

Understanding Apostilles and Document Authentication in Florida

An Educational Overview of How Florida Documents Are Certified for Use in Other
Countries,
with Links to the Florida Statutes, the Florida Department of State, the U.S.
Department of State, and the Hague Convention

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This report is **educational information only**. It is not legal, tax, financial, or Medicaid-planning advice, and reading it does not create any attorney-client relationship. It is written in plain English and summarizes publicly available law. Every summary is a simplification; the actual statutes, rules, and court decisions control. You are encouraged to **read the linked sources yourself**, do your own research, and, if you want advice about your own situation, consult a Florida-licensed attorney, a certified public accountant, or another qualified professional of your choosing.

Laws change. The links in this report point to official or primary sources. Always confirm you are reading the most recent version.

1. What an Apostille Is

An **apostille** (pronounced ah-po-STEEL) is a standardized certificate, attached to a public document, that verifies the **authenticity of the signature, the capacity of the person who signed, and the seal or stamp** on the document, so that the document will be accepted in another country without further diplomatic or consular legalization. It was created by the **Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents**, to which the United States and more than 125 other countries are parties. See the Hague Conference on Private International Law's [Apostille Section](#), which maintains the current list of member countries.

An apostille does **not** certify that the *contents* of a document are true. It certifies only that the official who signed or sealed it — a Florida notary public, a clerk of court, the State Registrar of Vital Statistics, the Division of Corporations — was genuinely who the document says. Foreign authorities rely on the apostille instead of trying to verify a Florida official's signature themselves.

In Florida, only the **Secretary of State** may issue apostilles. The authority is in [§ 15.16\(7\), Fla. Stat.](#), which caps the fee at **\$10 per apostille** and gives the Secretary of State sole authority to set the requirements and procedures. The work is done by the Department of State's **Division of Corporations, Apostille Certification section** in Tallahassee; its instructions, forms, current fees, mailing address, and processing times are at dos.fl.gov.

2. Apostille vs. Authentication (Certificate of Notarial Authority)

Which certificate you need depends on the **destination country**:

- **Hague Convention country** (for example, Spain, Mexico, Brazil, Italy, Germany, India, the Philippines, Colombia, and most of Europe and Latin America) → an **apostille**. One step; the document is then ready for use.
- **Non-Hague country** (for example, the United Arab Emirates, Egypt, Jordan, Kuwait, and Thailand until its accession takes effect on February 28, 2027, and many other African and Middle Eastern countries) → the Department of State instead issues a **Certificate of Notarial Authority** (an authentication) under [§ 117.103, Fla. Stat.](#), also \$10, and the document must then be **legalized** by that country's **embassy or consulate** in the United States — a second step with the embassy's own fees and requirements.

The Department of State determines which certificate to issue based on the destination country you name on the request form, so naming the correct country is essential. Membership changes; check the Hague list rather than relying on memory. Canada (since January 11, 2024), mainland China (since November 7, 2023), and Viet Nam (since September 11, 2026) now use apostilles; confirm any country's current status on the HCCH site before submitting.

3. Which Documents Florida Can Apostille — and Which It Cannot

Florida can certify

- **Documents notarized by a Florida notary public** — powers of attorney, affidavits, consent letters for a child to travel, authorizations, contracts, diplomas and transcripts whose registrar's signature was notarized, translations whose translator's affidavit was notarized, and copies of documents attested by the notary under [§ 117.05\(12\), Fla. Stat.](#) (see the limits below).
- **Certified copies of Florida vital records** — birth, death, marriage, and divorce certificates — but only copies **certified by the Florida Bureau of Vital Statistics** or the issuing county Clerk of Court (for marriage licenses and divorce judgments), bearing the official's signature and raised or printed seal.
- **Court documents** certified by a Florida Clerk of the Circuit Court — judgments, name-change orders, adoption decrees, probate orders.
- **Business records** certified by the Florida Division of Corporations — articles of incorporation, certificates of status, and similar filings.
- **School records** from Florida institutions, when the registrar's or official's signature has been notarized.

