

Steps to Certifying a Copy of an Original Document

Many states allow notaries to make certified copies of documents as long as the original document is not a publicly recorded document. Documents that clients may ask to have certified by a notary include contracts, letters, settlement statements, agreements, and bills of sale. This list is certainly not all inclusive.

Often, notary-certified copies of originals are bound for recipients in other countries. This almost always means that they will flow through the notary's state authentication office so that the document may have an apostille or certificate of authentication attached to it before going to the receiving country. When a document goes through the process of authentication, the receiving country may verify that the presiding notary who made the copy is a genuine notary public. Apostille's in Delaware can only be done through the State of Delaware Notary Public office.

Therefore, assume that all notary-certified copies you make will be required to sustain a thorough inspection by your state's notary public administrator's office.

Please note that not all states allow their notaries to make certified copies of documents. Before attempting this act, check your state's notary laws to be certain you are authorized to do this type of notarial act. (At the end of this article is a link to the most current information that we have available about state laws and notary certified copies.)

Below are the steps that you should follow.

This is a general overview of steps that must be completed. Notaries should review their states' laws to confirm the appropriate method to be used in their home states. Methods are slightly different from state to state.

Step 1 - Review the document to make sure that it is an original. Notaries cannot make certified copies of copies.

Step 2 - Confirm that the document is not a public record or otherwise forbidden by your state's laws. Examples of publicly recorded documents are divorce decrees, deeds, mortgages, entity documents, birth certificates, marriage licenses, and other legal documents that have been recorded by clerks in government offices. Note that this list is not all inclusive.

Student records (transcripts, etc.) may be a problem for some states. Direct the client to the school's registrar's office for certified copies of school transcripts.

Step 3 - Make a copy of the document on white paper; do not use colored paper. Do not make a copy in color that looks like the original. Use the standard black/white setting on your copier. If the client brings the copy to you, inspect the copy closely and compare it to the original to assure the copy is a true copy.

Step 4 - Use the correct notarial certificate for making a certified copy. Or, if you prefer, use a stamp on the copy that has your statutory notary certificate wording for this type of act. If you cannot use a stamp, you must attach a loose notary certificate.

If you use a loose certificate, be sure to add to the bottom of a loose certificate identifying information similar to the following: *"Attached to (Name of Document). Number of pages including this one _____. Document Date, if any: _____. Signatories, if any: _____."*

Step 5 - Complete the notarization.

Step 6 - If your state requires you to keep a journal of notarial acts, have the document custodian sign the notary record book after you record what the certificate was attached to, the number of pages, the date of the original, and the names of the signatories if any.

Typical Certified Copy Certificate Language

Usually, states that allow notaries to make copies have special certificate language set forth in notary handbooks. Typical certified copy certificate language is shown below. Note that Florida notaries "attest" to the trueness of copies. Also, Florida notaries must personally supervise the making of copies from the originals.

State of ____
County of ____

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

[Notary's signature and seal]

Copy Certification Tip

TIP - If a document that is to be certified by you as a true copy is destined for another country for a lengthy process such as a foreign adoption, decline to provide services if your notary commission is less than one year away from expiration. Refer the client to another capable notary.