

Notarizing non-English Documents and Working with Translations

The notary should not notarize a document in a language they cannot read, unless that document is accompanied by a complete and accurate translation, so attested by the translator. In that case, the notary will notarize the translation, not the original document. Although there is no law that prohibits notarizing foreign language documents, the legal standard of “reasonable care” that notaries must follow rules out this practice. The Secretary of State will not certify a document that counter staff cannot read unless it is accompanied by a translation as described above.

Process for notarizing a translation

- Read the translation and the accompanying certificate, to ensure that the certificate does not ask the notary to do anything the notary is not allowed to do in Oregon.
- If the document is a government document and printed in two languages, and the notary can read one of the languages, or if the translation has been certified by a professional translator, the notary can complete the notarization.
- If the document is not a government document or it has not been certified by a professional translator, the notary must administer a translator's oath to the signer. Be sure to offer the signer the choice between swearing and affirming and administer the oath accordingly. Sample language for a translator's oath may be found at the bottom of this document.
- After the translator's oath has been administered, the notary may perform the notarization.
- Attach a copy of the translator's oath to the document and translation.

Reasons for policy

- A notary needs to understand enough about a document to describe it in a journal, get accurate data about it, such as the date, and be able to testify in a court of law what it was that was notarized.
- A notary cannot rely on the assurances of the signer about the content of a document; A person intending to defraud would make the same kind of statements.
- Any special directions to the notary contained within the document could go unfulfilled, possibly invalidating the notarization.
- If a notary cannot read the language, especially if the characters are unintelligible Russian, Arabic, Japanese, for example, how can one know if the notary is named in the document, whether there are important blank spaces, if the signer is the person named in the document, et cetera?

Consequences of notarizing a foreign language document

Notarization of a document the notary cannot read can lead to consequences ranging from misunderstandings about the nature of the notarization, to a lawsuit against the notary for damages suffered by anyone who relies on false statements in the document.

What can you do if you don't read the language and there is no translation?

The notary may suggest the document be taken to a notary who can read the language. Such a notary may be located through an online search, at a foreign consulate, or through a professional listing site such as findanotary.com.

An important note

It is the signer's responsibility to make sure that the notarized translation will be acceptable to the receiving agency. If the notary has advanced notice of the notarization needed, it would be a service to the signer to suggest they verify the acceptability of the notarized document before bringing it to be notarized.

Sample language for a translator's oath

"Do you, _____, swear/affirm that this is a complete and accurate translation of this document (so help you God)?"