

THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2008

House Bill No. 2631

HOUSE BILL NO. 2631 - By: JORDAN AND MCCULLOUGH of the House.

An Act relating to courts; creating a panel of judges to preside over complex litigation cases; providing conditions for recommendation and designation of case as a complex case; providing for assignment of certain judge; providing for membership on panel of judges for complex cases; providing for no additional compensation for judges for complex cases; stating venue shall remain the same for complex cases; providing for temporary stay of proceedings; providing for appointment of different judge in certain cases on remand; providing for codification; and providing an effective date.

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

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

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

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

9 1. Upon motion made by counsel for all parties, or sua sponte by the district judge,
10 or upon motion made by counsel for one of the parties and determination by the district

1 judge that the case is a complex case, the district judge shall immediately forward a
2 recommendation to the Supreme Court;

3 2. Upon motion made by counsel for at least one party, whereby counsel for all of
4 the parties agree and determine that the case is a complex case; in which case, the
5 district judge shall immediately forward the recommendation to the Supreme Court; or

6 3. If there are more than two parties, then upon motion made by counsel for at
7 least one party and counsel for a majority of the parties state their agreement and
8 determine that the case is a complex case; in which case, the district judge shall
9 immediately forward the recommendation to the Supreme Court.

10 C. Upon receipt by the Chief Justice of the Supreme Court of a recommendation
11 executed by the district judge or counsel, as provided for in subsection B of this section,
12 the Chief Justice of the Supreme Court shall deem the case to be a complex case
13 pursuant to this section and shall assign a judge from the panel of district and associate
14 district judges selected to hear and preside over the complex case.

15 D. The panel of district court judges and associate district court judges authorized
16 to hear and preside over complex cases shall be selected and appointed by the Chief
17 Justice of the Supreme Court from applications submitted by current district court
18 judges and associate district court judges.

19 E. The panel of judges authorized to hear and preside over complex cases shall
20 consist of not fewer than fifteen district court or associate district court judges. Judges
21 selected for the panel on complex cases shall receive no additional compensation. The

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 dockets of the judges selected shall be adjusted to accommodate their assignment as
2 judges selected to preside over complex cases.

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

7 G. Upon motion for a determination and recommendation that a case is a complex
8 case pursuant to subsection B of this section, if the criteria for recommendation are met,
9 all proceedings shall be stayed until a judge selected from the complex litigation panel is
10 assigned to preside over the case.

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

14 In the event a civil case brought in a district court of the State of Oklahoma is
15 appealed, and is subsequently reversed and remanded, in whole or in part, by final order
16 of an appellate court of this state, the Chief Justice of the Supreme Court of Oklahoma
17 shall appoint a different district judge or associate district judge from a different district
18 or the same district in which the case was originally filed to preside over all proceedings
19 in that case on remand to the district court.

20 SECTION 3. This act shall become effective November 1, 2008.

21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,
22 dated 02-25-08 - DO PASS, As Coauthored.