

RULE PR 1. Section 83 Trusts for Minor Children

All Applications and Orders for disbursements and termination of trusts established for minor children pursuant to 12 O.S. § 83 shall be submitted to the Probate Judge or designated Judge for approval.

ADOPTED 06232016 AND EFFECTIVE JULY 1, 2016

PROBATE RULES

RULE PR 2. Accountings and Reports

**BY MAJORITY OF DISTRICT JUDGES SECTIONS A, B, C, AND D OF LOCAL PR
RULE 2 ARE HEREBY REVOKED.**

Annual reports will be handled pursuant to statute.

SECTION E IS STILL VALID.

E. Final Accountings

Final Accountings in all Probate, Guardianship and Conservatorship matters shall be heard by the Probate Judge after being set for hearing and proper statutory notice being given. If no one appears on a final account, the Court may strike the hearing and require new notice to be given.

ADOPTED 06232016 AND EFFECTIVE JULY 1, 2016

RULE PR 3. Mandatory Filing of Pleadings

BY MAJORITY OF DISTRICT JUDGES LOCAL PR RULE 3 IS HEREBY REVOKED.

RULE PR 4. Inspection - Confidentiality of Records

An Order to Present Record shall be obtained (upon showing of good cause) from a Judge of the Probate Court before the Court Clerk may allow any person to review the file or have copies of any pleading or document in matters pertaining to:

Adoptions (10 O.S. § 60.17)

Guardianships & Conservatorships (30 O.S. § 1-122)

Mental Health Records

Last Wills and Testaments in Safe Keeping

Artificial Insemination

Protective Services for the Elderly (43A O.S. § 10-110)

RULE PR 5. Uncontested and Contested Adoption Matters

All adoption matters are assigned to the Probate Judge.

A. The Judge shall have a Court Reporter present to make a record and transcribe all adoption consents and relinquishments of parental rights pursuant to the Oklahoma Adoption Code as amended November 1997.

The Court will not take any consents unless an attorney for the adoptive parties is present to ask the appropriate questions for the record and to make arrangements to pay the Court Reporter for the preparation of a transcript to be filed in the case as required.

B. All contested matters which may result in a Final Decree of Adoption shall be heard by the Probate Judge after special setting. Contested Adoptions, AWOCs, and Terminations of Parental Rights shall be set for hearing on a date certain upon proper statutory notice being given.

RULE PR 6. Legal Counsel for Minor Children

Independent legal counsel or an attorney of the County Indigent Defender's Office shall be appointed for every child in a contested guardianship, contested or default adoption, or termination of parental rights matter.

[NEW effective July 1, 2021] PROBATE AND GUARDIANSHIP RULES

[NEW]

RULE PR 7. PHYSICAL & MENTAL HEALTH EXAMINATIONS

All physical and mental health examinations of a Ward or proposed Ward pursuant to 12 O.S. §3235 shall require prior written approval of the Probate Judge or assigned Judge.

[NEW RULE effective August 24, 2023]

RULE PR 8. Application of Civil Rules

The Civil Rules contained in the previous section (Rule CV 1 *et seq.*) are applicable to Probate, Guardianship and Adoption cases unless otherwise in conflict with the rules in this section (PR 1 *et seq.*).