April 2001

EXECUTIVE OFFICE OF THE GOVERNOR
NOTARY SECTION
Notary E-Mail E-ducation April 2001

Greetings Florida Notaries!

This month we will look at different situations that you may come across when notarizing documents for someone who does not speak English, a document written in a foreign language, and certifying translations.

How do I notarize for a person who does not speak English?

The most important thing to remember is that the nature and effect of the document must be translated into a language that the person does understand. The law does not specify that a written translation is required; therefore, an oral translation is sufficient.

You may wish to add a statement in your notarial certificate that you have complied with this requirement of the law: "I further certify that the nature and effect of the document was translated for (name of signer) by (name of translator) prior to notarization." You may also want the translator to sign the document.

How do I notarize for a person who is signing a document written in a foreign language that I do not understand?

Remember, you are not responsible for the contents of the document, but you need to exercise caution in this situation. Follow these recommendations:

(1) Make sure that you can communicate verbally with the document signer or that a qualified, trustworthy translator is present.
(2) Determine, if possible, that the document is complete.
(3) Check the document for a notarial certificate. If the document does not have a notarial certificate, ask the document signer for instructions. If he directs you which notarial act is appropriate for his document, proceed by adding the correct certificate and completing the notarization. If he does not know, refuse to notarize.
(4) Complete the notarial certificate in English. The certificate may be translated into the language of the document, but the translated certificate should not be signed and sealed by the notary.
(5) If you are unsure about the notarization, you should refuse to notarize.

May I certify a translation if I am a bi-lingual notary?
Certifying a translation is not an authorized duty of a Florida notary public. However, you may notarize the signature of the translator on an affidavit where the translator certifies and swears to the accuracy of his or her translation. If you are the translator for a particular document, you would be translating the document, not in your capacity as a notary public, but as a person who is fluent in both languages required for the translation. You should make an affidavit and have your signature notarized by another notary. The following sample affidavit should be sufficient to certify the accuracy of a translation.

STATE OF FLORIDA
COUNTY OF _____

Before me this day personally appeared (name of translator) , who, being duly sworn, deposes and says: I am fluent in both (language) and (language) .

I certify that I have accurately translated the attached document, (name or description of document), from (language) into (language) .

SIGNATURE OF TRANSLATOR
(Address)

Sworn to and subscribed before me this _____ day of _____, 200_, by (name of translator) .

Personally Known _____
Produced Identification _____
Type of Identification _____

SIGNATURE OF NOTARY
(SEAL)   (Print name of Notary Public)

This information and more is available in the Governor's Reference Manual for Notaries. If you would like to receive a copy please e-mail your request to FL_GOV_NOTARY@eog.state.fl.us.

Thank you for your time!
Jennifer Bertsch
Notary Education Coordinator
State of Florida, Office of the Governor
FL_GOV_NOTARY@EOG.STATE.FL.US