

California Notary Public

Solution key

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1. When a notary public's commission is no longer valid, what must they do with their notary seal?

- A. Mail it to the Secretary of State
- B (correct). Destroy or deface it so it cannot be used again**
- C. Surrender it to the county clerk
- D. Keep it in a secure location indefinitely

Rationale: When a commission ends (and is not renewed), the notary must destroy or deface their seal to prevent its misuse.

2. If a signer cannot sign their name due to a physical disability, how can a Notary Public proceed with a signature by mark?

- A. By having the signer stamp their thumbprint on the document instead of a signature.
- B. By attaching a special medical certificate to the notarial act.
- C. By having a single credible witness vouch for the signer's identity.
- D (correct). By requiring two witnesses to observe the mark, with one witness writing the signer's name next to the mark.**

Rationale: A signature by mark requires two witnesses to observe the signer making their mark. One of the witnesses must write the signer's name next to the mark, and then both witnesses must sign the notary journal.

3. Can a notary public use a single credible witness to identify a signer?

- A. Yes, if the witness is related to the signer by blood or marriage
- B (correct). Yes, if the credible witness personally knows the signer, is personally known to the notary, and presents acceptable ID**
- C. Yes, but the single credible witness does not need to provide their own ID
- D. No, California law always requires two credible witnesses

Rationale: A single credible witness may be used if the notary personally knows the witness, the witness personally knows the signer, and the witness has acceptable ID.

4. If a notary public's journal is stolen, lost, misplaced, destroyed, or damaged, how quickly must they notify the Secretary of State?

- A. Prior to purchasing a new journal
- B (correct). Immediately**
- C. Within 10 days
- D. Within 30 days

Rationale: The notary must immediately notify the Secretary of State by certified or registered mail, or any other means of physical delivery that provides a receipt, if the journal is lost, stolen, destroyed, or otherwise rendered unusable.

5. What is a "Proof of Execution by a Subscribing Witness"?

- A. A specialized acknowledgment used only for real estate transactions.
- B (correct). An act where a witness appears on behalf of the principal signer to prove the principal signed the document.**
- C. A jurat that is administered remotely using audio-visual communication.
- D. An act where the notary proves their own execution of the notarial certificate.

Rationale: This is a notarial act used when the principal signer of a document cannot appear before the notary. A subscribing witness who watched the principal sign the document (or heard the principal acknowledge it) appears before the notary on the principal's behalf to prove the execution.

6. Which notarial act specifically requires the signer to swear or affirm that the contents of a document are true?

- A. A Copy Certification
- B. A Proof of Execution
- C. An Acknowledgment
- D (correct). A Jurat**

Rationale: A Jurat is the notarial act that requires the signer to swear or affirm to the truthfulness of the document's contents under penalty of perjury, and the notary must watch the person sign the document.

7. What is the minimum age requirement to become a notary public in California?

- A. 25 years old
- B (correct). 18 years old**
- C. There is no minimum age requirement
- D. 21 years old

Rationale: An applicant must be at least 18 years old to be appointed as a notary public in California.

8. How much is the required surety bond for a California notary public?

- A (correct). \$15,000**
- B. \$10,000
- C. \$25,000
- D. \$20,000

Rationale: California law requires all notaries public to purchase and maintain a \$15,000 surety bond for their entire four-year term of office.

9. For which of the following documents is a notary public required to obtain the right thumbprint of the signer in their active journal?

- A. A last will and testament
- B. A standard commercial lease
- C (correct). A deed of trust affecting real property**
- D. A mechanic's lien

Rationale: California law requires a notary to obtain the signer's right thumbprint in the journal for deeds, quitclaim deeds, deeds of trust affecting real property, and powers of attorney.

10. A signer brings you a document with blanks that have not been filled in. What is the appropriate action to take?

- A (correct). Refuse to notarize the document until the signer fills in the blanks.**
- B. Fill in the blanks for the signer, then notarize the document.

