

1 ENGROSSED HOUSE
2 BILL NO. 2631

By: Jordan and McCullough of
the House

3 and

4 Crain of the Senate
5
6

7 An Act relating to courts; creating a panel of judges
8 to preside over complex litigation cases; providing
9 conditions for recommendation and designation of case
10 as a complex case; providing for assignment of
11 certain judge; providing for membership on panel of
12 judges for complex cases; providing for no additional
13 compensation for judges for complex cases; stating
14 venue shall remain the same for complex cases;
15 providing for temporary stay of proceedings;
16 requiring appointment of different judge in certain
17 cases on remand; providing exception; providing for
18 codification; and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 91.8 of Title 20, unless there
22 is created a duplication in numbering, reads as follows:

23 A. There is hereby created a panel of district court judges and
24 associate district court judges whose responsibility shall be to
preside over cases, upon appointment as provided for in subsection D
of this section, which have been designated complex cases.

1 B. A pending case shall be designated a complex case, for
2 purposes of this section, if any of the following conditions are
3 met:

4 1. Upon motion made by counsel for all parties, or sua sponte
5 by the district court judge or associate district court judge, or
6 upon motion made by counsel for one of the parties and determination
7 by the district court judge or associate district court judge that
8 the case is a complex case, the district court judge or associate
9 district court judge shall immediately forward a recommendation to
10 the Supreme Court;

11 2. Upon motion made by counsel for at least one party, whereby
12 counsel for all of the parties agree and determine that the case is
13 a complex case; in which case, the district court judge or associate
14 district court judge shall immediately forward the recommendation to
15 the Supreme Court; or

16 3. If there are more than two parties, then upon motion made by
17 counsel for at least one party and counsel for a majority of the
18 parties state their agreement and determine that the case is a
19 complex case; in which case, the district court judge or associate
20 district court judge shall immediately forward the recommendation to
21 the Supreme Court.

22 C. Upon receipt by the Chief Justice of the Supreme Court of a
23 recommendation executed by the district court judge, associate
24 district court judge or counsel, as provided for in subsection B of

1 this section, the Chief Justice of the Supreme Court may deem the
2 case to be a complex case pursuant to this section and shall assign
3 a judge from the panel of district court and associate district
4 court judges selected to hear and preside over the complex case.

5 D. The panel of district court judges and associate district
6 court judges authorized to hear and preside over complex cases shall
7 be selected and appointed by the Chief Justice of the Supreme Court
8 from applications submitted by current district court judges and
9 associate district court judges.

10 E. The panel of judges authorized to hear and preside over
11 complex cases shall consist of not fewer than fifteen district court
12 or associate district court judges. Judges selected for the panel
13 on complex cases shall receive no additional compensation. The
14 dockets of the judges selected shall be adjusted to accommodate
15 their assignment as judges selected to preside over complex cases.

16 F. A determination that a case is a complex case pursuant to
17 this section shall have no effect on appropriate venue for the
18 action. Unless otherwise required by law, venue for trial shall
19 remain in the county in which venue existed at the time that the
20 recommendation was made to the Supreme Court that the case is a
21 complex case.

22 G. Upon motion for a determination and recommendation that a
23 case is a complex case pursuant to subsection B of this section, if
24 the criteria for recommendation are met, all proceedings shall be

1 stayed until a judge selected from the complex litigation panel is
2 assigned to preside over the case.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 95.10 of Title 20, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Except as provided in subsection B of this section, in the
7 event a civil case brought in a district court of the State of
8 Oklahoma is appealed, and is subsequently reversed and remanded, in
9 whole or in part, by final order of an appellate court of this
10 state, the Chief Justice of the Supreme Court of Oklahoma shall
11 appoint a different district court judge or associate district court
12 judge from a different district or the same district in which the
13 case was originally filed to preside over all proceedings in that
14 case on remand to the district court.

15 B. If all parties are in agreement, the same district court
16 judge or associate district court judge presiding in the case prior
17 to appeal may preside over all proceedings in the case remanded to
18 the district court.

19 SECTION 3. This act shall become effective November 1, 2008.
20
21
22
23
24

1 Passed the House of Representatives the 5th day of March, 2008.

2
3
4 Presiding Officer of the House of
Representatives
5

6 Passed the Senate the ____ day of _____, 2008.

7
8
9 Presiding Officer of the Senate
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24