

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 238

By: Standridge

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5
6 AS INTRODUCED

7 An Act relating to civil procedure; creating the
8 Collaborative Law Act; providing short title;
9 defining terms; providing that the Collaborative Law
10 Act applies to certain agreements; providing
11 requirements for collaborative law participation
12 agreements; providing for beginning and concluding a
13 collaborative law process; providing for
14 collaborative law participation agreements for
15 proceedings pending before a tribunal; providing for
16 issuance of certain protective orders; disqualifying
17 certain attorneys from representing parties in
18 proceedings related to collaborative matter;
19 authorizing certain attorneys to represent parties
20 without fee; providing for representation when a
21 government entity is a party; requiring certain
22 disclosure of information; providing for standards of
23 professional responsibility and certain mandatory
24 reporting requirements; providing process for
determining appropriateness of collaborative law
process; providing for situations involving coercive
or violent relationships; providing that
collaborative law communications are confidential,
privileged, not subject to discovery, and not
admissible in evidence; authorizing waiver of
privilege; providing that certain persons may not
assert privilege; limiting privilege; providing the
authority of a tribunal in case of noncompliance;
providing for relation to certain federal act;
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
2 in the Oklahoma Statutes as Section 1891.1 of Title 12, unless there
3 is created a duplication in numbering, reads as follows:

4 SHORT TITLE.

5 This act may be cited as the "Collaborative Law Act".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1891.2 of Title 12, unless there
8 is created a duplication in numbering, reads as follows:

9 DEFINITIONS.

10 In the Collaborative Law Act:

11 (1) "Collaborative law communication" means a statement, whether
12 oral or in a record, or verbal or nonverbal, that:

13 (A) is made to conduct, participate in, continue, or
14 reconvene a collaborative law process; and

15 (B) occurs after the parties sign a collaborative law
16 participation agreement and before the collaborative
17 law process is concluded.

18 (2) "Collaborative law participation agreement" means an
19 agreement by persons to participate in a collaborative law process.

20 (3) "Collaborative law process" means a procedure intended to
21 resolve a collaborative matter without intervention by a tribunal in
22 which persons:

23 (A) sign a collaborative law participation agreement; and

24 (B) are represented by collaborative lawyers.

1 (4) "Collaborative lawyer" means a lawyer who represents a party
2 in a collaborative law process.

3 (5) "Collaborative matter" means a dispute, transaction, claim,
4 problem, or issue for resolution, including a dispute, claim, or
5 issue in a proceeding, which is described in a collaborative law
6 participation agreement and arises under the family or domestic
7 relations law of this state, including:

8 (A) marriage, divorce, dissolution, annulment, and
9 property distribution;

10 (B) child custody, visitation, and parenting time;

11 (C) alimony, maintenance, and child support;

12 (D) adoption;

13 (E) parentage; and

14 (F) premarital, marital, and post-marital agreements.

15 (6) "Law firm" means:

16 (A) lawyers who practice law together in a partnership,
17 professional corporation, sole proprietorship, limited
18 liability company, or association; and

19 (B) lawyers employed in a legal services organization, or
20 the legal department of a corporation or other
21 organization, or the legal department of a government
22 or governmental subdivision, agency, or
23 instrumentality.

24

1 (7) "Nonparty participant" means a person, other than a party
2 and the party's collaborative lawyer, that participates in a
3 collaborative law process.

4 (8) "Party" means a person that signs a collaborative law
5 participation agreement and whose consent is necessary to resolve a
6 collaborative matter.

7 (9) "Person" means an individual, corporation, business trust,
8 estate, trust, partnership, limited liability company, association,
9 joint venture, public corporation, government or governmental
10 subdivision, agency, or instrumentality, or any other legal or
11 commercial entity.

12 (10) "Proceeding" means:

13 (A) a judicial, administrative, arbitral, or other
14 adjudicative process before a tribunal, including
15 related prehearing and post-hearing motions,
16 conferences, and discovery; or

17 (B) a legislative hearing or similar process.