Florida cannot certify

- **Federal documents** — FBI criminal history reports, Social Security letters, IRS documents, USCIS naturalization certificates, federal court records, and documents signed by a federal official. These are authenticated by the **U.S. Department of State, Office of Authentications** in Washington, D.C., under [22 C.F.R. Part 131](#); see travel.state.gov. (An FBI background check for a visa or residency abroad is the most common example.)
- **Documents notarized or issued in another state** — each state apostilles only its own officials' signatures. A document notarized in Georgia goes to the Georgia Secretary of State.
- **Photocopies of vital records or other public records** attested by a notary. Florida notaries are **prohibited** from certifying copies of vital records and public records ([§ 117.05\(12\)\(a\)](#)); obtain a certified copy from the issuing agency instead.
- **Documents with incomplete or defective notarial certificates** — missing venue, date, notary signature, seal, commission expiration, or statement of how the signer was identified ([§ 117.05\(4\)](#)). The Department rejects these, and the document must be re-notarized.
- **Documents signed by a notary whose commission has expired or who is not in good standing**, or documents where the notary's name or seal does not match the state's records.

4. Getting a Document Ready — The Notarization Step

Most private documents going abroad become eligible for an apostille only because a Florida notary's signature appears on them. The notarial act must therefore be flawless. Under [Chapter 117, Fla. Stat.](#), a proper Florida notarial certificate includes:

- The **venue** ("State of Florida, County of ____");
- The **type of notarial act** — an acknowledgment, an oath/affirmation (jurat), or an attested copy — stated in the certificate wording;
- The **date** of the act;

- The **name of the signer** and how the notary identified the signer (personally known, or the type of identification produced);
- Whether the signer appeared **in person** or by other means authorized by law;
- The notary's **signature exactly as commissioned**, printed name, and official **seal** showing the words "Notary Public—State of Florida," the notary's name, commission number, and expiration date.

Two practical points. First, the Department of State apostilles the **notary's** signature, so what matters is that the notarial certificate is complete and the notary is in good standing; the Department does not read or evaluate the underlying document. Second, if the document is in a **foreign language**, the notary may still notarize an English-speaking signer's signature or a translator's affidavit, but the receiving country may require a sworn translation; ask the receiving party what they will accept before the document is signed.

Copies of personal documents

A Florida notary may make an **attested photocopy** of a document that is **not** a vital record or public record — a passport, driver license, diploma, or private letter — by stating that the copy is a true copy of an original the notary personally examined, under § 117.05(12)(a). Alternatively, the document's owner may sign an affidavit before the notary swearing that the attached copy is true. Either path produces a notarial signature the Department can apostille.

5. How to Submit a Request to the Florida Department of State

The current procedure, forms, fees, and addresses are published at dos.fl.gov and should be checked before every submission. In general the package includes:

- The **original document** bearing the official's wet-ink signature and seal (the Department does not apostille photocopies or faxes of the notarized page);
- A completed **request form or cover letter** stating the **destination country** for each document, the requester's name, address, phone, and email;
- The **fee** — \$10 per document, payable to the Florida Department of State by check or money order (the Department's site lists accepted payment types and any special fee categories);
- A **prepaid, self-addressed return envelope** (overnight courier envelopes are commonly used for time-sensitive requests).

Requests may be mailed or delivered to the Apostille Certification section in Tallahassee. Processing times vary with volume; the Department posts current estimates. Walk-in service, when available, is generally faster than mail. The apostille is attached to the document and returned in the envelope provided. An apostille is **never** issued to be attached by someone else later, and it should not be removed from the document to which it is affixed.

6. Common Reasons Requests Are Rejected

- The notarial certificate is **incomplete** — most often a missing date, venue, or statement of identification.

- The notary's **signature does not match** the commission on file, or the **seal is missing**, illegible, or lacks the commission number or expiration date.
- The notary's **commission has expired** or the notary is not a Florida notary.
- A vital record is a **hospital certificate, a county health department abstract, or a photocopy** rather than a certified copy from the Bureau of Vital Statistics or clerk.
- A **federal document** was sent to the state (Section 3).
- The **destination country is not stated**, so the Department cannot determine whether to issue an apostille or a Certificate of Notarial Authority.
- The **wrong fee** or no return envelope.

7. Common Documents Floridians Have Apostilled

- Powers of attorney for property transactions, inheritances, or business abroad;
- Birth, marriage, and death certificates for dual citizenship, foreign marriage, pensions, or estates;
- FBI background checks (federal — U.S. Department of State) and **Florida Department of Law Enforcement** criminal history reports (state — Florida Department of State) for visas, work permits, and residency;
- Diplomas, transcripts, and teaching credentials for employment or study abroad;
- Single-status affidavits (statements that a person is free to marry) for marriages abroad;
- Parental consent letters for a minor traveling or living abroad with one parent;
- Corporate documents for opening foreign branches or bank accounts;
- Adoption documents for intercountry adoption.

8. Do Your Own Research — Primary Sources

Each link below goes to an official or primary source. If you are reading a printed copy, the full web address is shown.

