

Procuring Hague Convention Apostilles in the State of Missouri

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In my international practice, often the procurement of an Apostille is required in order to finalize a document drafted in the United States and notarized by an American notary, but to be used in a country other than the United States. While the Apostille may be a French word, as we often do in English, we have subsumed its use into our own dictionary. It means, simply, “certification” or “authentication”.

The Hague Convention Abolishing the Requirements of Legalization for Foreign Public Documents of 1961, or simply the “Hague Convention” or the “Apostille Convention” (or in French, *Convention de la Haye du 5 octobre 1961 Supprimant l'Exigence de la Légalisation des Actes Publics Étrangers (Convention Apostille)*) is an international treaty having to do with the legalization of documents for use in jurisdictions other than the jurisdiction in which the document is prepared, signed and executed. The Convention eliminates the need for authentication above the level of the Secretary of State and is only accepted by countries that have signed the treaty. The Convention specifies the ways in which documents issued in one of the signatory countries can be certified or legalized for legal purposes in all the other signatory states. The Apostille is an international certification comparable to a notarization in the United States.

In Missouri, for a document to “certified” or “apostilled”, it first must be notarized by a resident notary of Missouri. The second step, then, is the procurement of the Apostille. The Apostille is simply the “notarization” or certification of the notary’s signature on the document in question. The Secretary of State is empowered in the State of Missouri to issue the Apostille certifying the authenticity of the document.

The Missouri procedures for obtaining an Apostille depend on the document being authenticated for use in the foreign jurisdiction, and are set out on the Missouri Secretary of State’s website:

1. Birth Certificate - must be a certified copy from the Missouri Bureau of Vital Statistics
2. Marriage License - must be a certified copy from the Recorder of Deeds in the County of the marriage or from Bureau of Vital Statistics
3. Divorce Decree - must be a certified copy from the Circuit Clerk of the County where the divorce is recorded
4. School Documents - must be a certified copy from the school
5. Notarized Documents - must have the proper notarization on the document including the notarial paragraph, notary’s signature and seal.

The Missouri Secretary of State website has useful information on the procedure for procuring an Apostille in Missouri. While it states that documents must be sent to the State Capital Jefferson City for procurement, we at the Hein Law Firm can often effectuate a one-day turn around, if needed.

Overcoming the procedural hurdles in an expedited fashion is one way of well servicing the needs of our clients, by utilizing the resources and knowledge of local counsel, foreign attorneys well serve their clients, as well.