

EMC NOTARY • FLORIDA COMMISSION HH619187

Power of Attorney Notarization Packet — What You Need, What EMC Does, What Your Attorney Does

Prepared for: Individuals and families executing a Florida power of attorney (general, durable, or limited); often referred by an attorney or preparing a self-drafted POA before a RON or mobile session

Power of Attorney Notarization Packet

The direct answer

Yes, a Florida power of attorney has to be signed in front of a notary and two witnesses to be valid (F.S. §709.2105). It does not have to be drafted by an attorney to be legal, but it does have to be drafted correctly, because a POA that's missing the right authority language or the right execution formalities can be rejected by the bank, title company, or agency it's presented to. EMC Notary handles the signing: identity verification, witness coordination, and notarization, in person or by Remote Online Notarization (RON). We don't draft the document itself. If you don't already have a POA drafted, that's a conversation for your attorney, not your notary.

What "notarizing a POA" actually involves

A power of attorney signing is not a single-signature notarization. Florida requires the principal (the person granting authority) to sign in the physical or virtual presence of a notary **and two witnesses**, all watching the same signature happen at the same time (F.S. §709.2105(2)). Here's what I do at the table, whether that table is in your kitchen or on a RON video session:

1. **Confirm identity.** I check your government-issued photo ID against the name on the document. For RON, this also runs through credential analysis and knowledge-based authentication before the session starts.
2. **Confirm capacity and willingness.** I ask a few direct questions to confirm you understand you're signing a power of attorney and that you're doing so voluntarily. I'm not evaluating whether the POA is a good idea for your situation, that's outside a notary's role, but I am confirming you're not being coerced or confused about what you're signing.
3. **Coordinate the two witnesses.** In person, witnesses can be anyone competent and not named as agent under the document (some banks/title companies have their own witness rules on top of the statute, worth checking if the POA is going straight to a specific institution). On RON, EMC coordinates remote witnesses through the platform so all three of us (you, me, the witnesses) watch the signature live.
4. **Complete the notarial certificate and journal entry,** matching the acknowledgment language in F.S. §117.05(13), then apply my seal.
5. **Hand back a properly executed document,** ready to record (if it needs recording) or present to the bank, care facility, or agency that requested it.

What EMC does not do

I don't draft power of attorney language, I don't tell you whether you need a general vs. durable vs. limited POA, and I don't advise on which powers to grant your agent. Those are legal-sufficiency decisions, and making them is the unauthorized practice of law if a notary does it. If you're not working with an attorney yet and need the document itself drafted, tell us when you book and we'll point you to attorney referral resources rather than attempt to fill that gap ourselves.

Florida-required disclaimer: *"I am not an attorney licensed to practice law in the State of Florida, and I may not give legal advice or accept fees for legal advice."* (Fla. Stat. §117.05(10))

Preparation checklist — bring this to your signing

- ☐ The completed power of attorney document (drafted by you or your attorney) — unsigned. Do not sign it before the session; Florida notaries cannot notarize a

signature that already happened outside their presence.

- ☐ One current government-issued photo ID (driver's license, state ID, or passport) matching the name on the document exactly.
- ☐ For RON sessions: a working webcam, stable internet, and a smartphone or tablet for the credential-analysis step.
- ☐ Two witnesses lined up (in person) or confirmed available for the live RON session (remote witnessing is coordinated through the platform — tell us in advance so we schedule it correctly).
- ☐ If the POA needs to be recorded with a county recorder afterward (real estate powers often do), have the intended recording county ready so we can confirm formatting requirements before the signing, not after.

What to expect from the session

A straightforward POA signing runs 15-25 minutes once everyone is present and IDs are confirmed. RON sessions add a few minutes up front for credential analysis. If the document has drafting problems (missing witness lines, incomplete notarial certificate blocks, an out-of-state form that doesn't meet Florida's execution requirements) we'll flag it before the session starts, not after your appointment slot is used, and route you back to your attorney for a fix.

Common questions

Does a Florida power of attorney need to be recorded? Only if it grants authority over real property, in which case recording it with the county where the property sits puts third parties on notice. A POA used only for banking, healthcare, or general financial matters typically doesn't need recording, but the institution receiving it may have its own preference. Not something a notary can advise on case-by-case; ask whoever is going to accept the document.

Can EMC notarize a power of attorney remotely? Yes, RON is fully authorized in Florida under F.S. §117.209 and following, and EMC completes POA signings by RON regularly, with the two-witness requirement met through the platform's remote witness coordination.

What if my bank or the receiving institution has its own POA form? Bring it. We notarize the document you need notarized; we're not limited to a specific

template.

Next step

Book your signing and tell us whether it's in-person or RON, and whether the document is already drafted and ready to sign. If you still need the POA itself prepared, talk to your attorney first, then come back to schedule the notarization.

[Book your power of attorney signing →](#)

Official form sources (verified 2026-07-09)

[Florida Power of Attorney Act, Chapter 709, Part II](#)

Governing law. Florida does NOT publish a fill-in-the-blank statutory POA form (unlike some states) — verified against F.S. 709.2101-709.2402 directly; the only optional template in the chapter is an affidavit form at 709.2119(2)(c). This packet does not claim a state form exists where one does not.

[Fla. Stat. §117.05 — notarial certificate forms and requirements](#)

Subsection (13) contains the sufficient acknowledgment certificate templates; subsection (10) contains the mandatory non-attorney advertising disclaimer used below.

WHAT THIS IS AND ISN'T

EMC Notary (Evan McCall) is a Florida-commissioned notary public and Florida-approved Remote Online Notary, commission HH619187. A notary verifies identity and witnesses signatures — a notary is not an attorney and does not draft, review, or advise on the legal sufficiency of any document. "I am not an attorney licensed to practice law in the State of Florida, and I may not give legal advice or accept fees for legal advice." (Fla. Stat. §117.05(10)) Every form in this packet is either an official government form, linked from its source agency, or an EMC-authored checklist, never a legal instrument drafted for your specific situation. For document drafting, review, or legal-sufficiency questions, consult your attorney.

Ready to schedule?

Book your power of attorney signing

EMC Notary · emcnotary.com · This packet is informational only and not legal advice.