

SHORT TITLE: Courts; changing time period required before
destruction of court reporters' notes; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 430

By: Smith

AS INTRODUCED

An Act relating to court records; amending 20 O.S. 1991, Section 1006, as amended by Section 3, Chapter 197, O.S.L. 1995 (20 O.S. Supp. 1996, Section 1006), which relates to destruction of records; changing time period required before destruction of court reporters' notes; and declaring an emergency.

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

SECTION 1. AMENDATORY 20 O.S. 1991, Section 1006, as amended by Section 3, Chapter 197, O.S.L. 1995 (20 O.S. Supp. 1996, Section 1006), is amended to read as follows:

Section 1006. A. Unless there is an objection by the chief judge of the district court, the court clerk is authorized to destroy all exhibits in all domestic relations cases in which there has been no activity for more than twenty (20) years, and exhibits in all other civil cases in which there has been no activity for more than ten (10) years.

B. The chief judge may direct a court reporter to destroy a court reporter's notes ~~in domestic relations cases in which there has been no activity for twenty (20) years, in all other civil and criminal cases in which there has been no activity for more than~~ after the expiration of ten (10) years from the date of a proceeding, or, if a proceeding has not resulted in an appeal upon

which a request has been made to transcribe the proceeding, and in misdemeanor cases in which there has been no activity for more than five (5) years all notes of a court reporter may be destroyed immediately upon completion of transcription of a proceeding.

C. No pleadings or judgments shall be destroyed under the provisions hereof of this section.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-0621

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