

A Kentucky notary public is authorized to administer oaths and take proof of execution and acknowledgement of instruments. Acknowledgement is a method of verifying that a person's signature on a document is from the person appearing before a notary and whose identity was reasonably verified by the notary.

As a public officer, a notary should perform any notarial power for any individual who makes a reasonable and lawful request for notarization. A notary should, however, refuse to notarize a document if the notary knows or has reason to believe that the transaction is fraudulent or illegal.

A notary should not refuse to notarize a document based on an individual's familial status, race, color, religion, national origin, sex, age over forty, or disability. Moreover, a notary should not refuse to notarize a document solely because the individual requesting notarization is not a client or customer of the notary or the notary's employer.

A notary should refuse to notarize a document if the notary suspects the signer: is being coerced; does not understand or is at the time of signing incapable of comprehending the consequences of signing the document. Further, a notary should refuse to notarize a document if the signer is not present, the document appears incomplete or blank, the notary is the signer, the signer is not personally known to the notary and cannot produce acceptable identification, the notary is a party to the underlying transaction, or the notary has a financial interest in the transaction.

A notary may not be required to act outside of the notary's regular office hours or if travel to another location is required. Additionally, a notary may not be compelled to notarize a document where the notarial act allowed by Kentucky law is not clear.

A Kentucky notary that is not an attorney licensed to practice law in Kentucky may not provide legal advice and should not draft legal documents for others. Additionally, the term "notario publico" alone does not confer authority to practice law in Kentucky. Practicing law without a license may result in civil and criminal penalty.

For more guidance, please see the frequently asked questions section of the Kentucky Office of Secretary of State's Notary Public Handbook or consult with a qualified attorney.