



ARKANSAS SECRETARY OF STATE

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Electronic Notary Public Frequently Asked Questions

1. How does eNotary differ from regular notary?

- a. eNotary abides by all of the same rules and regulations as those that apply to “traditional” notaries. The only difference is the way in which the signature of the client and notary are applied to the document. eNotary uses a digital form of signature capture (keyboard, touchscreen, signature pad, etc.) rather than an ink pen.

2. What is eNotary?

- a. Simply, it means to notarize a document while it is in an electronic format.

3. How does eNotary work?

- a. Electronic notarizations will take place through a web portal that has been setup by your approved solution provider. Any document to be electronically notarized will need to be in a digital format such as a PDF, Word Document, etc. If a hard copy is presented to the eNotary, the eNotary may scan in the document to create the digital document. The signatures applied to the digital document will be done through some electronic means such as a keyboard, touchscreen, touchpad, or other similar object. The solution provider you use will depend upon the signature capture method. Please see the Approved Solution Provider page [<http://www.sos.arkansas.gov/BCS/Pages/approvedproviders.aspx>] to learn more about each company and the ways in which you can electronically notarize documents through them.

4. How do I electronically notarize a document?

- a. There are many technologies that may be used for electronic notarization and this will depend upon the solution provider the eNotary chooses to use. Some solutions work across multiple platforms such as PCs, tablets and smart phones, while others are limited to a certain type of hardware and/or software.
 - i. The basic process is simple:
 1. The notary and the document signer gather around the notary’s computer.
 2. The eNotary logs into the web portal of the solution provider’s system they wish to use. This is much like logging into your email account with a password that is attributable to only the eNotary.





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3. The document to be electronically notarized is accessed in its digital form (flashdrive, email, document on hard drive, scanned document, etc.) and is uploaded into the system.
4. The notary verifies the identity of the signer(s).
5. The signer signs the document on the computer using the means of signature capture associated with the solution provider.
6. The notary properly completes the certificate attached to the document. Certificates may be added through the solution provider's web portal if one is not already part of the document.
7. The notary signs and affixes their digital, encrypted stamp to the document – this is akin to the rubber stamp step on a paper notarization.
8. The eNotary then instructs the client on how they may access their electronically signed document. This will vary depending on the solution provider chosen.
9. In many instances, an electronic journal entry is automatically created as a part of the notarization process.

5. Who is eligible to become an eNotary?

- a. All Arkansas notaries public in “good standing” are eligible to become an eNotary.
 - i. Check your standing, here: bcs.sos.arkansas.gov and click the “Search Notaries” box.

6. How long does an eNotary commission last?

- a. The eNotary commission is tied to, and runs concurrently with, your traditional paper commission. Therefore, the date upon which your traditional commission expires is the date the eNotary commission will also expire.

7. What are the steps to apply to become an eNotary?

- a. Step 1: Complete the Online Application for Electronic Notary Commission bcs.sos.arkansas.gov
- b. Step 2: Upon notification of acceptance of the application, register for the required training and examination.
- c. Step 3: Attend the required training and exam; pass the exam with at least an 80% score.
 - i. You have two attempts at the exam in a 12-month period





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- d. Step 4: Upon successful completion of the exam, register with an approved solution provider of your choice.

8. Why might an application to become an eNotary be rejected?

- a. An application for electronic commission may be rejected for various reasons. The most common reasons are:
 - i. Applicant is not in "good standing" as an Arkansas notary: bcs.sos.arkansas.gov
 - ii. Information listed on the electronic notary application does not exactly match the information on record for the traditional commission (ie: name, address, county of commission and signature)
 - iii. All of the boxes stating you meet the qualifications are not checked
 - iv. The application isn't notarized or is improperly notarized.
 1. Ensure the notary who notarizes your application is in good standing and that their seal of office meets all legal requirements.
 - v. \$20 application fee is not included with the application
 - vi. The application is not an original

9. Will the required training be available online?

- a. Currently, the required training is only being offered in-person by the Office of the Secretary of State. Those who successfully apply to become an eNotary will be notified via email of upcoming trainings and exams.

