Supreme Court of Florida

No. AOSC20-16

IN RE: COVID-19 EMERGENCY PROCEDURES FOR THE ADMINISTERING OF OATHS VIA REMOTE AUDIO-VIDEO COMMUNICATION EQUIPMENT

ADMINISTRATIVE ORDER

WHEREAS the World Health Organization has declared the Coronavirus Disease 2019 (COVID-19) a pandemic, the Governor of Florida has declared a state of emergency exists, and the Surgeon General and State Health Officer have declared a public health emergency exists, and the Florida State Courts System must take steps to mitigate the effects of the COVID-19 on legal proceedings and participants in those legal proceedings; and

WHEREAS mitigating the effects of COVID-19 is a high priority on the Florida State Courts System; and

WHEREAS it is the intent of this order to suspend any actual or implied requirement that notaries, and other persons qualified to administer an oath in the State of Florida, must be in the presence of witnesses for purposes of administering an oath for depositions and other legal testimony, so long as the notary or other

qualified person can both see and hear the witness via audio-video communications equipment for purposes of readily identifying the witness; and

WHEREAS a public health emergency currently exists in Florida requiring mitigation including social distancing measures meant to reduce the increase in person-to-person transmission of the virus that causes COVID-19;

NOW THEREFORE, under the administrative authority conferred upon me by article V, section 2(b) of the Florida Constitution and Florida Rules of Judicial Administration 2.205(a)(2)(B)(iv) and 2.205(a)(2)(B)(v),

IT IS ORDERED that:

1. Notaries and other persons qualified to administer an oath in the State of Florida may swear a witness remotely by audio-video communication technology from a location within the State of Florida, provided they can positively identify the witness; and

2. If a witness is not located within the State of Florida, a witness may consent to being put on oath via audio-video communication technology by a person qualified to administer an oath in the State of Florida; and

3. All rules of procedure, court orders, and opinions applicable to remote testimony, depositions, and other legal testimony, including the attestation of family law forms, that can be read to limit or prohibit the use of audio-video communications equipment to administer oaths remotely or to witness the

attestation of family law forms, are hereby suspended, and will remain suspended until the expiration of the provisions of paragraph five in *In Re: COVID-19 Emergency Procedures in the Florida State Courts*, Fla. Admin. Order No. AOSC20-13 (March 13, 2020), and any orders extending AOSC20-13.

DONE AND ORDERED at Tallahassee, Florida, on March 18, 2020.

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Chief Justice Charles T. Canady

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ATTEST:

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John A. Tomasino, Clerk of Court

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