

Apostille

BUT WHAT IS AN APOSTILLE?

An Apostille is the simplified certification of public documents (including notarized), for their international use in all nations that have joined the Apostille Section of the Hague Convention. Signatory countries have agreed under the Apostille Section of the Hague Convention to recognize public documents certified by the “Apostille”.

This certification ensures that public documents are valid within the country where the document was originally issued or notarized. The main function of the Apostille is to certify the authenticity of the signature on the document (ie: State Registrar, County Clerk, Judge, Vital Records Officer or Notary Public).

The Apostille also certifies the capacity in which the person signing the document acted and the identity of any stamp or seal affixed to the document. The apostille must be issued in the State where the document was issued, or got notarized. The Apostille is a one page document embossed with the Great Seal of a State (see sample image) and includes the facsimile signature of the individual issuing the certificate. There are currently over 60 member states of the Hague convention, and in the future, many other countries will join the Apostille Section of the Hague Convention to be able to recognize the Apostille for the international legalization of documents. The Apostille is applied only to public documents, signed by an authority or official connected with a court or tribunal of the State (including documents issued by an administrative, constitutional or ecclesiastical court or tribunal, a public prosecutor, a clerk or a process-server); administrative documents; notarial acts; and official certificates which are placed on documents signed by persons in their private capacity, such as official certificates recording the registration of a document or the fact that it was in existence on a certain date and official and notarial authentications of signatures.

Almost every kind of document including: Birth Certificate, Adoption Certificate, Marriage Certificate, Divorce Decree, Death Certificate, Power of Attorney, School Diploma and/or Transcripts, Corporate Documents, Affidavits, Identity documents and/or Passports, Deeds and Wills, Agreements, Bills of Sale, Proof of Ownership, Private Documents.

If the country where you intend to use your documents is a member of the Apostille Section of the Hague Convention, you will need an Apostille. Don't know if you need an Apostille? It's easy to find out. Just fill out the form (download it from the tab above) or call us and we'll walk you through it, and receive complimentary overnight courier service within the US.

WHO ARE THE MEMBER COUNTRIES OF THE APOSTILLE SECTION OF THE HAGUE CONVENTION?

The following countries exchange documents legalized through an Apostille:

Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Botswana, Bosnia and Herzegovina, Brunei

Darussalam, Bulgaria, Cape Verde, China (Macau), China (Hong Kong), Colombia, Cook Islands, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kazakhstan, Korea, Republic of, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Moldova, Republic of, Monaco, Montenegro, Namibia , Netherlands, Netherland Antilles, New Zealand, Niue, Norway, Panama, Peru, Poland, Portugal, Romania , Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines , Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia , Slovenia, South Africa , Spain, St. Marteen, Suriname, Swaziland, Sweden , Switzerland , The former Yugoslav Republic of Macedonia, Tonga , Trinidad and Tobago, Turkey, Ukraine ,United Kingdom of Great Britain (U.K) and Northern Ireland, United States of America, Vanuatu, Vatican City and Venezuela.

Under the Hague Convention, signatory countries have agreed to recognize public documents issued by other signatory countries if those public documents are authenticated by the attachment of an internationally recognized form of authentication known as an "apostille." The apostille ensures that public documents issued in one signatory country will be recognized as valid in another signatory country.

- When a document is to be used in a foreign country, it may be necessary to authenticate the notarization or certification. Foreign countries often require documents to be authenticated before the documents will be accepted in the foreign jurisdiction. An "authentication" certifies the signature and the position of the official who has executed, issued or certified a copy of a document.
- The sole function of the apostille is to certify the authenticity of the signature on the document; the capacity in which the person signing the document acted; and the identity of any stamp or seal affixed to the document.
- An apostille issued by the New York State Secretary of State is a one page document embossed with the Great Seal of the State of New York. The apostille includes the facsimile signature of the individual issuing the certificate.

