

Appendix A

Arkansas Forestry Commission Civil Penalty Matrix

The civil penalty matrix is designed for violations of the Registration of Foresters Act, Arkansas Code § 17-31-101 et seq., and 17 CAR Pt. 20. The penalties are designed to maintain professional integrity in the practice of forestry in Arkansas. The commission has discretion to deviate within the matrix based on specific case criteria and aggravating or mitigating factors.

Penalties are assessed per violation. However, the commission may combine penalties for multiple violations arising from a single incident. In addition to civil penalties, violations may result in suspension, revocation, or other disciplinary action affecting registered forester certification under Arkansas Code §§ 17-31-309(b) and 25-15-217.

Violation Type	Description	Penalty Range	First Offense	Second Offense	Subsequent Offenses
Minor	Administrative or technical violations with no harm to public, client, or environment (e.g., expired license < 1 year; unintended professional conduct violation)	\$0 – \$500	Written warning	\$250; formal reprimand	\$500; license suspended
Moderate	Violations that pose limited harm or show negligence (e.g., expired license > 1 year; professional conduct violation)	\$500 – \$1,000	\$500; written warning	\$750; formal reprimand	\$1,000; license suspended
Major	Purposeful, reckless, or repeated violations that endanger the public or environment or violate professional conduct	\$1,000 – \$5,000	\$1,000; license suspended	\$2,500; license suspended	\$5,000; license revoked

Note: Penalty values are **up to** stated amount.

Aggravating or Mitigating Factors (Adjust penalty within range):

Factor Type	Examples	Effect
<i>Aggravating</i>	Knowing misconduct, false representation, prior warnings, concealment of violation	Increase penalty within range
<i>Mitigating</i>	Self-reporting, cooperation during investigation, prompt corrective action	Decrease penalty within range

Definitions

As used in this appendix:

“Negligence” means the failure to exercise the level of care that a reasonably prudent person would exercise under similar circumstances and results in harm or damage to another person or property.

“Professional conduct” means the professional standards set forth in 17 CAR § 20-114 that govern the conduct of registered foresters.

“Purposeful” means conduct undertaken with conscious intent or objective to cause a specific result or acting deliberately and knowingly toward a desired outcome.

“Reckless” means conduct in which a person consciously disregards a substantial and unjustifiable risk that a particular result will occur, demonstrating a gross deviation from reasonable behavior.

“Unintended” means an act or result that occurs without intent, design, or deliberate purpose by the actor.

“Violate” means to breach, infringe, or act contrary to a law, contractual obligation, or protected right.