

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2444

BY: GRAVES

AS INTRODUCED

AN ACT RELATING TO COURTS; AMENDING 20 O.S. 1991,  
SECTION 1304, WHICH RELATES TO CLAIMS AGAINST THE  
LOCAL COURT FUND; EXPANDING PERMISSIBLE CLAIMS  
AGAINST THE COURT FUND; AUTHORIZING REFUNDS OF  
CERTAIN FEES; PROVIDING PROCEDURE FOR THE APPROVAL  
OF CERTAIN CLAIMS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 20 O.S. 1991, Section 1304, is amended to read as follows:

Section 1304. (a) ~~Claims~~ Except as otherwise provided in this section, claims against the court fund shall include only such expenses as may be lawfully incurred for the operation of the court in the county. Payment of the expenses may be made after the claim therefor is approved by the district judge who is a member of the governing board of the court fund and either the local court clerk or the local associate district judge who is a member of said governing board. No expenditures falling into any category listed below as items (2), (5) and (6), may be made without prior written approval of the Chief Justice of the Supreme Court. The Supreme Court may provide by rule the manner in which expenditures in the restricted categories shall be submitted for approval. When

allowing the expenditures for items (5) and (6), the Chief Justice shall direct that resort first be had to the surplus funds in the court fund in the county involved.

(b) The term "expenses" shall include the following items and none others:

- (1) principal and interest on bonds issued prior to January 1, 1968, Title 19 of the Oklahoma Statutes, Sections 771 through 778;
- (2) compensation of bailiffs and part-time help;
- (3) juror and witness fees and mileage, as well as overnight accommodation and food expense for jurors kept together as set out in Title 28 of the Oklahoma Statutes, Sections 81 et seq., except that expert witnesses who appear on behalf of the State of Oklahoma shall be paid a reasonable fee for their services from the court fund;
- (4) office supplies, books for records, postage and printing;
- (5) furniture, fixtures and equipment;
- (6) renovating, remodeling and maintenance of courtrooms, judge's chambers, clerk's offices and other areas primarily used for judicial functions;
- (7) judicial robes;
- (8) attorney's fees for indigents in the trial court and on appeal;
- (9) compensation or reimbursement for services provided in connection with an adult guardianship proceeding as provided by Section 4-403 of Title 30 of the Oklahoma Statutes. Compensation from the court fund for attorneys appointed pursuant to the Oklahoma Guardianship and Conservatorship Act, Section 1-102 et seq. of Title 30 of the Oklahoma Statutes, shall be

substantially the same as for attorneys appointed in juvenile proceedings pursuant to Title 10 of the Oklahoma Statutes. The compensation, if any, for guardians ad litem appointed pursuant to the Oklahoma Guardianship and Conservatorship Act shall not exceed One Hundred Dollars (\$100.00);

(10) transcripts ordered by the court;

(11) necessary telephone expenses, gas, water and electrical utilities for the part of the county courthouse occupied by the court;

(12) the cost of publication notice in juvenile proceedings as provided in Section 1105 of Title 10 of the Oklahoma Statutes and in termination of parental rights proceedings brought by the state as provided in Section 1131 of Title 10 of the Oklahoma Statutes;

(13) interpreter fees; and

(14) any other expenses now or hereafter expressly authorized by statute.

(c) No county courthouse building commission shall be created after March 1, 1968, and no disbursements shall be permitted from any court fund under the provisions of Title 19 of the Oklahoma Statutes, Sections 771 through 778, except by county courthouse commissions created prior to March 1, 1968, provided, nothing in this act shall prevent the construction of additional courtrooms within existing courthouse facilities, from funds other than the court fund.

(d) Items of equipment, furniture, fixtures, printing or supplies that are available in the quantities desired from a contract vendor's list for order or purchase by the court fund through the facilities of the Central Purchasing Office of the State of Oklahoma may not be purchased by any court fund at prices higher than those approved by the Central Purchasing Office.

(e) A claim for the refund of the fee collected pursuant to Section 152.1 of Title 28 of the Oklahoma Statutes for requesting a jury may be made against the court fund by any payor thereof if the matter for which the request was made was resolved without the need for impaneling a jury. The refund may be made after the claim therefor is approved by the district judge who is a member of the governing board of the court fund and the local court clerk or the local associate district judge who is a member of the governing board.

SECTION 2. This act shall become effective September 1, 1992.

43-2-7668

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