

**TULANE UNIVERSITY  
SCHOOL CONTUING STUDIES  
PARALEGAL STUDIES PROGRAM**

**Title of Course:** Introduction to Notary Public  
**Course Number:** PARA - 430  
**Credits:** 3 hour credit course  
**Location:** Elmwood  
**Term:**  
**Day/TIME:**

**Instructor:**  
**Contact:**

**Tulane email:**

**Office Hours:** By appointment and prior to and after class.

**Course Description:** This course is an introduction to the general duties, powers and law of a Notary Public. Upon completion of this course the student should have an understanding of the law governing Louisiana notaries in the areas of matrimonial regimes, adoptions, emancipations, tutorships, curatorships, interdictions, successions, wills, donations, real estate, mortgages, security interests and formation of businesses.

**Required Texts:** 2005 Study Guide from the Secretary of State  
2006 Ed. Louisiana Notary Handbook (West)  
Civil Codes vols. 1 and 2 (West 05, 06, or 07 ed.)

**Grading:** Your semester grade will be calculated as follows: three unit examinations (75%) individual presentation (10% - determined by peers) weekly quizzes and homework 15%. You are allowed to drop two quizzes and/or homework.

95 – 100	A	80 – 83	B-	67 – 69	D+
94 - 90	A-	77 – 79	C+	64 – 66	D
87 – 89	B+	74 – 76	C	60 – 63	D-
84 – 86	B	70 – 73	C-	00 – 59	F

**Attendance:** Attendance is mandatory. **Makeup's will not be given.**

**Honor Code:** All student work is governed by the Tulane University Honor Code. [www.tulane.edu/~jruscher/dept/Honor.Code.html](http://www.tulane.edu/~jruscher/dept/Honor.Code.html) Only those projects specifically designated as group projects can be worked on together all other work must be performed solely by the individual student. Any violations will be reported to the Honor Board for review.

**Instructional Method:** To consist of lectures, games and class discussions.

**Disability Accommodation:** Tulane will make available reasonable accommodations IAW section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Any student with specific questions about Office of Disability Services (ODS) procedures and policies should contact the Director of ODS for additional information or view the ODS website at <http://www.tulane.edu/~erc/disability>

- Course Competencies/ Objectives:**
1. Understanding of the legal terms and principles germane to the notary public practice.
  2. Experience in drafting, authentic acts and acts duly acknowledged utilized in the notary public practice.
  3. Understanding of the role on non-attorney notaries in the formation of business entities the preparation of wills, trusts, power of attorneys and matrimonial agreements and transfer of immovable property.
  4. Ability to distinguish from the legal and ethical practice on a non-attorney notary public and the unauthorized practice of law.
  5. Ability to apply relevant legal principles to hypothetical requests for notary public services.
  6. Ability to locate Louisiana Notary Law statutes through independent research.

**Course Outline:**

**WEEK1 Introduction to Notary Public**

**Synopsis** The lectures in this course are based on 2005 Official Study Guide for the Notary Public Examination and the Louisiana Notary Handbook 2006 ed. Two of the lectures will be focused on the Civil Code and your Unit Examinations will have “root and find” questions.

**Lecture** Lecture 1 Orientation of Class, the Examination, the Role of Notary Public in Louisiana, the Louisiana Court System, and Sources of Law and Legal Authority,

**Synopsis** Outcomes:

- \* Differentiate between the civil law notary and the common law notary.
- \* Define the term Jurisdiction
- \* List the courts of Louisiana with original jurisdiction, courts of Louisiana with appellate jurisdiction and courts of Louisiana with supervisory jurisdiction.
- \* What are the sources of law?

\*List the statutes and codes that comprise the Louisiana's "expression of legislative will"

\* Define the term jurisprudence. Is it law?

Reading 1-37, 597-600, 47-80, 269-290 Study Guide  
1-23, 25-32, 71-88 Notary Handbook

**Week 2 General Duties and Powers of a Notary Public**

Lecture Lecture 2 General Duties and Powers of Notary Public, Preparation of Forms  
Review from Lecture 1

Synopsis Outcomes:

\*List the requirements to becoming a notary public

\*List the General Powers of a notary public and where the notary public may exercise these powers.

\*Distinguish between de jure notary and de facto notary.

\*Distinguish between functioning as a notary and engaging in the unauthorized practice of law.

\*List the components of a juridical act

\*Explain who is competent to be a witness

Activities Draft an appearance clause for a single individual, a married individual,  
Draft a blank juridical act

Reading 39-42, 282-290, 291-296 Study Guide  
49-70 Notary Handbook

**Week 3 Kinds of Acts; Registry and Recordation**

Lecture Private acts, Acknowledgments, Authentic Acts, and Affidavits  
The Race to the Courthouse. Review from Lecture 2

Synopsis Outcomes

\*Distinguish between the private act, acknowledgments, authentic act and affidavits

\*Define the term Oath

\*Define the term affidavit

\*Define a Jurat

Activities \*Draft each one of these acts

Homework Assignment: Handout on the Civil Code.

**Week 4 The Civil Code**

Lecture Review the Preparation of Acts; How is the Civil Code Organized

Synopsis Outcomes

\*List the three general sections of the Code and provide examples within each main part

Activity Root and find answers to question asked in class.

Reading 19-174, Study Guide  
89-111, Notary Handbook

- Week 5      Review and New Material**  
Lecture      Review, Matrimonial Regimes  
Synopsis      Outcomes  
                 \*Define Matrimonial Regime  
                 \*List the two regimes recognized in Louisiana and explain the difference  
                 \*Define a matrimonial agreement  
                 \*List examples of community property and separate property  
                 \*Define transmutation of property and what form would accomplish this?  
                 \*List the types of assets require the concurrence of both spouses before a spouse  
                 encumbers, leases or alienates.
- Week 6      Unit Examination I**  
Lecture      Review Matrimonial Regimes  
Readings    213- 226, 490-492, Study Guide  
                 113-132,133-137, 226-230 Notary Handbook
- Week 7      Review Unit Examination I, Distribute Homework Assignment I**  
Lecture      Powers of Attorney, Student Presentation on Powers of Attorney  
Synopsis      Outcomes:  
                 \*Define Power of Attorney  
                 \* Distinguish procuration and power of attorney  
                 \*What is the form of Power of Attorney?
- Course Syllabus Continued**
- Week 8      Interdictions, Student Presentation on Interdictions, Notarial Adoptions,  
                 Student Presentation on Notarial Adoptions, Emancipations,  
                 Introduction to Successions
- Week 9      Student Presentation on Emancipations, More on Intestate Successions. Student  
                 Presentation on Succession by Affidavit  
                 Review for Unit II Examination
- Week 10     Unit II Examination.  
                 Introduction to Testate Successions  
                 Introduction to Tutorships
- Week 11     Review Unit II Examination. Student Presentation on Testaments  
                 Student Presentation on Tutorships, Introduction to Donations

- Week 12    Review Donations, Student Presentation on Donations  
              Introduction to Movable, Student Presentation on Movable
- Week 13    Introduction to Business Entities, Student Presentation on Corporation
- Week 14    Introduction to Real Estate, Student Presentation on Conveyance and mortgage of  
              immovables, Family Feud meets Survivor
- Week 15    FINAL EXAMINATION