

ENGROSSED HOUSE
BILL NO. 2962

By: Sullivan and Duncan of the
House

and

Lerblance of the Senate

An Act relating to attorneys and state bar; amending 5 O.S. 2001, Section 5, which relates to authority of attorney to represent a party; deleting certain attorney of record requirement; and declaring an emergency.

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

SECTION 1. AMENDATORY 5 O.S. 2001, Section 5, is amended to read as follows:

Section 5. The court ~~may~~, on motion~~7~~ of either party~~7~~ and on the showing of reasonable grounds therefor, may require the attorney for the adverse party~~7~~ or for any one of the several adverse parties~~7~~ to produce or prove by ~~his~~ oath, or otherwise, the authority under which ~~he~~ the attorney appears~~7~~ and, until ~~he~~ the attorney does so, may stay proceedings by ~~him~~ the attorney on behalf of the parties for whom ~~he~~ the attorney assumes to appear. ~~Any attorney performing any service for remuneration and which service has or would have a bearing upon the direction or outcome of the case and where the relation of attorney and client exists as to the particular matter being litigated, whether briefing, appearing or other service, and whether temporary or continuous in nature, shall be made an attorney of record in such matter.~~

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.

Passed the House of Representatives the 6th day of March, 2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate