

# THE HAGUE APOSTILLE IN BRAZIL: PUBLIC VALUE THROUGH INNOVATION

## APOSTILA DA HAIA NO BRASIL: VALOR PÚBLICO POR MEIO DA INOVAÇÃO

Fabício Bittencourt da Cruz **1**  
Fabyano Alberto Stalschmidt Prestes **2**

**Abstract:** This is an experience report by the National Council of Justice (CNJ), regarding the commitments assumed by the Federative Republic of Brazil on the Hague Apostille Convention. It addresses the role of the CNJ in the rapid and efficient implementation of the apostille service in the country through the development of an electronic apostille system (SEI-Apostila), created to enable the electronic issuance of apostilles in an auditable manner. It also aims to provide maximum security to the apostille service, considering the international perspective of gauging the authenticity of apostilles issued on Brazil. Thus, this report also addresses characteristics of the Brazilian apostille, which combines security requirements in the digital and physical perspectives. The result was an efficient public service, based on a hybrid apostille model, issued by the network of notaries originally in the SEI-Apostila, with a QR Code for verification of veracity, printed on paper provided by the Casa da Moeda.

**Keywords:** CNJ. Apostille Convention. SEI-Apostila. Hague Apostille.

**Resumo:** Este é um relato de experiência do Conselho Nacional de Justiça, no cumprimento dos compromissos assumidos pela República Federativa no Brasil no âmbito da Convenção da Apostila da Haia. Aborda-se a atuação do CNJ (Conselho Nacional de Justiça) na implantação do serviço de apostilamento no país, por meio do desenvolvimento de sistema eletrônico de apostilamento (SEI-Apostila), criado para viabilizar a emissão eletrônica de apostilas de forma auditável. O documento também visa proporcionar a máxima segurança ao serviço de apostilamento, considerada a perspectiva internacional de aferição de autenticidade das apostilas emitidas em solo brasileiro. São também abordadas as características da apostila brasileira, que alia requisitos de segurança nas perspectivas digital e física. O resultado foi um serviço público eficiente, baseado em modelo de apostila híbrido, emitido pela rede de cartórios originariamente no SEI-Apostila, com Código QR para consulta de veracidade e impressa em papel fornecido pela Casa da Moeda.

**Palavras-chave:** CNJ. Convenção da Apostila. SEI-Apostila. Apostila da Haia.

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- 1** PhD in Law from the University of São Paulo. Professor at the State University of Ponta Grossa – Doctorate, Masters and Graduate levels. Head of the MindTheGap Innovation in Law Project. Lattes: <http://lattes.cnpq.br/7053459589427233>. ORCID: <https://orcid.org/0000-0003-0538-9193>. E-mail: [fabriciobittcruz@gmail.com](mailto:fabriciobittcruz@gmail.com)
  - 2** Master by the Catholic University of Brasília. MBA in Public Management by FGV. General Director of the National Council of Justice - CNJ (2015-2016). Executive-Director of the Legal Researches Department in CNJ (2014-2015). Assessor at STF. Analyst at TRE/PR. Lattes: <http://lattes.cnpq.br/7387360043880485>. ORCID: <https://orcid.org/0000-0002-5917-0827>. E-mail: [fabyanoaprestes@gmail.com](mailto:fabyanoaprestes@gmail.com)

## Introduction

This paper aims to report how the National Council of Justice (CNJ), in the quality of a focal point for regulating the Apostille Convention in Brazil, as well as being able to attest the authenticity of apostilles issued by the Brazilian authorities, acted in an efficient manner to fulfill the commitments assumed by the Federative Republic in Brazil in the scope of the Convention Related to Abolishing the Requirement of Legalization for Foreign Public Acts, known as The Hague Apostille Convention.

In this paper, the general guidelines of the Convention are explored, especially concerning the goal to abolish the requirement of legalization of foreign public documents, facilitating these documents to circulate worldwide. Afterwards, models of apostillisation and document legalization are compared, emphasizing their main characteristics. The role of the National Council of Justice is addressed, as the focal point for regulating The Apostille Convention in Brazil, in the swift and efficient implanting of the apostillisation service issuing in the country, especially regarding the original regulation through the 228 CNJ Resolution, from June 22<sup>nd</sup> of 2016.

In the following, the essential premises identified for the electronic apostillisation system and the reasoning behind the development of the electronic apostille system (SEI-Apostila) are presented. This system was created not only to enable the electronic issuance of apostilles in a reliable and auditable manner but, especially, to offer security inherent to the apostillisation service, considering the international perspective of gauging the authenticity of apostilles issued on Brazilian territory.

