

ESB 1793

THE HOUSE OF REPRESENTATIVES
Wednesday, March 31, 2010

ENGROSSED
Senate Bill No. 1793
As Amended

ENGROSSED SENATE BILL NO. 1793 - By: PADDACK of the Senate and THOMSEN of the House.

[children - jury trial - allowing waiver under certain circumstances -
effective date]

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

1 SECTION 1. AMENDATORY 10 O.S. 2001, Section 7003-3.8, as amended by
2 Section 1, Chapter 473, O.S.L. 2002 and as renumbered by Section 236, Chapter 233,
3 O.S.L. 2009 (10A O.S. Supp. 2009, Section 1-4-502), is amended to read as follows:

4 Section 1-4-502. A parent entitled to service of summons, the state or a child shall
5 have the right to demand a trial by jury only in the following circumstances:

6 1. When the initial petition to determine if a child is deprived also contains a
7 request for termination of parental rights; or

8 2. When, following a hearing in which the child is adjudicated deprived, a request
9 for termination of parental rights is filed by the state or the child.

10 The demand for a jury trial shall be granted unless waived, or the court on its own
11 motion may call a jury to try any such case. Such jury shall consist of six (6) persons. A

1 party who requests a jury trial and fails to appear for such trial, after proper notice and
2 without good cause, may be deemed by the court to have waived the right to a jury trial
3 as to the issue of termination of parental rights.

4 SECTION 2. This act shall become effective November 1, 2010.

5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03-30-10 - DO PASS,
6 As Amended.