

Alternative Signature Methods for Judicial Officers April 2020

The emergency order gives judicial officers broad discretion to determine the appropriate means for them to sign an order, judgment, notification, or other document. The signature may be a traditional “wet” signature, a secure and encrypted “digital” signature, an electronic image of a “wet” signature, an electronic symbol or indication of the judicial officer’s intent to sign the document, or even an inked stamp.

Judicial signatures can have great import and carry significant consequences. Just because the emergency order authorizes an alternative does not necessarily mean that method is appropriate for every type of document and in every jurisdiction or circumstance.

For example, greater security and formality may be appropriate for judicial signatures on warrants and judgments than on certain notifications. In some jurisdictions, clerks or justice partners may validate judicial signatures against a signature sheet.

This emergency rule encourages, but does not require, courts to consider the circumstances under which alternative methods are appropriate for judicial officer signatures on documents in their jurisdiction. In superior courts, the presiding judge should consult with the county clerk. The presiding judge is encouraged to memorialize the accepted local practice for alternative signatures in an emergency order.

SAMPLE LANGUAGE:

- “Until further order of this court, use of an electronic signature as defined by Supreme Court Emergency Order is an acceptable means for any judicial officer to sign any document requiring a judicial signature.”
- “Until further order of this court, an electronic signature as defined by Supreme Court Emergency Order is an acceptable means for a judicial officer to sign the following types of documents: [List]. The following types of documents may only be signed by using these means [e.g., a digital signature, an electronic image of the judicial officer’s signature applied by the judicial officer, an inked stamp of the judicial officer’s signature applied by the clerk of the court at the judicial officer’s direction, etc.]”

RESOURCES:

- General Rule [\(GR\) 30](#)
- Supreme Court Order [25700-B-596](#)
- RCW [9A.72.085](#)
- RCW [19.360.030](#)
- Uniform Electronic Transactions Act ([ESSB 6028](#)), *effective June 11, 2020*