18 (11) "Prospective party" means a person that discusses with a
19 prospective collaborative lawyer the possibility of signing a
20 collaborative law participation agreement.

21 (12) "Record" means information that is inscribed on a tangible
22 medium or that is stored in an electronic or other medium and is
23 retrievable in perceivable form.

24

1 (13) "Related to a collaborative matter" means involving the
2 same parties, transaction or occurrence, nucleus of operative fact,
3 dispute, claim, or issue as the collaborative matter.

4 (14) "Sign" means, with present intent to authenticate or adopt
5 a record:

6 (A) to execute or adopt a tangible symbol; or

7 (B) to attach to or logically associate with the record an
8 electronic symbol, sound, or process.

9 (15) "Tribunal" means:

10 (A) a court, arbitrator, administrative agency, or other
11 body acting in an adjudicative capacity which, after
12 presentation of evidence or legal argument, has
13 jurisdiction to render a decision affecting a party's
14 interests in a matter; or

15 (B) a legislative body conducting a hearing or similar
16 process.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1891.3 of Title 12, unless there
19 is created a duplication in numbering, reads as follows:

20 APPLICABILITY.

21 Except as provided in Section 20 of this act, the Collaborative
22 Law Act applies to a collaborative law participation agreement that
23 meets the requirements of Section 4 of this act signed on or after
24 January 1, 2014.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1891.4 of Title 12, unless there
3 is created a duplication in numbering, reads as follows:

4 COLLABORATIVE LAW PARTICIPATION AGREEMENT; REQUIREMENTS.

5 (a) A collaborative law participation agreement must:

6 (1) be in a record;

7 (2) be signed by the parties;

8 (3) state the parties' intention to resolve a collaborative
9 matter through a collaborative law process under the Collaborative
10 Law Act;

11 (4) describe the nature and scope of the matter;

12 (5) identify the collaborative lawyer who represents each party
13 in the process; and

14 (6) contain a statement by each collaborative lawyer confirming
15 the lawyer's representation of a party in the collaborative law
16 process.

17 (b) Parties may agree to include in a collaborative law
18 participation agreement additional provisions not inconsistent with
19 the Collaborative Law Act.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1891.5 of Title 12, unless there
22 is created a duplication in numbering, reads as follows:

23 BEGINNING AND CONCLUDING A COLLABORATIVE LAW PROCESS.
24

1 (a) A collaborative law process begins when the parties sign a
2 collaborative law participation agreement.

3 (b) A tribunal may not order a party to participate in a
4 collaborative law process over that party's objection.

5 (c) A collaborative law process is concluded by a:

6 (1) resolution of a collaborative matter as evidenced by a
7 signed record;

8 (2) resolution of a part of the collaborative matter, evidenced
9 by a signed record, in which the parties agree that the remaining
10 parts of the matter will not be resolved in the process; or

11 (3) termination of the process.

12 (d) A collaborative law process terminates:

13 (1) when a party gives notice to other parties in a record that
14 the process is ended; or

15 (2) when a party:

16 (A) begins a proceeding related to a collaborative matter
17 without the agreement of all parties; or

18 (B) in a pending proceeding related to the matter:

19 (i) initiates a pleading, motion, order to show
20 cause, or request for a conference with the
21 tribunal;

22 (ii) requests that the proceeding be put on the
23 tribunal's active calendar; or

24

1 (iii) takes similar action requiring notice to be sent
2 to the parties; or

3 (3) except as otherwise provided by subsection (e) of this
4 section, when a party discharges a collaborative lawyer or a
5 collaborative lawyer withdraws from further representation of a
6 party.

7 (e) A party's collaborative lawyer shall give prompt notice to
8 all other parties in a record of a discharge or withdrawal.

9 (f) A party may terminate a collaborative law process with or
10 without cause.

