

PRACTICE EXAMS  
FOR THE  
CALIFORNIA  
NOTARY  
TEST

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## WHAT THIS BOOK IS

The California notary public exam is required of every applicant for a notary public commission, whether applying for the first time or renewing.

The Secretary does not release sample tests. The “[c]opying or communication of the test content is a violation of security regulation.”

These practice tests are formulated from the “knowledge points” required by the Secretary. They are presented in multiple choice format, as is the actual exam.

There are 4 practice exams with 20 questions each. These 80 questions cover all areas examined in the Secretary’s test.

The correct answers appear on a new page after the last (20<sup>th</sup>) test question.

## HOW TO USE THIS BOOK

Practicing with these tests will help you evaluate where you need to study. Taking these tests will help prepare you for the Big Day.

These tests are best taken without looking at reference material, to simulate the actual test experience.

The questions are designed to test your understanding of the intricacies of California notary law and rules.

Watch out for answers that are true in one circumstance but not for all of the question. Look for the “most true” answer.

Sometimes a response will have the correct answer (Yes or No) but with a wrong reason. Look for a better answer.

If you're guessing on an answer, don't go back and guess again. Studies show the “second” guess is more often wrong than the first guess.

On the Secretary's test, you need 70% correct answers to pass. On these 20 questions practice exams, that means you can miss 6 and pass.

If you pass all 4 exams, this indicates you likely have a thorough knowledge of the notary laws and rules for California.

If the exams point up some areas for improvements, please review your CE class.

## TEST ONE

-1. Practicing as a notary without a commission is:

---a. a felony

---b. a misdemeanor

---c. a tort

-2. The agency in charge of notaries public is

---a. the governor

---b. the attorney general

---c. the secretary of state

-3. A notary must live in California.

---a. Yes, a notary must be a resident

---b. No, you can be a notary if you just work in California

---c. No, you can be a notary if you are a US citizen

-4. A notary must take continuing education.

---a. Yes

---b. Yes unless the notary was commissioned prior to 2005

---c. Not necessarily. Only required of first time applicants and returning notaries who do not renew timely.

-5. The notary application is a public record.

---a. Yes, under the Unruh Act

---b. No, the application is private

---c. No, except for the notary's name and address

-6. A notary must be a US citizen.

---a. Yes, under the Equal Protection Clause

---b. No

---c. No if the notary was originally commissioned prior to NAFTA

-7. The applicant's fingerprints are checked with:

---a. California Department of Justice

---b. FBI and California Department of Justice

---c. FBI

-8. A substantial and material mistake or omission on the application

---a. is cause for denial

---b. is a felony

---c. means the application will be returned for correction

-9. Upon commission, a notary must

---a. record the oath with the Secretary

---b. file a fictitious business name statement

---c. file an oath of office and secure a surety bond

-10. How many days does the notary have to accomplish the task in question 9?

---a. 30

---b. 10

---c. 5

-11. How much time must pass after a crime of moral turpitude for a notary public application to be considered?

---a. 10 years after the commission of the crime

---b. 10 years after probation has expired

---c. 5 years after the commission of the crime

-12. The size of the photo which must accompany the application is

---a. 3 inches by 3 inches

---b. 1.5 inches by 1.5 inches

---c. 2 inches by 2 inches

-13. If a notary changes name, a form must be filed with the

---a. county recorder

---b. secretary of state

---c. Social Security Administration

-14. The notary has how many days to file the change of name form?

---a. 30

---b. 10

---c. 15

-15. A notary who wishes to resign

---a. sends journal and seal to the Secretary

---b. sends journal and seal to the county clerk

---c. sends journal to the county clerk and destroys the seal

-16. Willfully failing to notify the Secretary of a change of address is

---a. a misdemeanor

---b. grounds to revoke the commission

---c. an infraction punishable by a fine not to exceed \$500

-17. A notary can assist in filling out the form to be notarized.

---a. No, this is prohibited

---b. Yes if it is an immigration form

---c. No but the notary can suggest another form

-18. If the employer paid for the notary's seal and the notary leaves that job, the seal must be

---a. returned to the employer

---b. retained by the notary

---c. sent to county clerk

-19. The notary's willful surrender of the seal to a person not entitled to possess it is

---a. an automatic cancellation of the commission

---b. a misdemeanor

---c. an infraction punishable by a fine not to exceed \$500

-20. The border of the seal must be

---a. smooth

---b. rounded

---c. serrated or milled

THIS CONCLUDES TEST ONE.

