FIRST CHOICE
MOBILE NOTARY & APOSTILLE

(866) 828-6856
Book an Appointment Online
www.firstchoicemobilenotary.com

# North Carolina Proof by Subscribing Witness: Notary Instructions

Proof by Subscribing Witness — North Carolina statutory certificate (G.S. 10B-41 to 10B-43)

**NOTARY REFERENCE — DO NOT ATTACH THIS PAGE TO THE DOCUMENT.**

## Proof by subscribing witness

- North Carolina allows a subscribing witness who saw the principal sign (or acknowledge) a document to appear before you in the principal's place. Identify the witness, administer an oath or affirmation, and confirm the witness is not a grantee or beneficiary of the transaction (G.S. 10B-41).

## 1. Never choose the notarial act for the signer

- Use the certificate wording already on the document. If there is none, ask which notarial act the document or receiving agency requires. You may explain the difference, but the signer decides. Choosing for them, preparing documents, or giving legal advice is unauthorized practice of law (G.S. 10B-20).
- **Acknowledgment:** the signer declares they signed willingly. **Verification (jurat):** the signer swears or affirms the contents are true and signs in your presence. **Oath or affirmation:** a spoken oath with no document signed in your presence. **Proof by subscribing witness:** a witness who saw the principal sign appears for the principal.

## 2. Personal appearance and identity

- The signer must appear before you in person, or by remote or electronic notarization only if you are registered for it under North Carolina law. Identify the signer by personal knowledge or satisfactory evidence: a current identification card with photograph and signature issued by a government agency, or a credible witness personally known to you.

## 3. Completing the certificate and seal

- Complete every blank, including the county where the act takes place, the date, and the names. Sign exactly as commissioned, print your name, and include your commission expiration date.
- Your seal or stamp must be clear and legible and show your name exactly as commissioned, the words "Notary Public," and the county and state of commission. For a loose certificate, fill in the attached-document box and staple it to the document.

## 4. Journal

- A journal is required for electronic and remote notarizations and strongly recommended for every notarization: date, type of act, document, signer's name and address, how the signer was identified, and the fee charged.

## 5. Limits

- Do not notarize your own signature, a document in which you or your spouse is named or has an interest, or a document for a signer you believe is not competent or is acting under duress. North Carolina notaries may not certify copies of documents. Charge no more than the fees allowed by G.S. 10B-31. A notary who is not an attorney may not give legal advice.

These notes are a general reference for North Carolina-commissioned notaries and are not legal advice. Follow the North Carolina Notary Act (G.S. Chapter 10B) and current North Carolina Secretary of State notary rules. © 2027 First Choice Mobile Notary & Apostille.

# PROOF BY SUBSCRIBING WITNESS

State of North Carolina

**ATTACHED RECORD (recommended for a loose certificate)**

Title or type of record | Record date | Number of pages

Signer(s) other than those named below (if any)

**PROOF BY SUBSCRIBING WITNESS**

**STATE OF NORTH CAROLINA )**
**)**
**COUNTY OF )**

I certify that the following subscribing witness personally appeared before me this day and certified to me under oath or by affirmation that he or she is not a grantee or beneficiary of the transaction, signed the foregoing document as a subscribing witness, and either (i) witnessed the principal named below sign the foregoing document or (ii) witnessed the principal acknowledge his or her own signature on the already-signed document:

name of subscribing witness | name of principal

Date

The signer appeared before me:

in person

by remote notarization, as authorized under North Carolina law

**X**

Notary Public

(Notary seal)

Notary's printed name

Notary Public, County of commission | My commission expires

© 2027 First Choice Mobile Notary & Apostille • (866) 828-6856 • firstchoicemobilenotary.com