



AMERICAN SOCIETY OF NOTARIES

The American Society of Notaries offers the following information to enhance the public's understanding of the duties and responsibilities of Notaries Public.

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The Difference Between an Oath / Affirmation and an Acknowledgment

Oath/Affirmation

The person taking an oath swears to a Supreme Being ("So help me, God") that the information in the document is the truth. A person who is making an affirmation makes a personal vow that the information in the document is the truth; he/she simply prefers not to refer to a Supreme Being. The oath and affirmation have the same legal effect and are made under the penalties of perjury.

The notary will ask: "Do you swear under the penalties of perjury that the information contained in this document is the truth, so help you God?" for an oath. OR, "Do you affirm under the penalties of perjury that the information contained in this document is the truth?" for an affirmation. You must be able to truthfully answer "Yes."

Acknowledgment

The person who makes an acknowledgment is declaring that he (or she) has signed the document willingly (under his own free will), for the purposes expressed in the document. An acknowledgment indicates the signer's intent, free will and understanding of the document's consequences.

The notary will ask: "Do you acknowledge or declare that you understand this document and have signed it voluntarily for the purposes stated in it?" You must be able to truthfully answer "Yes."

Oath/Affirmation

Usually involves documents for which the document signer supplied certain information.

The signer will verbally swear to or affirm the truthfulness of the information provided, and also signs the document as a way of saying that the information in the document is true. The signer **MUST** sign the document in the presence of the notary; no exceptions. If the document is already signed, the signer may simply sign it again.

Typical Documents*
Application | Affidavit

Acknowledgment

Usually involves documents containing terms to which the signer is agreeing.

The person signs the document and thereby agrees to the provisions stated in it; the document may already be signed when presented to the notary (signing in the presence of the notary is not required, but acknowledging—"notarizing"—is). The signer will verbally acknowledge that he/she signed the document willingly, for the purpose stated in the document.

Typical Documents*
Contract | Deed | Power of Attorney

** These examples of typical documents are not all-inclusive, nor should they be construed as guidance to the signer for selection of a notarial act.*