

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	SB 1701
Version:	CS
Request No.:	3581
Author:	Sen. Brooks
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Bill Analysis

SB 1701 creates the Oklahoma Standby Guardianship Act. The measure provides for a parent to execute a written designation of a standby guardian at any time. The written designation transfers the authority of the parent to a guardian with respect acting as a qualified parent unless otherwise specified in the written designation. The designation shall not take effect until the specified triggering event occurs, and the designee has received the parent's written consent. A triggering event is specified in a court order or written designation and shall commence at the beginning of a deportation proceeding or deportation of the qualified parent, whichever occurs first.

After the triggering event occurs and consent is received, the standby guardianship is effective. The guardian must then file a petition within 30 days of the triggering event. Notice shall be provided to the child and the parent of the child, guardian, alternate guardian, and any child twelve years of age or older after the petition is filed. Any guardian who fails to file within the 30-day period shall lose his or her authority as a guardian. The courts are directed to approve the petition if certain conditions are met as outlined in the measure. Alternate standby guardians may be named and approved in the petition and by the court respectively. The authority of a standby guardian approved by the court may be revoked by the qualified parent by filing a notice of revocation with the court. The measure provides for a standby guardian to refuse to take up his or her duties as guardian.

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