

# OFFICIAL COURT RULES

OF THE

SEVENTH JUDICIAL AND TWENTY-SIXTH  
ADMINISTRATIVE DISTRICTS

COMPRISED OF  
OKLAHOMA  
AND  
CANADIAN  
COUNTIES

**Effective August 24, 2023**  
**Amendments to Rules 7 and 39.1**

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## **RULE NO. 1**

### **COMPLIANCE WITH ALL RULES FOR DISTRICT COURTS OF OKLAHOMA**

Compliance with all Rules for District Courts of Oklahoma adopted and amended by the Supreme Court shall be mandatory. The Rules for the District Courts of Oklahoma, Title 12 O.S., Ch.2, and Appendix shall guide any matter of practice or procedure not specifically included in the following rules. The Rules for the Seventh and Twenty-sixth Judicial Districts [Oklahoma and Canadian Counties] are in addition to and supplemental to the Rules for the District Courts.

## **RULE NO. 2**

### **COURT DAILY SESSIONS - TIME OF:**

Unless otherwise ordered by the assigned judge, the morning sessions shall begin at 9:00 a.m. and close at 12:00 noon. In Oklahoma County the afternoon sessions shall begin at 1:30 p.m. and close at 5:00 p.m. In Canadian County the afternoon sessions shall begin at 1:30 p.m. and close at 4:30 p.m.

## **RULE NO. 3**

### **SELECTION AND DUTIES OF THE PRESIDING ADMINISTRATIVE JUDGE:**

- A. The position of Presiding Administrative Judge shall be filled by nomination and election by the District Judges and Associate District Judges of the Oklahoma /Canadian Counties Administrative Judicial District.

B. The term of office for both the Presiding and Vice Presiding Administrative Judge is one(1) year. No Judge shall serve as Presiding or Vice Presiding Administrative Judge for more than two consecutive one (1) year terms. A judge may serve as Presiding or Vice Presiding Administrative Judge after a one (1) year period has elapsed after having last served as Presiding or Vice Presiding Administrative Judge.

C. The duties of the Presiding Administrative Judge are as follows:

1. Presides over the governing board of the Court Fund.
2. Authorizes publication of court dockets.
3. Supervises district courts.
4. Makes the assignment of judges to the various divisions and duties within the District Court, including docket assignments for District, Associate and Special Judges.
5. Approves assignment of court reporters within the administrative district.
6. Selects the Court Administrator with confirmation by the District Judges.
7. Calls conference meetings of District and Associate District Judges. Conference of judges shall take place at the call of the Presiding Administrative District Judge upon the request for a meeting being made to the Presiding Administrative Judge by any other District Judge.
8. Establishes jury terms and orders appearance of jurors.
9. Acts as spokesperson for the Conference of District Judges.
10. Assigns judges to Courts of Tax Review upon assignment from the Supreme Court of Oklahoma.
11. Meets monthly with Assembly of Presiding Judges of the Oklahoma Judicial Conference.
12. Upon notification by the Public Defender, conducts inquiry and takes action if any person is irregularly confined to county jail.
13. Conducts or designates a judge to conduct the private process server docket.
14. Authorizes use of the courtrooms by public groups.
15. Hears protests regarding the issuance of beverage licenses.

16. Any other matter directed to the Presiding Administrative Judge by statute or rule.

#### **RULE NO. 4**

##### **CHIEF JUDGE:**

- A. The Presiding Administrative Judge will designate a Chief Judge for the succeeding year on a monthly rotating schedule from among the district judges and for July and August on a weekly rotating schedule from among the district judges. In the event a judge is unable to serve as Chief Judge according to the rotating schedule, the Presiding Administrative Judge shall designate a replacement.
- B. Notices showing the name of the Chief Judge shall be posted in conspicuous places in the Court Clerk's office, and such other places as directed by the Presiding Administrative Judge.
- C. Should the Chief Judge find it necessary to be temporarily absent from the courthouse during normal business hours, or be temporarily unable to serve as Chief Judge, he or she shall arrange for another judge to handle the assignment during that time. The Presiding Administrative Judge shall designate a replacement should the Chief Judge fail to do so.
- D. The Chief Judge shall handle the following matters:
  - 1. Transfers of cases to and from the civil dockets assigned to District or Associate District Judges and the felony dockets.
  - 2. Motions for recusal of assigned judge.
  - 3. Applications for excuse from jury duty.
  - 4. Election disputes requiring immediate action.
  - 5. Upon a grand jury being called by the Presiding Judge, the Chief Judge shall have the responsibility to empanel and preside over the grand jury until it is dismissed, even though grand jury sessions may extend beyond the monthly term of that judge as Chief Judge.

6. May call for conference of judges on own initiative or upon the request for a meeting made by any other District Judge.
  7. Any other matter directed to the Chief Judge by statute or rule.
- E. The Chief Judge shall be in charge of the jury panel and with the assistance of the Court Administrator and the Jury Clerk, shall discharge and excuse those jurors not engaged when their services are no longer required.
- F. The Chief Judge shall hear and decide all individual juror requests to be excused from jury duty prior to the juror being sent to a courtroom as part of a trial panel. Once a juror is assigned to a courtroom the judge presiding over the trial may permanently excuse the juror without consulting with the Chief Judge. If a juror is so released the Trial Court Administrator shall be notified.

## **RULE NO. 5**

### **EX PARTE COMMUNICATIONS**

Communication with the office of the assigned judge regarding scheduling and procedural matters is permitted. A lawyer shall have no ex parte communication on the substance of a pending case with the assigned judge.

## **RULE NO. 6**

### **ASSIGNMENT OF CASES AND TRANSFER OF CASES FOR TRIAL:**

#### **A. ASSIGNMENT OF CASES**

1. The Court Clerk shall number all cases with a case prefix, a hyphen, and all four digits of the calendar year, as provided by Supreme Court Administrative Directive. The Court Clerk shall randomly assign all cases to judges in the various divisions of Court according to their assignments by the Presiding Judge of the district, except as provided otherwise by this rule or by Administrative Order. Cases shall be so

assigned immediately upon their filing and the clerk shall note the assigned judge at that time. Thereafter, the assigned judge shall have full superintending charge of the case except for various matters according to custom and practice, other Court Rules and statutes.

2. If, after a case has been assigned, the assigned judge becomes disqualified or unable to hear it, it shall be transferred to the Chief Judge for random reassignment. In order to maintain a fair balance in case assignments and workload among judges, upon recusal or disqualification of the assigned judge and the resulting reassignment of a case, the transferee judge may select a comparable case docket to be reassigned by the Chief Judge to the transferor judge.
3. Misdemeanor cases and small claims cases, including forcible entry cases, shall not be assigned to individual judges but shall be assigned to a master docket for handling by the special judges in charge according to the rotating schedule established by the Presiding Judge.