Finally, the characteristics of the Brazilian apostille are addressed, elaborated in a way to combine maximum security on both digital and physical perspective.

The result was an efficient public service, based on a hybrid apostille model, issued by the Notary Offices network, originally in the SEI-Apostila, with a QR code to verify its veracity. The apostille is also available in printed format, printed on paper provided by the Casa da Moeda.

## The Hague Apostille Convention

The Convention Related to Abolishing the Requirement of Legalization for Foreign Public Acts, known as The Hague Apostille Convention, was approved in the Ninth Session of the Hague Conference, on October 26<sup>th</sup> of 1960. The document was signed on October 5<sup>th</sup> of 1961, for the purpose to abolish the requirement of legalization of foreign public documents, facilitating these documents to circulate worldwide. (CRUZ; PRESTES, 2016, p. 12-13).

The convention suppressed procedures for legalizing foreign public documents, simplifying the method used to gauge the authenticity of these documents, for the apostille issuance is the only formality to be demanded to attest signature authenticity, position or role performed by the document signatory and, when suitable, the authenticity of the seal or stamp affixed on the document.

The Apostille Convention came into effect on January 21<sup>st</sup> of 1965, 60 days after the deposit of the third ratification instrument. The first signatory countries to join The Hague Apostille Convention were Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Japan, Luxemburg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Yugoslavia, Island, Ireland, Liechtenstein and Turkey (CRUZ; PRESTES, 2016, p. 22).

Considering the possibility of adhesion, presented on article 10, currently 121 countries form the network of contracting nations of the convention (HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW, 2022).

Even though the Federative Republic of Brazil is listed among the signatory nations since October 5<sup>th</sup> of 1961, the deposit of the ratification instrument only occurred on December 2<sup>nd</sup> of 2015 (HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW, 2022). This occurred because the National Congress, exercising its exclusive competence to resolve on treaties, agreements or international acts (CF, art. 49, I), approved Brazilian entrance only on July 6<sup>th</sup> of

2015 (BRASIL. CONGRESSO NACIONAL, 2015, Decreto Legislativo 148).

The adherence of the Federative Republic of Brazil to The Hague Apostille Convention, according to the contents of the 12<sup>th</sup> article, would affect the relations between the adhering State and the Contracting States, in six months counted from the date when the ratification was notified.

Concisely: the implementation of the apostille service in Brazil would have to be executed in 180 counted days, from December 2<sup>nd</sup> of 2015.

The Apostille Convention was enacted by the 8.660 Decree, from January 29<sup>th</sup> of 2016, with interinstitutional adjustments led by the Ministry of Foreign Affairs. These adjustments aimed to suppress the procedures of documents legalization, regarding public documents to be presented in the signatory Countries of The Hague Apostille Convention.

## **Legalization and document apostille services**

The diplomatic or consular legalization in Brazil consists on procedures that demand, from the concerned party, several diligences in different departments, often in more than one State-member. After the proceedings, the public documents become apt to produce effects beyond Brazilian borders.

Take as an example a young student, living in the state of Pará, who is interested in getting a master's degree in Italy. To have the legality of the graduate certificate acknowledged in the intended Italian institution, it was necessary to go to a Notary Office to request certification of signature on his graduate certificate and to forward this document for legalization in one of the Ministry of Foreign Affairs Representative Offices, located in the capital of the following states: Rio de Janeiro, São Paulo, Minas Gerais, Rio Grande do Sul, Paraná, Pernambuco, Bahia and Amazonas. (BRASIL, 2021 a e b).

Considering that legalization consists “exclusively” on conferring the signature of notaries and clerks (BRASIL, 2021 a and b), the graduate student would have to go to an Italian consulate for the authorities to acknowledge the legalization procedure undertaken. Only then the graduation certificate could be considered legitimate on Italian territory. Furthermore, if the student had interest in applying for other selection processes in other universities, in Spain and New Zealand, for instance, it would be necessary to execute three legalization procedures, with independent disclosures on each of the consulates.

This is still a service performed by the Ministry of Foreign Affairs, to legalize documents issued in Brazil, aiming to validate them in not constituent countries of The Hague Apostille Convention. The service also aims to legalize documents issued abroad by countries who are constituents of The Hague Apostille Convention, to validate them in Brazil (BRASIL, 2021).

Regarding the 120 countries alongside the Federative Republic of Brazil who joined the Convention Related to Abolishing the Requirement of Legalization for Foreign Public Acts, known as The Apostille Convention (HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW, 2022), the legalization procedure is not needed, being succeeded by the Apostille Service.

