

## BILL SUMMARY

1<sup>st</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 1965</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>10848</b>
<b>Author:</b>	<b>Williams</b>
<b>Date:</b>	<b>2/19/2025</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

### Research Analysis

HB 1965 adds a definition of *time-limited reunification services* which means reunification services that are only provided during the first 15 months after the child enters foster care. The measure adds that the court may impose sanctions against an attorney that fails to comply with parts of statute regarding the attorney's representation of the child. The measure also provides that a demand for a jury trial regarding the termination of parental rights be in writing and filed with the court no later than 30 days prior to the set date of the initial hearing. If there is no demand within 30 days, the right to a jury trial is waived and the hearing may proceed as a bench trial.

The measure provides that each individualized service plan take into consideration each child's and family's circumstances. Reunification plans will be part of any individualized service plan for the first 15 months. However, if a parent has not corrected the circumstances that led to the adjudication as a deprived child in this time and the court makes a finding pursuant to statute then a petition or motion for termination of parental rights will be filed by the district attorney. The exceptions to this measure will be the following:

- a parent has made substantial progress towards eliminating the problem that caused the child to be placed in foster care and it is likely that the child will be able to return home within three months;
- the child has a close and positive relationship with the child;
- the child is 14 or older and firmly opposed to the termination of parental rights;
- a parent is terminally ill but in remission and has a guardian designated;
- the child is not capable of functioning in a family setting;
- the child is an unaccompanied, refugee minor;
- adoption is not appropriate; or
- the parent's incarceration or participation in court-ordered substance abuse treatment is the primary reason for being placed in substitute care.

The child will have be considered to be placed in foster care on the earlier date of adjudication or the date 60 days after removal from the home. The court may also consider circumstances in which a parent has failed to form a bond and whether allowing the parent custody would cause the child harm or taking the child away from the substitute caregiver would cause harm.

Additionally, if a child is charged with a delinquent act that would be an adult misdemeanor, an informal adjustment will be provided. For an offense that would be an adult felony, informal adjustment may provider only where the facts reasonably appear to establish prima facie jurisdiction and are admitted and where consent is obtained. The Office of Juvenile Affairs must conduct an assessment for any child who successfully completes an informal adjustment using program evaluations and data collection.

Prepared By: Suzie Nahach

### **Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

### **Other Considerations**

None.

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