



Arkansas Secretary of State

Cole Jester

500 Woodlane Avenue, Suite 256, Little Rock, AR 72201
501-682-3409 • www.sos.arkansas.gov

NOTARY COMPLAINT FORM

PURPOSES AND SCOPE

- The Arkansas Secretary of State (the "SoS") may deny or revoke a Notary Public's commission under Arkansas Code §§ 21-14-111 and 112 (reproduced on page 2). Any action taken by the SoS in response to the information provided on this form will be limited to these purposes.
- The SoS does not have authority to investigate criminal matters such as forgery or fraud, or to prosecute a notary public. Those who seek a criminal investigation or a civil remedy against a notary should contact the local prosecutor, law enforcement, and/or their own attorney to pursue such matters.
- The SoS is not authorized to determine the validity of a notarized document--only a court can determine the validity of a notarized document.
- The SoS cannot obtain restitution for losses that may have been caused by a notary's actions or seek a claim against a notary's bond. Such processes are handled through the judicial system. Please contact your own attorney for assistance.

INSTRUCTIONS

Notary Information: Include as much of the requested information as you know.

Complainant Information: Provide contact information for the person alleging misconduct.

Allegations: Describe the incident as it relates to the alleged improper notarization.

Supporting Documentation: The complaint must contain a copy of the documents that relate to the allegations made in the complaint, including a complete copy of any notarized document(s).

Execution: Sign and date the complaint form.

Delivery Instructions: Our Legal division will review each notary complaint received. Please mail the completed form and supporting documentation to the address below. Alternatively, the complaint can be emailed to corprequest@sos.arkansas.gov or hand-delivered to the Business & Commercial Services division at the address shown at the top of this form (Victory Building, Suite 250, Little Rock).

Arkansas Secretary of State
Attn. Legal Division-Notary Complaint
500 Woodlane St., Suite 256
Little Rock, AR 72201



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Upon review of the notary complaint and supporting documents, the SoS may deny or revoke a notary's commission, or send an appropriate letter of reprimand to the notary public. However, no further action may be taken without a court order.

Questions concerning the notary complaint process may be directed to the Legal division at (501) 682-3401.

A.C.A. § 21-14-111. Unlawful act--Penalty

- (a) It is unlawful for any notary public to witness any signature on any instrument unless the notary public either:
- (1) Witnesses the signing of the instrument and personally knows the signer or is presented proof of the identity of the signer; or
 - (2) Recognizes the signature of the signer by virtue of familiarity with the signature.
- (b) Any notary public violating this section shall be guilty of a Class A misdemeanor.
- (c) For purposes of this section, "personally knows" means having an acquaintance, derived from association with the individual, which establishes the individual's identity with at least a reasonable certainty.

A.C.A. § 21-14-112. Denial or revocation of notary public commission

- (a) The Secretary of State may deny the application of any person for appointment or reappointment or revoke the commission of any notary public during the notary public's term of appointment if the notary public:
- (1) Submits an application for commission and appointment that contains substantial and material misstatement or omission of fact;
 - (2) Is convicted of official misconduct under the provisions of § 21-14-111;
 - (3) Knowingly uses false or misleading advertising in which the notary public represents that the notary public has powers, duties, rights, or privileges that the notary public does not possess by law;
 - (4) Is found by a court of this state to have engaged in the unauthorized practice of law;
 - (5) Is found by a court to have improperly notarized documents according to the law;
 - (6) Is found by a court to have charged fees higher than allowed under § 21-6-309; or
 - (7) Fails to complete the requirements under § 21-14-101.
- (b) The Secretary of State may investigate a possible violation of this section upon a signed complaint from any person.



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(c) After a notary public receives notice from the Secretary of State that the notary public's commission has been revoked, unless the revocation has been enjoined the notary public shall immediately send or have delivered to the Secretary of State:

- (1) The notary public's journal of notarial acts;
- (2) All other papers and copies relating to the notary public's notarial acts; and
- (3) The notary public's official seal.

(d) A person whose notary public commission has been revoked pursuant to the provisions of this section may subsequently apply for commission and appointment as a notary public after ten (10) years have elapsed from the date of the revocation.



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*****Note: A copy of all supporting documents, including the notarized document in question, must be submitted with this form.*****

Notary Public Information

- 1. Notary Public's Name: _____
- 2. Notary Commission Number: _____
- 3. Notary Commission Expiration Date: _____

Complainant Information

- 4. Name: _____
- 5. Mailing Address: _____

City

State

Zip Code

- 6. Phone Number (optional): _____
- 7. Email Address (optional): _____

Allegations

8. Please describe the incident in question, including relevant information such as the exact nature of the transaction or occurrence, the date in which the incident occurred, and the names of the parties involved. If additional space is required, please attach separate sheets as needed.

I hereby acknowledge that the information I have submitted is true and correct to the best of my knowledge, information, and belief, and that any false statement or representation may subject me to civil or criminal penalties under the laws of the State of Arkansas.

Executed this _____ day of _____, _____.

Signature of Complainant