- C. Notarize the document as is, since the contents are not the notary's responsibility.
- D. Have the signer cross out the blanks and initial them, then notarize.

Rationale: A California Notary Public must refuse to notarize any document that is incomplete. The notary cannot determine the document's legal effect, but must ensure no blanks are present before executing the notarial act.

11. Can a California Notary Public provide legal advice or choose the type of notarial certificate (e.g., Acknowledgment vs. Jurat) for a client?

- A. Yes, it is the notary's duty to ensure the correct certificate is attached.
- B. Yes, if the notary has taken a state-approved training course.
- C (correct). No, the signer must choose the certificate type, or the notary must refuse the notarization.**
- D. No, but the notary can call the Secretary of State to ask for legal advice on behalf of the client.

Rationale: No, a Notary Public who is not an attorney cannot give legal advice, which includes choosing the appropriate notarial certificate. The signer must choose the certificate type, or the notary must refuse the notarization.

12. Which of the following acts constitutes a misdemeanor regarding the notary seal?

- A. Using the seal to stamp a piece of scrap paper to check its ink level
- B (correct). Any person who without authorization makes, manufactures, or uses a notary seal**
- C. Forgetting to lock the seal in a secure area for one day
- D. Defacing the seal after the commission has expired

Rationale: Unauthorized manufacture, duplication, or use of a notary seal is a misdemeanor.

13. Which document is strictly prohibited from being notarized using a Proof of Execution by a Subscribing Witness?

- A. A commercial business contract
- B. A Power of Attorney
- C (correct). A Grant Deed**
- D. An Affidavit of Support

Rationale: California law prohibits using a Proof of Execution by a Subscribing Witness for any document affecting real property (such as a grant deed, quitclaim deed, or deed of trust), or any document requiring a thumbprint.

14. A notary is asked to notarize a document that contains blank spaces in the text. What must the notary do?

- A (correct). Refuse to notarize the document until the blanks are filled in or crossed out by the signer.**
- B. Notarize the document and cross out the blank spaces.
- C. Ask the signer what belongs in the blanks and write it in for them.
- D. Notarize the document as is.

Rationale: A notary must refuse to notarize a document if it is incomplete or contains blank spaces. The signer must fill in or cross out the blanks before notarization can proceed.

15. Which of the following forms of identification is acceptable for a notary to rely upon if it is current or issued within the last 5 years?

- A. A student identification card without a serial number
- B. A social security card
- C. A birth certificate
- D (correct). A driver's license issued by the California Department of Motor Vehicles**

Rationale: A California driver's license is acceptable if it is current or was issued within the previous 5 years.

16. A notary fails to require a thumbprint in their journal for a document conveying real property. What is the maximum civil penalty?

- A. \$1,500
- B (correct). \$2,500**
- C. \$10,000
- D. \$750

Rationale: Failing to obtain a required thumbprint in the notary journal carries a civil penalty of up to \$2,500.

17. What is the maximum fee a notary public may charge a member of the public for a photocopy of a line item from their journal?

- A. \$15 per page
- B (correct). \$0.30 per page**
- C. No fee can be charged
- D. \$1.00 per entry

Rationale: A notary may charge a maximum fee of thirty cents (\$0.30) per page when providing a photocopy of a line item from their journal to a member of the public.

18. What must a notary do with their journal(s) when they resign, are disqualified, or their commission expires without renewal?

- A. Retain the journals for a period of 10 years, then destroy them.
- B. Give the journals to their employer.
- C (correct). Deliver all notarial journals to the county clerk in the county where their current oath of office is on file within 30 days.**
- D. Destroy the journals securely to protect the signers' privacy.

Rationale: Upon resignation, disqualification, or expiration of a commission (without obtaining a new one within 30 days), all notarial journals must be delivered to the county clerk of the county in which the notary's current oath of office is on file within 30 days.