#### B. TRANSFER OF CF AND CJ CASES FOR TRIAL

1. Every morning during a jury term each district judge and special judge assigned to misdemeanor trials shall send a docket report to the Chief Judge by 9:00 o'clock a.m., or as soon thereafter as possible. The report shall inform the Chief Judge whether the reporting judge is engaged in trial or is available to accept reassignment of a case for trial. Any cases set on the reporting judge's docket for trial, other than one selected for trial, shall be transferred on Monday to the Chief Judge for reassignment for trial by any available judge.
2. No case should be sent to the Chief Judge for reassignment for trial that can reasonably be expected to require more than three (3) days of trial time. Cases expected to take more than three (3) days should be tried by the assigned judge.
3. The Chief Judge shall return all untried cases to the assigned judges at the end of each week's jury term for resetting on the trial docket of the assigned judge.
4. Upon receiving cases transferred from the various judges for trial, the Chief Judge shall reassign them for trial to those judges who have reported available to accept cases for trial. The Chief Judge shall give preference in assigning civil cases to those judges assigned to the civil docket and criminal cases to those assigned to the criminal docket. When only civil or criminal cases remain to be assigned, the Chief Judge may reassign them without regard to the judge's docket

assignment. In assigning criminal cases for trial, preference shall be given to defendants who are in custody.

## **RULE NO. 7**

### **OKLAHOMA COUNTY CHIEF SPECIAL JUDGE DUTIES AND OKLAHOMA EMPLOYMENT SECURITY COMMISSION DISCLOSURES:**

- A.** The Chief Special Judge shall hear transfers of cases from SC to CS, pauper's affidavits relating to SC and CS cases, and all CJ, CS, and SC post-judgment collection matters (unless specifically retained by the assigned judge), to include, but not limited to, hearing on assets, claims for exemptions, garnishment matters, and citations for contempt.
- B.** Applications for orders directed to the Oklahoma Employment Security Commission (O.E.S.C.) for disclosure of information pursuant to 40 O.S. §4-508 shall be set for hearing. Such hearing to be placed on the Chief Special Judge 9:00 a.m. docket. The party filing such application shall provide notice of such hearing to the judgment debtor and to the O.E.S.C. pursuant to 12 O.S. §2005. Should the application be granted, the order shall not be combined with any other order and shall comply with the provisions of 40 O.S. §4-508 and shall require disclosure of said information relating to the judgment debtor only. The Judgment shall not include an order for disclosure to the O.E.S.C.
- C.** The Chief Special Judge shall also maintain a docket at 10:00 a.m. for all SC forcible entry and detainer cases. At the direction of the assigned judge of any CS or CJ case relating to the right of possession of property pursuant to 12 O.S. Section 1148.14, the Chief Special Judge shall hear the case with respect to the right of possession and said property only, after



which the case shall be returned to the assigned judge for further proceedings.

## **RULE NO. 8**

### **REFILING OF CASES**

#### **A. REFILING OF CASES**

A. When either a civil or criminal case is terminated other than on its merits and the same cause of action is thereafter refiled, the case shall be returned to the judge to whom it was originally assigned or the judge's successor, without regard to its case number or the judge assigned randomly upon refileing.

1. Where a criminal case has been dismissed by order of the assigned Judge under the provisions of 22 O.S. Section 815, after the Judge has sustained a motion to suppress and dismissed the case on motion of the District Attorney for the reason the State has no more evidence to present and in the event the case is refiled by the District Attorney, then the refiled case shall be randomly reassigned to a Judge other than the one who previously ruled on the motion to suppress and the Judge to whom the subsequent refiled case is assigned shall not be bound by the prior ruling on the motion to suppress.

2. When a case is refiled under the conditions set forth in Paragraph (A)(1) of this Rule and the assigned Judge is the same Judge who ruled on the motion to suppress referred to in Paragraph (A)(1) of this rule, then the District Attorney shall prepare an order citing this rule and present the order for signature to the assigned Judge, ordering the Oklahoma County Court Clerk to randomly assign the case to a different Judge and the District Attorney shall then file the order with the Court Clerk and the Court Clerk shall then cause the case to be randomly assigned to a different Judge.

- B. The procedure for transferring such case is as follows: The party filing the case shall immediately bring it to the attention of the newly assigned judge who shall execute a transfer order transferring the case to the Chief Judge for reassignment to the original judge. Upon failure of the party filing the case to cause the case to be reassigned in accordance with this rule, any other party or attorney representing a party having knowledge of the previous filing shall cause the case to be reassigned to the original judge.
- C. Any party to the case or their attorney having knowledge that the case should be reassigned and failing to act in accordance with this rule may be sanctioned by the Court for violation of Court rules.
- D. It should be noted that it is the cause of action rather than the identity of the parties that is determinative of whether or not the case comes within the scope of this rule and should be reassigned.
- E. Any re-filed case shall recite in the petition/information the style, case number, and name of the assigned judge of the previously filed case.

## **RULE NO. 9**

### **REASSIGNMENT AND CONSOLIDATION OF CASES INVOLVING IDENTICAL ISSUES:**

Whenever two or more cases involving identical issues and involving one or more parties common to all cases are pending, the judge of the division to which the lowest numbered case is assigned may consolidate and reassign all such cases to that assigned judge. Cases will be consolidated to the lowest case number. A copy of the order of consolidation shall be filed in each case affected by the consolidation.

## **RULE NO. 10**

## PLEADINGS AND SERVICE: ALL CASES

- A. In addition to complying with the provisions of 12 O.S. Section 2011, paper pleadings and documents, filed in the office of the Court Clerk should be typewritten on a good grade of white paper size 8 ½ inches by 11 inches or 8 ½ inches by 14 inches. No blank spaces filled in with the words or expression "NA", "NONE", or similar terms are permitted. Blank spaces for dollar amounts and dates only are allowed. Pleadings shall not contain attorney name, firm name, address, phone number, facsimile number, e-mail address, or other similar letterhead type information in the margins of such pleadings or any page thereof except as required by section B of this Rule. Additional requirements for briefs are set forth in Rule 37.
  
- B. The last page of every document shall contain the name, bar number if applicable, address, telephone number, facsimile number and e-mail address of the person filing the pleading and the name, address, telephone number, facsimile number and e-mail address of the opposing party or counsel, if known. The party filing the pleading shall designate which party each counsel represents.
  
- C. All civil actions, other than those filed in the Small Claims Division, are commenced by filing the original petition with the Court Clerk. The petition and summons shall be served as required by law.
  
- D. Parties or attorneys filing motions, pleadings, orders or journal entries after the petition has been filed shall serve copies by hand delivery, by mail or by facsimile transmission (FAX) to opposing counsel of record on the same day. A certificate of service shall be noted on the original instrument filed. Copies of all motions and briefs shall be hand delivered or mailed to the office of the assigned judge, or faxed, with permission of the assigned judge, if time is of the essence, in compliance with Rule 37.
  
- E. Unless specifically permitted or invited by the assigned judge, copies of correspondence between counsels should not be sent to the Court. When correspondence is permitted or requested by the assigned judge, copies shall be served on all other parties and counsel of record on the same day.