The Apostille replaces the procedure of legalizing documents. The Apostille Service consists on the “act to complete an Apostille and annex it to the underlying public document to authenticate its origin” (CRUZ; PRESTES, 2016, p. 20).

The most impacting advantage of the apostillisation, concerning the legalization process, consists on the fact that, once in an apostille, the public documents have its validity acknowledged by all the States who partake in The Apostille Convention. Thus, the process facilitates exceedingly the circulation of these documents in most parts of the planet. Another impacting benefit is the celerity, considering that the several typical steps for legalization are no longer taken, because the apostillisation is a single action in its essence.

In Brazil, there is yet another important benefit: the decentralizing of the apostillisation, when compared to the centralized legalization procedure, considering that the apostillisation is being provided by most Notary Offices.

In fact, Notary Offices in all Brazilian States according to a list provided and updated by the CNJ are authorized to perform apostillisation services. This demonstrates their efficiency in

all regions of the country, proving this service is not only provided within the capitals (BRASIL. Conselho Nacional de Justiça, 2022; CONSULTOR JURÍDICO, 2022).

Nowadays, when the citizen goes to a Notary Office determined to achieve portability for a public document with validity in any of the 120 signatory countries of The Apostille Convention, it is only necessary to request for the apostillisation service. The Notary Office responsible for the certification of signature on the given document is also the one credited with the provisioning of the apostillisation service.

## **Leadership of the National Council of Justice (CNJ)**

In the dealings conducted by the Ministry of Foreign Affairs, it was highlighted that the CNJ would come to execute a center role on the context of documents apostillisation services. This because considering the experiences from other nations that already provided apostille services for public documents, the decentralizing was considered a key element for the effective success of the apostillisation service provisioning when regarding efficiency, celerity and cost effectiveness.

The expanded network of Notary Offices in all Brazilian territory indicated them being appropriate to provide apostille services. After all, the centrality of the procedure to legalize documents, executed by the Ministry of Foreign Affairs, results in considerable operational difficulties and elevated costs for the citizen who intends to carry legalized documents that are valid overseas.

Considering the competence of the Judiciary to oversee the notary and registration services (CF, art. 236, § 31), and the competence of the CNJ House to control the administrative and financial practice of the Judiciary, it was defined that the CNJ would enact as a focal point to regulate The Apostille Convention in Brazil, as well as to attest the authenticity of the apostilles issued by Brazilian authorities.

This definition occurred by direct dealings between Justice Ricardo Lewandowski, President of the CNJ, and the Minister of Foreign Affairs (Annex 1). The definition was reported to The Hague Conference on Private International Law by the Brazilian embassy in Hague, through the Verbal Note (Annex 2).

The CNJ House, according to its constitutional and legal attributions, edited the Resolution 228, from June 22nd of 2016, regulating the apostillisation service on the Judiciary scope. The edition contemplated the criteria and requirements related to the apostille standard, security, mechanisms to verify the authenticity of issued apostilles and the original adoption of the SEI-Apostila System, as a tool for electronic issuance, secure storage and auditability of all the issued apostilles.

The Resolution CNJ 228 also regulates the criteria for registering and the authorization of Notary Offices apt to issue apostilles, containing original expressed determination that, considering the commitments made by the Federative Republic of Brazil before The Hague Conference, there would be a mandatory apostille issuance in all the capitals of the country, as of August 14th of 2016 (BRASIL, 2016, art. 19).

In the scope of the CNJ, it was idealized the electronic system of apostillisation service, from adapting the SEI System, developed by the Fourth Region Federal Court – TRF4. The Brazilian apostille was also developed, being the only one in the world to contemplate several security requirements, both physical and digital.

The CNJ also provided the swift and efficient training of all the network of Notary Offices, regarding the use of the Apostille Electronic System (SEI-Apostila), as well as the procedure of issuing and printing apostilles, attending all the security, reliability and authenticity measurement requirements.

In strategic terms, after presenting the system on the VII Fórum de Integração Jurídica: direito notarial e de registro (CRUZ, 2016) event, the work methodology consisted on focusing the training sessions in the capitals of the states of Rio de Janeiro and São Paulo, given the magnitude of its population and the extension of the Notary Offices network on both states.

By the acting of the CNJ, alongside the Ministry of Foreign Affairs, the foreign community

had, for the first time, contact with the SEI-Apostila System and with the essential aspects of the Resolution 228/2016. On June 29th, diplomatic representatives of 50 countries were introduced to how the “new protocol of legalization of Brazilian documents to be used abroad, according to the determinations of The Hague Apostille Convention”, in a presentation at the Itamaraty Palace (BRASIL. Conselho Nacional de Justiça, 2016).

