

**Chapter 5.28 RCW
OATHS AND AFFIRMATIONS**

Sections

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Rules of court: *Cf. ER 603; CR 43(d).*

Oaths and mode of administering: State Constitution Art. 1 s 6.

RCW 5.28.010 Who may administer. Every court, judge, clerk of a court, state-certified court reporter, or notary public, is authorized to take testimony in any action, suit or proceeding, and such other persons in particular cases as authorized by law. Every such court or officer is authorized to collect fees established under RCW 36.18.020 and 36.18.012 through 36.18.018 and to administer oaths and affirmations generally and to every such other person in such particular case as authorized. [2010 c 98 s 1; 1995 c 292 s 1; 1987 c 202 s 124; 2 H. C. s 1693; 1869 p 378 s 1; RRS s 1264.]

Intent—1987 c 202: See note following RCW 2.04.190.

Oath of witness in superior court to be administered by judge: Rules of court: Cf. CR 43(d).

Powers of courts, judicial officers to administer oaths: RCW 2.28.010, 2.28.060.

RCW 5.28.020 How administered. An oath may be administered as follows: The person who swears holds up his or her hand, while the person administering the oath thus addresses him or her: "You do solemnly swear that the evidence you shall give in the issue (or matter) now pending between and shall be the truth, the whole truth, and nothing but the truth, so help you God." If the oath be administered to any other than a witness giving testimony, the form may be changed to: "You do solemnly swear you will true answers make to such questions as you may be asked," etc. [2011 c 336 s 132; 2 H. C. s 1694; 1869 p 378 s 2; RRS s 1265.]

RCW 5.28.030 Form may be varied. Whenever the court or officer before which a person is offered as a witness is satisfied that he or she has a peculiar mode of swearing connected with or in addition to the usual form of administration, which, in witness' opinion, is more solemn or obligatory, the court or officer may, in its discretion, adopt that mode. [2011 c 336 s 133; 2 H. C. s 1695; 1869 p 379 s 3; RRS s 1266.]

RCW 5.28.040 Form may be adapted to religious belief. When a person is sworn who believes in any other than the Christian religion, he or she may be sworn according to the peculiar ceremonies of his or her religion, if there be any such. [2011 c 336 s 134; 2 H. C. s 1696; 1869 p 379 s 4; RRS s 1267.]

RCW 5.28.050 Form of affirmation. Any person who has conscientious scruples against taking an oath, may make his or her solemn affirmation, by assenting, when addressed, in the following manner: "You do solemnly affirm that," etc., as in RCW 5.28.020. [2011 c 336 s 135; 2 H. C. s 1697; 1869 p 379 s 5; RRS s 1268.]

RCW 5.28.060 Affirmation equivalent to oath. Whenever an oath is required, an affirmation, as prescribed in RCW 5.28.050 is to be deemed equivalent thereto, and a false affirmation is to be deemed perjury, equally with a false oath. [2 H. C. s 1698; 1869 p 379 s 6; RRS s 1269.]

Perjury: Chapter 9A.72 RCW.