- F. In all cases, excluding those filed in the Juvenile Division, unless the parties shall be properly named or identified, the Court shall not conduct any hearing, approve any order, or grant any relief. In those cases where the petition has been filed without the parties being properly named or identified, an amended petition shall be filed clarifying the caption of the case. In addition, an order directing the Court Clerk to amend the appearance docket to reflect the corrected names of the parties shall be filed simultaneously with the filing of the amended petition.

## **RULE NO. 10.1**

### **PRIVACY ISSUES:**

Redacted Filings. It is the responsibility of counsel and the parties to be sure that all filed documents comply with this rule. The Court Clerk will not review any pleading for redaction. The parties shall refrain from including, or shall redact where inclusion is necessary, the following personal identifiers from any document filed with the Court Clerk, unless otherwise ordered by the Court:

- (1) Social Security Numbers – if an individual’s social security number must be included in a document, only the last four digits of the number shall be used.
- (2) Names of Minor Children – if the involvement of a minor child must be mentioned, only the initials of the child’s name shall be used.
- (3) Dates of Birth – if an individual’s date of birth must be included in a pleading, only the year should be used.
- (4) Credit Card & Financial Account Numbers – if a credit card or financial account number is relevant, only the last four digits of any such account number shall be used.
- (5) Taxpayer Identification Numbers - if a taxpayer identification number must be included in a document, only the last four digits of the number shall be used.

Exemption from the Redaction Requirement. The redaction requirement does not apply to the following:

- (1) a credit card or bank account number that identifies property allegedly subject to forfeiture, foreclosure, replevin or other writ, such as in a foreclosure, replevin or debt collection proceeding;
- (2) the record of an administrative or agency proceeding;
- (3) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;
- (4) family, probate, adoption, protective order or name change cases; and

(5) felony cases, misdemeanor cases, traffic ticket cases, or any other cases where statutory law or Rules and Forms promulgated by the Court of Criminal Appeals require the inclusion of a complete personal identifier number.

Filings Under Seal. Subject to the limitations set out in 12 O.S. 2011, § 3226C(2) and 51 O.S. 2011, § 24A.29, the Court may order that any document (or portion thereof) be filed under seal without redaction. The Court may later unseal the filing or order the person who made the filing to file a redacted version for the public record. Any request to file a document (or portion thereof) under seal shall be made by motion and shall show strict compliance with §§ 3226C(2) & 24A.29. Protective orders that attempt to generally authorize the filing under seal of any document or category of documents that the parties claim to be confidential or trade secrets will not satisfy this rule. Any Court order that authorizes a document to be filed under seal shall specifically describe and identify the document or category of documents to be filed under seal.

Waiver. A person waives the protection of Rule 10.1 as to the person's own information by filing it without redaction and not under seal.

Authority for Rule. 12 O.S. 2011, § 3226C(2); 51 O.S. 2011, §§ 24A.2 & 24A.25; 24A.29; Oklahoma Public Employees Association v. State Of Oklahoma ex rel. Oklahoma Office Of Personnel Management, et al., 2011 OK 68, 267 P.3d 838, 851.

## **RULE NO. 11**

### **MOTION DOCKETS:**

- A. The deputy court clerk located in the office of each judge shall furnish and keep a motion docket as directed by each judge. The party or counsel presenting the motion shall obtain a hearing date from the assigned judge's clerk. The clerk shall enter it upon the motion docket of the assigned judge, not less than 23 days from the date the motion is presented for setting. The Court may set a motion specially. The motion shall be filed with the Court Clerk's office and served as required by Rule 10.
- B. The presenting party shall be responsible for notifying all other parties or counsel of record of the hearing date. It is not appropriate to mail motions to the Court Clerk's office and request a hearing date or ask the Court Clerk to obtain the signature of the assigned judge.

- C. If a motion is not presented for hearing when called, the Court may in its discretion dismiss, continue or rule upon it. Motions not contested may be disposed of by announcement, without necessity of all counsel appearing. Counsel shall be responsible for notifying the Court if the motion will not be presented. If any matter or cause is submitted to the Court and taken under advisement, the judge shall notify counsel of the decision reached.
  
- D. When a motion is ruled on, counsel for the prevailing party shall within ten (10) days thereafter prepare a journal entry of the ruling and present it to counsel for the adverse parties, and if it be approved by all the attorneys, it shall be presented to the Court for signature. If counsel are unable to agree upon the form of journal entry, the prevailing party shall give notice of presentation and present the matter for settlement of journal entry at the next motion day of the division in which said matter was heard, or such other time as the assigned judge shall direct.

## **RULE NO. 12**

### **CHANGE OF NAME**

- A. All applicants shall present evidence of the publication notice required by Title 12 O.S. Section 1633 to the assigned judge at the time of the scheduled hearing.
  
- B. Applicants for name change of a minor must show that the court appointed guardian, parents, or the non-custodial parent, if the application is made by the custodial parent, have been notified of the application and date of the hearing, unless excused by the judge hearing the application.

## **RULE NO. 13**

### **TEMPORARY RESTRAINING ORDERS:**

- A. When a Temporary Restraining Order is sought in a suit for injunctive relief, after the petition has been filed and the case assigned to a judge, the application for the TRO may be taken to the assigned judge to be heard or set for hearing as may be ordered.
- B. No ex-parte restraining order will be issued against any person, firm or corporation unless counsel has attached a verified statement that either the opposition is not represented by counsel or that counsel for the opposition has been contacted and given adequate notice of the presentation of the application at a date and time certain.
- C. No ex-parte temporary restraining order will be issued against the State or political subdivision thereof.

## **RULE NO. 14**

### **NOTIFICATION OF DISMISSAL OR SETTLEMENT**

Counsel or parties shall notify the assigned judge of all dismissals, partial dismissals and settlements as soon as practical, but not later than the date of any scheduled proceeding, including trial, pretrial, and motion docket.

## **RULE NO. 15**

### **JUDGMENT FOR MINORS: FRIENDLY SUITS**

- A. When any judgment is granted to a minor or when any monies are recovered in any Court proceeding by a next friend or guardian ad litem for or on behalf of a minor in excess of one thousand dollars (\$1000.00) over sums allowed for paying costs and expenses including medical bills and attorney's fee, the assigned judge entering such judgment or order shall immediately transfer the case to the Probate Division.
  
- B. The money shall be deposited in accordance with Title 12 O.S. Section 83. The journal entry or order shall specify the amount to be deposited and the name of the bank or savings and loan institution in which the monies are to be deposited.
  
- C. It shall be the duty of the person depositing the judgment proceeds in the institution to obtain a receipt for the deposit and to file the receipt in the case within the time stated in the order, and deliver a file-stamped copy to the assigned judge.

