

Power of Attorney — New York Notarization Requirements

- Under **New York Estates, Powers & Trusts Law (EPTL) § 5-1501**, a power of attorney (POA) must be signed by the **principal** (the person granting authority) in the presence of **two adult witnesses**.
 - At least one of these witnesses must also sign the instrument in the principal's presence.
 - **Both witnesses and the principal** must then acknowledge their signatures before a **notary public**, who must confirm their identities.
 - The standard falls under an acknowledgment-style certificate, but requires two witnesses plus notarization.
-

Wills — New York Notarization Requirements

- In New York, a properly executed will does *not* require notarization to be valid. Instead, the statutory execution requirements under **EPTL § 3-2.1** include:
 1. The **testator** (will-maker) signs at the end of the instrument.
 2. That is done in the **presence of two subscribing witnesses**.
 3. The **two witnesses** must sign the will (or acknowledge their signature) in the presence of the testator.
 - A notary is **not required** for the execution of a will to be legally valid.
 - However, a **self-proving affidavit**, which is an optional attachment that streamlines probate, **must be notarized**. This affidavit is signed by the testator and witnesses before a notary, who then adds a jurat-style certificate to confirm the oath or affirmation.
-

Quick Summary Table

Document Type	Notary Required?	Additional Requirements
Power of Attorney	Yes	Principal + 2 witnesses; all acknowledge signatures before notary
Will	No (for validity)	2 subscribing witnesses only
Will (Self-Proving Affidavit)	Yes	Affidavit executed with the testator, witnesses, and notary