stamp be used on all notarizations, unless the use of the stamp is prohibited.

**However**, use of a notary public stamp **is required** on all electronic or remote notarizations.

A notary public's official notary stamp must include:

- The Notary's Public's name as it appears on their commission
- The words "Notary Public" and "State of Maine" or "Maine"
- The Notary Public's commission expiration date

The notary stamp must be **capable of being copied** together with the record to which it is affixed or attached or logically associated.

## 24. How do I renew my notary public commission?

To renew your commission, please use our "Total Notary Solution" available under "Online Services" at [www.maine.gov/sos/cec/notary/notaries.html](http://www.maine.gov/sos/cec/notary/notaries.html). You will need to log in by providing your first and last name, date of birth and commission expiration date. This service allows you to update your Notary Public Commission information with the Secretary of State, as well as to renew your Commission.

You may update your middle and last name, legal, physical and/or mailing addresses, contact telephone numbers, email address and any other language fluency.

If renewing your Notary Public Commission, you must take an online Notary Public Examination. The examination is based on the Course of Study that is available on our website at [www.maine.gov/sos/cec/notary/courseofstudy.pdf](http://www.maine.gov/sos/cec/notary/courseofstudy.pdf). This study covers the laws, rules, procedures, and ethics relevant to notarial acts. While taking the examination, if you provide an incorrect answer, you will not be able to advance to the next category of questions until a correct response has been provided.

Once you have completed the online renewal process and submitted the renewal payment, you will be required to print the application for renewal, Oath of Office form, and the notice providing important information on how to complete the renewal process. You must appear before a Dedimus Justice with your Oath of Office form to be sworn in as you did when you initially were commissioned as a Notary Public.