

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

## FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend House Bill No. 2561, Page 7, Line 19 1/2,

as follows:

By inserting a new SECTION 2 to read as follows, by renumbering subsequent sections, and by amending the title to conform:

SECTION 1. AMENDATORY 10 O.S. 2001, Section 40.4, is amended to read as

follows:

Section 40.4.

In all Indian child custody proceedings of the Oklahoma Indian Child Welfare Act, including voluntary court proceedings and review hearings, the court shall ensure that the district attorney or other person initiating the proceeding shall send notice to the parents or to the Indian custodians, if any, and to the tribe that is or may be the tribe of the Indian child, and to the appropriate Bureau of Indian Affairs area office, by ~~registered~~ certified mail return receipt requested. The notice shall be written in clear and understandable language and include the following information:

1. The name and tribal affiliation of the Indian child;
2. A copy of the petition by which the proceeding was initiated;
3. A statement of the rights of the biological parents or Indian custodians, and the Indian tribe:
  - a. to intervene in the proceeding,
  - b. to petition the court to transfer the proceeding to the tribal court of the Indian child, and
  - c. to request an additional twenty (20) days from receipt of notice to prepare for the proceeding; further extensions of time may be granted with court approval;
4. A statement of the potential legal consequences of an adjudication on the future custodial rights of the parents or Indian custodians;

5. A statement that if the parents or Indian custodians are unable to afford counsel, counsel will be appointed to represent them; and

6. A statement that tribal officials should keep confidential the information contained in the notice.

Submitted by:

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Senator Paddack

Paddack-CD-FA-HB2561  
6/13/2015 2:41 AM