

We are also aware that Clerks offices are being placed in a difficult position relating to the acceptance for filing of documents that may have inconsistent or otherwise suspicious signatures. As you commented, such documents must be accepted for filing if they are facially sufficient and exhibit the proper indicia of reliability. Clerks cannot be expected to conduct a forensic analysis of signatures appearing on documents filed with their offices.

In the event, however, that a clerk has a reasonable belief or suspicion that a crime has been committed in the execution or notarization of a document, the proper course of action would be to contact the State Attorney in the Circuit in which the document was filed and request that the filing be reviewed. Complaints relating to notaries may also be submitted to the Office of the Governor, Notary Section. Finally, Clerks might wish to consult with the Chief Judge of their Circuit to determine whether notice should be given to the Court in situations where the authenticity of a filing is questioned.