

An Act

ENROLLED HOUSE
BILL NO. 2483

By: Ownbey of the House

and

Simpson and Sharp of the
Senate

An Act relating to children; amending 10A O.S. 2011, Section 1-4-502, which relates to termination of parental rights; waiving right to jury trial if party fails to appear in person after notice and without good cause; requiring nonjury trial; providing exception; and providing an effective date.

SUBJECT: Termination of parental rights

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

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-502, is amended to read as follows:

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

1. When the initial petition to determine if a child is deprived also contains a request for termination of parental rights in which case the court shall determine if the child should be adjudicated deprived and, if so, the jury shall determine if parental rights should be terminated; or

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

B. The demand for a jury trial shall be granted unless waived, or the court on its own motion may call a jury to try any termination of parental rights case. Such jury shall consist of six (6) persons. A party who requests a jury trial and fails to appear in person for such trial, after proper notice and without good cause, may be deemed by the court to have waived the right to ~~be present at~~ such jury trial, and the termination of parental rights shall be by nonjury trial unless another party demands a jury trial or the court determines on its own motion to try the case to a jury.

SECTION 2. This act shall become effective November 1, 2016.

Passed the House of Representatives the 28th day of April, 2016.

Presiding Officer of the House
of Representatives

Passed the Senate the 21st day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____