## **SEI-Apostila System**

On November 12th of 2015, Justice Ricardo Lewandowski created the Work Group for the development of the Electronic System and studies to apply The Hague Apostille on the Judiciary scope (BRASIL, 2016, portaria 155).

The group, integrated by the General Secretary of the CNJ, Fabrício Bittencourt da Cruz, by the General Director of the CNJ, Fabyano Alberto Stalschmidt Prestes, by the Chief Assessor of International Affairs of the Federal Supreme Court, Fernando Wanderley Cavalcanti Júnior and by the Presidency Auxiliary Judge of the CNJ, Bráulio Gabriel Gusmão, had 120 days to develop the electronic apostillisation system and to present a proposal for regulating the apostillisation service in the Judiciary scope (BRASIL. Presidência da República, -2016, Portaria 155).

The Work Group focused on three acting lines: 1) the development of the electronic system for apostillisation; 2) the stipulation of the requirements for the Brazilian apostille; and 3) the analysis of the elementary normative requirements for the provisioning of the apostillisation service in Brazil, through the Notary Offices network and under the CNJ regulation.

As for the system, the following essential premises were defined: usability, reliability, control and auditing.

The system implementing speed was also considered essential by the group, considering the need for the apostillisation service to be effectively provided on June 2nd of 2016. That is, exactly six months after Brazil adhesion to The Hague Apostille Convention was ratified, according what states the article 12 of the international treaty.

Given the necessary work to implement the service, to adapt the existing system for apostille issuance in electronic means would be an alternative with higher chances of success than to develop a new system. Aside from the development costs, there would be no time for usability tests, not to mention the inherent risks to the indispensable international reliability, needed from the issuing of the first apostille.

Amongst several existing systems, the group understood that the Electronic Information System (SEI), developed by the Information Technology team of the Fourth Region Federal Court (TRF4) and implemented on that court since 2009 could be the ideal base for the intent of electronic apostille service provisioning (BRASIL - Tribunal Regional Federal da Quarta Região, 2013).

SEI was created to manage electronically both knowledge and institutional memory, “[...] eliminating physical procedures, promoting celerity on work proceedings, valuing coherence on management decisions and favoring human resources management” (BRASIL - Tribunal Regional Federal da Quarta Região 2022a).

The use of this system reduced “[...] drastically the time spent on management activities, improved the organizing and leaning of workflows, aside from providing administrative information updates in real-time” (BRASIL - Tribunal Regional Federal da Quarta Região, 2022a).

At the time, the SEI had already transcended the internal management use in that courthouse. Several other courthouses in the country had adopted it to manage administrative cases, practice that does not differ from Federal Administration agencies. In fact, in 2014, it was already reported the adoption of SEI in 40 other agencies of the Three Powers (BRASIL. Tribunal Regional Federal da Quarta Região, 2014).

From the work group perspective, the SEI system provided excellent usability, for it enabled auditing of all documents and had its reliability attested in practice. In contextual terms, on October of 2020, the SEI was already being used by over 400 government entities,

including agencies of the Three Powers, demonstrating this system being the right choice to be used as basis for the development of the SEI-Apostila (BRASIL. Tribunal Regional Federal da Quarta Região, 2020).

Regarding the implementing speed for the electronic apostillisation services, the Information Technology team from TRF4 notified the need for adjustments on the system programming, also informing that the SEI system adapted to the apostillisation services would be fully operational withing two months.

The Associate Judge Luiz Fernando Wolk Penteado, President of the TRF4, authorized the system to be adapted by the IT team of that courthouse, where the Information and Apostille Electronic System was originated (in Portuguese, Sistema Eletrônico de Informação e Apostilamento, SEI-Apostila), object of the Technical Cooperation Agreement 5/2016. Through this agreement, the TRF4 granted to the CNJ the right to use the SEI system “on the necessary proceedings to the apostillisation service” (BRASIL. Conselho Nacional de Justiça 2016).

At the signing ceremony of the agreement, Justice Lewandowski, President of the CNJ, highlighted that, “Although we may be divided in different branches, the Brazilian Judiciary is one and, during this crisis, it stands, presenting projects, programs and proposals aiming to maintain itself up to date, especially on the information and technology fields” (LEWANDOWSKI, 2016).

The SEI-Apostila system was allocated in the cloud. Therefore, there was no need to purchase, download or install any given system; it suffices to access the CNJ website to complete the apostillisation process. Aside from the SEI-Apostila, the TRF4 also provided a tutorial for all the Notary Offices network, speeding the learning process so they could provide the apostillisation services (GARCIA, 2016).