## **RULE NO. 16**

### **DEFAULT JUDGMENT:**

- A. Judgment in a case, (except family and domestic cases) in which service has been made, but in which there has been no appearance, may be taken at any time after the answer date before the assigned judge. The following documents shall be provided to the assigned judge at the time the journal entry of default judgment is presented for signature:
  - 1. Motion for Default Judgement. All Motions for Default Judgement must state the following:
    - a. Whether the defaulting party has filed any pleading/document;
    - b. Whether the defaulting party has appeared in open court; and
    - c. What notice was given, and, if none were given, the reason therefore.
  - 2. Proof of service;
  - 3. Servicemember's affidavit in accordance with the Servicemember's Civil Relief Act of 2003 and Department of Defense Status Report in all civil cases involving individuals;
  - 4. Proof of breach of last payment;
  - 5. Copy of the contract, mortgage, note or account;
  - 6. Amount of debt, principle and interest;



7. Assignments, if applicable; and
  8. Any other item specifically requested by the assigned judge.
- B. If the defaulting party has filed a pleading/document or has appeared in open court, a hearing must be set and notice must be provided to the defaulting party.
- C. If the assigned judge is absent at the time fixed in the notice to take default judgment, the matter shall stand continued to the next motion day of the Court over which said judge presided, or it may be heard or continued by another judge in the absence or inability of the assigned judge to hear it.

## **RULE NO. 17**

### **MOTIONS TO ENTER:**

- A. The parties shall file a Motion to Enter after a case is at issue. A Motion Requesting a Scheduling Order shall be treated as a Motion to Enter. On the date the motion is heard, the trial judge may enter a scheduling order in substantial compliance with the form approved by the Supreme Court. The assigned judge may enter a scheduling order at any time after the case is at issue.

## **RULE NO. 18**

### **DEPOSITIONS:**

#### **I. DEPOSITION CONDUCT:**

- A. Objections to questions during an oral deposition are limited to "Objection, leading" and "Objection, form." Objections to testimony during the deposition are limited to "Objection, nonresponsive." These objections are

waived if not stated as phrased during the oral deposition. All other objections need not be made or recorded during the deposition to be later raised in court. Argumentative or suggestive objections or explanations waive objection and may be grounds for terminating the oral deposition or assessing court costs or other sanctions.

- B. An instruction to a deponent not to answer a question shall be limited to the grounds set forth in Section 3230 E.1. of the Discovery Code. The attorney instructing the witness not to answer shall give a concise, nonargumentative, nonsuggestive explanation of the grounds for the instruction if requested by the party conducting the examination.
- C. Counsel and a witness shall not engage in private, off-the-record conferences during the actual taking of the deposition, except for the purpose of deciding whether to assert a privilege or to move for a protective order. Private conferences may be held, however, during agreed recesses and adjournments.

## **II. OBJECTIONS TO DEPOSITION TESTIMONY:**

- A. Objections to any portion of deposition testimony, either by videotape or otherwise, which is sought to be introduced at trial and which cannot be resolved by counsel, shall be presented to the trial judge for a ruling at least twenty (20) days prior to trial.
- B. All objections not made, as set out above shall be deemed to be waived and the deposition shall be read or viewed in its entirety at trial.
- C. The trial judge, in the exercise of sound discretion, may waive these requirements.

## **RULE NO. 19**

### **EXHIBITS:**

- A. No exhibit offered or admitted in evidence shall be removed from the courtroom or from the custody of the Court Clerk or court reporter, as the case

may be, without permission of the appropriate judge and the official having custody thereof, and when permission is granted, a written receipt shall be taken from the person receiving the exhibit.

- B. Only two-dimensional exhibits, eight and one-half (8 ½) inches by fourteen (14) inches or smaller, videotapes, and audiotapes admitted into evidence will be retained by the court reporter following the trial. Counsel shall substitute a copy, meeting these size restrictions, of any oversized exhibit. Other exhibits, including oversized exhibits, shall be withdrawn from the record at the conclusion of the trial and retained by the party/counsel presenting the same at trial.
- C. In criminal cases, parties/counsel shall comply with the Rules of the Court of Criminal Appeals.

## **RULE NO. 20**

### **MOTIONS FOR CONTINUANCE:**

All motions for continuance of a pretrial, trial or evidentiary hearing must be signed by the party on whose behalf the motion is made, or contain a certificate of the movant's attorney that the attorney's client has knowledge of and has approved the motion.

## **RULE NO. 21**

### **SIMULTANEOUS ENGAGEMENT IN SEVERAL DIVISIONS:**

- A. If an attorney will be late to a hearing or is occupied before a judge and at the same time the attorney's presence is required before one or more judges, those matters shall be held for hearing until the attorney has finished each matter requiring the attorney's presence, provided the attorney has timely notified the judge and opposing counsel, advising them of the conflicting schedule.

- B. Judges of courts in which an attorney has conflicting appearances may confer and agree upon the priority to be given the pending matters. Rather than causing an undue burden on others who have appeared timely, judges may use their discretion in resetting matters in which lawyers have been unduly detained elsewhere.
- C. It is generally accepted that conflicts in scheduling are inevitable, particularly on motion dockets when several are conducted simultaneously. However, lawyers should strive diligently to avoid major conflicts involving matters that will occupy significant amounts of time or involve witnesses and the taking of testimony. Lawyers are cautioned that major conflicts in scheduling or unexcused failures to appear causing a needless waste of resources may result in the appropriate imposition of sanctions or other disciplinary action.
- D. Scheduling conflicts which occur due to the fact that counsel or parties are required to appear in more than one state or federal court shall be resolved by the Guidelines for Resolving Scheduling Conflicts with Oklahoma State Courts and Federal Courts, SCAD #98-17, adopted by the Oklahoma Supreme Court, or as later amended.

## **RULE NO. 22**

### **PRESENTATION OF MATTERS:**

- A. Whenever any legal issue is submitted to a judge, either formally or informally, and the judge indicates a ruling, and thereafter the same legal issue is submitted to another judge, it shall be the duty of counsel to make a full disclosure of the fact of submission to the first judge and the ruling or indicated ruling thereon.
- B. No order shall be presented to a judge for signature in any case, other than those cases pending in the Juvenile Division, unless the parties have been properly named or identified.
- C. No instrument shall be presented to a judge for signature unless it has been approved by the attorneys of record affected by it except where the matter has been settled in accordance with Rule 11.

- D. Attorneys whose offices are located within the county shall not present orders for signature by mail or fax.
- E. Attorneys whose offices are located out of county may present orders for signature by mail or fax, provided the matter was previously presented in person and provided the order contains the approval by the attorneys of record affected by it.
- F. No other matters may be presented by mail. Counsel shall not mail or fax orders to the Court Clerk with an accompanying letter asking the clerk to obtain a judge's signature and to then file or issue the order or request the setting of a motion on an assigned judge's docket.
- G. Only attorneys, pro se litigants, and legal interns knowledgeable of the case may present instruments to a judge for signature.
- H. Every order or journal entry pertaining to an assigned case shall be presented to the assigned judge.
- I. For matters not yet assigned, such as friendly suits, applications for temporary restraining orders, and name changes, the petition shall be filed, the case assigned to a judge and the suit or application shall then be taken to the assigned judge to be heard or set for hearing as may be ordered.

## **RULE NO. 23**

### **CRIMINAL: APPLICATIONS FOR HABEAS CORPUS OR SEARCH WARRANTS, APPOINTMENT OF COUNSEL, REVOCATIONS, ACCELERATIONS AND MOTIONS TO REDUCE BAIL:**

#### **A. APPLICATIONS FOR HABEAS CORPUS OR SEARCH WARRANTS:**

Applications for Writs of Habeas Corpus or Search Warrants and recall may be presented to any of the following who are available: First, to a District Judge or Special Judge assigned to the Criminal Division; next, to any other Judge.

