

FOR IMMEDIATE RELEASE

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New Court of Chancery Rule 178B

Effective immediately, the Court of Chancery enacted new Rule 178B that allows for the use of unsworn declarations under penalty of perjury, in lieu of verifications, sworn declarations, affidavits, and notarized signatures, in certain guardianship matters. Documents filed in guardianship matters that still require notarization are: petitions seeking to appoint a guardian for adults with an alleged disability or to appoint a guardian of property for a minor, to remove a guardian and/or appoint a successor guardian, and to add a co-guardian; physician's affidavits, and personal information sheets filed by petitioners related to those petitions; petitions to terminate a guardianship due to recovery of the person with a disability or to terminate in favor of less restrictive measures; petitions for instructions regarding life-sustaining procedures; consents filed related to those petitions; petitions to transfer funds at majority in guardianships of a minor's property; and applications to proceed *in forma pauperis*. Unsworn declarations under penalty of perjury can be used for all other guardianship documents. This rule change makes permanent simplified guardianship procedures that were adopted during the pandemic while safeguarding the integrity of court filings.