

An Act

ENROLLED HOUSE
BILL NO. 1371

By: Tadlock of the House

and

Silk of the Senate

An Act relating to marriage; amending 43 O.S. 2011, Section 110.1a, which relates to the Oklahoma Child Supervised Visitation Program; deleting date requirement for certain appointments; and providing an effective date.

SUBJECT: Oklahoma Child Supervised Visitation Program

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

SECTION 1. AMENDATORY 43 O.S. 2011, Section 110.1a, is amended to read as follows:

Section 110.1a A. This section shall be known and may be cited as the "Oklahoma Child Supervised Visitation Program".

B. It is the policy of this state to ensure that the health, safety, and welfare of the child is paramount when supervised visitation is ordered by the court.

C. For purposes of the Oklahoma Child Supervised Visitation Program:

1. "Supervised visitation" means the court-ordered contact between a noncustodial parent and one or more children of such parent in the presence of a third-party person who is responsible for observing and overseeing the visitation in order to provide for the safety of the child and any other parties during the visitation. The court may require supervised visitation when deemed necessary by the court to protect the child or other parties;

2. An "alcohol-dependent person" has the same meaning as such term defined in Section 3-403 of Title 43A of the Oklahoma Statutes;

3. A "drug-dependent person" has the same meaning as such term defined in Section 3-403 of Title 43A of the Oklahoma Statutes; and

4. "Domestic abuse" has the same meaning as such term defined in Section 60.1 of Title 22 of the Oklahoma Statutes.

D. 1. The associate district judge in each county within this state may select trained volunteers to provide supervised visitation pursuant to the Oklahoma Child Supervised Visitation Program.

2. ~~By February 15, 2005, the~~ The associate district judge of each county may appoint a judicial district supervised visitation team to:

- a. identify public and private entities which will be willing to provide location sites for purposes of the Oklahoma Child Supervised Visitation Program,
- b. identify individuals who will be willing to serve as third-party persons to observe and oversee court-ordered supervised visitations,
- c. establish training requirements for volunteers,
- d. identify programs which may be available for the training of the volunteers including, but not limited to, the Department of Human Services, Office of the Attorney General, child advocacy centers, domestic violence groups, and the Department of Mental Health and Substance Abuse Services,
- e. develop written protocol for handling supervised visitations so as to provide safety of the child and other parties during the supervised visitation,
- f. develop application forms for volunteers applying for the Oklahoma Child Supervised Visitation Program. Information listed on the form shall include, but not be limited to:
 - (1) name, address and phone number of the volunteer,

- (2) ~~volunteer's~~ place of employment and phone number of the volunteer,
 - (3) areas of expertise,
 - (4) listing of professional training in areas including, but not limited to, child abuse, domestic abuse, alcohol or drug abuse, mental illness or conflict management,
 - (5) consent form specifying release of information, and
 - (6) professional references, and
- g. identify which information of the parties and the child will be confidential and which may be available to others.

3. From recommendations of the team established pursuant to this subsection, the associate district judge in each county within this state may authorize one or more public or private agencies to provide location sites for the Oklahoma Child Supervised Visitation Program. A district judge may require either party requesting supervised visitation of a child to identify a trained third-party volunteer to observe and oversee the visitation. A district court shall not:

- a. require any state agency location or state employee to observe and oversee any supervised visitation, or
- b. appoint a third party to observe and oversee a supervised visitation who has not received the training as specified by the judicial district supervised visitation team unless agreed to by the parties.

4. A participating public or private agency location site may charge a fee for each visit.

E. The protocol for supervised visitation established by each judicial district supervised visitation team may require that:

1. The location site require each participant who has court-ordered supervised visitation for a child and who is participating in the supervised visitation program to sign a time log upon arrival and departure. The agency location site must have an employee assigned to verify identification of each participant, initial each signature, and record the time of ~~each person's~~ arrival and departure of each person; and

2. The agency location site also contain information on each client case including, but not limited to:

- a. a copy of the court order requiring supervised visitation, and
- b. name of individuals authorized to pick up or deliver a child to the agency location site for supervised visitation.

F. Each judicial district supervised visitation team may include, but not be limited to:

1. Mental health professionals;
2. Police officers or other law enforcement agents;
3. Medical personnel;
4. Child protective services workers;
5. Child advocacy individuals; and
6. The district attorney or designee.

G. An associate district judge of a county, the judicial district supervised visitation team created pursuant to this section and the Office of the Court Administrator may develop an informational brochure outlining the provisions of the Oklahoma Child Supervised Visitation Program and procedures to be used by volunteers in that judicial district. The brochure may be distributed through the municipal and district court, social service agency centers, county health departments, hospitals, crisis or counseling centers, and community action agencies.

H. Except for acts of dishonesty, willful criminal acts, or gross negligence, no member of the judicial district supervised

visitation team or volunteer shall be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in the performance of the duties pursuant to the provisions of this section.

I. The provisions of this section shall not apply to cases subject to the Oklahoma Children's Code and the Oklahoma Juvenile Code.

SECTION 2. This act shall become effective November 1, 2017.

Passed the House of Representatives the 4th day of May, 2017.

Presiding Officer of the House
of Representatives

Passed the Senate the 25th day of April, 2017.

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: _____