

## **Rule 2. Form of Action and Definitions**

(a) There shall be 1 form of action to be known as "domestic relations action".

(b) As used in these rules, the terms listed below are defined as follows:

(1) Affidavit. A written declaration or statement of facts confirmed by the oath of the party making it.

(2) Clerk. Clerk of the Domestic Relations Branch of the Superior Court.

(3) Legal holiday. The term legal holiday includes New Year's Day, Birthday of Martin Luther King, Jr., Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day, and any other day appointed as a holiday by the President or the Congress of the United States, or by the District of Columbia.

(4) Minor. Any person under the age of 18, and, in cases involving the right to child support, any person under the age of 21.

(5) Oath. Unless otherwise provided by statute or rule, whenever a document is required to be signed under oath, the affiant may either:

(A) sign the following statement: "I solemnly swear or affirm under criminal penalties for the making of a false statement that I have read the foregoing paper and that the factual statements made in it are true to the best of my personal knowledge, information and belief" or

(B) make the foregoing statement before an officer authorized to administer an oath or affirmation, including a notary public, who shall certify in writing to having administered the oath or taken the affirmation.

Whenever these Rules require that a person take an oath, an affirmation may be accepted instead.

## **COMMENT**

Subparagraph (b)(5)(A) of this rule permits the use of an unsworn statement where an oath or affidavit is required by the Domestic Relations rules, unless otherwise provided. In accordance with D.C. Code § 22-2405 (False Statements), the statement contains a warning clause which indicates that making a false statement will subject the person to criminal liability.