

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2631

By: Jordan

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6 AS INTRODUCED

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 providing for appointment of different judge in
17 certain cases on remand; providing for codification;
18 and providing an effective date.

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

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

29 A. There is hereby created a panel of district court judges
30 whose responsibility shall be to preside over cases, upon
31 appointment as provided for in subsection D of this section, which
32 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 judge, or upon motion made by counsel for one of the
6 parties and determination by the district judge that the case is a
7 complex case, the district judge shall immediately forward a
8 recommendation to the Supreme Court;

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

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

18 C. Upon receipt by the Chief Justice of the Supreme Court of a
19 recommendation executed by the district judge or counsel, as
20 provided for in subsection B of this section, the Chief Justice of
21 the Supreme Court shall deem the case to be a complex case pursuant
22 to this section and shall assign a judge from the panel of district
23 and associate district judges selected to hear and preside over the
24 complex case.

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

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

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

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

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

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

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

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