19. What is the maximum civil penalty for a notary who willfully states as true any material fact known to be false in an acknowledgment?

- A (correct). \$10,000**
- B. \$1,500
- C. \$750
- D. \$2,500

Rationale: Falsifying an acknowledgment is a severe offense punishable by a civil penalty of up to \$10,000.

20. What is the maximum fee a California notary public may charge for administering an oath or affirmation to one person and executing the jurat?

- A. \$20
- B. \$25
- C (correct). \$15**
- D. \$10

Rationale: The maximum prescribed fee for administering an oath or affirmation to one person and executing the jurat is \$15.

21. If a notary public changes their business or residence address, they must notify the Secretary of State by certified mail or physical delivery within how many days?

- A. 14 days
- B. 60 days
- C. 10 days
- D (correct). 30 days**

Rationale: A notary must notify the Secretary of State in writing, by certified mail or physical delivery with a receipt, within 30 days of any change of business or residence address.

22. Under California law, which two types of documents is a Notary Public specifically allowed to certify as copies?

- A. Birth Certificates and Marriage Licenses
- B. Wills and Living Trusts
- C (correct). Powers of Attorney and copies of the Notary's journal**
- D. Driver's Licenses and Passports

Rationale: A California Notary Public may only certify copies of a Power of Attorney and copies of their own Notary Public journal (when requested by the Secretary of State or by subpoena).

23. What is the civil penalty for a notary public who fails to provide the Secretary of State with a copy of a line item from their notary journal upon request?

- A. Up to \$10,000
- B. Up to \$1,500
- C. Up to \$750
- D (correct). Up to \$2,500**

Rationale: A notary public who fails or refuses to provide the Secretary of State with a requested journal line item or a copy of a journal page within the time specified by law is subject to a civil penalty of up to \$2,500.

24. For which of the following notarial acts is a notary public required to identify the signer using satisfactory evidence?

- A. Acknowledgment only
- B. Neither, personal knowledge is sufficient
- C (correct). Both an acknowledgment and a jurat**
- D. Jurat only

Rationale: California law prohibits the use of personal knowledge to identify signers. Satisfactory evidence is required for both acknowledgments and jurats.

25. What is the penalty for charging more than the maximum statutory fee for a notarial act?

- A. Up to \$1,500
- B (correct). Up to \$750**
- C. Up to \$500
- D. Up to \$2,500

Rationale: Overcharging for notarial services can result in a civil penalty of up to \$750.

26. Which of the following is NOT a requirement for a matricula consular card to be considered acceptable identification?

- A. It must contain a signature and a serial or identifying number
- B. It must be current or issued within the past 5 years
- C. It must contain a photograph and description of the person
- D (correct). It must contain the signer's social security number**

Rationale: A social security number is not a required element on any acceptable form of identification.

27. When completing a jurat, the notary must administer an oath or affirmation. What else is uniquely required for a jurat compared to an acknowledgment?

- A. The signer must have two credible witnesses verify their identity
- B. The notary must verify the truthfulness of the document's contents
- C. The signer must provide a thumbprint in the journal for any type of document
- D (correct). The signer must sign the document in the physical presence of the notary**

Rationale: For a jurat, the signer must personally appear, sign the document in front of the notary, and take an oath or affirmation.

28. How many days does a notary public have to file their oath of office and bond with the county clerk after the commission starting date?

- A. 15 days
- B. 45 days
- C. 60 days
- D (correct). 30 days**

Rationale: A notary public must file an oath of office and bond with the county clerk's office within 30 days of the beginning of the term prescribed in the commission.

29. A notary public must maintain a sequential journal of all official acts. If the journal is lost, stolen, misplaced, or destroyed, what must the notary do?

