

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1881 By: Jett

6 AS INTRODUCED

7 An Act relating to adjudicative hearings; amending
8 10A O.S. 2021, Section 2-2-402, as amended by Section
9 1, Chapter 8, O.S.L. 2023 (10A O.S. Supp. 2025,
10 adjudicative hearings; authorizing hearings to be
made public if in the public interest; 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 10A O.S. 2021, Section 2-2-402, as
15 amended by Section 1, Chapter 8, O.S.L. 2023 (10A O.S. Supp. 2025,
16 Section 2-2-402), is amended to read as follows:

17 Section 2-2-402. A. All cases of children shall be heard
18 separately from the trial of cases against adults. The adjudicative
19 hearings shall be conducted according to the rules of evidence, and
20 may be adjourned from time to time.

21 1. Except as provided by paragraph 2 of this subsection, the
22 hearings shall be private; however, all persons having a direct
23 interest in the case as provided in this paragraph shall be admitted
24 and such proceedings may be made public if it is in the public

1 interest. Any victim, relative, legal guardian of a victim, or a
2 person designated by the victim who is not subject to the rule of
3 sequestration as a witness of a delinquent act shall be considered
4 to have a direct interest in the case, shall be notified of all
5 court hearings involving that particular delinquent act, and shall
6 be admitted to the proceedings. The court shall, however, remove
7 all persons not having a direct interest in the case or that are not
8 the parents or legal guardian of the child from any hearing where
9 evidence of the medical or behavioral health condition of the child
10 or specific instances of deprivation are being presented.

11 Stenographic notes or other transcript of the hearings shall be kept
12 as in other cases, but they shall not be open to inspection except
13 by order of the court or as otherwise provided by law.

14 2. Hearings related to the second or subsequent delinquency
15 adjudication of a child shall be public proceedings. The
16 adjudications relied upon to determine whether a hearing is a public
17 proceeding pursuant to this paragraph shall not have arisen out of
18 the same transaction or occurrence or series of events closely
19 related in time and location. Upon its own motion or the motion of
20 any of the parties to the hearing and for good cause shown, the
21 court may order specific testimony or evidence to be heard in
22 private; provided, the court shall not exclude any relative, legal
23 guardian of a victim, or a person designated by the victim who is
24 not subject to the rule of sequestration as a witness from the

1 hearing during testimony of the victim. For the purposes of this
2 paragraph, "good cause" shall mean a showing that it would be
3 substantially harmful to the mental or physical well-being of the
4 child if such testimony or evidence were presented at a public
5 hearing. The judge may, for good cause shown, open the court
6 hearings to educate members of the public about juvenile justice
7 issues; however, the identities of the juvenile respondents shall
8 not be published in any reports or articles of general circulation.

9 B. The child may remain silent as a matter of right in
10 delinquency hearings and in need of supervision hearings, and before
11 the child testifies, the child shall be so advised.

12 C. A decision determining a child to come within the purview of
13 the Oklahoma Juvenile Code shall be based on sworn testimony and the
14 child shall have the opportunity for cross-examination unless the
15 facts are stipulated or unless the child enters into a stipulation
16 that the allegations of the petition are true or that sufficient
17 evidence exists to meet the burden of proof required for the court
18 to sustain the allegations of the petition. In proceedings pursuant
19 to the Oklahoma Juvenile Code, the court may allow mileage as in
20 civil actions to witnesses and reimbursement for expert witnesses
21 but such shall not be tendered in advance of the hearing. If a
22 child is alleged to be delinquent and the facts are stipulated, the
23 judge shall ascertain from the child if the child agrees with the
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1 stipulation and if the child understands the consequences of
2 stipulating the facts.

3 D. For any child being held in a secure detention on charges as
4 an accused juvenile delinquent, adjudication shall occur within
5 thirty (30) days after the detainment for that charge. This time
6 may be extended to allow parties to negotiate in good faith to
7 review discovery or for any other good cause shown. The provisions
8 of this subsection shall not apply to matters in which a non-jury or
9 jury trial are requested by the child.

10 E. If the court finds that the allegations of a petition
11 alleging a child to be delinquent or in need of supervision are
12 supported by the evidence, the court shall sustain the petition, and
13 shall make an order of adjudication setting forth whether the child
14 is delinquent or in need of supervision and shall adjudge the child
15 as a ward of the court.

16 F. If the court finds that the allegations of the petition are
17 not supported by the evidence, the court shall order the petition
18 dismissed and shall order the child discharged from any detention or
19 restriction previously ordered. The parents, legal guardian or
20 other legal custodian of the child shall also be discharged from any
21 restriction or other previous temporary order.

22 G. Any arrest or detention under the Oklahoma Juvenile Code or
23 any adjudication in a juvenile proceeding shall not be considered an
24 arrest, detention or conviction for purposes of employment, civil

1 rights, or any statute, regulation, license, questionnaire,
2 application, or any other public or private purposes, unless
3 otherwise provided by law.

4 SECTION 2. This act shall become effective November 1, 2026.

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6 60-2-3124

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