



AMERICAN SOCIETY OF NOTARIES

NEW JERSEY

RECORDBOOK—NOT REQUIRED
(ONLY required when noting a protest)

State-Specific Recordbook Requirements - Revised November 2009

ASN recommends that ALL notaries use a recordbook of notarial acts. Notaries in several states are required to use a recordbook (also called a register or journal). Please review the following statutes as your state either requires the use of a recordbook OR has specific guidelines you must adhere to if you choose to use a recordbook (if not required by state law). You may print this document for your records.

TITLE 2A – ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE

2A: 82-5. Record used to refresh memory

When a notary public or any other person authorized to protest instruments under the laws of this state is called upon to testify concerning a protest made by him, he may, to refresh his memory, refer to the record thereof kept by him as required by law.

2A: 82-6. Copies of record of protest as evidence

If it appears that the notary or other officer of this state by whom any bill of exchange or promissory note was protested has died or removed from the state or, after diligent inquiry, his place of residence cannot be discovered, the record deposited in the county clerk's office, as required by section 7:5-5 of the title Bills, Notes and Checks, of the Revised Statutes, or a copy thereof certified by such clerk, shall be received as competent evidence of the matter contained in such record.

When the register or other book of any notary public appointed and qualified under the laws of any state of the United States containing a record of the official acts of such notary public by him done in pursuance of his office is, in pursuance of the law of such state, by reason of the death, removal or other disability of the notary public, deposited in the office of the clerk, prothonotary or recorder of deeds of the city, town or county in which the notary public resided at the time of his acting as notary public, a copy of the record or of any part thereof respecting the protesting of any note or bill of exchange protested by the notary public, and the time when, place where and upon whom demand of acceptance or payment was made, with a copy of the notice of non-acceptance or nonpayment (if a copy of the notice shall appear on said record), how the notice of non-acceptance or nonpayment was served, and the time when, or if sent, in what manner, and the time when, and to whom, duly certified under the hand and seal of such clerk, prothonotary or recorder of deeds, or otherwise proved to be truly taken from said record, shall be held and received in all the courts of this state as competent evidence of the facts therein recited, and also of the official character of the notary public. When it shall appear from such record that the said note or bill of exchange had been protested for want of acceptance or payment thereof, and that the said notary public making such protest had duly notified the drawer or indorsers, by mail, of the demand of payment or acceptance and refusal thereof, without specifying the names or the post office address of such drawer or indorsers, the copy of the record certified or proved as aforesaid, shall be held and received in all courts of this state as competent evidence that the drawer and indorsers of such note or bill of exchange were duly notified of such demand and refusal.

TITLE 7

BILLS, NOTES AND CHECKS

7:5-3. Record of protest by notary

Every notary public, upon protesting any bill of exchange or promissory note, shall record in a book to be kept for that purpose the time when, place where and upon whom, demand of payment was made, with a copy of the notice of nonpayment, how and when served; or if sent, in what manner and the time when; and if sent by post, to whom the same was directed, at what place, and when the same was put into such post office, to which record he shall sign his name.

7:5-4. Certificate of protest furnished

Any notary public who shall protest any bill of exchange or promissory note shall furnish to the person paying the costs and expenses of such protest a certificate under his hand and official seal of the matters and things required by section 7:5-3 of this title to be recorded by him.

7:5-5. Death or removal of notary; deposit of record

Upon the death or removal out of the state of such notary, the record mentioned in section 7:5-3 of this title shall be deposited in the office of the clerk of the county in which he last resided.