

## MEMO

**TO: Senator Richard Sears, Chair, Senate Committee on Judiciary**

**FROM: Brian J. Grearson, Chief Superior Judge**

**DATE: March 11, 2019**

**SUBJECT: Proposed Amendment S. 105**

The Judiciary proposes the following amendments to S. 105 as part of its implementation of a new case management system expected to begin this Spring. These amendments are necessary to facilitate the filing of pleadings electronically without the need for documents that presently require a notary public.

- Sec. 4 V.S.A. Sec. 27b – Electronically filed verified documents.

Any person who is a registered electronic filer of the judiciary's electronic filing system for documents may file any document which would otherwise require a notarial approval or verification with the following language instead, above the signature and date:

I declare that the above statement is true and accurate to the best of my knowledge and belief. I understand that if this statements is false, I will be subject to the penalty of perjury.

This exception shall not apply to affidavits in support of search warrant applications, or applications for non-testimonial identification orders.

- Section 2904a. False declaration.

A person who signs and declares, certifies, or verifies in writing that a statement is true, and is made under the penalty, penalties, or pains and penalties of perjury, who willfully declares falsely in such declaration, certification, or verification, shall be guilty of perjury and punished as provided in section 2901 of this title.

I am glad to discuss these proposals with you in more detail.

Respectfully submitted,

Brian J. Grearson  
Chief Superior Judge