

Grab Bag of Notary Basics

Article 7 - Miscellaneous

5 GCA

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Notary Unit



ARTICLE 7

5 Guam Code Annotated, Chapter 33, §§ 33101-33701

- ▶ § 33550. Change of Address.
- ▶ § 33551. Change of Name.
- ▶ § 33552. Lost Journal or Seal.
- ▶ § 33553. Resignation.
- ▶ § 33554. Disposition of Seal and Journal.
- ▶ § 33555. Death.
- ▶ § 33556. Copying Fees.



§ 33550. Change of Address.

Within thirty (30) days after the change of a notary's business or residence address, the notary **shall deliver** to the Attorney General, by certified mail or other means providing a receipt, a signed notice of the change, giving both old and new addresses.

- Formal letter** from Notary
- Letter must be **hand delivered**, no electronic copies
- Address on Stamp/Seal (If address used on stamp seal changes, the notary must obtain a new stamp/seal)



§ 33551. Change of Name.

- ▶ (a) A notary with a change of name **shall deliver** to the Attorney General a signed notice of the change, giving both old and new names and the effective date of the new name.
- ▶ (b) Starting on the effective date of the change, a notary with a new name officially shall sign that name on all notarial certificates, but only after the following steps have been completed:
 - ▶ (1) The notice described in subsection (a) of this section has been delivered;
 - ▶ (2) A Confirmation of Notary's Name Change has been received from the Attorney General;
 - ▶ (3) A new seal bearing the new name exactly as in the Confirmation has been obtained; and
 - ▶ (4) The surety for the notary's bond has been informed in writing.



Change of Name - continued

- Notary must deliver formal letter of name change, no electronic copies
- Supporting documentation for name change
 - Marriage (Marriage Certificate)
 - Divorce (Divorce Decree)
 - other
- Endorsement Bond from the Surety to support the name change
(Old name-New Name)
- After all have been completed, new Commission will be signed and issued by the Attorney General



§ 33552. Lost Journal or Seal.

- ▶ Within ten (10) days after the loss or theft of any official journal or seal, the notary shall deliver to the Attorney General, by certified mail or other means providing a receipt, a signed notice of the loss or theft, and inform the appropriate law enforcement agency in the case of theft.
- ▶ Formal letter with any and all supporting documents regarding the loss or theft of the notarial journal(s) or seals
- ▶ Inform the proper authorities (GPD)
- ▶ Damaged journal(s)
 - ▶ Journal(s) must be kept in the exclusive custody of the notary at all times and kept in a safe and secure environment to avoid damage, loss, and theft.
 - ▶ Safe from the elements!!



§ 33553. Resignation.

- ▶ (a) A notary who resigns a notarial commission shall deliver to the Attorney General, by certified mail or other means providing a receipt, a notice indicating the **effective date of resignation.**
- ▶ Formal letter to the Attorney General is **required**
- ▶ Journal inspection **required**
- ▶ Disposition of seals **required** (Done by Notary)



§ 33554. Disposition of Seal and Journal.

- ▶ (a) When a notarial commission is resigned, revoked, or expires, the notary shall:
 - ▶ (1) As soon as reasonably practical, **destroy** the official seal; and
 - ▶ (2) Within thirty (30) days of the after the effective date of resignation, revocation or expiration, **deliver** to the Attorney General, by certified mail or other means providing a receipt, the notarial journal and records.
 - ▶ Must **destroy the seal** as soon as possible
 - ▶ Deliver Journal(s) to our office for **inspection** within 30 days
 - ▶ Notary must be present at the time of inspection



§ 33555. Death.

- ▶ If a notary dies during the term of commission, the notary's heirs or legal representative, as soon as reasonably practical after death, shall deliver to the Attorney General by certified mail or other means providing a receipt (i) a notice of the date of death, and (ii) the notarial journal and records.
- ▶ Heirs
 - ▶ Usually a spouse, parent(s), or close relative and friend

Legal Representative

Company attorney or immediate supervisor



§ 33556. Copying Fees.

- ▶ Notwithstanding 5 GCA § 10203, or any other law, the Attorney General may charge a copying fee not to exceed Two Dollars (\$2) for the first page of any requested document under this Chapter, such as Notarial Commissions, Certificates of Authority and the Model Notary Law, not to exceed One Dollar (\$1) for each additional page. All fees shall be deposited into the Fund.
SOURCE: Added by P.L. 23-81:14.



