



DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

Program Statement

OPI: DDO
Number: 3125.1B
Date: July 20, 2010
Supersedes: 3125.1A (8/31/00)
Subject: Notaries Public,
Appointment of

1. **PURPOSE AND SCOPE.** To establish procedures within the D.C. Department of Corrections (DCDC) for the appointment of employees as Government Notaries Public when they are required to serve in that capacity in the performance of their official duties, and to authorize an allowance not in excess of the expense incurred to obtain the commission.

2. **NOTICE OF NON-DISCRIMINATION.**
 - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2.1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
 - b. DOC prohibits discrimination against inmates based on an inmate's race, religion, national origin, gender, sexual orientation, disability or any other type of prohibited discrimination when making administrative decisions and in providing access to services, programs and activities.

3. **PROGRAM OBJECTIVES.** The expected results of this policy are:
 - a. Government Notary Public services shall be provided for employees of the D.C. Department of Corrections (DCDC) in the performance of their official duties.
 - b. Government Notary Public services shall be available for inmates, committed to the custody of the DCDC, when required for power of attorney and access to the courts.

4. **DIRECTIVES RESCINDED.**

- a. DO 3125.1, "Appointment of Notaries Public," (12/30/80)

5. AUTHORITY.

D.C. Code § 24-211.02, Powers; Promulgation of Rules

6. STANDARDS REFERENCED.

None

- 7. DELEGATION OF AUTHORITY.** The Deputy Director, Warden, Deputy Wardens, Administrators, and Office Chiefs are delegated authority to select and monitor nominees for appointment as Government Notaries Public subject to the approval by the Director or his designee.

8. PROCEDURES

- a. Requests for appointment of an employee as a Government Notary Public shall be submitted by memorandum through the chain of command to the Director for approval. All requests shall be based on a realistic appraisal of the employee's job, its relationship to the actual needs of Notary Public services, the number of documents to be notarized and the availability of such services from other Offices or Divisions.
- b. If the request is disapproved, the request memorandum shall be returned to the employee with a statement signed by the disapproving official stating why the request was disapproved
- c. If the request is approved, the approved memorandum shall be returned to the employee with the approval noted and signed by the approving official.
- d. After the employee receives the memorandum approving the request to be a Government Notary Public, the employee shall apply to be appointed in the District of Columbia, depending of where the employee works.
- e. When an employee has been appointed, he or she shall submit a request for materials and supplies, along with a copy of the approved memorandum, through the chain of command.
- f. Payment of Notary Public expenses in obtaining a commission shall be limited to commission fee, rubber stamps, seal and notary bond as may be required by the laws of the District of Columbia as applicable.

8. RESTRICTIONS

- a. Government Notary fees shall not be collected at any time when a Notary Public is exempted from the payment of the license fee under D.C. Code § 1- 1201(b) and appointed under the provisions of this Program Statement.

- b. Government Notary services for employees shall be limited to the performance of government duties.
- c. Government notary services shall be limited to DC DOC business and to inmates requiring notary services for power of attorney and access to courts.
- d. An employee may only serve as a Government Notary Public as provided in this Program Statement. The employee may not serve as a Notary Public during his or her non-working hours or notarize any document that is not related to DC DOC business and/or an inmate's need for the notarization of a document.

9. RECORDS AND REPORTS

- a. Each appointed Government Notary Public shall maintain a current record or log of all transactions performed during his or her tenure. The following information must be recorded for each transaction:
 - 1. Place / Location of transaction. Facility or office, city, district or state.
 - 2. Type of transaction. e.g. oath, acknowledgement, affidavit, deposition.
 - 3. Date signed or administered. Record the date the transaction took place.
 - 4. Subject or summary of instrument. Indicate the subject, title or summary of the instrument, e.g. power of attorney, civil action number and title.
 - 5. Name of the individual signing the instrument. The name of the person or persons signing the document.
- b. Government notaries licensed in the District of Columbia shall submit an annual report of all transactions conducted during the previous year through the Director to the DC Office of the Secretary, Office of Notary Commissions and Authentications by January 15 of the following year.
- c. The Director's office shall publish a list of employees who are Government Notaries Public annually in January of each year and update the list as changes occur.


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