

## **Apostilles and Authentications: What do you need to know?**

### What is an apostille or authentication?

- An apostille or an authentication certifies the authenticity of the signature, seal and position of the official who has executed, issued or certified a copy of a public document.
- Both enable a public document issued in one country to be recognized as valid in another country.
- Does NOT certify or validate the content of the document getting the apostille
- Only for use on documents that are to be sent overseas
- Not valid for use on documents to be used within the U.S., or U.S. territories or possessions

### What is the process for attaching an apostille or authentication?

- Notary performs notarization
- Customer brings document to Secretary of State for apostille/authentication
- SOS staff review document and certificate for errors, verify that the document can be authenticated
- SOS staff review notary commission name, stamp, and signature and ensure that signature on certificate matches signature on file with SOS
- SOS staff attach apostille/authentication to document and return to customer for the customer to submit to appropriate international entity

### What kinds of documents can have apostilles or authentications attached?

- Documents for business or corporate use:
  - Certified copies of business organization documents on file with the Secretary of State
  - Articles of incorporation or organization
  - Assumed name certificates
  - Certificates of limited partnership
  - Certificates of merger
  - Registration of trademarks
  - Certificates of existence or fact issued by the Corporation Division

- Other types of documents:
  - Adoption papers.
  - School records - school transcripts, report cards or diplomas **must** be signed by a school official, and the official's signature **must** be notarized.
  - Power of attorney.
  - Deed of assignment.
  - Distributorship agreement.
  - References and job certification.
  - Vehicle title.

What kinds of documents CANNOT have apostilles or authentications attached?

- Photocopies of public documents (must be originals or certified copies)
- Documents that:
  - Contain statements regarding allegiance to a government or jurisdiction;
  - Relate to the relinquishment or renunciation of citizenship, sovereignty, *in itinere* status or world service authority; or
  - Make a claim of immunity for the signer from the law of this state or from federal law

What if I am asked to notarize a document that cannot have an apostille attached?

- You may remind them that it will not be allowed
- You may notarize the document, as long as it has an appropriate certificate that does not ask you to do something a notary is not allowed to do
- Follow guidelines for good notarizations regardless of the document you are given. NEVER NOTARIZE BY STAMPING AND SIGNING THE BOTTOM OF A DOCUMENT. All notarizations MUST include a legitimate certificate.