

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1821

By: Jett

AS INTRODUCED

An Act relating to termination of parental rights; amending 10A O.S. 2021, Section 1-4-502, as last amended by Section 2, Chapter 375, O.S.L. 2025 (10A O.S. Supp. 2025, Section 1-4-502), which relates to jury trials; requiring separate court to conduct certain bench trials; and providing an effective date.

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

SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-4-502, as last amended by Section 2, Chapter 375, O.S.L. 2025 (10A O.S. Supp. 2025, 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

1 adjudicated deprived and, if so, the jury shall determine if
2 parental rights should be terminated; or

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

6 B. The demand for a jury trial shall be granted unless waived,
7 or the court on its own motion may call a jury to try any
8 termination of parental rights case.

9 C. 1. If the jury trial to determine whether parental rights
10 should be terminated is waived, the court shall issue a scheduling
11 order within thirty (30) days. A bench trial shall commence within
12 ninety (90) days of the issuance of the scheduling order unless the
13 court issues a written order with findings of fact supporting a
14 determination that there exists an exceptional circumstance to
15 support the delay or that the parties and the guardian ad litem, if
16 any, agree to such continuance. A bench trial under this paragraph
17 shall be conducted by a separate court than a court that conducted
18 any hearing pursuant to subsection A of Section 1-4-503 of this
19 title. Any judge who presides over a hearing where the rules of
20 evidence do not apply shall not preside over a subsequent trial
21 where the rules of evidence do apply.

22 2. Upon a demand for a trial by jury, the court shall issue a
23 scheduling order within thirty (30) days. A jury trial shall
24 commence within six (6) months of the issuance of the scheduling

1 order unless the court issues a written order with findings of fact
2 supporting a determination that there exists an exceptional
3 circumstance to support the delay or that the parties and the
4 guardian ad litem, if any, agree to such continuance. The jury
5 shall consist of six (6) persons. A party who requests a jury trial
6 and fails to appear in person for such trial, after proper notice
7 and without good cause, may be deemed by the court to have waived
8 the right to such jury trial, and the termination of parental rights
9 shall be by nonjury trial unless another party demands a jury trial
10 or the court determines on its own motion to try the case to a jury.

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