

## **What is an Apostille**

An Apostille is a special seal applied by an authority to certify that a document is a true copy of an original. Apostilles are available in countries, which signed the *Hague Convention Abolishing the Requirement of Legalization of Foreign Public Documents*, popularly known as *The Hague Convention*. This convention, created in 1961, replaces the time consuming chain certification process used so far, where you had to go to four different authorities to get a document certified.

## **Why do I need one?**

If you wish to be married in another country and have been divorced from a previous marriage in the US, the hosting country will need a certified copy of the divorce decree issued by the county and an authentication of the document in the form of an Apostille.

## **Where can I get an Apostille?**

Each country party to the Hague Convention designates an authority within its territory that can issue Apostilles. For example, in the USA, it is the office of the state's secretary. Bear in mind that there are some countries that did not sign this treaty yet and thus no Apostilles can be obtained and the documents will have to be Authenticated and then sent to the US Department of State in Washington DC for further Authantication.

## **What are Apostille normally used for?**

An Apostille can be used whenever a copy of an official document from another country is needed. For example: international marriages, adoptions, and inheritance, but also for plain contracts. The Apostille is an official certification that the document is a true copy of the original. It does not certify that the original document's content is correct, however.

## **Authentication of Notarizations**

### **General Information**

One of the Notary Public section's main tasks is to certify to the status of a notary using either a certificate or an Apostille. These papers are attached to documents that require some official acknowledgment that a notary, commissioned in a specific state, in good standing, performed the notarization. Foreign jurisdictions often require them before they will accept the notarized document. Even though the counties can, by statute, issue certificates, it saves much time and trouble to go directly to the Secretary of State office, because that is where the notary records are held and the county cannot issue state level certificates required by some foreign governments. They sometimes require a "chain of certification" so that every signature authenticating another is itself authenticated. In other words, the notary certifies the document signer's signature. The Secretary of State certifies the Notary's signature; the Federal Government certifies the State's signature and authority.

Often, authentications are required for school transcripts and diplomas that need to go to foreign countries because an exchange student has studied here. These can sometimes be achieved by notarization of the registrar's signature on the transcript and then the Secretary of State's Authentication/Apostille of the notarization.

### **Authentication Certificates**

An authentication certificate validates the notary's signature and official notary seal as matching

what is on file with the Secretary of State, Notary or Corporation Division. **It does not validate the completeness or correctness of the notarization.** The format of the certificate differs depending on the country of receipt. **It is important to note which country the document is going to when requesting authentication from the Secretary of State.**

### **Apostilles**

If the country belongs to the 1961 Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents, the Apostille is used. The Convention provides for the simplified certification of notarized documents by use of a special form called an "Apostille" in certifying the document. The Apostille does not need to be ribboned onto the document being certified. With the certification by the Hague Convention Apostille, the document is entitled to recognition in the country of intended use, and no additional authentication or legalization is required.

**Note:** The "Apostille" attests to the validity of the signature of the notary public, county official or state official, but not of the underlying signature nor of the contents of the document.

The Hague Convention applies "to public documents which have been executed in the territory of one Contracting State and which have to be produced in the territory of another Contracting State." The Convention does not apply to domestic filing of documents. **"Apostilles" will not be issued for documents intended for use within the United States.**

A current list of countries that are members of the Hague Convention can be found here: [Apostille Countries](http://www.hcch.net/index_en.php?act=conventions.authorities&cid=41%20) [http://www.hcch.net/index\\_en.php?act=conventions.authorities&cid=41%20](http://www.hcch.net/index_en.php?act=conventions.authorities&cid=41%20)

Also, try the [U.S. Department of State, Authentications](http://www.state.gov/m/a/auth) -<http://www.state.gov/m/a/auth>- A very informative site covering Apostilles, certification of documents by the federal government, and links to passport and consular information.

## **School Notarization of Transcripts and Diplomas**

Typically, the home countries of foreign exchange students often want their students' records certified by the school and then authenticated by the state. What often works is for the records office of the school to certify to the record in the presence of the notary, who then notarizes that statement. The notarized transcript or diploma is sent to the Secretary of State's office for Authentication/Apostille.