

Rule 2. Form of Action; Definitions; Unsworn Declarations

(a) **FORM OF ACTION.** There is one form of action—the domestic relations action.

(b) **DEFINITIONS.** The following definitions apply to these rules:

(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 Family Court.

(3) **Minor.** Any person under the age of 18 except:

(A) in cases involving the right to child support, any person under the age of 21; or

(B) in cases where a child support order has been issued in another jurisdiction, any person designated as a minor under the laws of that jurisdiction.

(c) **UNSWORN DECLARATIONS.**

(1) *When Allowed.* Unless otherwise provided by law, whenever any matter is required or permitted by these rules to be supported by the sworn written declaration, verification, certificate, statement, oath, or affidavit of a person, the matter may, with the same force and effect, be supported by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed as true under penalty of perjury, and dated, in substantially the following form, which must appear directly above the person's signature:

(A) If executed inside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States:

I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date).

(B) If executed outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States:

I declare under penalty of perjury under the law of the District of Columbia that the foregoing is true and correct, and that I am physically located outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States. Executed on ____ (date) day of _____ (month), ____ (year), at _____ (city or other locations, and state), _____ (country).

(2) *Exclusions.* Rule 2(c)(1) does not apply to:

(A) a deposition;

(B) an oath of office; or

(C) an oath required to be given before a specified official other than a notary public.

COMMENT TO 2018 AMENDMENTS

Section (c) is based on Civil Rule 9-1(e) and replaces the definition in former section (b) concerning oaths.

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.