

TABLE OF CONTENTS

Of Special Interest to Attorneys in Oklahoma ix
2022 Legislative Changes xi

Legal Analysis

Part I. Overview, § 1.01..... 1
Part II. Oklahoma Courts, §§ 2.01 — 2.04 3
Part III. Pretrial Civil Procedure Research Guide, §§ 3.01 — 3.77..... 5
Part IV. Sample Forms, §§ 4.01 — 4.07..... 13

OKLAHOMA COMPILED STATUTES

TITLE 12. CIVIL PROCEDURE

Chapter 1. Preliminary Provisions, §§ 1 — 12..... 21
Chapter 1A. Class Actions, §§ 13 — 18..... 22
Chapter 1B. Professional Negligence, §§ 19 — 19.1 22
Chapter 1C. Unenforceability of Certain Rulings and Contracts, § 20..... 23
Chapter 2. General Provisions
 Clerk—Records, §§ 21 — 39.....25
 Sheriff—Process, §§ 51 — 5529
 Bonds—Sureties, §§ 61 — 68.....30
 Miscellaneous Provisions, §§ 71 — 86.1.....31
 Appendix—Rules for District Courts of Oklahoma, §§ 1 — 34 34
Chapter 3. Limitations of Actions
 Uniform Statute of Limitation on Foreign Claims Act, §§ 104 — 11351
Chapter 4. Domicile of Business Concerns, §§ 121 — 126 55
Chapter 5. Venue, §§ 130 — 143..... 56
Chapter 6. Commencement of Actions, §§ 150 — 192.1 59
Chapter 7. Parties, §§ 221 — 245 66
Chapter 8. Pleadings, §§ 261 — 324..... 68
Chapter 9. Witnesses, §§ 381 — 418.12 73
Chapter 10. Evidence,
 General Provisions, §§ 421 — 426.....79
 Affidavits and Depositions, §§ 431 — 453.....79
 Uniform Foreign Depositions Act, §§ 461 — 463..... 81
 Documentary Evidence, §§ 481 — 505.....81
 Uniform Photographic Copies of Business and Public Records as Evidence Act,
 §§ 521 — 523 83
 Perpetuation of Evidence, §§ 531 — 537..... 83
 Uniform Perpetuation of Testimony Act, §§ 538.1 — 549 84
Chapter 11. Trial
 General Provisions, §§ 551 — 559..... 86

TABLE OF CONTENTS

Jury Trials, §§ 571 — 591	87
Trial by Court or Referee, §§ 611 — 624.....	90
Exceptions, §§ 630 — 637	92
New Trials, §§ 651 — 668	92
Chapter 12. Judgment	95
Uniform Foreign Money-Judgments Recognition Act, §§ 710 — 718	104
Foreign Defamation Judgments, § 718A.....	105
Uniform Foreign-Country Money Judgments Recognition Act, §§ 718.1 — 718.12	105
Uniform Enforcement of Foreign Judgments Act, §§ 719 — 726.....	107
Interest on Judgments of Courts of Record, §§ 727 — 727.1	108
Judgments of Tribal Courts, §§ 728 — 729.....	112
Oklahoma Uniform Foreign-Money Claims Act, §§ 729.1 — 729.16	112
Chapter 13. Limitation of Actions	
In General, §§ 731 — 737.....	116
Levy and Proceedings, §§ 751 — 775	117
Duration of Levy—Return—Sureties, §§ 801 — 803.....	123
Neglect by Officer—Liability, §§ 811 — 818	124
Contribution, §§ 831 — 832 .1	125
Equitable Interests, Discovery of Assets, Garnishment, and Receivership, §§ 841 — 865	126
Shares of Stock, §§ 891 — 896.....	130
Miscellaneous, §§ 901 — 909	130
Chapter 14. Costs, §§ 921 — 950	131
Chapter 15. Appeal and Error, §§ 951 — 1030	135
Appendix 1. Oklahoma Supreme Court Rules	
Part I. Rules of General Application, §§ 1.1 — 1.19	149
Part II. Appeals from Judgment or Final Order of the District Court, §§ 1.20 — 1.39	160
Part III. Appeals and Certiorari Review from Interlocutory Orders of the District Court, § 1.40.....	173
Part III(A). Review of Certified Interlocutory Orders Pursuant to 12 O.s.1991 952, Subdiv. B3, §§ 1.50 — 1.56.....	173
Part III(B). Appeals from Orders Granting a New Trial or Vacating a Judgment and from Orders Dealing with Attachments, Temporary Injunctions, Receivers, and Other Provisional Remedies, §§ 1.60 — 1.67	174
Part IV(a). General Provisions Applicable to Other Civil Appeals, §§ 1.75 — 1.77	175
Part IV(b). Appeals from the Corporation Commission, §§ 1.85 — 1.90.....	177
Part IV(c). Proceedings to Review a Decision of the Workers' Compensation Commission or a Decision of the Workers' Compensation Court of Existing Claims, §§ 1.100 — 1.106	177
Part IV(d). Appeals from State Board for Property or Casualty Rates, §§ 1.115 — 1.119	179
Part IV(e). Appeals from the Tax Commission, §§ 1.125 — 1.130.....	179

