

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 1113

By: Prieto

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6 AS INTRODUCED

7 An Act relating to the Oklahoma Children's Code;
8 amending 10A O.S. 2021, Section 1-4-401, which
9 relates to discovery and court rules concerning
10 juvenile proceedings; defining terms; creating
11 rebuttable presumption; authorizing court to order
12 disclosure of certain information; specifying records
subject to certain disclosure; authorizing court to
take certain actions during deprived proceedings;
providing for confidentiality of certain information;
and providing an effective date.

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

15 SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-4-401, is
16 amended to read as follows:

17 Section 1-4-401. A. The provisions of the Oklahoma Discovery
18 Code and the Rules for District Courts of Oklahoma do not apply to
19 juvenile proceedings except as provided by this section.

20 B. ~~The court may order the parties to exchange information that~~
21 ~~is not work product and not privileged, including:~~

22 ~~1. The assessment and investigation records of the Department~~
23 ~~of Human Services; provided, all information that identifies the~~
24 ~~reporter of alleged child abuse or neglect shall be redacted;~~

1 ~~2. Law enforcement reports;~~

2 ~~3. Any video or audio recording of an interview with the child~~
3 ~~alleged to be deprived;~~

4 ~~4. Any exhibit any party intends to introduce at trial; and~~

5 ~~5. The names of any witnesses any party may call and a synopsis~~
6 ~~of the expected testimony.~~

7 ~~C. The court may in its discretion enter a scheduling order,~~
8 ~~order mediation, and conduct status and settlement conferences as~~
9 ~~needed during deprived proceedings.~~

10 ~~D. All information produced, exchanged, or used during the~~
11 ~~pendency of the deprived action is confidential and shall be subject~~
12 ~~to a protective order. The disclosure or use of the information for~~
13 ~~any other purpose is prohibited except as permitted by law For~~
14 ~~purposes of this section:~~

15 ~~1. "Confidential record" includes, but is not limited to, any~~
16 ~~study, plan, recommendation, assessment, report, or other~~
17 ~~information describing the history, diagnosis, condition, care,~~
18 ~~treatment, or custody regarding a child, or safety analysis records~~
19 ~~that have been prepared and obtained in response to a report of~~
20 ~~alleged child abuse or neglect and include assessment reports and~~
21 ~~any other reports to the district attorney with all supporting~~
22 ~~documentation attached and any addendums;~~

23 ~~2. "Party" means:~~

24 ~~a. a parent or legal guardian,~~

1 b. the child, and

2 c. the guardian ad litem, if any; and

3 3. "Record" means any written or printed document, paper, form,
4 log, report, file, or note and any film, photograph, audio tape
5 recording, visual tape recording, or computer tape or disk, or
6 information entered into and maintained in an automated or
7 computerized information system.

8 C. 1. There shall be a rebuttable presumption that full
9 disclosure of information to the parties in juvenile proceedings is
10 in the best interests of the child. Such presumption may only be
11 rebutted by a preponderance of the evidence.

12 2. Unless the court, by a preponderance of the evidence, finds
13 such disclosure is not in the best interests of the child, the court
14 shall enter an order which discloses to all parties in the case all
15 records that are necessary and relevant to the court's determination
16 of the best interests of the child, including any records and
17 documents from the Department of Human Services, law enforcement,
18 any state agency, or any private organization with information
19 relevant to the juvenile proceedings. The court order shall be of
20 the nature of a protective order, prohibiting the parties in the
21 juvenile proceedings from disclosing the records to third parties,
22 and any information that identifies the reporter of alleged child
23 abuse or neglect shall be redacted.

1 D. The disclosure shall include all records as defined by
2 Section 1-6-102 of this title including, but not limited to:

3 1. Written or printed documents;

4 2. Papers, logs, and reports, including safety analysis
5 reports;

6 3. Files and case notes;

7 4. Medical records, including any psychological evaluations or
8 assessments;

9 5. Forensic interviews, including any transcripts or notes
10 related to these interviews;

11 6. Films, photographs, and audio or visual tape recordings;

12 7. Handwritten or handprinted notes;

13 8. Any and all evidence provided by collateral references or
14 individuals responsible for the child's welfare;

15 9. Information entered into and maintained in automated or
16 computerized information systems, specifically Kids Integrated Data
17 System (KIDS) and OnBase;

18 10. All communication within the Department of Human Services
19 regarding the case, including, but not limited to, Microsoft Teams
20 communications, e-KIDS system entries, and OnBase documentation;

21 11. Any and all correspondence related to investigations of
22 child abuse or neglect allegations;

1 12. Records of any assessments, safety plans, or case
2 management documents prepared in response to child abuse and neglect
3 allegations;

4 13. All communication between the Department of Human Services
5 and the parties, law enforcement, medical professionals, and any
6 other third party relevant to the juvenile proceeding;

7 14. Documentation of any services provided or referrals made to
8 the family or child involved;

9 15. Records of any home visits, observations, or interactions
10 with the child or his or her family;

11 16. Documentation of any case reviews or meetings held
12 regarding the child's case;

13 17. All KIDS contact entries and any and all OnBase records
14 related to the case, or the equivalent information systems' entries
15 and records;

16 18. Text messages and emails exchanged between Department of
17 Human Services personnel concerning the case;

18 19. Phone records and call logs pertaining to communications
19 related to the case;

20 20. Any exhibit any party intends to introduce at trial; and

21 21. The names of any witnesses any party may call and a
22 synopsis of the expected testimony.

23 E. In addition to the court's order from paragraph 2 of
24 subsection C of this section, the court may also, in its discretion,

1 enter a scheduling order, order mediation, and conduct status and
2 settlement conferences as needed during deprived proceedings.

3 F. All information produced, exchanged, or used during the
4 pendency of the deprived action shall be confidential and shall be
5 subject to a protective order. The disclosure or use of the
6 information for any other purpose is prohibited except as permitted
7 by law.

8 SECTION 2. This act shall become effective November 1, 2025.

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