

## January 2000

### Greetings Florida Notaries!

I hope everyone had a fantastic holiday season and a safe and happy New Year. We will begin this year by discussing Attested Photocopies and Certifications of Notarial Authority.

### ATTESTED PHOTOCOPIES

In Florida, notaries are authorized to attest to the trueness of photocopies of certain documents. Although commonly known as certified copies, the notary law refers to these documents as attested photocopies. A Notary Public can make attested photocopies if the following four conditions, found in section 117.05(12), Florida Statutes (1999), are satisfied:

1. The document must be an original document. A Notary Public cannot make an attested photocopy from another photocopy, or from another certified copy.
2. The document cannot be a vital record or a public record, certified copies of which are available from another public official.
3. The Notary must make or supervise the making of the photocopy. It is not sufficient for the Notary Public to compare the photocopy with the original document.
4. The Notary is required to complete a notarial certificate in substantially the following form:

"On this \_\_\_\_\_ day of \_\_\_\_\_, (year), I attest that the preceding or attached document is a true, exact, complete, and unaltered photocopy made by me of (Description of document) presented to me by the document's custodian, \_\_\_\_\_, and, to the best of my knowledge, that the photocopied document is neither a vital record nor a public record, certified copies of which are available from an official source other than a notary public."

Remember to sign the certificate, print, type, or stamp your name, and affix your seal. This notarial certificate should be typed, stamped or written on the front or back of the photocopy or may be attached to the photocopy as a separate page.

Probably the greatest concern of Notaries is the type of documents that may be attested by Notaries. Notaries may NOT make attested copies of the following documents:

- Any vital records, whether recorded in Florida, another state, a U.S. territory, or another country, including birth and death certificates and marriage and divorce records
- Any document held by a state, county, or municipal agency, and most documents held by an agency of the federal government
- Any document that has been recorded by the county Clerk of the Court, such as deeds, powers of attorney, wills, liens, etc.
- Any document filed in a civil or criminal court proceeding
- A certificate of citizenship or naturalization
- Student records and transcripts maintained in public education offices
- Income tax forms that have been filed with the state or federal government
- Professional licenses issued by the State of Florida
- Business licenses issued by a municipal or county government
- Any document for which photocopying is prohibited

### CERTIFICATIONS OF NOTARIAL AUTHORITY

Often, legal documents that are notarized are intended for use in a country other than the United States. Generally, to be accepted in the destination country, a certificate regarding the status of the Notary Public must accompany the notarized document.

An Apostille certificate is attached to notarized documents being sent to countries that are parties to the international treaty known as the Hague Convention Abolishing the Requirement of Legalization of

Foreign Public Documents. This certificate allows the receiving country to accept the document without the lengthy and time-consuming authentication process. Notarized documents being sent to non-Hague Convention countries, or, in some cases, to other states, may require a Certificate of Notarial Authority. In either case, your customer must request the authentication from the Department of State, because the Secretary of State is the official custodian of the application records for Florida Notaries Public.

Requests for authentication certificates, along with payment of \$10 per certificate, may be mailed or presented in person to the main office of the Secretary of State in Tallahassee. Certification services are also available to walk-in customers in any of the six branch offices of the Department of State, Division of Licensing. The location of each office is listed below:

**Main Office**

Department of State  
Notary Commissions and Certifications Section  
The Capitol, Room 1801  
400 South Monroe Street  
Tallahassee, FL 32399-0250  
(850) 413-9732 or (850) 921-5268

**Miami Regional Office**

401 NW 2nd Avenue, Suite 720-N  
Miami, FL 33128  
(305) 377-5956

**West Palm Beach Regional Office**

The Forum, Tower A, Suite 100  
1675 Palm Beach Lakes Boulevard  
West Palm Beach, FL 33401  
(561) 640-6144

**Orlando Regional Office**

400 West Robinson Street, Room 110  
Orlando, FL 32801  
(407) 245-0883

**Tampa Regional Office**

1313 Tampa Street, Suite 712  
Tampa, FL 33602  
(813) 272-2552

**Jacksonville Regional Office**

Taylor Building, Suite 107  
1965 Beachway Road  
Jacksonville, FL 32207  
(904) 348-2660

**Fort Walton Beach Regional Office**

212 Eglin Parkway SE, Suite A  
Fort Walton Beach, FL 32548  
(850) 833-9146

This and more information about Attested Photocopies and Certifications of Notarial Authority may be found in the "Governor's Reference Manual for Notaries" which is located on the Governor's Website [www.myflorida.com](http://www.myflorida.com).

## **NOTARY SEMINARS**

Addition notary seminars have been scheduled for the winter. We have engaged the services of the two national notary organizations to assist us in providing instruction to Florida Notaries. All of the seminars cover basic notarial duties and procedures, and update notaries on any recent law changes. The fee is \$49 per student, which includes registration and materials.

Here is the schedule of classes for January and February:

### **CLASSES OFFERED BY THE NATIONAL NOTARY ASSOCIATION**

*Miami* - Wednesday, January 19, morning and afternoon  
*Fort Lauderdale* - Thursday, January 20, morning  
*Fort Myers* - Friday, January 21, morning  
*Jacksonville* - Monday, January 24, morning  
*Orlando* - Tuesday, January 25, morning and afternoon  
*St. Petersburg* - Wednesday, January 26, afternoon  
*Tampa* - Thursday, January 27, morning and afternoon

To obtain more information and to register for one of these classes, please call the National Notary Association at (800) 876-6827.

### **CLASSES OFFERED BY THE AMERICAN SOCIETY OF NOTARIES**

*West Palm Beach* - Tuesday, January 25, morning  
*Fort Lauderdale* - Tuesday, January 25, afternoon  
*Miami* - Wednesday, January 26, morning and afternoon  
*Aventura* - Thursday, January 27, morning  
*Coral Gables* - Thursday, January 27, afternoon  
*Miami Beach* - Friday, January 28, morning  
*Jacksonville* - Monday, January 31, morning  
*Daytona Beach* - Monday, January 31, afternoon  
*Maitland* - Tuesday, February 1, morning  
*Kissimmee* - Tuesday, February 1, afternoon  
*Lakeland* - Wednesday, February 2, morning  
*Tampa* - Thursday, February 3, morning  
*St. Petersburg* - Thursday, February 3, afternoon

To register or to request additional information, please contact the American Society of Notaries at (800) 522-3392, or e-mail ASN at [mail@notaries.org](mailto:mail@notaries.org).

Thank you for your time!

Jennifer Bertsch  
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If you would like to receive this electronic newsletter please e-mail me, [NOTARY EDUCATION COORDINATOR](#)