

LAWYER OR NOTARY?

In Mexico, a notary is a lawyer with qualifications in addition to being an attorney. But in the United States, A NOTARY IS NOT A LAWYER.

SOME DIFFERENCES BETWEEN LAWYERS AND NOTARIES



LAWYERS



NOTARIES

<u>Education normally required:</u> <ul style="list-style-type: none"> • seven years of college after high school 	-speak and write English
<u>ATTORNEYS ARE AUTHORIZED TO:</u> <ul style="list-style-type: none"> • advise clients regarding rights and legal options • represent and speak on behalf of their clients in and out of court. 	<u>NOTARIES ARE AUTHORIZED TO:</u> <ul style="list-style-type: none"> - witness an act – for example, verify the identity of someone signing a document, certify copies and receive protests regarding instruments of credit; - place a witness under oath;

A NOTARY MAY NOT GIVE LEGAL ADVICE
UNLESS THE NOTARY IS ALSO A LICENSED ATTORNEY.



Lawyers



Notaries

<u>Exam:</u> <ul style="list-style-type: none"> • In Washington attorneys take a test that lasts three days. 	-none
<u>Background:</u> <ul style="list-style-type: none"> • Proof of graduation from an accredited law school; • Recommendation from three attorneys who know the candidate; • Approval from the Washington State Supreme Court. 	-signatures of three people over the age of 18
<u>Protected Communications :</u> <ul style="list-style-type: none"> • No one can force a lawyer to reveal the communications of their client. An attorney could lose his or her license for revealing a client's secrets. 	-none

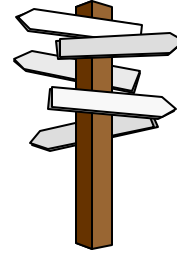


To find out if someone is a lawyer in the State of Washington:
Call the Washington State Bar Association (WSBA) at 1-800-945-9722. For Spanish, ask to speak with Helen, or you can call her direct at 206-727-8283. Ask if the person offering services is a licensed attorney and if, during that attorney's career, there have been any complaints against her/him.

To find out about your rights against a person that has deceived you:

Claims against attorneys:

- You may call the WSBA at 1-800-945-9722. This office can tell you how to make a formal complaint. The office can also inform you about a fund for people who have suffered from fraud or incompetence of an attorney.



Claims against any “consultant” (attorney, notary or other)

- Call CLEAR at 1-888-201-1014 for legal advice, free to low-income persons. Some of their attorneys speak Spanish. When you call you should be prepared to wait on the line because this service is very busy.
- Call Northwest Immigrants Rights Project in Granger at 1-888-756-3641, or in Seattle at 1-800-445-5771. These are non-profit attorneys for low-income persons who specialize in immigration matters. This is also a very busy service.
- You may also consult with a private attorney to find out if it would benefit you to file a lawsuit against the consultant;
 - Notaries must pay a bond of \$10,000 to ensure “proper performance of notarial acts.”
 - It is very common for attorneys to have private insurance in case the attorney makes a legal mistake.
 - Under the Consumer Protection Act of Washington State, a victim of fraud who can prove systematic fraud against the public could win in court up to three times the damages suffered (up to \$10,000).
- You could report to the office of the Attorney General of Washington State, Consumer Protection Division, at 1-800-551-4636. If they receive many complaints about the same person, they may take action against that person.
- You could report to the police. If there are many reports about the same person, the county prosecutor might take action.

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of the date of its printing, April 2001.

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