11 (g) Notwithstanding the discharge or withdrawal of a
12 collaborative lawyer, a collaborative law process continues, if not
13 later than thirty (30) days after the date that the notice of the
14 discharge or withdrawal of a collaborative lawyer required by
15 paragraph (3) of subsection (d) of this section is sent to the
16 parties:

17 (1) the unrepresented party engages a successor collaborative
18 lawyer; and

19 (2) in a signed record:

20 (A) the parties consent to continue the process by
21 reaffirming the collaborative law participation
22 agreement;

23 (B) the agreement is amended to identify the successor
24 collaborative lawyer; and

1 (C) the successor collaborative lawyer confirms the
2 lawyer's representation of a party in the
3 collaborative process.

4 (h) A collaborative law process does not conclude if, with the
5 consent of the parties, a party requests a tribunal to approve a
6 resolution of the collaborative matter or any part thereof as
7 evidenced by a signed record.

8 (i) A collaborative law participation agreement may provide
9 additional methods of concluding a collaborative law process.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1891.6 of Title 12, unless there
12 is created a duplication in numbering, reads as follows:

13 PROCEEDINGS PENDING BEFORE TRIBUNAL; STATUS REPORT.

14 (a) Persons in a proceeding pending before a tribunal may sign a
15 collaborative law participation agreement to seek to resolve a
16 collaborative matter related to the proceeding. Parties shall file
17 promptly with the tribunal a notice of the agreement after it is
18 signed. Subject to subsection (c) of this section and Sections 7
19 and 8 of this act, the filing operates as a stay of the proceeding.

20 (b) Parties shall file promptly with the tribunal notice in a
21 record when a collaborative law process concludes. The stay of the
22 proceeding under subsection (a) of this section is lifted when the
23 notice is filed. The notice may not specify any reason for
24 termination of the process.

1 (c) A tribunal in which a proceeding is stayed under subsection
2 (a) of this section may require parties and collaborative lawyers to
3 provide a status report on the collaborative law process and the
4 proceeding. A status report may include only information on whether
5 the process is ongoing or concluded. It may not include a report,
6 assessment, evaluation, recommendation, finding, or other
7 communication regarding a collaborative law process or collaborative
8 law matter.

9 (d) A tribunal may not consider a communication made in
10 violation of subsection (c) of this section.

11 (e) A tribunal shall provide parties notice and an opportunity
12 to be heard before dismissing a proceeding in which a notice of
13 collaborative process is filed based on delay or failure to
14 prosecute.

15 SECTION 7. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1891.7 of Title 12, unless there
17 is created a duplication in numbering, reads as follows:

18 EMERGENCY ORDER.

19 During a collaborative law process, a tribunal may issue
20 emergency orders to protect the health, safety, welfare, or interest
21 of a party or family or household member authorized to seek a
22 protective order pursuant to the Protection from Domestic Abuse Act.

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1 SECTION 8. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1891.8 of Title 12, unless there
3 is created a duplication in numbering, reads as follows:

4 APPROVAL OF AGREEMENT BY TRIBUNAL.

5 A tribunal may approve an agreement resulting from a
6 collaborative law process.

7 SECTION 9. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1891.9 of Title 12, unless there
9 is created a duplication in numbering, reads as follows:

10 DISQUALIFICATION OF COLLABORATIVE LAWYER AND LAWYERS IN
11 ASSOCIATED LAW FIRM.

12 (a) Except as otherwise provided in subsection (c) of this
13 section, a collaborative lawyer is disqualified from appearing
14 before a tribunal to represent a party in a proceeding related to
15 the collaborative matter.

16 (b) Except as otherwise provided in subsection (c) of this
17 section and Sections 10 and 11 of this act, a lawyer in a law firm
18 with which the collaborative lawyer is associated is disqualified
19 from appearing before a tribunal to represent a party in a
20 proceeding related to the collaborative matter if the collaborative
21 lawyer is disqualified from doing so under subsection (a) of this
22 section.

23 (c) A collaborative lawyer or a lawyer in a law firm with which
24 the collaborative lawyer is associated may represent a party:

1 (1) to ask a tribunal to approve an agreement resulting from the
2 collaborative law process; or

3 (2) to seek or defend an emergency order to protect the health,
4 safety, welfare, or interest of a party or family or household
5 member authorized to seek a protective order pursuant to the
6 Protection from Domestic Abuse Act if a successor lawyer is not
7 immediately available to represent that person. In that event,
8 subsections (a) and (b) of this section apply when the party or
9 family or household member is represented by a successor lawyer or
10 reasonable measures are taken to protect the health, safety,
11 welfare, or interest of that person.

