

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

IN THE MATTER OF THE RESPONSE	
BY WASHINGTON STATE COURTS TO	ORDER ADOPTING EMERGENCY
THE PUBLIC HEALTH EMERGENCY IN	SIGNATURE RULE
WASHINGTON STATE	No. _____

WHEREAS. On February 29, 2020, Governor Jay Inslee declared a state of emergency in all counties in the state of Washington due to the public health emergency caused by the Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, during this state of emergency, the Centers for Disease Control and Prevention and the Washington State Department of Health have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public spaces; and

WHEREAS. On March 23, 2020, Governor Jay Inslee ordered all people in Washington State to immediately cease leaving their home or place of residence except to conduct or participate in essential activities and/or for employment in essential business services; and

WHEREAS, attorneys throughout the Washington State are working from their homes, many of which lack the resources available in their law offices; and

WHEREAS, not every county clerk has the ability to offer electronic filing; and

WHEREAS, during this state of emergency it is desirable to reduce the number of individuals who must leave their homes or place of residence in order to file documents with the clerks of court; and

WHEREAS, special procedures and filing options offered by clerks of the court to reduce in person contact between their staff members and the general public cannot be accessed widely due to an inability to affix a physical signature to a pleading, the Court adopts the following emergency rule that shall remain in effect until further order of the Court.

IT IS HEREBY ORDERED THAT:

1. Until further order of the Court an attorney may sign a document that will be filed with a clerk of the court as provided in section 2, including a document that must be signed under penalty of perjury, in the following manner:

s/John Attorney
State Bar Number 12345
ABC Law Firm
123 South Fifth Avenue
Seattle, WA 98104
Telephone: (206) 123-4567
Fax: (206) 123-4567
E-mail: John.Attorney@lawfirm.com

2. A document signed as authorized in section 1 shall only be valid when:
 - a. It is sent directly to the clerk by electronic facsimile (fax) transmission from the fax number that the attorney provided to the Washington State Bar Association pursuant to APR 13. Documents filed by fax must otherwise comply with GR 17.
 - b. It is sent directly to the clerk via the electronic mail address that the attorney has provided to the Washington State Bar Association pursuant to APR 13.
 - c. It is physically delivered to the clerk of the court by a person who completes one of the following declarations or certifications:

- (i) I am personally familiar with insert name of attorney. I have communicated directly with insert name of attorney and s/he has confirmed that this document was prepared by him/her and that s/he authorizes its filing with the clerk.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

Signed this _____ day of _____, 20__ in insert city where signed, Washington.

Printed name:

- (ii) I certify that I work for insert name of company, a process serving company, and that I have been retained by insert name of attorney or law office, for the purpose of filing this document. The attorney or law office has emailed, electronically uploaded, or faxed us this document through a verified or pre-existing account to file these documents on the attorney's or law office's behalf.

Signed this _____ day of _____, 20__ in insert city where signed, Washington.

Printed name:

3. An attorney is responsible for all documents filed pursuant to this emergency rule.
4. Nothing in this emergency rule shall require a clerk to have a facsimile machine or an e-mail address.
5. A clerk is not required to accept documents filed by fax or electronic mail. A clerk who is willing to accept documents filed by fax or electronic mail while this emergency rule is in effect shall provide notice of the procedures

to be followed, including for the collection of any fees. Nonpayment of any
fax service fee or e-mail service fee shall not affect the validity of the filing.

DATED at Olympia, Washington this ___ day of _____, 2020.

For the Court

CHIEF JUSTICE DEBRA L. STEPHENS