THE CORRECT ANSWERS ARE ON THE NEXT PAGE.

CORRECT ANSWERS

FOR

TEST ONE

--1. B

--2. C

--3. A

--4. A

--5. C

--6. B

--7. B

--8. A

--9. C

-10. A

-11. B

-12. C

-13. B

-14. A

-15. C

-16. C

-17. A

-18. B

-19. B

-20. C

## TEST TWO

-1. What document may be notarized without a seal?

---a. subdivision map

---b. birth certificate

---c. deposition transcript

-2. A notary who loses a seal has how many days to notify the Secretary?

---a. 10 days

---b. 5 days

---c. Immediately

-3. The notary must enter the following fingerprint in the journal:

---a. left index finger

---b. right thumb

---c. no fingerprint is required

-4. Failure to obtain a fingerprint may result in:

---a. There is no requirement to obtain a fingerprint.

---b. A criminal fine of up to \$5,000 and/or 10 days in jail

---c. A civil judgment of up to \$2,500

-5. A notary must provide a copy of a journal entry to anyone who pays for it.

---a. No, the journal is confidential

---b. Yes, the journal is a public record

---c. Yes, if the request is made in writing

-6. If the journal becomes unusable, the Secretary must be notified by

---a. certified or registered mail

---b. email

---c. fax

-7. The notary has how many days to respond to requests for information from the Secretary?

---a. Immediately

---b. 30 days

---c. 5 days

-8. If the notary is disqualified, what happens to the journal?

---a. It is surrendered to the Secretary.

---b. It is sent to the county clerk.

---c. It is sent to the county recorder.

-9. A notary seeks reappointment 45 days after the commission expired. How should the journal be handled?

---a. It should be retained to be used with the new commission.

---b. It should be sent to the Secretary

---c. It should be sent to the county clerk.

-10. A journal becomes full. The notary should

---a. Purchase a new journal and retain the old journal

---b. Sent the completed journal to the county clerk

---c. File the completed journal with the Secretary

-11. The notary shall surrender the journal to a police officer

---a. on demand

---b. on being served with a search warrant

---c. never. The notary must always maintain control of the journal.

-12. An acknowledgement establishes

---a. the signer appeared before the notary, verified identity, and acknowledged executing the document

---b. the client signed the document in front of the notary and showed identification

---c. the signer appeared before the notary, showed identification and executed an oath as to the veracity of the facts contained in the document

-13. How does the notary establish satisfactory evidence that the signer is the individual described in and who executed the document?

---a. The notary checks the signer's drivers license.

---b. The notary must have an absence of suspicion of falsity and proof of identity.

---c. The notary takes a fingerprint.

-14. How does a notary establish the identity of a signer?

---a. By checking a drivers license

---b. By the oath of a witness who knows both the notary and the signer

---c. By one or two credible witnesses or government-issued photo identification

-15. A signer wishes to appear on webcam before the notary to execute an acknowledgement. Is this permissible?

---a. Yes, California permits electronic notarization.

---b. No, this does not satisfy the requirement to appear before the notary.

---c. Yes, the Notary Modernization Act of 2010 specifically authorizes this.

-16. A client wishes to conduct the notarization by fax. Is this permissible?

---a. Yes, California permits electronic notarization.

---b. No, this does not satisfy the requirement to appear before the notary.

---c. Yes, the Notary Modernization Act of 2010 specifically authorizes this.

-17. For an acknowledgement, the signer must sign in the notary's presence.

---a. No, this is not a requirement

---b. Yes, this is what the notary is certifying

---c. No, if the signer is over 18

-18. Notary Sally completed the acknowledgement form on Friday, went out to dinner with the signer, and affixed the seal on Saturday afternoon. Is this permissible?

---a. Yes, the final product is all that matters.

---b. No, she should have used a jurat if she was going to be interrupted.

---c. No, the acts must be completed in the same session.

-19. A notary can notarize an incomplete document.

---a. Yes, the notary is certifying the identity of the signer, not the contents of the document.

---b. Yes, if an acknowledgement is used.

---c. No, a notary cannot do this.

-20. If the notary does not speak the signer's language, an interpreter may be used.

---a. No, California does not allow this.

---b. Yes, federal law requires equal access regardless of language.

---c. No, the federal Homeland Security Act requires both to speak the same language.

THIS CONCLUDES TEST TWO.

THE CORRECT ANSWERS ARE ON THE NEXT PAGE.

