

NORTH CAROLINA DEPARTMENT OF THE SECRETARY OF STATE

Office of Authentications

*Authentications Quick
Reference Guide*

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Chapter

1

Responsibilities of the **Office of Authentications**

The Office of Authentications within the NC Department of the Secretary of State is responsible for providing authentication services on North Carolina documents that will be used in foreign jurisdictions.

The NC Office of Authentications issues apostilles, authentications and certificates for a variety of **North Carolina** documents, including: birth certificates, marriage certificates, statements of marital status, articles of incorporation, corporate bylaws, certificates of merger, powers of attorney, patent applications, trademarks, diplomas, school transcripts, deeds, and assignments of interest. **The North Carolina General Statute for authentication is § 66-270 to § 66-279.** The text can be found on the NC Secretary of State website (www.sosnc.gov) under Authentications, then Statutes.

Types of Certifications

APOSTILLE

An "apostille" is a form of authentication issued to documents for use in countries that participate in the 1961 Hague Convention. A list of countries that accept apostilles is provided by the **Hague Conference on International Law** and is available by link on the Authentications by clicking the box "Hague Member List."

AUTHENTICATION/**Authority**

If the country of intended use **DOES NOT** participate in the Hague Convention, documents being sent to that country can be "authenticated" or "certified". This involves multiple authentications by different authorities in the chain of issuance (i.e. US Department of State, Authentications Office and the Foreign Embassy of the country of intended use.)

APOSTILLE

Apostille is a French word that means certification.¹ It is the title given to the authentication certificate issued under the Hague Convention Abolishing the Requirement of Legalization (www.hcch.net) for Foreign Public Documents ("Hague Legalization Convention.") A list of countries that accept apostilles is provided by the **Hague Conference on International Law** and is available on the Authentications website by clicking the box named "Hague Member List."

PLEASE NOTE:

Each state's or country's apostille may vary slightly. For example, the method used to attach the apostille may vary (glue, staple, grommet, etc.), the type of seal used may vary (color, embossed, gold seal, etc). These variations in the form of an *apostille* should not be grounds for rejection from the country of intended use so long as the *apostille* is clearly identified as an *apostille*.

The *Apostille* certifies to the authenticity of the signature, the capacity in which the person signing the document has acted and where appropriate, the Identity of the seal or stamp which the document bears. *Please note that the Apostille does not contain the country of intended use or any personal information contained in the document it is certifying.* For example, if an Apostille issued for use in Mexico is certifying the deputy Register of Deeds and Register of Deeds who issued a certified copy of a birth certificate., then the child's name, parent's name, date of birth, or the country of Mexico is **not** contained in the apostille. The ten elements contained in the apostille are as follows:

1. Country in which the *apostille* is produced;
2. Name of the public official signing the document which is the subject of the *apostille*;
3. Capacity of the public official;
4. The seal or stamp appearing on the public document, if any;
5. Place where the *apostille* was issued;
6. Date of issuance;
7. Issuing competent authority - Who issued the *apostille*;
8. Certificate number assigned to the *apostille*;
9. Seal or stamp of competent authority; and the
10. Signature of the competent authority.

¹ "Apostille." *Wikipedia, The Free Encyclopedia*. 2 Sep 2008, 05:27 UTC. 29 Sep 2008 <<http://en.wikipedia.org/w/index.php?title=Apostille&oldid=235751046>>.

AUTHENTICATION / AUTHORITY

If the country of intended use DOES NOT participate in the Hague Convention, documents being sent to that country can be "authenticated" or "certified." These documents usually require further authentication from the Authentication Office at the US Department of State and the Foreign Embassy of the country of intended use.

The U.S. Department of State, Authentication Office

The Department of State, Authentications Office is responsible for signing and issuing certificates under the Seal of the U.S. Department of State (22 CFR, Part 131.) The US Department of State Authentications Office provides authentication services to U.S. citizens and foreign nationals on documents that will be used overseas. This office receives a variety of documents from commercial organizations, private citizens, and officials of the Federal and State governments. Documents included but not limited to: company bylaws, powers of attorney, trademarks, diplomas, transcripts, distributorship agreements, articles of incorporation, good standing certificates, home studies, letters of reference etc. *The Office also ensures that the requested information will serve in the interest of justice and is not contrary to public policy.*

Contact Information

Mailing Address and Physical Address:

Authentications Office U. S. Department of State
518 23rd St., N.W. SA-1
Washington, D.C. 20520

It is suggested to use a self-addressed stamped envelope for faster return of your documents. Documents received without a return envelope and postage will be returned through the State Department regular mail, which can result in a 2-3 week delay. **U.S. Postal mail entering the U.S. Department of State must go through a screening process which may delay the time in which you will receive the document back.** For faster receipt/return of your documents, you can use DHL, Fed/Ex, UPS and express mail services. However, you must enclose a *prepaid computer generated airbill and envelope.*

Phone Number:

(202) 647-5002 or 1-800-688-9899 (Recorded message with office hours, location, and fee schedule.)

Due to the high volume of requests, the U.S. Authentication Office is not able to answer phone inquiries. For the fastest response to your questions, they recommend contacting the office via email in which you will receive a response within a 24 hour period or the next business day. You may also fax inquiries to the office.

Fax: 202-663-3636

Email Address: aopragsmauth@state.gov

Website Address: <http://www.state.gov/m/a/auth/>

Procedures for Obtaining an Apostille or Authentication

1. If the document is in a language other than English, this office will request a certified or notarized translation of the document into English as permitted in N.C.G.S. §66-274(a).

