

EHB 1520

1 THE STATE SENATE
2 Wednesday, March 31, 2010

3 ENGROSSED

4 House Bill No. 1520

5 ENGROSSED HOUSE BILL NO. 1520 - By: Peterson and Kern of the House
6 and Crain of the Senate.

7 An Act relating to marriage and family; defining term;
8 establishing disclosure requirements for court experts in
9 proceedings involving children; providing parties an
10 opportunity to object to the appointment of court experts in
11 certain circumstances; providing for codification; and
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 120.7 of Title 43, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section, "court expert" means a parenting
18 coordinator, guardian ad litem, custody evaluator or any other
19 person appointed by the court in a custody or visitation proceeding
20 involving children.

21 B. Before the court appoints an individual as a court expert,
22 the following disclosures shall be made by the candidate to the
23 parties:

24 1. A disclosure of any prior relationships with any party,
25 attorney or judge in the pending action;

1 2. A complete resume disclosing all personal and professional
2 qualifications to serve as a court expert;

3 3. Any suspensions from practice, reprimands, or other formal
4 punishments resulting from an adjudication of complaints filed
5 against the person with the professional licensing board or other
6 organization authorized to receive complaints regarding the
7 performance of the individual in question; and

8 4. Any criminal convictions within the past ten (10) years and
9 inclusion on any sexual offender list.

10 C. A party may file an objection to the appointment of a
11 proposed court expert within fifteen (15) days after the receipt of
12 the disclosures required by subsection B of this section. Upon
13 filing an objection to the proposed court expert, the court shall
14 set the matter for hearing. If requested, the party objecting to
15 the appointment of the proposed court expert shall be entitled to
16 discovery related to the qualifications and appropriateness of the
17 proposed court expert prior to hearing.

18 SECTION 2. This act shall become effective November 1, 2009.

19 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-30-10 - DO
20 PASS.