CORRECT ANSWERS

FOR

TEST TWO

--1. A

--2. C

--3. B

--4. C

--5. C

--6. A

--7. B

--8. B

--9. C

-10. A

-11. A

-12. A

-13. B

-14. C

-15. B

-16. B

-17. A

-18. C

-19. C

-20. A

## TEST THREE

- 1. A jurat differs from an acknowledgement because
  - a. It is admissible overseas under the Hague Convention of 1964.
  - b. The notary administers an oath or affirmation.
  - c. Jurat is just an older term for an acknowledgement.

-2. The notary cannot notarize a document in a foreign language.

---a. This is what the Secretary recommends.

---b. The notary can notarize—federal law requires equal access regardless of language.

---c. The notary cannot notarize—the federal Homeland Security Act requires the notary to be able to read the language of the document.

-3. The signer must always appear before the notary.

---a. Yes, this requirement is inviolate.

---b. This is a federal requirement.

---c. No, if a subscribing witness is used.

-4. When is a credible witness absolutely required?

---a. when the signer is underage

---b. when a subscribing witness is used

---c. when the signer is unknown to the notary

-5. The signer must execute a signature.

---a. No, the signer can sign by mark.

---b. Yes, since 2001, this is a US government requirement

---c. Yes, for identification purposes if the document is ever questioned

-6. An immigration specialist who also holds a notary commission advertises he provides notary services. Is this acceptable?

---a. No, an immigration specialist is not allowed to advertise notary services.

---b. Yes, advertising is protected by the First Amendment.

---c. Yes, if the Secretary approves the ad.

-7. If a notary advertises in a language other than English, are there any rules?

---a. The notary must provide an English translation and disclosures.

---b. The notary must maintain an English translation at the notary's place of business for the Secretary's inspection.

---c. No, there are no rules.

-8. An immigration service employs a notary. Can they advertise that fact?

---a. No, that would endanger the notary's commission.

---b. Yes, advertising is protected by the First Amendment.

---c. Yes, if the Secretary approves the ad.

-9. A notary can perform weddings.

---a. Yes, if specially trained

---b. No, not in California

---c. Yes but only in the county of the notary's principal place of business

-10. A notary can issue confidential marriage licenses.

---a. If trained by the Secretary

---b. No, this is not a function of a notary.

---c. If trained by the county clerk

-11. The maximum a notary can charge for a signature on an acknowledgement is

---a. \$5

---b. \$15

---c. \$10

-12. For recording a protest, a notary may charge no more than:

---a. \$10

---b. \$5

---c. \$15

-13. For notarizing the signature on an absentee ballot identification envelope, the notary is allowed to charge:

---a. nothing

---b. \$2

---c. \$10

- 14. An US military veteran is entitled to free notarization when
- a. Never. A veteran is just like any other signer.
  - b. When getting a notarization for a veteran's benefit
  - c. When applying for a CalVet mortgage

-15. An employer who paid for the notary's professional expenses may require the notary's fees to be paid over to the employer. Is this true?

---a. Like the seal and journal, the notary must maintain control over fees received.

---b. Yes, this is a possibility but the employer is not required to so.

---c. In this case, the employer is required to receive the fees.

-16. John is vacationing with his family at a Sierra lake. A person walks up, renders the proper fee and requests a notarization. What should John do?

---a. Politely say he is not working today.

---b. Must notarize if he is commissioned within the county

---c. Must notarize

-17. The notary may post a sign “We reserve the right to refuse service to anyone” and choose who the notary will notarize for.

---a. Yes, the notary has the right to choose clients.

---b. No, this is illegal.

---c. Yes, if the notary does not discriminate based on race.

-18. The notary cannot notarize for relatives.

---a. Can notarize if not personally benefitting

---b. True. This would be a conflict of interest.

---c. If they pay the fee, the notary must notarize.

-19. Sally's husband comes to her with mortgage documents. Can Sally notarize her husband's loan?

---a. Sally may notarize for relatives.

---b. Sally may not notarize for an immediate family member.

---c. Because California is a community property state, Sally will likely benefit from her husband's investment and thus is barred from notarizing the documents.

-20. John, a notary, wants to meet women. So on Thursdays he has Ladies Day and charges women half price for his services. Is this legal?

---a. No, it violates Craig vs. Boren.

---b. Yes, John is free to set his own prices.

---c. No, it is illegal under the Gender Tax Repeal Act of 1995

THIS CONCLUDES TEST THREE.