10. Can applications to become an eNotary be accepted online/electronically?

- a. Yes, the preferred method for applying to become an eNotary is through the Secretary of State Notary Public web portal at bcs.sos.arkansas.gov. Paper applications are also available upon request at eNotary@sos.arkansas.gov.

11. Why am I required to list two email addresses on my application?

- a. Since eNotary is an electronic method, the means of communication with eNotaries and eNotary applications will most often be conducted via email. We want to be able to ensure we can reach you, therefore, a primary and secondary email address are required.

12. How will I be notified if my application has been accepted or rejected?

- a. If your application is accepted, you will be notified via email. Once you register for the training and exam, you will be notified about the specific details from the email address:





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enotary@sos.arkansas.gov. Please add this email address to your “safe list” to ensure you can receive communications from our office.

13. How do I go about updating changes to my personal information such as my name, address, and/or email address?

- a. Updating your eNotary record is the same as updating your traditional notary record, in fact, they're done at the same time. All you need to do is complete an amendment through the web portal at bcs.sos.arkansas.gov and send the signed, original form to the Secretary of State's Office. If you're changing your name, make sure to also include a certified copy of the marriage license, divorce decree or other court order listing the new name.
- b. Your selected solution provider will also need you to update your information with them. If the record on file with us, and the record on file with the solution provider don't match, you may be temporarily suspended from access to your eNotary seal until all information has been updated.

14. Does eNotary allow for the remote notarization of documents such as those witnessed being signed over a webcam?

- a. eNotary does not allow for the remote notarization of documents. All of the same rules and regulations that apply to a traditional, paper notarization also apply to electronically signed documents including, but not limited to, personal appearance before the notary.

15. Can I submit an application to become an eNotary at the same time as my application to become a regular notary?

- a. No. You will need to wait until your regular notary commission has been fully processed before you can submit your eNotary application. Once your traditional notary status shows “good standing” on our website, you may then proceed with applying to become an eNotary.

16. Who is likely to use eNotary?

- a. While it's hard to tell who is likely to use eNotary, many businesses that are working to eliminate paper and printing costs from their budgets and move more of their work into the digital age may be receptive to the electronic notarization of documents.
- b. Those who wish to ensure the integrity of their documents will also want to use electronic notaries since electronically notarized documents are less prone to unauthorized alterations.
- c. Documents that are electronically notarized may also be transmitted much more quickly than hard copies of documents that have to be shipped. This is appealing to a variety of entities.





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- d. Many recording offices and courts and some other countries are now accepting electronic documents.

17. Who is eligible to provide eNotary services?

- a. Only companies who have registered to become Approved Solution Providers are eligible to provide eNotary services to Arkansas eNotaries. You may find information about approved solution providers here: <http://www.sos.arkansas.gov/BCS/Pages/approvedproviders.aspx>
- b. Companies wishing to become Approved Solution Providers can find the application at the following link:
<http://www.sos.arkansas.gov/BCS/Documents/Notary%20Public/ESPApplicationPacket.pdf>

18. What is the benefit to being/using eNotaries?

- a. eNotary provides even more security to a document than traditional notarizations. Many solution providers use Public Key Infrastructure (PKI) and hashing to encrypt the documents and protect them from hacking and other alterations. Alterations made to the document after it has been sealed by an eNotary are flagged and made readily visible to anybody who views that document.
- b. eNotary also has the ability to eliminate paper from the equation thus saving on printing costs and is more environmentally friendly.

19. What is the typical cost to become an eNotary?

- a. The eNotary application requires a \$20 fee.
- b. The fees associated with registering with the solution provider will vary depending on the provider selected. Research each company carefully to see which solution best fits your eNotary activities.

20. May eNotaries charge more for services than paper notaries?

- a. No. Arkansas law states that the fee for notarizations, ALL notarizations, is \$5.

21. Where can I find an eNotary?

- a. A searchable database for eNotaries is found at bcs.sos.arkansas.gov. Click the "search notaries" box make sure to click the check box next to "eNotary" in the search fields. Some eNotaries even have made their email addresses public so they can be contacted in a more efficient manner.

