

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2394

By: Sherrer

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6 AS INTRODUCED

7 An Act relating to marriage; amending 43 O.S. 2011,
8 Section 120.7, as amended by Section 2, Chapter 385,
9 O.S.L. 2015 (43 O.S. Supp. 2015, Section 120.7),
which relates to court experts; exempting training
10 requirement if appointed court expert is a licensed
11 attorney; and providing an effective date.

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

14 SECTION 1. AMENDATORY 43 O.S. 2011, Section 120.7, as
15 amended by Section 2, Chapter 385, O.S.L. 2015 (43 O.S. Supp. 2015,
16 Section 120.7), is amended to read as follows:

17 Section 120.7 A. As used in this section, "court expert" means
18 a parenting coordinator, guardian ad litem, custody evaluator or any
19 other person appointed by the court in a custody or visitation
20 proceeding 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:
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1 1. A disclosure of any prior relationships with any party,
2 attorney or judge in the pending action;

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

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

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

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

20 D. In any case involving domestic violence, stalking or
21 harassment as defined by paragraph 2 of subsection I of Section 109
22 of this title, the court expert shall have completed sixteen (16)
23 hours of domestic violence training that includes, but is not
24 limited to, information regarding the danger and lethality of

1 domestic violence, the causes and dynamics of domestic violence, the
2 impact of domestic violence upon victims and children, and the
3 characteristics of a batterer as a parent. Provided, this training
4 requirement shall not apply to a licensed attorney appointed as a
5 court expert.

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

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