

ENGROSSED HOUSE  
BILL NO. 2304

By: Maddux and Sadler of the  
House

and

Hendrick of the Senate

An Act relating to children; amending 10 O.S. 1991,  
Section 1116.3, as last amended by Section 195,  
Chapter 352, O.S.L. 1995 (10 O.S. Supp. 1995,  
Section 1116.3), which relates to review boards;  
authorizing additional reviews concerning certain  
juveniles; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 1991, Section 1116.3, as  
last amended by Section 195, Chapter 352, O.S.L. 1995 (10 O.S. Supp.  
1995, Section 1116.3), is amended to read as follows:

Section 1116.3 A. Review boards shall function in an advisory  
capacity to the district court and, in accordance with subsection C  
of this section, the district planning and coordination boards for  
services to children and youth of the Commission on Children and  
Youth.

The ~~duties of a~~ review board shall be to:

1. ~~Pursuant to the provisions of subsection C of this section,~~  
~~review~~ Review the case of every adjudicated deprived child and may  
review the case of any juvenile adjudicated delinquent or in need of  
supervision at least once every six (6) months and submit to the

court within ten (10) days of any review hearing its findings and recommendations:

- a. such review shall include but not be limited to consideration and evaluation of:
  - (1) the appropriateness of the goals and objectives of the treatment and service plan,
  - (2) the appropriateness of the services provided to the child, and to the parent, stepparent, or other adult living in the home of the child, or legal guardian, or custodian;
- b. reviews of cases and reports to the court shall be scheduled to ensure that the court receives the findings and recommendations of the review board prior to each regularly scheduled six-month review of the case by the court;

2. Review the case of every child held in an out-of-home placement, other than a juvenile detention center, on a preadjudicatory or predisposition custody order for more than ninety (90) days. Said cases shall be reviewed by a review board not more than forty-five (45) days after the expiration of the ninety days. Such review shall include but not be limited to consideration and evaluation of:

- a. whether the continued out-of-home placement is in the best interests of the child in light of the child's need for permanency and recognizing that permanency is in the best interests of the child,
- b. the appropriateness of the continued out-of-home placement, and
- c. in the absence of a court-ordered treatment and service plan, the appropriateness of the services provided to the child and any family members or other adult living in the home of the child; and

3. Forward copies of the findings and recommendations of the review board to the court having jurisdiction of the case, the parent, legal guardian, attorney representing the child, custodian of the child, agency supervising the case or legal custodian of the child and to any other interested party as determined by the court. It shall be the duty of the court clerk to ensure that all documents filed pertaining to the case of an adjudicated child are properly noted and affixed in the file of the child prior to the commencement of the review process by the review board and the bailiff or bailiffs of the judges having juvenile docket responsibility within the district shall transmit the information necessary for the case reviews to the review board for that district.

B. The review board's report of its findings and recommendations shall be admitted into evidence in any dispositional hearing, and may be relied upon to the extent of its probative value, even though not competent for purposes of an adjudicatory hearing.

C. In addition to its reviewing function, a review board, as directed by the Commission on Children and Youth and in coordination with the district planning and coordination boards shall:

1. Promote and encourage all child placement agencies to maximize family stability and continuity for a child by discouraging unnecessary changes in placement and by recruiting persons to provide placement who may be suitable and willing to adopt;

2. Review the efforts of agencies and institutions to find permanent placement for eligible children and report to the court;

3. Encourage a meeting between the various responsible public and private agencies, institutions, and officers of the court in order to facilitate cooperation and coordination of efforts; and

4. Assess community resources, and develop, if not already available, a directory of responsible persons, agencies, and institutions.

D. A review board may solicit the attendance at its meetings of persons known to the board with information concerning the case of any child subject to its review.

E. A review board shall report annually its findings, recommendations, and assessments of the effectiveness of sections of law pertaining to individual treatment plans, information to accompany deprived children placed outside the home, and dispositional orders and Sections 1116.2 through 1116.6 of this title to the Administrator of the Courts, the Supreme Court, to the court having jurisdiction of the case, to the State Postadjudication Review Advisory Board, and the Commission on Children and Youth and provide such other reports as deemed proper or that may be requested from time to time by the Commission on Children and Youth, the Governor, the Legislature, or the Supreme Court.

F. It shall be the duty of the court having jurisdiction of the case to acknowledge the receipt of the recommendations of the review board and note to the review board the actions of the court regarding the recommendations submitted by the review board.

SECTION 2. This act shall become effective November 1, 1996.

Passed the House of Representatives the 29th day of February, 1996.

Speaker of the House of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1996.

President of the Senate