12 SECTION 10. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1891.10 of Title 12, unless
14 there is created a duplication in numbering, reads as follows:

15 LOW INCOME PARTIES.

16 (a) The disqualification of subsection (a) of Section 9 of this
17 act applies to a collaborative lawyer representing a party with or
18 without fee.

19 (b) After a collaborative law process concludes, another lawyer
20 in a law firm with which a collaborative lawyer disqualified under
21 subsection (a) of Section 9 of this act is associated may represent
22 a party without fee in the collaborative matter or a matter related
23 to the collaborative matter if:
24

1 (1) the party has an annual income that qualifies the party for
2 free legal representation under the criteria established by the law
3 firm for free legal representation;

4 (2) the collaborative law participation agreement so provides;
5 and

6 (3) the collaborative lawyer is isolated from any participation
7 in the collaborative matter or a matter related to the collaborative
8 matter through procedures within the law firm which are reasonably
9 calculated to isolate the collaborative lawyer from such
10 participation.

11 SECTION 11. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1891.11 of Title 12, unless
13 there is created a duplication in numbering, reads as follows:

14 GOVERNMENTAL ENTITY AS PARTY.

15 (a) The disqualification of subsection (a) of Section 9 of this
16 act applies to a collaborative lawyer representing a party that is a
17 government or governmental subdivision, agency, or instrumentality.

18 (b) After a collaborative law process concludes, another lawyer
19 in a law firm with which the collaborative lawyer is associated may
20 represent a government or governmental subdivision, agency, or
21 instrumentality in the collaborative matter or a matter related to
22 the collaborative matter if:

23 (1) the collaborative law participation agreement so provides;
24 and

1 (2) the collaborative lawyer is isolated from any participation
2 in the collaborative matter or a matter related to the collaborative
3 matter through procedures within the law firm which are reasonably
4 calculated to isolate the collaborative lawyer from such
5 participation.

6 SECTION 12. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1891.12 of Title 12, unless
8 there is created a duplication in numbering, reads as follows:

9 DISCLOSURE OF INFORMATION.

10 Except as provided by law other than the Collaborative Law Act,
11 during the collaborative law process, on the request of another
12 party, a party shall make timely, full, candid, and informal
13 disclosure of information related to the collaborative matter
14 without formal discovery. A party also shall update promptly
15 previously disclosed information that has materially changed.
16 Parties may define the scope of disclosure during the collaborative
17 law process.

18 SECTION 13. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1891.13 of Title 12, unless
20 there is created a duplication in numbering, reads as follows:

21 STANDARDS OF PROFESSIONAL RESPONSIBILITY AND MANDATORY REPORTING
22 NOT AFFECTED.

23 The Collaborative Law Act does not affect:
24

1 (1) the professional responsibility obligations and standards
2 applicable to a lawyer or other licensed professional; or

3 (2) the obligation of a person to report abuse or neglect,
4 abandonment, or exploitation of a child or adult under the law of
5 this state.

6 SECTION 14. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1891.14 of Title 12, unless
8 there is created a duplication in numbering, reads as follows:

9 APPROPRIATENESS OF COLLABORATIVE LAW PROCESS.

10 Before a prospective party signs a collaborative law
11 participation agreement, a prospective collaborative lawyer shall:

12 (1) assess with the prospective party factors the lawyer
13 reasonably believes relate to whether a collaborative law process is
14 appropriate for the prospective party's matter;

15 (2) provide the prospective party with information that the
16 lawyer reasonably believes is sufficient for the party to make an
17 informed decision about the material benefits and risks of a
18 collaborative law process as compared to the material benefits and
19 risks of other reasonably available alternatives for resolving the
20 proposed collaborative matter, such as litigation, mediation,
21 arbitration, or expert evaluation; and

