

AMENDED FAMILY DIVISION RULES

RULE DR 1. Assignment of Family Cases

1. All Family cases, including Habeas Corpus actions seeking custody of minor children, DHS, and Paternity cases, shall be assigned at the time of filing to one of the Family Division Dockets by random computer function.
2. The Court Clerk shall keep a separate record of all case assignments and show the name of the assigned docket on the court file, the appearance docket, and computer records. On the day following the filing of the case, the Clerk shall provide a copy of case assignments to each Judge.
3. An assigned case will remain on the assigned docket from filing, including temporary orders, through any post-decree matter. The setting of the case will be determined by the Judge assigned to the docket. Nothing in this rule is intended to prohibit administrative reassignment to a docket which promotes judicial economy (e.g. indirect contempt of court for failure to pay child support).
4. Unless otherwise ordered, the following cross-docket assignments will control;
 - a. Adult Protective Services filing with guardianship filings shall be assigned to the guardianship division;
 - b. Domestic filings with guardianship filings shall be assigned to the Family Division; and
 - c. Protective Order filings with domestic filings shall be assigned to the Family Division.
5. In any case where the Department of Human Services, Oklahoma Child Support Services, is a necessary party as provided in 43 O.S. § 112(F), the case shall be set on or continued to the designated DHS Docket by the Judge assigned to the case unless waived by DHS.

RULE DR 2. Miscellaneous Family Case Assignments and Transfers

The Chief Judge of the Family Division may transfer cases from one Judge to another for good cause shown at the request of the assigned Judge.

RULE DR 3. Pre-Decree Orders

1. Temporary Orders

All applications for temporary relief shall:

- Be presented to the Judge on the assigned docket;
- Be verified and show both the applicants need for the temporary relief and the respondent's ability to pay;
- Set forth reasonable amounts;
- Be left in the box designated for the assigned Judge; and
- Have a copy of the divorce petition attached as well as the UCCJEA, if applicable.

2. Ex Parte Temporary Orders

Applications for ex parte temporary orders and ex parte emergency orders are heard by the Judge on the assigned docket, as provided in Rule DR 1(3). At the show cause hearing, the non-moving party shall have the burden to show cause as to why the emergency order should not continue. If a restraining order is issued, a hearing will be set before the assigned Judge within ten (10) days. (43 O.S. § 110)

RULE DR 4. Agreed or Default Decrees and Judgments

All requests to grant divorce decrees agreed to by the parties or sought by default shall be heard only by a Judge assigned to the Family Division or by a District Court Judge. Hearings on agreed decrees and default decrees shall be held daily at 1:00 p.m. by the Judge for FD Docket C. Parties must appear and request their file no later than 12:30 p.m. Lawyers may also schedule requests for agreed or default decrees before the assigned Judge.

RULE DR 5. Discovery

1. Within twenty (20) days of the date of service of summons or no later than 24 hours before the Parenting Plan Conference, both parties shall exchange copies of the following documents:

- a. An accurate and provable statement of the parties' gross monthly income received from all sources within (90) days prior to the date of service;
- b. An accurate and provable statement of monthly employment-related child care expenses;
- c. Evidence of medical insurance coverage and premium cost; and
- d. An accurate and provable list of monthly living expense.

2. No later than 48 hours before a Temporary Order Hearing both parties shall exchange copies of the following documents:

- a. An accurate and provable statement of the parties' gross monthly income received from all sources within (90) days prior to the date of the temporary order hearing;
- b. Complete tax returns for three (3) years prior to the date of the temporary order hearing;
- c. An accurate and provable statement of monthly employment-related child care expenses for 90 days prior to the temporary order hearing
- d. Evidence of medical insurance coverage and premium cost;
- e. An accurate and provable list of all marital debts, stating the purpose of the debt and the amount of monthly payments for all existing debts and obligations; and
- f. An accurate and provable list of monthly living expense.

3. All additional discovery shall be commenced within forty-five (45) days of the date of service of summons or notice of hearing, absent agreement of the parties or an order of the Court.

RULE DR 6. Pretrial Orders

All pretrial orders for Family cases must be submitted on the Family Division pretrial order form available from the Court Clerk's office.

RULE DR 7. Trial Settings

All requests to set a case for trial shall be made to the minute clerk of the Judge to whom the case is assigned. A pre-trial order must be submitted by the parties before a case will be set for trial.

RULE DR 8. Post-Decree Proceedings

Applications for post-decree relief, including motions to modify and citations for contempt, shall be verified pursuant to Rule 4 of the Oklahoma rules for the District Courts and presented to the Judge on the assigned docket.

RULE DR 9. Cases Involving Children

In any divorce or paternity case involving the interests of minor children, the Tulsa County District Court requires both parents (petitioner and respondent) to attend the four-hour seminar [Helping Children Cope with Divorce]. (Administrative Order CV-95-12) Both parents must comply with this order within forty-five (45) days of service of the petition or motion. A registration form may be obtained from the Court Clerk's office, at the Parenting Plan Conference, or by calling (918) 587-9471.

RULE DR 10. Application of Families In Transition (FIT) Program

The FIT Program is renamed **TULSA COUNTY FAMILY COURT POLICY AND PROCEDURES** and is incorporated into these Family Court Local Rules and is applicable to all Family cases. The Policy and Procedures may be found at www.tulsacountyfamilycourt.org.

RULE DR 11. Application of Civil Rules

The Civil Rules contained in the previous section (Rule CV 1 *et seq.*) are applicable to Family cases unless otherwise in conflict with for in this section (Rule Dr 1 *et seq.*).

For updates and additional information, please consult the Family Division's website @ www.tulsacountyfamilycourt.org.