[§ 15.16, Fla. Stat. — Secretary of State: issuance of apostilles \(subsection \(7\)\)](https://www.flsenate.gov/Laws/Statutes/2025/15.16)

<https://www.flsenate.gov/Laws/Statutes/2025/15.16>

[§ 117.103, Fla. Stat. — Certification of notary's authority by Secretary of State](https://www.flsenate.gov/Laws/Statutes/2025/117.103)

<https://www.flsenate.gov/Laws/Statutes/2025/117.103>

[Chapter 117, Fla. Stat. — Notaries Public](https://www.flsenate.gov/Laws/Statutes/2025/Chapter117)

<https://www.flsenate.gov/Laws/Statutes/2025/Chapter117>

[§ 117.05 — Use of notary commission; notarial certificates; attested copies \(subsections \(4\) and \(12\)\)](https://www.flsenate.gov/Laws/Statutes/2025/117.05)

<https://www.flsenate.gov/Laws/Statutes/2025/117.05>

[Florida Department of State — Apostille and Notarial Certification \(procedures, forms, fees, address\)](https://dos.fl.gov/sunbiz/other-services/apostille-notarial-certification/)

<https://dos.fl.gov/sunbiz/other-services/apostille-notarial-certification/>

[Florida Department of State — Notary Commissions \(verify a notary's commission\)](https://dos.fl.gov/sunbiz/other-services/notaries/)

<https://dos.fl.gov/sunbiz/other-services/notaries/>

[Florida Department of Health — Bureau of Vital Statistics \(certified birth, death, marriage, and divorce records\)](https://www.floridahealth.gov/certificates/)

<https://www.floridahealth.gov/certificates/>

[Florida Department of Law Enforcement — Criminal History Information](https://www.fdle.state.fl.us/)

<https://www.fdle.state.fl.us/>

[Hague Conference on Private International Law — Apostille Section \(member countries; Convention text\)](https://www.hcch.net/en/instruments/conventions/specialised-sections/apostille)

<https://www.hcch.net/en/instruments/conventions/specialised-sections/apostille>

[U.S. Department of State — Office of Authentications \(federal documents\)](https://travel.state.gov/content/travel/en/records-and-authentications/authenticate-your-document/office-of-authentications.html)

<https://travel.state.gov/content/travel/en/records-and-authentications/authenticate-your-document/office-of-authentications.html>

[22 C.F.R. Part 131 — Certificates of authentication \(U.S. Department of State\)](https://www.law.cornell.edu/cfr/text/22/part-131)

<https://www.law.cornell.edu/cfr/text/22/part-131>

[Rules Regulating The Florida Bar, Chapter 10 — Unlicensed practice of law; nonlawyer form assistance \(Rules 10-2.1 and 10-2.2\)](https://www.floridabar.org/rules/rrtfb/)

<https://www.floridabar.org/rules/rrtfb/>

[In re Amendments to Fla. Family Law Rules of Procedure and Rule Regulating The Florida Bar 10-2.2, No. SC2026-1262 \(Fla. Sept. 10, 2026\) — nonlawyer form-assistance disclosure](https://flcourts-media.flcourts.gov/content/download/2495059/opinion/Opinion_SC2026-1262.pdf)

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9. Required Disclosures

- **Nonlawyer disclosure.** Jonathan Rexford is a nonlawyer. He is not an attorney, he is not a paralegal as defined by Rule 10-2.1(h) of the Rules Regulating The Florida Bar, and he cannot call himself a paralegal. He may not give legal advice, cannot tell you what your rights or remedies are, cannot tell you how to testify in court, and cannot represent you in court. He may only type the factual information you provide to him in writing into the blanks on a form. Except for typing, he may not tell you what to put in the form and may not complete the form for you. However, if the form is one approved by the Supreme Court of Florida, he may ask you factual questions to fill in the blanks on the form and may also tell you how to file the form. Before he assists you in completing any form, he will give you a written disclosure containing these terms, signed by both of you, for you to keep. As Rule 10-2.2(c) of the Rules Regulating The Florida Bar requires, as amended by the Supreme Court of Florida in [Case No. SC2026-1262](#) (effective October 1, 2026), any form he helps complete will state “This form was completed with the assistance of:” followed by his name, title, business name, address, telephone number, and email address. This report is general educational information only; reading it is not form assistance and does not create an attorney-client relationship.
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- **Your right to counsel.** You have the right to consult a Florida-licensed attorney at any time, before or after any document is prepared. The Florida Bar Lawyer Referral Service can be reached at 1-800-342-8011.

Respectfully prepared for your education,

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