22 (3) advise the prospective party that:

23 (A) after signing an agreement if a party initiates a
24 proceeding or seeks tribunal intervention in a pending

1 proceeding related to the collaborative matter, the
2 collaborative law process terminates;

3 (B) participation in a collaborative law process is
4 voluntary and any party has the right to terminate
5 unilaterally a collaborative law process with or
6 without cause; and

7 (C) the collaborative lawyer and any lawyer in a law firm
8 with which the collaborative lawyer is associated may
9 not appear before a tribunal to represent a party in a
10 proceeding related to the collaborative matter, except
11 as authorized by subsection (c) of Section 9 of this
12 act, subsection (b) of Section 10 of this act, or
13 subsection (b) of Section 11 of this act.

14 SECTION 15. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1891.15 of Title 12, unless
16 there is created a duplication in numbering, reads as follows:

17 COERCIVE OR VIOLENT RELATIONSHIP.

18 (a) Before a prospective party signs a collaborative law
19 participation agreement, a prospective collaborative lawyer must
20 make reasonable inquiry whether the prospective party has a history
21 of a coercive or violent relationship with another prospective
22 party.

23 (b) Throughout a collaborative law process, a collaborative
24 lawyer reasonably and continuously shall assess whether the party

1 the collaborative lawyer represents has a history of a coercive or
2 violent relationship with another party.

3 (c) If a collaborative lawyer reasonably believes that the party
4 the lawyer represents or the prospective party who consults the
5 lawyer has a history of a coercive or violent relationship with
6 another party or prospective party, the lawyer may not begin or
7 continue a collaborative law process unless:

8 (1) the party or the prospective party requests beginning or
9 continuing a process; and

10 (2) the collaborative lawyer reasonably believes that the safety
11 of the party or prospective party can be protected adequately during
12 a process.

13 SECTION 16. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1891.16 of Title 12, unless
15 there is created a duplication in numbering, reads as follows:

16 CONFIDENTIALITY OF COLLABORATIVE LAW COMMUNICATION.

17 A collaborative law communication is confidential to the extent
18 agreed by the parties in a signed record or as provided by law of
19 this state other than the Collaborative Law Act.

20 SECTION 17. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1891.17 of Title 12, unless
22 there is created a duplication in numbering, reads as follows:

23 PRIVILEGE AGAINST DISCLOSURE FOR COLLABORATIVE LAW
24 COMMUNICATION; ADMISSIBILITY; DISCOVERY.

1 (a) Subject to Sections 18 and 19 of this act, a collaborative
2 law communication is privileged under subsection (b) of this
3 section, is not subject to discovery, and is not admissible in
4 evidence.

5 (b) In a proceeding, the following privileges apply:

6 (1) A party may refuse to disclose, and may prevent any other
7 person from disclosing, a collaborative law communication.

8 (2) A nonparty participant may refuse to disclose, and may
9 prevent any other person from disclosing, a collaborative law
10 communication of the nonparty participant.

11 (c) Evidence or information that is otherwise admissible or
12 subject to discovery does not become inadmissible or protected from
13 discovery solely because of its disclosure or use in a collaborative
14 law process.

15 SECTION 18. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1891.18 of Title 12, unless
17 there is created a duplication in numbering, reads as follows:

18 WAIVER AND PRECLUSION OF PRIVILEGE.

19 (a) A privilege under Section 17 of this act may be waived in a
20 record or orally during a proceeding if it is expressly waived by
21 all parties and, in the case of the privilege of a nonparty
22 participant, it is also expressly waived by the nonparty
23 participant.

24

1 (b) A person that makes a disclosure or representation about a
2 collaborative law communication which prejudices another person in a
3 proceeding may not assert a privilege under Section 17 of this act,
4 but this preclusion applies only to the extent necessary for the
5 person prejudiced to respond to the disclosure or representation.

