

APOSTILLE CERTIFICATION CHECKLIST

There are strict standards for the Apostille and Certification process. The Arkansas Secretary of State will not authenticate documents that do not comply. Please read all instructions in this brochure carefully, then follow the checklist below to make sure you meet all requirements.

1. Documents must be properly notarized by an **Arkansas Notary Public** or must bear the seal and signature of an **Arkansas elected official**.
2. If notarized, the documents must contain an acknowledgement statement for every signature on each document.
3. Ensure all documents in a foreign language have been translated to English and contain a proper affidavit and notarial acknowledgement.
4. Documents should be originals, certified copies or true and perfect copies, authenticated by the notary. A notary may not certify a photocopy of a document that is a vital record or a public record.
5. Submit documents to be authenticated to the Arkansas Secretary of State's office along with the **proper fees**:
 - a. Apostilles: \$10 per document
 - b. Certifications: \$5 per document

All About APOSTILLES & CERTIFICATIONS in the STATE OF ARKANSAS



**ARKANSAS
SECRETARY OF STATE
Cole Jester**

WHAT ARE APOSTILLES AND CERTIFICATIONS?

On October 15, 1981, the United States became part of the 1961 Hague Convention which abolished the requirements for the legalization of foreign public documents and simplified the authentication process of documents to be used in nations that are members of the 1961 Hague Convention. The Arkansas Secretary of State's Office has been designated as the Competent Authority for the State of Arkansas, and therefore is the only Arkansas official that may issue Apostilles and Certifications on public documents to be used abroad.

Many transactions in foreign countries involve documents prepared in the United States or issued by state governmental agencies. Whether the transaction involves setting up an import business or adopting a child, selling products overseas or studying abroad, foreign governments must rely on information provided on documents issued and recorded by states, cities and counties that are unfamiliar to them.

To facilitate the acceptance of these documents they must be authenticated. You will need an Apostille if all of the following apply:

- ◆ The country where the document was issued is party to the 1961 Hague Convention;
- ◆ The country in which the document is to be used is party to the 1961 Hague Convention;
- ◆ The law of the country where the document was issued considers it to be a public document; and
- ◆ The country in which the document is to be used requires an Apostille in order to recognize it as a foreign public document.



A list of countries who have joined the Hague Convention is located at www.hcch.net. An Apostille is not valid for use inside the United States.

For those countries who have not joined the Hague Convention, a Certification is used in place of an Apostille. You should always contact the Embassy or the Consulate of the country where you intend to use the document in order to verify what is required in that country.

Note: It is the responsibility of the requesting party to determine which type of authenticating document is required by the country where the document will be sent.

ARKANSAS SECRETARY OF STATE

BUSINESS & COMMERCIAL
SERVICES

1401 West Capitol Ave., Suite 250

ELECTIONS
DIVISION

State Capitol, Suite 026

Little Rock, AR 72201

www.sos.arkansas.gov



ARKANSAS SECRETARY OF STATE

Business & Commercial Services (888) 233-0325
(501) 682-3409

Elections Division (800) 482-1127
(501) 682-5070

ARKANSAS DEPARTMENT OF HEALTH

Vital Records & Birth Certificates (501) 661-2134

WHICH DOCUMENTS WILL NEED AUTHENTICATION?

Apostilles and Certifications can be issued for certificates of birth, marriage and death; court proceedings; patents; notarial acts and acknowledgements of signatures; diplomas and transcripts.

WHAT CANNOT BE APOSTILLED OR CERTIFIED?

- ◆ Documents in a foreign language that have not been translated into English (see translation requirements below)
- ◆ Documents concerning immigration, citizenship or sovereignty
- ◆ Documents that do not contain an accurate and complete notarization by an Arkansas Notary Public or bear the signature and seal of an Arkansas elected official
- ◆ Documents issued by the U.S. Department of State

TRANSLATED FOREIGN DOCUMENTS

Before an Apostille or Certification will be issued for a document submitted in a foreign language, the document must first be translated into English.