The system was first presented to the CNJ Counselors, when the House deliberated over the text that would become, after unanimous approval, the CNJ Resolution 228/2016 (CRUZ; GARCIA, 2016).

Two years after implementing the SEI-Apostila, it was reported that the system had successfully processed almost three million public documents in Brazil (BRASIL. Conselho Nacional de Justiça, 2022b), which represented about 125 thousand apostillisation services per month, significantly higher rate than the average of 83 thousand document legalization that were done by the Ministry of Foreign Affairs (OLHAR JURÍDICO, 2016). On January of 2022 it was reported that over eight million documents had undergone the apostillisation service (BRASIL. Tribunal Regional Federal da Quarta Região, 2018, 2022).

The great success of the SEI-Apostila is due, in greater part, to the decentralizing of the apostillisation services in the Notary Offices network; to its usability; reliability and its efficiency regarding the apostilles issuance (OLHAR JURÍDICO, 2016).

## **The Brazilian Apostille**

The Hague Apostille Convention consists on a certificate used internationally as a facilitator for comercial and legal transactions, to consolidate in a single certificate, all the information needed to ensure validity to a public document in another signatory country of the treaty.

The Work Group, formed by Justice Ricardo Lewandowski (BRASIL. Presidência, 2015, portaria 155) to develop the Electronic System and to study the implementing of The Hague Apostille, comprehended pertinent the apostille issuance solely in electronic format, that is, without apposition of a physical signature in case of the apostillisation process (CRUZ et al., 2015). This decision was made considering the automation of the judiciary process (BRASIL, 2006, Lei 11.419), the use of several electronic systems focused on administrative processes, for instance, the SEI system, as well as the Brazilian Public Keys Infrastructure, constituted to ensure authenticity, integrity and legal validity of documents in electronic format (BRASIL, 2001, Medida Provisória 2.200-2).

However, contacting the General-Secretary of The Hague Conference on Private International Law, it was noticed that the physical signature was indispensable, especially

considering the international documentary reliability, since many signatory countries of The Apostille Convention are not adept to electronic signing. Thus, the Brazilian apostille was created in a way to ally maximum security in both digital and physical perspectives.

The digital security was ensured using the SEI-Apostila for issuance with electronic signature, after login and password, only of people previously authorized by the CNJ for apostille issuance (CNJ, 2016, art. 8º, § 1º, da Resolução 228). It was also added to the Brazilian model the apostille issuance with its corresponding QR-Code, enabling any person in possession of the printed version to attest its authenticity by comparing the physical version to the virtual one hosted on the SEI-Apostila system.

For security and reliability assurance on the physical version, it was decided that the apostille would be printed on a secure paper, issued by the Casa da Moeda (CNJ, 2016, art. 8º, § 1º, da Resolução 228), glued with destructible adhesive to the apostille document, stamped and signed by the authority responsible by the apostillisation service (CNJ, 2016, art. 8º, § 3º, da Resolução 228).

In essence, the Brazilian apostille is hybrid: originally issued on the SEI-Apostila, with a QR-Code to consult its veracity, and printed on secure paper produced by the Casa da Moeda, adhesive glued to the apostille document and signed by the authority responsible for the apostillisation service. With these characteristics, it is possible to be assured of its authenticity.

The Brazilian apostille, aside from the standardized format, following the modeled stipulated by the CNJ, on Annex I of the Resolution 228/2016, and the security requirements, contemplates specific instructions (Figure 1).