**B. APPOINTMENT OF COUNSEL:**

Counsel for indigent defendants may be appointed by any Judge upon written application being submitted by the defendant.

**C. MATTERS HEARD BY THE ASSIGNED JUDGE:**

In felony cases applications to revoke suspended sentences or to accelerate deferred sentences and motions including motions to reduce bail, shall be heard by the assigned Judge.

**RULE NO. 24**

**CRIMINAL MOTION DOCKETS AND PRELIMINARY MATTERS:**

- A. All motions, demurrers, applications and other preliminary matters in felony criminal cases, pending in the district court, are to be set for hearing on the docket of the assigned district judge at such time as he or she shall direct.
- B. Rulings on motions, demurrers, and other pleadings in criminal cases shall be preserved by journal entry signed by the judge entering the order.
- C. Motions for continuance of a trial setting and motions to withdraw as counsel in felony cases may be granted only by the assigned judge.
- D. Motions to withdraw as counsel in felony cases shall be filed and presented to the assigned judge for decision prior to preliminary hearing. Motions filed after preliminary hearing, either by bind-over or waiver, will not be sustained unless good cause is shown. Non-payment of attorney's fees shall not constitute good cause.

**RULE NO. 25**

**FELONY CRIMINAL ARRAIGNMENTS:**

All defendants in felony cases upon being bound over for trial shall be arraigned immediately thereafter by the preliminary hearing magistrate and shall be informed at that time of the dates upon which the assigned district judge will hear motions and will conduct a pretrial conference.

## **RULE NO. 26**

### **CRIMINAL MISDEMEANOR DIVISION:**

- A. Misdemeanor arraignment proceedings shall be conducted by a special judge and recorded by the clerk in the form of an arraignment minute, which shall be filed in the office of the Court Clerk. The defendant shall be presented with a copy of the information upon which has endorsed the date of the trial and/or disposition proceedings.
- B. The misdemeanor disposition docket shall be called by the arraignment special judge, which shall be set at least twenty (20) days prior to trial date. The defendant, in any case in which an attorney has not made an appearance, shall be present.
- C. Motions to suppress, motions to quash, demurrers, etc. shall be heard by the assigned trial judge.
- D. On disposition docket day, the parties shall announce whether the case is ready for disposition or trial.

## **RULE NO. 27**

### **FAMILY AND DOMESTIC CASES:**

- A. Applications for either temporary restraining orders, emergency ex parte orders, or writs should be made to the special judge assigned to hear and decide such matters rather than to the assigned judge. If the application is granted, a subsequent show cause hearing will be scheduled before the assigned judge.

- B. All judges may hear uncontested matters as their dockets permit.
- C. Divorce, separate maintenance, or annulment in a case not involving minor children may be granted when the defendant is in default or has waived the time in which to plead. Such waiver must have been signed, acknowledged and filed at least one day after the filing of the petition. No divorce, separate maintenance or annulment case shall be heard unless the petition shall have been on file at least ten (10) days. Cases may be heard before ten (10) days for good cause shown.
- D. In an action for dissolution, a final order shall not be entered in cases involving minor children until the case has been on file ninety (90) days or more, which may be waived by the Court for good cause shown, and without objection by either party.

## **RULE NO. 28**

### **FAMILY AND DOMESTIC CASES - HEARINGS BY OTHER THAN ASSIGNED JUDGE:**

In the event the judge to whom any family and domestic case has been assigned is absent or engaged in a trial, the judge may assign the case to any other judge of the same division who is available to make an order or hold any necessary proceeding therein, as may be proper, and enter a final judgment in the case, but it shall remain on the docket of the Judge of the division to whom it is originally assigned.

- B. The referral of a case to a judge other than the assigned judge for the granting of a divorce, conducting a hearing, trial, etc. shall not constitute a permanent reassignment of the case but shall be only for that limited purpose.



## **RULE NO. 29**

### **FAMILY AND DOMESTIC CASES - SUIT MONEY:**

Parties in a family and domestic case finding it necessary to incur expenses and costs in preparation of the case, and desiring that the expenses and costs be paid by the opposing party, must file an application for payment of expenses and set it for a hearing before the assigned judge, with adequate notice to the opposing party. Such expenses and/or costs shall not be taxed in the case in the absence of an application and hearing or an agreement between the parties.

## **RULE NO. 30**

### **JUVENILE DIVISION: PETITION**

There will be no petitions filed in the Juvenile Division of the District Court by individuals. The District Attorney shall file all cases in the Juvenile Division of the District Court.

## **RULE NO. 31**

### **JURY TERMS AND SETTING OF CASES:**

- A. Jury terms shall be as ordered by the Presiding Administrative Judge. The Chief Judge shall cause a separate jury panel to be called for each week of each term to begin on Monday of each such week.
  
- B. Jury trial dockets shall be set on Monday of each week. Barring unforeseen emergencies, judges assigned to the trial divisions shall arrange their schedules so as not to be absent during jury trial dockets.

- C. Jury trials shall not proceed on Saturday or Sunday unless specifically directed by the trial judge.
- D. This rule does not apply to the Juvenile Division, which may conduct jury trials fifty-two (52) weeks of the year.

## **RULE NO. 32**

### **JURORS SUMMONING:**

- A. When a jury panel should be called, the Chief Judge shall specify in a written order to the Administrative Director of the Court, the number of jurors needed for either a Grand or Petit Jury and shall order a corresponding number of names to be selected in a manner provided by law by computerized, electronic or mechanical process. The order shall be made and selection shall be had at a time, not less than fifteen (15) nor more than twenty-five (25) days prior to the date said jurors shall be ordered to report for duty.
- B. Upon the selection of the jury panel the Court Clerk shall send out summons for the jurors whose names were selected at least ten (10) days prior to the date on which said jurors are to report for service.
- C. The Court Clerk shall include along with the summons for jury duty a list of public short-term parking facilities in the immediate downtown area together with their locations.

## **RULE NO. 33**

### **JURORS: IMPANELMENT, ASSIGNMENTS, EXCUSES, ATTORNEYS PROHIBITED FROM REQUESTING EXCUSES FOR JURORS:**

- A. The Chief Judge shall be responsible for impaneling jurors in the jury assembly room or elsewhere each day that juries are to be selected.

