

## NOTARIZATION OF DOCUMENTS IN A FOREIGN COUNTRY

### **What happens if you are outside the United States and need to have a document, such as a parental designation of children’s caregiver, notarized?**

- This is governed by Federal Law. This law states that notarizing officers at any United States Embassy or Consulate abroad can provide a service similar to the functions of a notary public in the U.S. For information relating to notarial services with respect to specific countries, including office locations, please consult the U.S. Department of State’s website. For instance, services provided in the Country of Haiti can be found at: <https://ht.usembassy.gov/u-s-citizen-services/local-resources-of-u-s-citizens/notaries-public/>.
- You must personally appear at the embassy or consular office and bring the document with you. The office will establish your identity; establish that you understand the nature, language and consequences of the document to be notarized; and must be satisfied the act does not come within the purview of a regulatory basis for refusal.
- Most notarizing officers may also authenticate documents, which means that the consular seal is placed over the seal of a foreign authority whose seal and signature is on file with the American Embassy. The authentication merely attests to the seal and signature of the issuing authority. Notary and authentication services may be performed for any person regardless of nationality so long as the document in connection with which the service is requested is required for use within the jurisdiction of the United States.
- It may also be possible to have a document notarized by a local foreign notary (instead of going to the embassy or consular office) and then have the document authenticated for use in the United States. In countries that are a party to the Hague Apostille Convention, this is a simplified process. An Apostille certificate is attached by the foreign notary regulator, verifying that the notary certificate on the document is authentic. This means the individual may have the document signed by a local notary, and then contact the country’s notary regulator office to have the Apostille certificate attached. Countries that are parties to the Hague Apostille Convention can be found here: <http://www.internationalapostille.com/hague-apostille-member-countries/> Note: Haiti is not a party to the Hague Apostille Convention.

For more information, please see <https://travel.state.gov/content/travel/en/legal-considerations/judicial/authentication-of-documents/notarial-and-authentication-services-consular-officers.html>.