**Figure 1.** Standard apostille format

 <b>CONSELHO NACIONAL DE JUSTIÇA</b> BRASIL APOSTILLE (Convention de La Haye du 5 octobre 1961)	
1. País: (Country / Pays):	REPÚBLICA FEDERATIVA DO BRASIL
Este documento público (This public document / Le présent acte public)	
2. Foi assinado por: (Has been signed by / A été signé par)	
3. Na qualidade de: (Acting in the capacity of / Agissant en qualité de)	
4. Tem o selo / carimbo de: (Bears the seal / stamp of / Est revêtu du sceau / timbre de)	
Certificado (Certified / Attesté)	
5. Em: (At / A)	Porto Alegre
6. No dia: (The / Le)	03/06/2016
7. Por: (By / Par)	Usuário do Cartório
8. Nº: (Nº / Sous n°)	0000093
9. Selo / Carimbo: (Seal / Stamp / Sceau / Timbre)	10. Firma: (Signature) Assinatura Eletrônica Electronic Signature Signature Electronique
Tipo de documento: (Type of document / Type d'acte) Nome do titular: (Name of holder of document / Nom du titulaire)	
<p>Esta Apostille certifica sempre a autenticidade, a capacidade de assinatura e, quando apropriado, o selo ou carimbo contidos no documento público. Ela não certifica o conteúdo do documento para o qual foi emitida.</p> <p>The Apostille certifies only the signature, the capacity of the person signing it and, where appropriate, the seal or stamp which the public document bears. It does not certify the content of the document for which it was issued.</p> <p>Cette Apostille ne certifie que la signature, la qualité de l'auteur de la signature et, le cas échéant, les sceaux ou le timbre dont est revêtu cet acte public. Elle ne certifie pas le contenu de l'acte pour lequel elle a été émise.</p> <p>A signatário desta Apostille e de seu documento eletrônico, bem como o documento público subjacente, podem ser verificados em:</p> <p>The authenticity of the Apostille and its electronic signature, along with the underlying public document, may be verified at:</p> <p>L'authenticité de cette Apostille, de la signature électronique, ainsi que de l'acte public sous-jacent peut être vérifiée sur:</p> <p>35 61 2326-4607 www.cnj.jus.br/sei ouvidoria@cnj.jus.br</p> <p>For those who use this QR Code to check the authenticity of this Apostille and its electronic signature, a copy of the underlying public document is also accessible from the same page.</p> <p>Veuillez utiliser ce Code QR afin de vérifier l'authenticité de cette Apostille et de sa signature électronique. Une copie de l'acte public sous-jacent est également accessible sur la même page.</p> <p>Order Code: 0000093 CNC CF9FD965</p> <p>seil</p> <p>2016.0.0000029-6 A0000000</p>	

Source: Available cnj Website

Aside from the validation of this certificate fixed on the apostilled document, it is also possible to visualize through the QR-Code the digitalized and stored apostille in the SEI-Apostila, assuring the viewer its verified authenticity (CNJ, 2016, art. 8º, § 4º, from Resolution 228).

The first apostilled document in Brazil was the doctoral certificate in State Law of Justice Ricardo Lewandowski. The procedure was executed on the 17th Notary Office of São

Paulo, on August 15th of 2016, when the ceremony of implementing the SEI-Apostila occurred. (ANOREG, 2016).

## Concluding Remarks

The electronic apostille service of documents in Brazil represents an evolution without precedents, when compared to the system of legalizing documents.

This evolution was possible due to the efficient enacting of the CNJ, not only by regulating the apostillisation service in the Judiciary scope but, especially, for enabling the issuance of secured, reliable and totally accessible apostilles on every part of the country.

The efficiency of the CNJ, partnered with the TRF4 was also decisive to the development of the SEI-Apostila, a successful case in issuing millions of apostilles. It was also relevant on training Notary Offices, for the provisioning of this service to begin on the stipulated time by The Convention Related to Abolishing the Requirement of Legalization for Foreign Public Acts.

The positive impacts of adopting the apostille, being the CNJ the focal point to regulate The Apostille Convention in Brazil as well as to attest the authenticity of the apostilles issued by Brazilian authorities, transcend the perspectives of agility, reliability and debureaucratization. The regulation generates, by innovation, incontestable public value to the apostillisation service provisioning (MOORE, 2002, p. 41 and 114).

In fact, the public apostillisation service replaced the legalization of public documents destined to any of the signatory countries of The Hague Apostille Convention, being by the original use of the SEI-Apostila or by the physical and electronic security characteristics inherent to the apostilles issued in Brazil. This is an achievement resulted by the choices made focusing on adaptability and efficiency, effectively creating additional value by this new procedure, aligned with Moore's envisioning (MOORE, 2002, p. 17, 44, 118 and 148).

According to Justice Ricardo Lewandowski, implementing the SEI-Apostila resulted in a considerable decrease of the Brazilian cost (ANOREG, 2016), being reasonable to conclude that the apostillisation service not only achieves public value but it also implies in a higher efficiency when facing adversities (NEGRI, 2019, p. 41) that transcend the act of providing apostillisation services.

## References

ANOREG. Notícias. **Ministro Ricardo Lewandowski inaugura Apostila da Haia em Cartórios em evento em São Paulo.** Disponível em <https://www.anoreg.org.br/site/2016/08/15/ministro-ricardo-lewandowski-inaugura-apostila-da-haia-em-cartorios-em-evento-em-sao-paulo/>. Acesso em 14.1.2022.

BRASIL. Congresso Nacional. **Decreto Legislativo 148**, de 6 de julho de 2015. Disponível em <https://legis.senado.leg.br/norma/570270> Acesso em 16.1.2022. BRASIL. Conselho Nacional de Justiça. (a) Cartórios autorizados. Disponível em <https://www.cnj.jus.br/poder-judiciario/relacoes-internacionais/apostila-da-haia/cartorios-autorizados/>. Acesso em 14.1.2022.

