

# Thurston County

## Electronic Signature Policy



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# Steps to Creating Policy

- Draft Policy
- Stakeholder Review of Policy
- Executive Committee Review
- Legal Review
- Adoption by Board of County Commissioners
- Implementation

# Policy Statement

To ensure digital signatures, both sent and received by the County, on official documents are legally valid and enforceable. The Courts follow GR 31.1 and GR 30(a) ELECTRONIC FILING AND SERVICE and are exempt from this policy.

The ESSB6028 bill report describing the statute notes that:

- A record or signature may not be denied legal effect or enforceability solely because it is in electronic form;
- A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation;
- If a law required a record to be in writing, an electronic record satisfies the law; and
- If a law requires a signature, an electronic signature satisfies the law.

# Requirements

The Uniform Electronic Transactions Act (UETA) does not require a government agency to use or permit electronic records or signatures but gives the authority for each government agency to determine the extent to which it will use and accept electronic records.

When an Office/Department agrees to conduct transactions by electronic means, the following elements must be met for an electronic signature to be valid under the UETA.

- The parties must intent to sign;
- The parties must consent to doing business electronically;
- There must be a connection between the electronic signature and the associated record; and
- The electronic signature records created for each transaction must be capable of retention and accurate reproduction for reference by all parties entitled to retain the contract or document.

# Implementation

- Create Authorization Form – Name, types of documents allowed to e-sign, authorization, signature from employee and authorized signer.
- Communication to executive teams to introduce the policy.
- Distribution of policy and form
- Working with IT to find a vendor to make electronic signatures easier to do and manage the documents.



# Questions?

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# Resources

- [Uniform Electronic Transactions Act \(UETA\)](#) - Chapter 1.80 RCW
- [ESSB 6028 Bill Report](#)
- [Public Records Act](#)
- [Office of the Secretary of State Records Management Guidelines and Retention Schedules](#)
- [GR 31.1](#) and [GR 30\(a\)](#) ELECTRONIC FILING AND SERVICE – Washington State Court Rules