6 SECTION 19. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1891.19 of Title 12, unless
8 there is created a duplication in numbering, reads as follows:

9 LIMITS OF PRIVILEGE.

10 (a) There is no privilege under Section 17 of this act for a
11 collaborative law communication that is:

12 (1) available to the public under the Oklahoma Open Records Act
13 or made during a session of a collaborative law process that is
14 open, or is required by law to be open, to the public;

15 (2) a threat or statement of a plan to inflict bodily injury or
16 commit a crime of violence;

17 (3) intentionally used to plan a crime, commit or attempt to
18 commit a crime, or conceal an ongoing crime or ongoing criminal
19 activity; or

20 (4) in an agreement resulting from the collaborative law
21 process, evidenced by a record signed by all parties to the
22 agreement.

1 (b) The privileges under Section 17 of this act for a
2 collaborative law communication do not apply to the extent that a
3 communication is:

4 (1) sought or offered to prove or disprove a claim or complaint
5 of professional misconduct or malpractice arising from or related to
6 a collaborative law process; or

7 (2) sought or offered to prove or disprove abuse, neglect,
8 abandonment, or exploitation of a child or adult, unless the
9 Department of Human Services is a party to or otherwise participates
10 in the process.

11 (c) There is no privilege under Section 17 of this act if a
12 tribunal finds, after a hearing in camera, that the party seeking
13 discovery or the proponent of the evidence has shown the evidence is
14 not otherwise available, the need for the evidence substantially
15 outweighs the interest in protecting confidentiality, and the
16 collaborative law communication is sought or offered in:

17 (1) a court proceeding involving a felony or misdemeanor; or

18 (2) a proceeding seeking rescission or reformation of a contract
19 arising out of the collaborative law process or in which a defense
20 to avoid liability on the contract is asserted.

21 (d) If a collaborative law communication is subject to an
22 exception under subsection (b) or (c) of this section, only the part
23 of the communication necessary for the application of the exception
24 may be disclosed or admitted.

1 (e) Disclosure or admission of evidence excepted from the
2 privilege under subsection (b) or (c) of this section does not make
3 the evidence or any other collaborative law communication
4 discoverable or admissible for any other purpose.

5 (f) The privileges under Section 17 of this act do not apply if
6 the parties agree in advance in a signed record, or if a record of a
7 proceeding reflects agreement by the parties, that all or part of a
8 collaborative law process is not privileged. This subsection does
9 not apply to a collaborative law communication made by a person that
10 did not receive actual notice of the agreement before the
11 communication was made.

12 SECTION 20. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1891.20 of Title 12, unless
14 there is created a duplication in numbering, reads as follows:

15 AUTHORITY OF TRIBUNAL IN CASE OF NONCOMPLIANCE.

16 (a) If an agreement fails to meet the requirements of Section 4
17 of this act, or a lawyer fails to comply with Section 14 or 15 of
18 this act, a tribunal may nonetheless find that the parties intended
19 to enter into a collaborative law participation agreement if they:

20 (1) signed a record indicating an intention to enter into a
21 collaborative law participation agreement; and

22 (2) reasonably believed they were participating in a
23 collaborative law process.

24

1 (b) If a tribunal makes the findings specified in subsection (a)
2 of this section, and the interests of justice require, the tribunal
3 may:

4 (1) enforce an agreement evidenced by a record resulting from
5 the process in which the parties participated;

6 (2) apply the disqualification provisions of Sections 5, 6, 9,
7 10, and 11 of this act; and

8 (3) apply the privileges under Section 17 of this act.

9 SECTION 21. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 1891.22 of Title 12, unless
11 there is created a duplication in numbering, reads as follows:

12 RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL
13 COMMERCE ACT.

14 The Collaborative Law Act modifies, limits, and supersedes the
15 federal Electronic Signatures in Global and National Commerce Act,
16 15 U.S.C.A., Section 7001 et seq. (2009), but does not modify,
17 limit, or supersede section 101(c) of that act, 15 U.S.C.A., Section
18 7001(c), or authorize electronic delivery of any of the notices
19 described in Section 103(b) of that act, 15 U.S.C.A., Section
20 7003(b).

21 SECTION 22. This act shall become effective January 1, 2014.

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