- B. All applications for excuses from jury service shall be made to the Chief Judge.
- C. The Chief Judge shall be responsible for hearing and deciding requests to be excused from those summoned to serve as jurors in the jury assembly room at 3:00 o'clock p.m. on the Friday preceding the Monday on which jury service is due to commence.
- D. No application for excuse from jury service shall be made by an attorney on behalf of another person.
- E. A list of the names of qualified jurors shall be kept by the Court Clerk and by the Chief Judge.
- F. Upon request by a judge for a jury, jurors' names are randomly selected using the Court Clerk's computerized, electronic or mechanical process, and a list of names shall be prepared. The Jury Clerk shall send the list of names, the slips with the names of those drawn and the jurors to the courtroom of the requesting Judge.
- G. When all the jurors sent are present in the courtroom of the requesting Judge, the slips of paper with their names shall be placed in the individual courtroom jury drawing box, to be shaken up and names drawn as directed by the judge.
- H. All jurors shall report to the jury assembly room by 8:00 o'clock a.m. on Monday of the beginning of each jury week. On all other days, jurors shall report by 9:00 o'clock a.m. or as otherwise directed by the judge before whom the jurors are appearing, and shall remain in attendance until otherwise excused or directed by the Chief Judge or the judge before whom they are serving as jurors in a specific case

## **RULE NO. 34**

### **PUBLIC DEFENDER TO EXAMINE JAIL POPULATION:**

At least one time each month the Public Defender shall examine into the causes for confinement of prisoners in the Oklahoma County Jail. If the fact of confinement of any person does not appear to be regular, the Public Defender shall call the matter to the attention of the Presiding Administrative Judge who shall immediately conduct further inquiry and take action as deemed proper and appropriate.

## **RULE NO. 35**

### **ATTORNEY AGREEMENTS:**

- A. Verbal agreements between attorneys are valid and enforceable in court. However, in the event a dispute arises between the parties to the agreement as to specific aspects of it, the Court may recognize the undisputed portions or none of it, in the exercise of sound discretion and as the furtherance of justice may require.
  
- B. The Court recommends that agreements between attorneys involving matters of substance be reduced to writing and subscribed by those agreeing or the text of the agreement may be directed to the court reporter in open court while counsel are present.

## **RULE NO. 36**

### **WEAPONS PROHIBITED:**

No person shall carry a firearm or other weapon in any courtroom of the 7th and 26th Judicial Districts without prior approval of the assigned Judge, except for law enforcement officers. This rule excludes officers who are appearing as a named party in pending litigation.

## **RULE NO. 37**

## **BRIEFS AND MOTIONS: MARGINS, PAGE LIMIT, AND DELIVERY TO ASSIGNED JUDGE**

- A. All motions and briefs shall be typewritten in clear type not less than 12-point, with single spaced lines of quoted matter and double spaced lines of unquoted matter. The margins of the printed page shall be one and one-quarter (1 ¼) inches on the left side and one (1) inch on the other three sides.
- B. All motions, applications and responses thereto, including briefs, if required by Rule 4 of the Rules for District Courts, shall not exceed twenty (20) pages in length, excluding exhibits, without prior permission of the assigned judge. Reply briefs shall be limited to five (5) pages in length. **Page limitations herein exclude only the cover, index, appendix, signature line and accompanying information identifying attorneys and parties, and certificate of service.** No further briefs shall be filed without prior permission of the assigned judge. The use of footnotes is discouraged.
- C. All motions and briefs shall be filed and paper copies shall be delivered to the assigned trial judge at least five (5) days prior to any hearings.
- D. Any party that seeks to challenge the constitutionality of a state statute shall serve the office of the Attorney General with a copy of the motion and brief challenging the statute and shall certify this service on the original document filed.
- E. Any motion and/or brief filed in violation of this rule shall not be considered by the assigned judge and shall be stricken from the record.

## **RULE NO. 38**

## **PRE-TRIAL CONFERENCES:**

- A. Pretrial conferences in civil cases shall be held as required by Rule 5 of Rules For District Courts.
- B. Pre-trial conferences in criminal cases shall be conducted in accordance with the particular requirements of the assigned judges.

## **RULE NO. 39**

### **COURTROOMS - USE OF:**

- A. The use of tobacco, food or candy, in any form, by anyone, at any time, in any of the courtrooms is forbidden. Beverages with covers may be allowed at the discretion of the trial judge.
- B. The courtrooms shall be used only for regular Court business unless permission for other use is first obtained from the judge whose courtroom is requested, and notice is given to the Presiding Administrative Judge. The Court Administrator shall coordinate the use of any courtroom for any purpose other than use by the judge regularly assigned to each courtroom.

## **RULE NO. 39.1**

### Use of Cameras, Television or Other Recording or Broadcasting Equipment

A. Except as permitted by the individual judge, the use of cameras, television or other recording or broadcasting equipment is prohibited in a courtroom, in the immediate vicinity of a courtroom, and in chambers and offices of the court. Said recording equipment may be used under the following conditions:

- (1) Before cameras, television or other recordings or broadcasting equipment are used, express permission of the judge must be obtained.
- (2) The judge shall prescribe the conditions and specific rules under which such equipment may be used.
- (3) Media personnel shall not distract participants or impair the dignity of the proceedings.

(4) No witness, juror or party who expresses any objection to the judge shall be photographed nor shall the testimony of such a witness, juror or party be broadcast or telecast.

(5) There shall be no photographing or broadcasting of:

(a) any proceeding which under the laws of this State are required to be held in private; or

(b) any portion of any criminal proceedings until the issues have been submitted to the jury for determination unless all accused persons who are then on trial shall have affirmatively, on the record, given their consent to the photographing or broadcasting.

(6) No media representative shall offer, nor shall any party, witness or juror accept, consideration in exchange for consent to telecast, broadcast or photograph the judicial proceeding.

(7) Representatives of the media shall conduct themselves at all times in a professional manner consistent with the spirit and intent of this rule.

B. No cameras, television or other recording or broadcasting equipment may be used in such a way as to cause a disruption to the business of the Court, whether inside or outside of the courtroom.

C. When brought to the attention of the Court that a violation of this rule has occurred, the Judge shall notify the offending person to immediately cease and desist such activity and order the delivery of the recording to the Court. If the offending party refuses to comply with the order, the judge may act to end such activity, including the seizure of the equipment of such person. Any offender may be dealt with for contempt of court.

## **RULE NO. 40**

### **COURTROOM CONDUCT**

As members of the Bar, lawyers owe duties of professionalism to their clients, opposing parties and their counsel, the courts and other tribunals, and the public as

a whole. Those duties include among others: civility, professional integrity, personal dignity, candor, diligence, respect, courtesy, cooperation, and competence. Your personal appearance and conduct in the courtroom is visible evidence of your respect for the rule of law and the administration of justice. Lawyers shall conduct their business before the Court in an appropriate and professional manner at all times, and shall extend courtesy and civility toward the opposing counsel, the Court and the members of the Court's staff.