- A. Notify the county clerk within 15 days
- B. Wait until the end of the commission term to report it
- C. Purchase a new journal and continue notarizing without notification
- D (correct). Immediately notify the Secretary of State by certified or registered mail**

Rationale: The notary must immediately notify the Secretary of State by certified or registered mail if their journal is lost, stolen, misplaced, destroyed, or ruined.

30. If a signer does not possess acceptable identification, how can their identity be established?

- A. By the notary verifying their identity on a social media platform
- B (correct). By the oaths of two credible witnesses who personally know the signer and have acceptable ID**
- C. By relying on an expired driver's license issued 10 years ago
- D. By having the signer provide a thumbprint instead of ID

Rationale: If a signer lacks ID, their identity can be proven by two credible witnesses who know the signer, have their own acceptable ID, and take an oath affirming the signer's identity.

31. An employee identification card issued by an agency or office of the State of California is presented as ID. Is this acceptable?

- A (correct). Yes, if it is current or issued within the last 5 years**
- B. Yes, but only if accompanied by a secondary form of identification
- C. No, state employee ID cards are never acceptable
- D. Yes, even if it expired 10 years ago

Rationale: An employee identification card issued by an agency or office of the State of California, or by an agency or office of a city, county, or city and county in this state is acceptable if it is current or issued within the last 5 years.

32. When taking an acknowledgment, what must the notary public determine about the signer?

- A (correct). That the signer is personally before the notary and is positively identified**
- B. That the signer understands the legal implications of the document
- C. That the signer is willing to swear an oath regarding the truthfulness of the document
- D. That the signer signed the document in the physical presence of the notary

Rationale: For an acknowledgment, the notary must confirm the signer personally appeared and was positively identified as the person executing the document.

33. Can a notary public translate "Notary Public" into Spanish ("Notario Publico") in their advertising?

- A. Yes, but only if they are fluent in Spanish
- B. Yes, if they also include the English term "Notary Public"
- C. No, unless they charge a lower fee for Spanish-speaking clients
- D (correct). No, it is strictly prohibited and carries severe penalties including suspension or revocation of the commission**

Rationale: Using "Notario Publico" or similar terms is prohibited because in many Latin American countries, a "notario publico" is an attorney, which is misleading in California and carries severe penalties.

34. How many active sequential journals may a California notary public keep at any one time?

- A. Up to two, provided they are stored securely.
- B. As many as necessary to accommodate multiple business locations.

C (correct). One

- D. One for mobile notarizations and one for office use.

Rationale: A notary public is required to keep only one active sequential journal at a time for all notarial acts.

35. If a notary public has a direct financial or beneficial interest in a transaction, they may not perform any notarial act. Which of the following is an exception to this rule?

- A. The notary is named individually as a principal to the transaction
- B. The notary is a beneficiary of the trust document being notarized
- C. The notary is receiving a large commission based on the closing of the real estate transaction being notarized

D (correct). The notary is acting as an agent, employee, insurer, attorney, escrow, or lender for a person having a direct financial or beneficial interest

Rationale: A notary may act if their only interest is as an agent, employee, insurer, attorney, escrow, or lender for a person having a direct financial or beneficial interest, and they are not named individually as a party to the transaction.

36. Can a California notary public perform a notarial act on a document written in a foreign language?

- A. Yes, but only if the notary is fluent in the foreign language.
- B. No, the document must be translated into English first.
- C (correct). Yes, provided the notary is able to communicate with the signer and the notarial certificate is in English.**
- D. No, notaries can only notarize documents written in English.

Rationale: A notary may notarize a signature on a document in a foreign language if they can communicate directly with the signer (no interpreter allowed) and the notarial certificate itself is in English.

37. What is the penalty for willfully failing to notify the Secretary of State of a change of address or name within 30 days?

- A (correct). An infraction with a fine of up to \$500**
- B. A civil penalty of up to \$1,500
- C. A misdemeanor with a fine of up to \$1,000
- D. Immediate revocation of the notary commission

Rationale: Willful failure to notify the Secretary of State of a change of address or name is an infraction punishable by a fine of up to \$500.