THE CORRECT ANSWERS ARE ON THE NEXT PAGE.

CORRECT ANSWERS

FOR

TEST THREE

--1. B

--2. A

--3. C

--4. B

--5. A

--6. A

--7. A

--8. A

--9. B

-10. C

-11. C

-12. B

-13. A

-14. B

-15. B

-16. C

-17. B

-18. A

-19. C

-20. C

## TEST FOUR

- 1. Authority to issue confidential marriage licenses lasts
  - a. until the notary's commission expires
  - b. There is no such authority.
  - c. 1 year

-2. Not paying family or child support is

---a. unrelated to the notary commission

---b. cause for problems with the commission

---c. a separate issue for which the notary may get into trouble but not with the Secretary

-3. A notary can notarize the notary's own signature.

---a. only if the notary will not be personally benefited

---b. cannot

---c. only if the notary qualifies for the grandfather clause (having maintained a continuous commission since 2005)

-4. If the Secretary files an accusation, how many days does the notary have to file a notice of defense?

---a. 20

---b. 30

---c. 10

-5. The Secretary holds a hearing regarding a notary's possible misdoings in these counties:

---a. San Francisco, Sacramento, Los Angeles, San Diego

---b. San Francisco, Sacramento, Los Angeles, San Bernardino

---c. Alameda, Sacramento, Los Angeles, San Diego

-6. Authority to issue confidential marriage licenses is good:

---a. throughout the state

---b. just in the county where the notary received training

---c. There is no such authority.

-7. After the Secretary's decision, a notary has how many days to file a motion for reconsideration?

---a. 30

---b. 20

---c. 10

-8. A notary desiring to be a mortgage loan signer requires a certification from

---a. No further certification is needed.

---b. The Secretary

---c. The Office of Mortgage Regulation and Oversight

-9. Jill is doing genealogy. She contacts the county clerk for a copy of her grandmother's confidential marriage license. What will happen?

---a. The clerk will issue a copy of the license for a fee.

---b. The license is not a public record and thus unavailable to Jill.

---c. California does not have a confidential marriage license.

-10. A notary can notarize an electronic (web) document.

---a. yes

---b. no

---c. only if the notary passed the electronic notarization test given by the Secretary

-11. A signer seeking notarization of a web document must appear before the notary.

---a. No—that defeats the purpose of electronic notarization.

---b. Yes

---c. There is no such thing as electronic notarization in California.

-12. An apostille is

---a. an acknowledgement which has been sworn to under penalty of perjury

---b. a certification of the notary's term of office

---c. an authentication of a notarized document destined for use overseas

-13. An apostille is done by

---a. the notary

---b. the governor

---c. the Secretary

-14. All countries accept apostilles.

---a. Yes

---b. The apostille is not used outside the United States.

---c. No

-15. A notary is notarizing a document destined for Nevada. The signer requests an apostille.

---a. The notary applies the apostille and charges the appropriate fee.

---b. The apostille is not used inside the United States.

---c. The notary notarizes the document, then forwards it to the county clerk for an apostille.

-16. Apostilles are accepted by

---a. Countries adhering to the Hague Convention

---b. Members of the United Nations

---c. Apostilles are not used outside the United States.

-17. For countries which do not accept apostilles, what is done?

---a. Apostilles are not used outside the United States

---b. Certification

---c. Foreign countries accept notarizations by duly commissioned notaries resident in the United States

-18. How soon can a notary take continuing education before the end of the commission?

---a. 2.5 years

---b. 6 months

---c. 1 year

-19. When not in use, Jennifer keeps her seal in her desk drawer.  
Is this acceptable?

---a. Yes if nobody rummages in her desk

---b. No

---c. Yes, if the drawer is locked

-20. The notary's seal can be square.

---a. The seal can be of any shape as long as it has the required information.

---b. The seal must be round or rectangular.

---c. The seal can be square if the notary is using an embossed seal instead of a rubber one.

THIS CONCLUDES TEST FOUR.

THE CORRECT ANSWERS ARE ON THE NEXT PAGE.

CORRECT ANSWERS

FOR

TEST FOUR

--1. C

--2. B

--3. B

--4. A

--5. C

--6. C

--7. A

--8. A

--9. B

-10. A

-11. B

-12. C

-13. C

-14. C

-15. B

-16. A

-17. B

-18. A

-19. C

-20. B

This book is not approved as  
notary public continuing education.