

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1034 By: David of the Senate  
3 and  
4 Cleveland of the House  
5  
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7 An Act relating to court-appointed special advocates;  
8 amending 10A O.S. 2011, Section 1-8-102, which  
9 relates to education and training; requiring certain  
information to be included in certain training; and  
providing an effective date.

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11 AMENDMENT NO. 1. Page 1, line 11, strike the enacting clause  
12 Passed the House of Representatives the 1st day of April, 2013.

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15 \_\_\_\_\_  
Presiding Officer of the House of  
16 Representatives

17 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2013.

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Presiding Officer of the Senate  
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1 ENGROSSED SENATE  
2 BILL NO. 1034

By: David of the Senate

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6 An Act relating to court-appointed special advocates;  
7 amending 10A O.S. 2011, Section 1-8-102, which  
8 relates to education and training; requiring certain  
9 information to be included in certain training; and  
10 providing an effective date.

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

12 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-8-102, is  
13 amended to read as follows:

14 Section 1-8-102. A. Any court-appointed special advocate  
15 (CASA) available for appointment pursuant to the Oklahoma Children's  
16 Code or the Oklahoma Juvenile Code shall complete education and  
17 training courses in juvenile law, child abuse and neglect, including  
18 information related to confidentiality of records, and other issues  
19 relating to children such as foster care and parental divorce,  
20 including, but not limited to, risk factors which may identify  
21 domestic abuse and potential violence and the relationship between  
22 alcohol or drug abuse and violence, safe visitation and supervised  
23 visitation arrangements and standards for a child and parties. The  
24 chief judge of the judicial district for which a court-appointed

1 special advocate serves shall be responsible for developing and  
2 administering procedures and rules for such courses.

3 B. No court-appointed special advocate shall be assigned a case  
4 before:

5 1. Completing a training program in compliance with nationally  
6 documented Court-Appointed Special Advocate standards.

7 Documentation of training shall be submitted annually by local  
8 court-appointed special advocate programs to the Oklahoma Court-  
9 Appointed Special Advocate Association; and

10 2. Being approved by the local court-appointed special advocate  
11 program, which will include appropriate criminal background checks  
12 as provided in subsection C of this section.

13 C. 1. Each local court-appointed special advocate program  
14 shall require a criminal history records search conducted by the  
15 Oklahoma State Bureau of Investigation, and any other background  
16 check requirements as set forth in Oklahoma Court-Appointed Special  
17 Advocate Association state standards for local programs, for any  
18 person making application to become a court-appointed special  
19 advocate volunteer or to be employed by the local court-appointed  
20 special advocate program.

21 2. If the prospective court-appointed special advocate  
22 volunteer or employee of the local court-appointed special advocate  
23 program has lived in Oklahoma for less than one (1) year, a criminal  
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1 history records search shall also be obtained from the criminal  
2 history state repository of the previous state of residence.

3 3. The Oklahoma Court-Appointed Special Advocate Association  
4 shall pay the fee for the criminal history records search provided  
5 in this subsection.

6 D. 1. Any person participating in a judicial proceeding as a  
7 court-appointed special advocate shall be presumed prima facie to be  
8 acting in good faith and in so doing shall be immune from any civil  
9 liability that otherwise might be incurred or imposed.

10 2. Any person serving in a management position of a court-  
11 appointed special advocate organization, including a member of the  
12 Board of Directors acting in good faith, shall be immune from any  
13 civil liability or any vicarious liability for the negligence of any  
14 court-appointed special advocate organization advocates, managers,  
15 or directors.

16 SECTION 2. This act shall become effective November 1, 2013.

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1 Passed the Senate the 6th day of March, 2013.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2013.

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9 Presiding Officer of the House  
10 of Representatives