The following guidelines are provided to counsel for proper courtroom decorum:

1. Cell phones and pagers shall not be audible.
2. Remove hats and topcoats before entering the courtroom.
3. Stand when talking to or being addressed by the judge.
4. Make certain that the Court file in your matter is available for benefit of the judge as needed.
5. Do not sit on the counsel table, rail, or the arms of the chairs.
6. Do not approach the bench or a witness unless permission is obtained or you are invited to do so.
7. Examine witnesses and jurors in a manner so that the judge, reporter and all concerned may properly hear. Do not needlessly or aimlessly walk about, but at all times preserve a dignified appearance, examining and cross examining witnesses from the podium.
8. When the exclusionary rule is requested, counsel shall maintain a lookout over the courtroom to see that none of the witnesses unknowingly violate the rule.
9. Avoid personal references to opposing counsel.
10. Address arguments to the judge or jury and not opposing counsel.
11. Treat all jurors, witnesses and Court personnel in a friendly but impersonal manner, irrespective of actual personal relationships.
12. When your business in Court is finished, depart quietly if you wish to retire. It is unnecessary to ask to be excused when your business is completed.
13. All attorneys shall wear appropriate attire. Men shall wear coats and ties. Women shall wear professional attire, i.e.: conservative dresses, suits and pantsuits. Appropriate attire for attorneys does not include jeans, warm-ups, jogging suits, sweats, shorts or other casual or athletic clothing, including athletic shoes. Accommodations will be made for persons with disabilities on notice to the court.



## **RULE NO. 41**

### **EXPUNGEMENTS:**

- A. Defendants qualifying under Title 22 O.S. §991c (C), shall file their Applications/Motions for Expungement in the criminal case number originally assigned to the Defendant and set with the assigned judge for hearing. If the originally assigned trial judge is no longer available then the case shall be assigned to the successor judge to that docket. Motions in misdemeanor cases shall be heard by the initial appearance judge. Orders affecting accessibility to court records shall be delivered to the department supervisor in the Court Clerk's office at the time of filing.
  
- B. Persons seeking expungement of Victim Protective Orders pursuant to Title 22 O.S. §60.18 shall file their Applications/Motions for Expungement in the same case under the originally assigned case number.
  
- C. Applications/Motions for Expungements involving youthful offenders pursuant to Title 10A O.S. §2-5-210 (B) (1) shall be filed with the Juvenile Division of the District Court.
  
- D. All requests for expungements made pursuant to Title 22 O.S. §§ 18, 19 & 19a, shall be made by Petition and filed as a civil action, subject to civil fees and assessments, and randomly assigned to the District Judges in the civil division. The court clerk shall not be named a party defendant in civil expungement actions. All pleadings shall comply with Title 22 O.S. §§ 18, 19 & 19a, and a certificate of service on all affected law enforcement agencies, including the OSBI, shall accompany the Petition. Orders affecting accessibility to court records shall specify by case number the records to be expunged and shall be delivered to the department supervisor in the Court Clerk's office at the time of filing.
  
- E. Orders expunging entire cases shall be deemed to prevent internet access by the public, unless otherwise specified in the order of expungement.

F. All previous administrative orders concerning the expungement of records are revoked. This rule is subject to statutory or case law changes occurring subsequent to its effective date.

#### **RULE NO. 42**

#### **LAW LIBRARY RULES:**

The rules adopted by the Board of Law Library Trustees, pursuant to statute, filed and recorded in the office of the Court Clerk of Oklahoma County Law Library, are hereby adopted as rules of this court. Any willful violation of any of said library rules is declared to be, and shall constitute a violation of a rule of this court. The Board of Law Library Trustees may submit charges of any violation of said rules to the Chief Judge of the court, or to any judge or judges thereof, for such action as the judge or judges, in their discretion, may decide to take.

#### **RULE NO. 43**

#### **PUBLISHING DOCKETS:**

Court Dockets are available online via the Oklahoma Supreme Court Network at [www.OSCN.net](http://www.OSCN.net).

#### **RULE NO. 44**

#### **COURT FILES:**

- A. Court files may be removed from the Court Clerk's Office by the following persons: judges, the Court Clerk or deputy court clerks, bailiffs, court reporters, the Court Administrator and his or her secretary, attorneys and any person holding a certificate of authority or license pursuant to the Oklahoma Abstractors Law. Upon removal of a file from the Court Clerk's office an "out card", to be provided by the clerk, shall be filled out providing the court file number, date removed, name, address and telephone number of the person removing the file, and the bar number, if appropriate. Alternatively, court files may be checked out using computerized or electronic means that ensure the safeguards outlined in this rule.

- B. The out card shall be deemed to be a written receipt for the file and shall be kept in the filing cabinet in the same location where the Court file is normally stored until the file is returned at which time the out card shall be removed and the information on the card obliterated by striking through.
- C. Persons removing Court files are urged to return them promptly at the conclusion of the need for their removal remembering that abstractors and others often have need to examine Court files and the files also serve as repositories for filings in the various cases.
- D. Files may not be removed from the courthouse except upon Court order.

#### **RULE NO. 45**

##### **NOTICE OF FUNDS PAID TO COURT CLERK:**

Notice of receipt of any funds paid to the Court Clerk (other than for either alimony or child support), toward satisfaction of a judgment, shall be given by the persons remitting the funds, to the attorney of record for the party entitled to receive the money or to the party directly if there is no attorney of record within five (5) days of receipt thereof by the clerk, or by the Court Clerk upon notice to the Court Clerk by the person remitting the funds.

#### **RULE NO. 46**

##### **INTEREST- BEARING ACCOUNTS:**

In those cases in which the Court required that funds on deposit in the case with the Court Clerk be deposited in interest-bearing accounts, unless statutes otherwise specify. The party seeking deposit shall present an order, which shall include a tax identification number or a social security number, to the Court, in which the Court shall order that the County Treasurer make the deposit of funds in a specified institution and for a specified term.

**RULE NO. 47**

**DESIGNATION OF RECORD, COUNTER DESIGNATION OF RECORD,  
DESIGNATION OF RECORD BY STIPULATION:**

- A. Upon filing a designation of record, counter designation of record, or designation of record by stipulation with the Court Clerk, a certified copy shall be served the same day on the court reporter(s) who recorded the proceeding(s) being appealed.
  
- B. Transcription of the record will not be commenced by the Court reporter(s) until a sufficient deposit is received by the reporter(s) except when the record has been ordered transcribed at public expense.
  
- C. No designation of record, amended or supplemental designation of record, however denominated, or counter-designation of record shall be accepted for filing by the Court Clerk of Oklahoma County or Canadian County unless it contains one of the following;
  - 1. Signed acknowledgments from all court reporter(s) who reported evidence in a case indicating receipt of the request for transcript, the date received, and the amount of deposit received, if applicable.

Example: I, \_\_\_\_\_, court reporter for the above styled case, do hereby acknowledge this request for transcript on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and have received a deposit in the sum of \$ \_\_\_\_\_.

OR,

2. A signed statement by the attorney preparing the designation of record stating that a transcript has not been ordered and a brief explanation why.

Example: I, \_\_\_\_\_, attorney for the appellant, hereby state that I have not ordered a transcript because:

- (a) A transcript is not necessary for this appeal.
- (b) No stenographic reporting was made.
- (c) The transcript necessary is already on file.
- (d) Other explanation.

## **RULE NO. 48**

### **NOTICE OF TRANSCRIPT REQUESTED**

When a trial or hearing is in progress, and an attorney or party requests a transcript of any testimony given during the trial or hearing, the court reporter shall notify the other attorneys or parties participating in the trial or hearing of the request for the transcript.