BRASIL. **Conselho Nacional de Justiça. Notícias.** CNJ: Apostila da Haia: quase três milhões de documentos em dois anos. 14 de ago. De 2018 Disponível em: <https://www.anoreg.org.br/site/2018/08/14/cnj-apostila-da-haia-quase-tres-milhoes-de-documentos-em-dois-anos/>. Acesso em 14.1.2022.

BRASIL. **Conselho Nacional de Justiça. Notícias.** (b) CNJ e MRE apresentam SEI Apostila para comunidade estrangeira. Disponível em <https://cnj.jusbrasil.com.br/noticias/359812402/cnj-e-mre-apresentam-sei-apostila-para-comunidade-estrangeira>. Acesso em 16.1.2022.

BRASIL. **Conselho Nacional de Justiça. Plenário.** Resolução 228, de 22 de junho de 2016. Disponível em [https://atos.cnj.jus.br/files/resolucao\\_228\\_22062016\\_25032019134809.pdf](https://atos.cnj.jus.br/files/resolucao_228_22062016_25032019134809.pdf).



Acesso em 16.1.2022.

BRASIL. Conselho Nacional de Justiça. Presidência. **Portaria 155**, de 12 de novembro de 2015. Disponível em <https://atos.cnj.jus.br/atos/detalhar/2205>. Acesso em 15.1.2022.

BRASIL. Conselho Nacional de Justiça; Tribunal Regional Federal da Quarta Região. Acordo de **Cooperação Técnica 5/2016**. 2016. Disponível em <https://www.cnj.jus.br/wp-content/uploads/2016/07/3dbaef7a416c2b58c8887974fb23f32b.pdf>. Acesso em 16.1.2022.

BRASIL. Presidência da República. **Decreto 8.660**, de 29 de janeiro de 2016. Disponível em [http://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2016/decreto/d8660.htm](http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/decreto/d8660.htm) Acesso em 15.1.2022.

BRASIL. **Lei 11.419**, de 19 de dezembro de 2006. Disponível em [http://www.planalto.gov.br/ccivil\\_03/\\_ato2004-2006/2006/lei/l11419.htm](http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/l11419.htm) Acesso em 15.1.2022.

BRASIL. **Medida Provisória 2.200-2**, de 24 de agosto de 2001. Disponível em [http://www.planalto.gov.br/ccivil\\_03/mpv/antigas\\_2001/2200-2.htm](http://www.planalto.gov.br/ccivil_03/mpv/antigas_2001/2200-2.htm). Acesso em 16.1.2022.

BRASIL. **Ministério das Relações Exteriores (a)**. Legalizar documentos emitidos no Brasil para validade em países que não são parte da Convenção da Apostila da Haia. 29 de nov. de 2021. Disponível em: <https://www.gov.br/mre/pt-br/assuntos/portal-consular/legalizacao-de-documentos/legalizacao-de-documentos/legalizar-documentos-emitidos-no-brasil-para-validade-em-paises-que-nao-sao-parte-da-convencao-da-apostila-de-haia>. Acesso em 14.1.2022. BRASIL. Ministério das Relações Exteriores (b). Legalizar documentos emitidos no estrangeiro por países que não são parte da Convenção da Apostila da Haia para validade no Brasil. 25 de jun. de 2021. Disponível em <https://www.gov.br/mre/pt-br/assuntos/portal-consular/legalizacao-de-documentos/legalizacao-de-documentos/legalizar-documentos-emitidos-no-estrangeiro-por-paises-que-nao-fazem-parte-da-convencao-da-apostila-da-haia-para-validade-no-brasil>. Acesso em 14.1.2022.

BRASIL **Tribunal Regional Federal da Quarta Região(a)**. Modernização. Sistema Eletrônico de Informações - SEI. Disponível em [https://www.trf4.jus.br/trf4/controlador.php?acao=pagina\\_visualizar&id\\_pagina=740](https://www.trf4.jus.br/trf4/controlador.php?acao=pagina_visualizar&id_pagina=740). Acesso em 15.1.2022.

