Reverse Your Thinking ®

EDUCATIONAL RESOURCE SERIES
Collaborate. Educate. Problem-Solve.

SIGNATURE REQUIREMENTS

Understanding signature formats for Power of Attorney, Conservatorship, Life Estates, and Signing with an X.



Below are sample formats where John Doe is the Principal/Ward/Remainder and Jane Doe is the Agent or Conservator.

Power of Attorney

John Doe by Jane Doe, as attorney in fact

Conservatorship

Jane Doe, Conservator of the Estate of John Doe

Jane Doe, Conservator of the Estate of John Doe under Superior Court Case #000

Life Estate

*Only required on security instruments

John Doe, as remainderman

Signing with an X

Two credible witnesses near the mark in clear area. First witness writes in name of borrower just by the mark. Notary cannot be a witness.

X

SIGNING BY "X"

As senior citizens age they may have difficulty carrying out everyday tasks such as signing their name. Although their mind remains sharp, they may lose the ability to carefully sign important documents. The use of a power of attorney may not be necessary considering all 50 states permit an individual to sign his or her name by an "X".

STANDARD REQUIREMENTS

- The borrower must be present before a notary public.
- Have proper identification (based on state laws).
- Be able to comprehend and communicate clearly that their signature is by their own will and with no concerns as to competency.
- The mark should be witnessed by two persons other than the notary, who also have proper identification.
- The notary should record journal entry signer's mark, the witness' signatures and any additional information regarding special circumstances.

- **Please double check with your Settlement Team as Lender requirements may vary.**
- **Each state may have its own requirements.**
- **Please verify with your Settlement Team regarding specific signature by mark procedures.**

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