2. Appear before a Notary Public for execution of the document(s): Documents must be notarized by a North Carolina Notary Public, unless they were issued by one of these agents:

- Register of Deeds
- Clerk of Superior Court
- Department of Agriculture
- Department of Health and Human Services
- Vital Records
- Department of Motor Vehicles* (Raleigh, NC office ONLY)
- North Carolina Attorney General's Office

Documents (transcripts, report cards, diplomas) issued by a North Carolina university, college, community college or high school must be notarized by a North Carolina Notary Public using an affidavit. *A school seal applied to the document by the school registrar is not acceptable.* Please note in all cases that the document for which you wish to receive an Apostille must be issued since the year 2000.

3. Submit documents to the NC Authentication Office with a **cover letter**², money order or check, the original document(s) with all certifications attached and a return pre-paid computer generated carrier airbill. Should you wish the documents to be directed to a third party, please include that information and the paid carrier airbill addressed to the third party. Any documents received without a paid return envelope and/or a third party address will be delivered by regular mail to the person submitting the documents.

4. The processing fee is \$10.00 (in US currency) per document. **For adoptions only, the processing fee for a duplicate original is \$5.00 (in US currency) when requested at the same time as the first original.**

5. Make payment to the "NC Secretary of State."

6. **If the request is for an apostille**, the document requires no further authentication by the US Department of State and may be submitted to the country of its intended use.

If the Request is for an authentication, upon receipt of the document(s), submit documents to the US State Department Authentication Office for further legalization (see page 3 for contact information).

² There are cover letters in various languages available on our website, under Authentications by clicking on the box entitled "Cover Letters & Templates."

* Driving records must have the seal of the DMV Commissioner on all pages and must be accompanied by a complete title history.

Types of Documents

Business Entity Certified Documents by the NC Secretary of State

- Call the Corporations Division Information Specialist at 919-814-5400 and tell the Specialist you need to order a business entity document to be authenticated.
- The Specialist will tell you over the phone the amount due for both the certified document(s) and authentication fee(s), provide you with the invoice number to reference on the check and e-mail you a copy of the invoice. This invoice may also be paid online.
- The Specialist will provide the certified documents to the Authentications Office.
- The Authentications Office will hold the certified documents until notification of payment is received.
- Please submit a cover letter with the invoice, fee or paid invoice to the Office of Authentications, PO Box 29622, Raleigh, NC 27626-0622.
- Once payment is received, the Office of Authentications will remove the hold status and process the document(s) using standard procedures and policies. The turn around time is approximately two to three business days once payment is received.

Birth, Marriage, and Death Certificates

- **Must be a North Carolina Birth, Marriage, or Death**

North Carolina Vital Records

- **Must be certified copy issued by the county register of deeds office in which the birth, marriage or death occurred or North Carolina Vital Records.**

North Carolina Vital Records can be reached at **919-733-3526 or 919-733-3000** <http://vitalrecords.dhhs.state.nc.us/vr/index.html>. They are located in the Cooper Memorial Health Building at 225 N. McDowell Street, Raleigh, N.C. on the corner of McDowell and Lane streets between 8:00 a.m. and 4:00 p.m., Monday – Friday, except on state government holidays. **Walk-in requests for same day service are subject to an additional \$15 expedited services fee** and will usually be fulfilled in about one hour. Requests can also be made via mail to 1903 Mail Service Center, Raleigh, NC 27699-1903. NC Vital Records also works with a company called Vital Check. This is an outside corporation where orders can be made online at www.vitalchek.com or call toll-free 1-800-669-8310. *Typically the county register of deeds offices are quicker and less expensive to obtain a certified record.*

- **MUST BE A RECENT DOCUMENT.** The NC Authentication Office prefers documents be issued since the year 2000.

- ***CANNOT BE PHOTOCOPIES***
- ***CANNOT BE ISSUED BY OTHER STATE(S) OR COUNTRY***
- ***CANNOT BE CERTIFIED COPY OF A CONSULAR REPORT OF BIRTH, MARRIAGE OR DEATH ABROAD***

The NC Office of Authentications nor the U.S. State Department Authentication Office certifies birth, marriage, and death certificates issued abroad. For assistance, contact the U.S. Passport Office at (202) 955-0307. For additional information: http://travel.state.gov/passport/get/first/first_825.html

Divorce Decrees or Certificates of Divorce

- Must be a North Carolina Divorce
- Must be certified copy issued by the county clerk of court where the divorce occurred (most common) or a certificate of divorce issued by the North Carolina Vital Records (see page 5). ***Please note that the county register of deeds office does not issue divorce documents.***

Notarized Documents by a NORTH CAROLINA notary public

- **Documents must be notarized by a North Carolina Notary Public. Notarization must contain the following:**
 - State and County where document was notarized
 - Acknowledgement
 - Signature of Notary Public exactly as commissioned
 - Seal of Notary Public
 - Commission Expiration Date
- **Photocopies of documents**
 - Photocopies of documents must be accompanied by an affidavit.
 - A notary public **CANNOT** certify that a document is a true copy in an acknowledgement.
 - A Notary Public **CANNOT** notarize photocopies (even if accompanied with an affidavit) of documents issued by one of these agents:
 - Register of Deeds
 - Birth, Marriage, or Death Certificates
 - Clerk of Superior Court
 - Divorce Decrees

AUTHENTIFICATIONS QUICK REFERENCE GUIDE

- Department of Agriculture
 - Certificate of Free Sale
 - Department of Health and Human Services
 - Vital Records
 - Certificates of Birth, Marriage, Death, or Divorce
 - Department of Motor Vehicles
 - Complete Title History, Form MVR 605-A
 - North Carolina Attorney General's Office
- Photocopies of out of State Corporate Documents must be accompanied by an exhibit certificate "true copy" affidavit .