

# D.C., Maryland, and Virginia Laws Regarding Remote Witnesses and Notarization for Wills & Trusts

Updated as of May 8, 2020

STATE	Does state require will to be witnessed? If so, how many witnesses?	Does state require will to be notarized?	Does state require trust to be notarized?	Will: Allow remote witnessing?	Will: Allow remote notary?	Trust: Allow remote witnessing?	Trust: Allow remote notary?	Status of remote notary/witness rules/regulations
MARYLAND	Yes - 2	No, but must be notarized to be "self-proving"	Notarization of trusts only required if transferring real property	<a href="#">Yes. At least during current state of emergency, per Executive Order 20-04-10-01. This requires that in addition to the two witnesses, one Supervising Attorney be present on the video call (in addition to any notary).</a>	<a href="#">Yes. Remote notarization is permitted at least during current state of emergency, per Executive Order. In addition, remote notarization permitted generally after 10/1/20, except for wills and trusts. Remote notarization must meet a number of requirements to be effective, see Executive Order 20-03-30-04 (before 10/1/20), or MD Code Ann. State Govt. 18-201 et seq. (after 10/1/20)</a>	No.	Yes. Remote notarization is permitted at least during current state of emergency, per Executive Order. In addition, remote notarization permitted generally after 10/1/20, except for wills and trusts. Remote notarization must meet a number of requirements to be effective, see Executive Order 20-03-30-04 (before 10/1/20), or MD Code Ann. State Govt. 18-201 et seq. (after 10/1/20);	Governor Executive Order 20-03-30-04 signed/ effective March 30, 2020 (remote notary) and Governor Executive Order 20-04-10-01 signed/ effective April 10, 2020 (remote witness)
VIRGINIA	Yes - 2 (Also allows holographic will to be admitted to probate, but requires further proof by two disinterested witnesses)	No, but must be notarized to be "self-proving"	Notarization of trusts only required if transferring real property	<a href="#">No</a>	<a href="#">Yes</a>	No	Yes	Virginia considered seeking a legislative extension of its electronic notarial law (went into effect in 2012) to witnesses, but the Legislation Committee of the Virginia Bar Association decided against attempting it.
WASHINGTON DC	Yes - 2	Not required, but good practice recommends it	Notarization of trusts only required if transferring real property	<a href="#">No</a>	<a href="#">Yes</a>	No	Yes	DC enacted Revised Uniform Law on Notarial Acts in 2018