IMPORTANT NOTICE RELATING TO APOSTILLES

- The New York State Department of State has revised the method in which it issues apostilles.
 1. **Revised Seal** - Effective April 15, 2010, the New York State Department of State Seal will be used for the apostille. The Great Seal of the State of New York will no longer be used.
 2. **Revised Method for Affixing Seal** - Effective April 15, 2010, apostilles will be produced with a black and white laser printed facsimile of the New York State Department of State Seal. The Great Seal of the State of New York will no longer be embossed either directly on any apostille or on a gold foil wafer placed on an apostille. The apostille includes the facsimile signature of the individual issuing the certificate.

How do I obtain an Apostille or Authentication?

- **All birth and death records originating from the five boroughs of New York City** (Bronx, Kings, Manhattan, Queens, Staten Island) must be certified together with a Letter of Exemplification by the New York City Department of Health, <http://www.ci.nyc.ny.us/html/doh/home.html> Bureau of Vital Records, 125 Worth Street, New York, NY 10013. The original document must then be presented to the County Clerk's Office in the county where the document was obtained to verify the signature on the Letter of Exemplification. The document can then be presented to the New York State Department of State for authentication.
- All marriage records originating from the five boroughs of New York City (Bronx, Kings, Manhattan, Queens, and Staten Island) must be obtained from the Marriage Bureau, Municipal Center, 1 Centre Street, 2nd Floor, New York, NY 10007. Obtain a certified copy of the marriage certificate with an original signature of the City Clerk. The document must then be presented to the County Clerk's Office in the county where the document was obtained to verify the signature of the City Clerk. The document can then be presented to the New York State Department of State for authentication.
- **All birth, death, marriage and divorce records issued outside of the five counties of New York City** can be obtained from the New York State Department of Health, <http://www.health.state.ny.us/nysdoh/consumer/vr.htm> Certification Unit, Vital Records Section, PO Box 2602, Albany, NY 12220-2602. The document can then be presented to the New York State Department of State for authentication.
- **Birth, death, marriage and divorce records issued outside of the five counties of New York City** may also be obtained directly from the local registrar or town clerk of the city, town or village where the birth, death, marriage or divorce occurred. The original document must then be presented to the county clerk's office in the county where the document was obtained for certification. (It is suggested that you contact the county clerk's office prior to obtaining the records to determine if their office can certify documents obtained from a local authority.) The document can then be presented to the New York State Department of State for authentication.
- **Education documents (transcripts, diplomas or certificates)** must be obtained from an official of the school, college or university who must certify that the document is an official record or a true copy of the original document. The official's signature must be notarized by a notary public. The document must then be presented to the County Clerk's Office in the county where the notary public is qualified to certify the signature of the notary public. The document can then be presented to the New York State Department of State for authentication.
- All other documents submitted to the New York State Department of State for authentication must first be notarized and then have the notary's signature certified at the county clerk's office where the notary is qualified. The county clerk's office will affix its seal and signature to the document.

Submitting your Document to the Department of State

1. **Albany Office** - The document, together with the \$10 fee, may be mailed to the Department of State, Miscellaneous/State Records Bureau, 41 State Street, Albany, NY

12231 for authentication. The country where the document is being sent to must be specified. The telephone number of the Miscellaneous/State Records Bureau is (518) 474-8642. You may also bring your document to the Albany Office for processing between the hours of 8:00 a.m. and 4:30 p.m.

2. New York City Office - The document, together with the \$10 fee, may be mailed to the Department of State, Certification Unit, 123 William Street, 19th Floor, New York, NY 10038. The country where the document is being sent to must be specified. The telephone number is (212) 417-5684. You may also bring your document to the New York City Office for processing between the hours of 9:00 a.m. and 3:30 p.m.
3. Processing documents submitted by mail is usually completed within 2 to 4 business days. To assist our office in processing your document in a timely manner, you may wish to include a daytime telephone number so that we may contact you should any questions arise.
4. Documents may be submitted in person at either of the above offices. Processing a document submitted in person is usually completed while you wait.

Fees

- Each document submitted to the Department of State for authentication must be accompanied by a \$10 fee. Please make the check payable to the "New York State Department of State."

*Obtained from the Department of State Website.