## **RULE NO. 49**

### **ENTRY OF APPEARANCE, COUNSEL NOT LICENSED IN OKLAHOMA, WITHDRAWAL OF COUNSEL, ADDRESS OF RECORD, CHANGE OF ADDRESS:**

#### **A. ENTRY OF APPEARANCE.**

All parties to any proceeding in any division of the courts of the Oklahoma/Canadian County Administrative District shall, file with the Court Clerk, an entry of appearance by counsel or personally as an unrepresented party no later than the first filing of any pleading or other paper in the case by

that counsel or party. In the event a party changes, adds, or substitutes counsel, new counsel shall immediately file an entry of appearance as set forth herein. The entry of appearance shall include the name and signature of counsel or the unrepresented party, mailing address, telephone number, and fax number, Bar Association number, and name of the law firm. Copies shall be served on all other parties of record. Filing an entry of appearance as required by this Rule, does not waive any defenses enumerated in Title 12 O.S. Section 2012(B).

**B. COUNSEL NOT LICENSED IN OKLAHOMA.**

All motions of counsel not licensed to practice in the State of Oklahoma shall comply with the requirements of Title 5 O.S.Supp.1998, Appendix 1, Section 5 of Art. 2 of the Rules Creating and Controlling the Oklahoma Bar Association. The statement required by Article 2 Section 5 shall be in the form of an affidavit attached to the motion. The motion shall show that the requirements of Article 2 Section 5 are fulfilled. The required entry of appearance of the associate attorney shall be filed with the motion and affidavit.

**C. WITHDRAWAL OF COUNSEL.**

A motion to withdraw may be filed at any time. All motions to withdraw shall be accompanied by a proposed order. No counsel may withdraw from a pending case without leave of the assigned judge. The counsel filing the motion to withdraw shall serve a copy of the motion on the client and all attorneys of record. All motions shall be signed by the party on whose behalf counsel has previously appeared or contain a certificate that (1) the client has knowledge of counsels' intent to withdraw, or (2) counsel has made a good faith effort to notify the client and the client cannot be located. In civil actions, the Court may grant a motion to withdraw where there is no successor counsel only if the withdrawing attorney clearly states in the body of the order the name and address of the party. The order allowing withdrawal shall notify the unrepresented party that an entry of appearance must be filed either by the party pro se or by substitute counsel, within thirty (30) days from the date of the order permitting the withdrawal, and that a failure of the party to prosecute or defend the case may result in dismissal of the case without prejudice or the entry of a default judgment against the party. If no entry of appearance is filed within thirty (30) days from the date of the order permitting withdrawal, then the unrepresented party, other than a corporation, is deemed to be pro se. In all cases, counsel seeking to withdraw shall advise the Court if the case is currently set for motion docket, pretrial conference, or trial.

**D. WITHDRAWAL OF COUNSEL IN FELONY CASES.**

The additional conditions of Court Rule No. 24 shall apply to the withdrawal of counsel in felony cases.

**E. ADDRESS OF RECORD.**

The address of record for any attorney or party appearing in a case pending before any Court of the Oklahoma/Canadian County Administrative District shall be the latest address provided to the Court Clerk in the entry appearance or change of address. The attorney or unrepresented party must, in all cases pending before the Court involving the attorney or party, file with the Court Clerk and serve upon all counsel and unrepresented parties a notice of a change of address. The attorney or unrepresented party has the duty of maintaining a current address with the Court. Service of notice to the last known address of record of counsel or an unrepresented party, shall be considered valid service for all purposes, including dismissal of cases for failure to appear.

**F. NOTICE OF CHANGE OF ADDRESS.**

All attorneys and unrepresented parties shall give immediate notice to the Court of a change of address, by filing notice with the Court Clerk. The notice of change of address shall contain the same information required by the entry of appearance. The notice of change of address shall be served on all parties, and a copy provided to the assigned judge. If an attorney or unrepresented party files an entry of appearance, the Court will assume the correctness of the last address of record, until a notice of change of address is received. Attorneys of record who change firms shall notify the Court Clerk and the assigned judge of the status of the representation of their clients, and shall immediately withdraw, when appropriate.

**RULE NO. 50**

**DISCOVERY MATERIALS NOT TO BE FILED**

Depositions, interrogatories, requests for documents and things, requests for admissions, and answers and responses thereto, shall not be filed with the Court Clerk, except by order of the assigned judge or unless they are attached to a motion or response thereto. Upon serving answers or responses to interrogatories, requests for admissions and/or production on opposing parties or counsel, the answering or responding party or counsel shall file a certification of compliance with discovery. Nothing in this rule shall prohibit the use of depositions, interrogatories, and

requests for documents, requests for admissions, and answers and responses thereto in a trial or hearing.

## **RULE NO. 51**

### **ALTERNATIVE DISPUTE RESOLUTION (ADR):**

- A. It is the policy of the Seventh and Twenty-sixth Judicial Districts to encourage the use of alternative dispute resolution (ADR) procedures for the early disposition of pending litigation. Such informal procedures can achieve the just, efficient, and economical resolution of controversies while preserving the right to a full trial on demand.
- B. The Court, on its own motion, or by agreement of the parties, may refer any civil case, including any domestic relations case, or any portion thereof, for mediation. A referral may be made at any time. More than one referral may be made in any case.
- C. The order of referral to mediation in civil cases, shall be entered by the Court and provided to the parties, on a standard form consistent with the form provided in Title 12 O.S. Sections 1821 et. seq.
- D. A list of mediators is available from the Court Administrator's office. In order to be placed on the list, an individual shall meet the minimum requirements set forth in Title 12 O.S. Section 1825. The list will include all individuals who provide the following information to the office of the Court Administrator by July 1<sup>st</sup> of each year:
  - 1. Name
  - 2. Address
  - 3. Telephone Number
  - 4. Profession or occupation (i.e. attorney, retired judge, psychologist, or teacher)
  - 5. Training and/or experience as a mediator.



6. A statement certifying that the individual meets the minimum requirements set forth in Title 12 O.S. Section 1825(A)(1) for civil and commercial mediators, and Section 1825(A)(2) for divorce and family mediators.
- E. Individuals failing to provide the requested information to the office of the Court Administrator by July 1<sup>st</sup> of each year will be removed from the list.

## **RULE NO. 52**

### **RULES - CHANGES, DELETIONS OR ADDITIONS:**

These rules may be changed, deleted or added to by a two-thirds (2/3) vote of the Associate District Judges and District Judges of the Oklahoma/Canadian County Administrative District.

## **RULE NO. 53**

### **PUBLICATION AND FILING OF RULES:**

The foregoing rules are adopted for Oklahoma and Canadian Counties, except for such rules as obviously apply to Oklahoma County or Canadian County only, and ordered published and shall be filed and recorded in the office of the Court Clerk of each county and entered under the appropriate administrative number of each county.

## **RULE NO. 54**

### **REPEAL:**

All rules heretofore adopted are repealed as of the time these rules become effective on May 1, 2000. (As amended in 2001, 2004, 2007, 2010 and April 2011, February 2013 and July 1, 2013, August 22, 2013, January 27, 2017, June 12, 2018, August 24, 2023)

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