Pursuant to A.R.C.P. 1009(a) *“a translation of foreign-language documents and recordings, including transcriptions, that is otherwise admissible under the Arkansas Rules of Evidence shall be admissible upon the affidavit of a qualified translator...certifying that the translation is fair, accurate, and complete.”*

A notary public must witness the signature of the translator by affixing to the translator’s affidavit a completed acknowledgement in addition to their notary signature and seal exactly as it is recorded with the Arkansas Secretary of State.

DUTIES OF THE ARKANSAS NOTARY PUBLIC

It is essential that the Arkansas Notary Public performs the notarial duties accurately so the Apostille and Certification request can be processed in a timely manner.

All documents must be properly notarized by an Arkansas Notary Public and must contain an acknowledgement statement with each signature on the document to be Apostilled or Certified (as in *Example A*).

All documents submitted in a foreign language **must** be accompanied by an English translation. A notary public must witness the signature of the translator by affixing to the translator’s affidavit a completed acknowledgement in addition to their notary signature and seal exactly as it is recorded with the Secretary of State’s office (see *Example B*).

FREQUENTLY ASKED QUESTIONS

Where can I obtain my Apostille or Certification?

Submit your documents by mail or in person to the Arkansas Secretary of State’s office. The specific division depends on the type of document:

- ◆ **Elections Division**, State Capitol, Room 026, Little Rock — for documents bearing the seal of an elected official, such as marriage licenses, divorce decrees or judgments.
- ◆ **Business and Commercial Services Division**, 1401 West Capitol Avenue, Suite 250, Little Rock (one block east of the Capitol) — documents issued by a state agency or notarized by an Arkansas Notary Public, such as diplomas and school transcripts; certificates of birth, marriage and death issued by the state Department of Health’s Vital Records office.

May I pay with a credit card?

The Business & Commercial Services Division is equipped to accept credit card payments. The Elections Division, however, is not. Cash, checks or money orders made payable to the Arkansas Secretary of State may be used to pay for an Apostille or Certification.

State of Arkansas
County of _____

On this the ____ day of _____, 20____, before me, _____ (name of notary), the undersigned notary, personally appeared _____ (name(s) of signer(s)), known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.

{Seal} _____ (Notary Public Signature)

My commission expires _____

I, _____ (name of translator), affirm that the above is a true and perfect translation of the original document (insert type: diploma, transcript, etc.).

(Translator Signature)

State of Arkansas
County of _____

On this the ____ day of _____, 20____, before me, _____ (name of notary), the undersigned notary, personally appeared _____ (name(s) of signer(s)), known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.

{Seal} _____ (Notary Public Signature)

My commission expires _____

I am sending multiple documents. Some are notarized and others are signed by an elected official. Should I send them separately to the proper divisions?

No. Either office may assist with your request.

Should I include a self-addressed, stamped envelope?

A self-addressed envelope is not necessary unless you need the documents to be returned by express mail (DHL, UPS or FedEx). For this service, you must provide a pre-paid, pre-addressed air bill and envelope.

May I submit a notarized photocopy of my birth certificate for authentication?

No. You will need to provide the original certificate or a certified copy from the Arkansas Department of Health’s Vital Records office. A notary public may not certify a photocopy of a document that is a vital record or a public record.

If my document is in a foreign language, but the notarization is in English, am I still required to have it translated?

Yes. An English translation of the entire document must accompany the document submitted in the foreign language.

I need to send my document overseas in two weeks. Is there a fee to expedite the authentication process?

There is no additional fee to expedite the authentication process. We strive to process all authentication requests within 24-48 hours of their receipt.

How can I verify that a notary public is registered with the Arkansas Secretary of State?

You may perform a preliminary notary public search on our website:

www.sos.arkansas.gov/bcs