38. When completing a certificate of acknowledgment, what must be enclosed in a box at the top of the certificate?

- A. The notary's official seal
- B. A notice stating that the document is valid only in California
- C. The notary's commission expiration date
- D (correct). A notice stating that the certificate verifies only the identity of the individual who signed the document to which it is attached, and not the truthfulness, accuracy, or validity of that document.**

Rationale: A certificate of acknowledgment must contain a specific disclaimer enclosed in a box at the top, stating it only verifies the identity of the signer, not the document's truthfulness, accuracy, or validity.

39. A member of the public requests a photocopy of a specific line item from your notary journal. What must their written request include?

- A. The date of the act, the county where it took place, and the signer's date of birth.
- B. The name of the notary, the date of the request, and the document type.
- C (correct). The names of the parties, the type of document, and the month and year in which**

the notarial act occurred.

D. A subpoena and the names of the parties involved.

Rationale: A public request for a journal entry must be in writing and include the names of the parties, the type of document, and the month and year in which the notarial act occurred.

40. If a peace officer asks to seize a notary's journal while investigating a criminal offense, what must the notary do?

A. Surrender the journal and obtain a court order before notifying the Secretary of State.

B. Hand over only photocopies of the relevant pages.

C (correct). Surrender the journal and notify the Secretary of State by certified mail within 10 days, including a copy of the receipt.

D. Refuse, because the journal is under the exclusive control of the notary.

Rationale: A notary must surrender their journal to a peace officer investigating a criminal offense if requested, provided they get a receipt. The notary must notify the Secretary of State by certified mail or any physical delivery with a receipt within 10 days, including a copy of the receipt from the peace officer.

41. Which of the following documents is a notary NOT permitted to certify as a copy?

A. A power of attorney

B (correct). A birth certificate

C. A journal line entry requested by a member of the public

D. A power of attorney and a journal line entry

Rationale: A California notary public may only certify copies of powers of attorney and copies of their own journal entries if requested by the Secretary of State or a court. They cannot certify copies of vital records such as birth, death, or marriage certificates.

42. For which type of document is a Notary Public explicitly forbidden from certifying a copy?

A. The Notary's own journal (upon subpoena)

B. A Power of Attorney

C (correct). A Birth Certificate

D. A standard contract between two private parties

Rationale: A Notary Public is not authorized to certify copies of vital records (such as birth, death, or marriage certificates). Certified copies of vital records must be obtained from the county recorder or state department of public health.

43. When recording a fee in the notary journal, what should a notary do if they did not charge a fee for the notarial act?

A (correct). Write "0" or "No Fee" in the fee space.

B. Only record acts where a fee was charged.

C. Leave the fee space blank.

D. Draw a line through the entire entry.

Rationale: The notary journal must reflect the fee charged for each notarial act. If no fee is charged, the notary must record "0" or "No Fee" in the journal so the record is complete.

44. A client requests that you notarize a document that is written in a language you do not understand. Can you perform the notarization?

A (correct). Yes, as long as the notary can communicate with the signer and the notarial certificate is in English.

B. Yes, but the notary must translate the entire document into English before notarizing.

C. No, unless the notary uses a certified interpreter to translate the document.

D. No, a notary cannot notarize a document written in a language they do not understand.

Rationale: Yes, a Notary Public can notarize a signature on a document in a foreign language,

provided the notarial certificate is in English, the notary can communicate with the signer, and the notary can verify the completeness of the document.

45. Where must a notary public keep their active, sequential journal when not in use?

- A. In a locked desk drawer accessible to their employer
- B. In any safe place at their primary place of business
- C (correct). In a locked and secured area under the direct and exclusive control of the notary**
- D. At the county clerk's office

Rationale: The notary journal must be kept in a locked and secured area under the direct and exclusive control of the notary public. No one else, including employers, may have access to it.