

Rule 88. Form and validity of signed declarations; verification and acknowledgement of documents.

(a) **Definitions.** As used in these rules:

(1) "Acknowledged" means notarized with an acknowledgement consistent with Utah Code section 46-1-2.

(2) "Declarant" means the person who gives a signed declaration.

(3) "Signed declaration" means a sworn declaration or unsworn declaration.

(4) “Sworn declaration” means a declaration in a signed document given under oath before a justice, judge, commissioner, court clerk, or notary public. A sworn declaration includes an affidavit or jurat.

(5) “Unsworn declaration” means a declaration in a signed document not given under oath but given under penalty of Title 76, Chapter 8, Part 5 Falsification in Official Matters.

(6) “Verified” means including or accompanied by a signed declaration in accordance with paragraph (d).

(b) **Validity of unsworn declaration.** Except as otherwise provided by statute or rule, if a rule requires or permits the use of a sworn declaration, an unsworn declaration meeting the requirements of this rule has the same effect as a sworn declaration.

(c) **Form of unsworn declaration.** An unsworn declaration must include language in substantially the following form:

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the ____ day of _____, _____, at _____.

Date	Month	Year	City or other location, and state or country
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26 _____

27 Printed name

28 _____

29 Signature

30 (d) **Verified document.** If a rule requires or permits a document or any portion of a
31 document to be verified, the document must be accompanied by a signed declaration—
32 in the same document or in one or more separate supporting documents—that is based
33 on the declarant’s personal knowledge, shows the declarant is competent to testify on the
34 matters set forth in the document, and affirms that the matters set forth in the document
35 are true and correct.

36 (e) **Filing.** If a person files a signed declaration or verified document, that person must
37 comply with Rule 5(f).

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39 *Effective:*