

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1019

By: Lawson

AS INTRODUCED

An Act relating to children; amending 10A O.S. 2021, Section 1-4-806, which relates to trial reunification; modifying procedures for trial reunification; limiting time a child may spend in trial reunification; providing exception; and providing an effective date.

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

SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-4-806, is amended to read as follows:

Section 1-4-806. A. The court may order a trial home reunification by returning the child to the care of the parent or legal guardian from whom the child was removed ~~for a period not to exceed six (6) months; provided, when determined necessary the court may extend the period of trial reunification to a specific date certain by entering such extension order prior to the expiration of the initial six-month trial reunification period~~ and setting a date for review within six (6) months. At any time during trial reunification, when reunification appears successful, the court may

1 return legal custody to the parent or legal guardian and relieve the
2 Oklahoma Department of Human Services of legal custody. If the court
3 determines trial reunification should continue, then the court shall
4 set a new date for review of trial reunification. The total amount
5 of time a child may spend in trial reunification shall not exceed
6 twelve (12) months. The Prior to trial reunification, the
7 Department of Human Services shall conduct a criminal background
8 check of any adult in the home, who is not a parent, legal guardian,
9 or custodian, ~~prior to any trial reunification.~~ The background
10 check shall include inquiries into Oklahoma State Bureau of
11 Investigation and Federal Bureau of Investigation records for a
12 national criminal history record check pursuant to the provisions of
13 Section 150.9 of Title 74 of the Oklahoma Statutes.

14 During ~~the period of the~~ trial ~~home~~ reunification, the
15 Department of Human Services shall:

16 1. Continue to have legal custody of the child, thereby
17 permitting the Department to visit the child in the home of the
18 parent, at school, in a child care facility, or any other setting
19 the Department deems necessary and appropriate;

20 2. Continue to provide appropriate services to both the parent,
21 if eligible, and the child during ~~the period of the~~ trial ~~home~~
22 reunification;
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1 3. Terminate ~~the trial home~~ reunification and remove the child
2 to foster care, without court order or authorization, when necessary
3 to protect the child's health, safety, or welfare; and

4 4. Advise the court and parties within three (3) judicial days
5 of the termination of ~~the trial home~~ reunification when terminated
6 by the Department without a court order.

7 B. 1. When trial ~~home~~ reunification is terminated whether by
8 the Department or court order, the Department shall prepare a report
9 for the court which describes the circumstances of the child during
10 ~~the trial home~~ reunification ~~period~~ and recommends court orders, if
11 any, deemed appropriate to provide for the safety and stability of
12 the child.

13 2. In the event a trial ~~home~~ reunification is terminated by the
14 Department by removing the child to foster care without prior court
15 order or authorization, the court shall conduct a hearing within
16 fifteen (15) days of receiving notice of the termination of ~~the~~
17 trial ~~home~~ reunification by the Department and shall determine
18 whether a continuation of the child in the child's home or with the
19 child's caretaker is contrary to the welfare of the child and
20 whether reasonable efforts were made to prevent the removal of the
21 child from ~~the trial home~~ reunification.

22 C. 1. ~~Upon the completion of the six-month trial home~~
23 ~~reunification period or any extension thereof~~ If the court
24 determines that supervision should continue after twelve (12) months

1 of trial reunification, the court may ~~further extend supervision of~~
2 ~~the child in the home by awarding~~ award legal custody of the child
3 to the parent or legal guardian with whom the child has been
4 reunited and ~~ordering~~ order the Department to provide supervision in
5 accordance with the rules promulgated by the ~~Commission~~ Department.

6 2. The duration of the extended supervision shall not exceed
7 six (6) months except in circumstances the court deems appropriate
8 and necessary to protect the health, safety or welfare of the child.

9 SECTION 2. This act shall become effective November 1, 2023.

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11 59-1-5660 CMA 12/06/22

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