Notaries Public in Alabama

What is a notary public?

A notary public is an individual that acts an impartial witness in signing certain documents. The job of the notary public is to verify the identity, willingness, and awareness of any person signing the document in order to help prevent any fraud from occurring.

Can I become a notary public?

Yes. You can apply for appointment with the probate judge of the county of your residence. In order to apply, you must submit an application, which can be found at your probate judge's office.

Is there an application fee?

Yes. Each applicant must pay a $10 application fee.

What all do I need to submit with my application?

In addition to a completed application form, you will need to submit a copy of your Alabama Driver License.

What is the training program referenced in the application?

Effective September 1, 2023, all notary applicants , unless otherwise exempted by law, must complete a training program prepared by the Alabama Probate Judges Association and the Alabama Law Institute. This training program must be completed within 30 days after submitting your application and can be accessed on the Alabama Probate Judges Association's website (www.alpja.org). You will not be required to pay a fee to enroll in this program, nor will you be required to take a test to receive a certificate of completion. NOTE: Completion of any other training program will not satisfy the training requirement.

What happens after I submit my application?

Once you submit your application, the probate court's staff verify your information and determine if you are fit to become a notary public. The probate judge will then either send you a letter rejecting your application or send you a letter of appointment approving your application.

What do I need to do once I receive my letter of appointment?

Effective September 1, 2023, within 40 days from the date of the letter of appointment, the statewide notary must obtain a bond with sureties provided by an Alabama licensed producer of such bonds and approved by the probate judge of the county of residence in the sum of $50,000, payable to the State of Alabama and conditioned to faithfully perform the duties of notary public. The bond must be executed, approved, filed, and recorded in the office of the judge of probate of the county of their residence.

How do I receive my notary commission?

Once the probate court receives and records your notary bond, you will be mailed a notary commission. You cannot perform any notary act until you have received your notary commission.

How much must be paid to the probate judge to receive a notary commission?

According to the Alabama Code, the standard fee collected by the probate judge for each notary commission issued is $25.00. However, the fee may be increased by local legislation. Please contact your local probate judge to determine the fee for a notary commission in your county.

How long does a commission last as a notary public for the state at large?

The term of office for a statewide notary is 4 years. Please contact your local probate judge to determine when you may begin the renewal process for your commission.

Is a notary required to have a seal?

Yes. In order to authenticate the official acts of the notary, each notary must provide a seal. The impression or stamp of this seal must provide the name, office, and the state where the notary was appointed. Notary seal may be purchased from office supply stores.

Notaries Public in Alabama, continued

Once duly appointed, what may a notary public do?

A notary may administer oaths, take acknowledgements of or proof of instruments of writing relating to commerce or navigation and certify the same and all other of their official acts under their seal of office, demand acceptance and payment of bills of exchange, promissory notes and all other writing which are governed by the commercial law as to days of grace, demand and notice of nonpayment and protest the same for nonacceptance or nonpayment and to give notice thereof as required by law.

What fees may a notary collect for services?

A notary is permitted to collect a reasonable fee, not to exceed $10.00, for each notarial act performed.

Does a notary public have to keep records to each notarial act?

No. A notary public only has to keep a record of notarial acts and communications where two-way audio-video communication is involved.

What is the penalty for performing a notarial act without a commission or an expired commission?

If any person performs a notarial act without being a notary or after their commission has expired, they are guilty of a Class C misdemeanor. If any person performs a notarial act knowing that they are not properly commissioned with the intent to commit fraud or intentionally assist with a fraudulent action, they are guilty of a Class D felony.

Can I be reported for notary misconduct?

Yes. Any party to a transaction where a notarial certificate is involved may execute an affidavit and file it with either the Secretary of State or your probate judge. Upon receipt, the Alabama State Law Enforcement Agency shall then conduct an investigation and refer their findings to a district attorney for prosecution.

This pamphlet, which is based on Alabama Law, is to inform and not to advise. This pamphlet is not and shall not act as a substitute for the notary training program mandated under Alabama Code § 36-20-70. No person should ever apply or interpret any law without the aid of a lawyer who analyzes the facts, because the facts may change the application of the law.

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