

SHORT TITLE: Liens; creating lien for court reporter. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1282

By: Henry

AS INTRODUCED

An Act relating to liens; creating lien for court reporter services; stating priority of lien; requiring filing of certain notice; requiring mailing of certain notice; stating venue; providing for application of the Oklahoma Pleading Code; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50 of Title 42, unless there is created a duplication in numbering, reads as follows:

A. Every court reporter who performs court reporting services for any person in relation to a civil action, shall have a lien for the amount due for the court reporting services upon any money judgment, monetary settlement, or other monies collected or to be collected by the person who contracted with the court reporter for court reporting services relating to the civil action. The lien shall be inferior to any lien or claim of any attorney handling the civil action for which court reporter services were provided.

B. No lien which is provided for in subsection A of this section shall be effective unless:

1. A written notice setting forth an itemized statement of the amount claimed, identifying the date and type of work performed which shall include the style of the case, the case number, and the court to which the case was assigned, and containing the name and address of the court reporter claiming the lien, is filed on the mechanic's and materialman's lien docket in the office of the county clerk of the county of the residence of the person who contracted with the court reporter for the court reporting services; and

2. The court reporter sends, by registered or certified mail, postage prepaid, a copy of the notice required by paragraph 1 of this subsection with a statement of the date of filing thereof to the person who contracted with the court reporter for the court reporting services. The court reporter shall also send a copy of the notice to the attorney, if any, for the person who contracted with the court reporter for the court reporting services if the name and address of the attorney is known to the court reporter.

C. A lien provided for in this section may be enforced by a civil action in the district court of the county where the civil action was filed. The practice, pleading, and proceedings in the action shall conform to the rules prescribed by the Oklahoma Pleading Code to the extent applicable.

SECTION 2. This act shall become effective November 1, 1998.

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