

14 THE NOTARY NOTES

You are to prepare four original sets of Notary Notes to be attached to the Certificate of Dishonor stating the terms of the agreement (if applicable).

You should prepare the Notary Notes ahead of time and the contents should be taken directly from your original CA/A. Ensure all the “agreements” are contained within the Notary Notes, but it should appear as though the notary wrote it. It is critical that you use precise and exact wording. The notary cannot add words or interpret law or intent, or clarify anything that is ambiguous in your original CA. The phrasing should not be changed other than to make it fit the format of the attachment; i.e., noun and verb tense may be changed since the presentment will usually have future tense verbs and the attachment will have present tense or past tense verbs.

The notary should take all due diligence to compare the wording on the attachment to the wording on your CA. Technically, the notary is not held liable for mistakes on a protest because it is one of her judicial duties, but you do not want to put the notary in a compromising situation that can be avoided by your being diligent.

The notary will also sign the attachment showing her findings of fact based upon your affidavit and their dishonor.