BRASIL. Tribunal Regional Federal da Quarta Região. Notícias. **Experiência do TRF4 com sistema eletrônico de informações é exemplo de sucesso em evento de gestão corporativa. 06 de jun. de 2013**. Disponível em [https://www.trf4.jus.br/trf4/controlador.php?acao=noticia\\_visualizar&id\\_noticia=9164](https://www.trf4.jus.br/trf4/controlador.php?acao=noticia_visualizar&id_noticia=9164). Acesso em 16.1.2022. BRASIL. Tribunal Regional Federal da Quarta Região. Notícias. SEI: sistema do TRF4 adotado em mais de 40 órgãos dos três Poderes reúne representantes em Porto Alegre. 02 de dez. de 2014. Disponível em [https://www.trf4.jus.br/trf4/controlador.php?acao=noticia\\_visualizar&id\\_noticia=10667](https://www.trf4.jus.br/trf4/controlador.php?acao=noticia_visualizar&id_noticia=10667). Acesso em 15.1.2022.

BRASIL. Tribunal Regional Federal da Quarta Região. Notícias. **TRF4 assina cessão de uso do SEI com seis instituições**. 26 de out. de 2020. Disponível em [https://www.trf4.jus.br/trf4/controlador.php?acao=noticia\\_visualizar&id\\_noticia=15524](https://www.trf4.jus.br/trf4/controlador.php?acao=noticia_visualizar&id_noticia=15524). Acesso em 15.1.2022.

Collins English Dictionary. **Definition of 'QR code'**. Disponível em <https://www.collinsdictionary.com/dictionary/english/qr-code>. Acesso em 16.1.2022. CONSULTOR JURÍDICO. Em seis anos, cartórios fizeram mais de 8 milhões de apostilamentos no Brasil. Disponível em: <https://www.conjur.com.br/2022-jan-29/seis-anos-cartorios-fizeram-milhoes-apostilamentos>. Acesso em 18.3.2022.

CRUZ, Fabrício Bittencourt da. **Convenção da Apostila da Haia e Resolução CNJ 228: o papel da rede de cartórios no Brasil**. Palestra. VII Fórum de Integração Jurídica. Brasília, Senado Federal, 2016.

CRUZ, Fabrício Bittencourt da; GUSMÃO, Bráulio; CAVALCANTI JÚNIOR, Fernando. Wanderley;

PRESTES, Fabyano Alberto Stalschmidt. **Grupo de Trabalho para Desenvolvimento de sistema eletrônico e realização de estudos para aplicação da Convenção da Apostila da Haia no âmbito do Poder Judiciário**. CNJ: 2015.

CRUZ, Fabrício Bittencourt da; PRESTES, Fabyano Alberto Stalschmidt. (Org.). **Manual da Apostila**: um manual para a operação prática da Apostila / Hague Conference on Private International Law. Tradução: Marcelo Conforto de Alencar Moreira, Marina Brazil Bonani, Rogério Gonçalves de Oliveira, Thaísa Carla Melo. 1. ed. Brasília: CNJ, 2016.

CRUZ, Fabrício Bittencourt da; GARCIA, Patrícia Valentina Ribeiro Santanna. **Apresentação do Sistema SEI Apostila ao Plenário do CNJ**. Palestra. Brasília, CNJ. 2016.

GARCIA, Patrícia Valentina Ribeiro Santanna. **Vídeo SEI Apostilamento**. Disponível em: <https://goo.gl/lyMGsU>. Acesso em 14.1.2022.

HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW. Convenção Relativa à Supressão da Exigência da Legalização dos Actos Públicos Estrangeiros. **Assinaturas e ratificações**. Disponível em: <https://www.hcch.net/pt/instruments/conventions/status-table/?cid=41>. Acesso em 14.1.2022.

LEWANDOWSKI, Ricardo. **TRF4 cede sistemas eletrônicos de gestão para CNJ**. Disponível em [https://www.trf4.jus.br/trf4/controlador.php?acao=noticia\\_visualizar&id\\_noticia=11965](https://www.trf4.jus.br/trf4/controlador.php?acao=noticia_visualizar&id_noticia=11965). Acesso em 15.1.2022.

MOORE, Mark Harrison. **Criando valor público**: gestão estratégica no governo. Rio de Janeiro: Uniletras; Brasília: ENAP, 2002.

NEGRI, Sandra. **A produção de valores públicos de gestão no Poder Judiciário brasileiro sob a ótica da teoria de Moore**. 2019. Tese (Doutorado em Administração) - Universidade Nove de Julho UNINOVE, São Paulo, 2019. OLHAR JURÍDICO. Notícias. **Legalizar documentos usados no exterior levará 10 minutos com Apostila da Haia**. 16 de jun. de 2016. Disponível em <https://www.olharjuridico.com.br/noticias/exibir.asp?id=33088&noticia=legalizar-documentos-usados-no-externo-levara-10-minutos-com-apostila-da-haia> Acesso em 15.1.2022.

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