

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
AMENDED STANDING ORDER No. 8**

USE OF UNSWORN DECLARATIONS

WHEREAS, on May 22, 2020, the Delaware Supreme Court issued Administrative Order No. 3, which suspended, until the expiration of the judicial emergency, requirements for sworn declarations, verifications, certificates, statements, oaths, or affidavits filed with the Superior Court;

WHEREAS, on June 29, 2021, the Delaware Supreme Court issued Administrative Order No. 22 that lifted the judicial emergency as of July 13, 2021, with certain precautions to prevent the spread of COVID-19 remaining in effect;

WHEREAS, in paragraph 4 of Administrative Order No. 22, the Supreme Court instructed that “[c]ourts should examine their rules and procedures to determine whether the expanded use of unsworn declarations under 10 *Del. C.* § 3927 should continue, to the extent consistent with constitutional and statutory requirements, after expiration of the judicial emergency”;

WHEREAS, given that many law firms and businesses continue to operate remotely in full or part as a precaution to prevent the spread of COVID-19, the Superior Court has determined that continued use of unsworn declarations under 10 *Del. C.* § 3927 after the expiration of the judicial emergency is appropriate and consistent with constitutional and statutory requirements;

WHEREAS, on October 6, 2021, this Court issued Standing Order No. 8 which suspended the requirements of sworn statements, verifications, certificates, or affidavits in filings with the Superior Court until December 31, 2021.

NOW, THEREFORE, as a continued precaution to prevent the spread of COVID-19, IT IS HEREBY ORDERED this 4th day of January 2022:

1. Under 10 *Del. C.* § 3927, as limited by 10 *Del. C.* § 5354(b), any requirements for sworn statements, verifications, certificates, or affidavits in filings with the Superior Court are suspended until further Order of this Court.

2. Except as provided in 10 *Del. C.* § 5354(b), any person or party may submit an unsworn statement, verification, certificate, or affidavit to the Superior Court in place of a sworn statement, verification, certificate, or affidavit.

3. The unsworn statement, verification, certificate, or affidavit shall, as required by 10 *Del. C.* § 3927, be in substantially the following form:

I declare under penalty of perjury under the laws of Delaware that the foregoing is true and correct.

Executed on the ___ day of _____ (month) _____ (year).

_____ (Printed Name)

_____ (Signature)

FOR THE COURT:

/s/ Jan R. Jurden

President Judge Jan R. Jurden