TABLE OF CONTENTS

Part IV(f).	Appeals from the Court of Tax Review, §§ 1.140 — 1.143	180
Part IV(g).	Appeals from Banking Board or Banking Commissioner, §§ 1.150 — 1.156	181
Part IV(h).	Appeals from Ballot Title Prepared by the Attorney General, §§ 1.160 — 1.162	181
Part V.	Appeals Assigned to the Court of Civil Appeals, §§ 1.170 — 1.184	182
Part VI.	Original Jurisdiction Proceedings Before the Supreme Court, §§ 1.190 — 1.194	185
Part VII.	Manner and Form of Opinions in the Appellate Courts, §§ 1.200 — 1.202	187
Part VIII.	Rules for Appellate Settlement Conference Program, §§ 1.250 — 1.253	189
Part IX.	Expungement of Records, §§ 1.260 — 1.262	190
Part X.	Appendix of Forms, §§ 1.300 — 1.301	191
Part XI.	Oklahoma Access to Justice Commission, §§ 1.400 — 1.409	191
Part XII.	Oklahoma Courtroom Interpreters, § 1.410	193
Part XIII.	Rules for Videoconferencing Pilot Program, §§ 1.500 — 1.506	194
Appendix 1A.	Rules Creating and Controlling the State Board of Examiners of Official Shorthand Reporters, §§ 1 — 8.....	194
Appendix 2.	Rules of Appellate Procedure in Civil Cases, § App 2.....	195
Appendix 3.	Rules on Practice and Procedure in the Court of Appeals and on Certiorari to that Court, § App 3.....	195
Chapter 16.	Trial Court Vacation and Modification of Judgments, §§ 1031 — 1038.....	195
Chapter 17.	Survival and Abatement of Actions, §§ 1051 — 1055	197
Chapter 18.	Revivor of Actions, §§ 1061 — 1100	199
Chapter 19.	Miscellaneous Proceedings, §§ 1101 — 1118.....	202
Chapter 20.	Actions Regarding Real Property	
	Actions to Quiet Title, § 1141	206
	Nonjudicial Marketable Title Procedures Act, §§ 1141.1 — 1141.5	206
	Actions to Recover Real Property, §§ 1142 — 1146	208
	Interests and Claims by Persons Not in Being, §§ 1147.1 — 1147.6.....	209
	Forcible Entry and Detainer, §§ 1148.1 — 1148.16.....	210
Chapter 21.	Garnishment and Attachment	
	Attachment, §§ 1151 — 1160.....	215
	Garnishment, §§ 1170 — 1196	217
	Miscellaneous Provisions, §§ 1221 — 1244.....	231
Chapter 22.	Divorce and Alimony, §§ 1271 — 1291.....	234
Chapter 23.	Habeas Corpus, §§ 1331 — 1380.....	238
Chapter 24.	Injunction	
	General Provisions, §§ 1381 — 1398.....	241
	Unlawful State Taxes, §§ 1421 — 1428.....	245
Chapter 25.	Slander and Libel	
	Oklahoma Citizens Participation Act, §§ 1430 — 1440	246
	Slander and Libel, §§ 1441 — 1450.....	248
Chapter 26.	Mandamus, §§ 1451 — 1462	253

TABLE OF CONTENTS

Chapter 27.	Occupying Claimants, §§ 1481 — 1487	255
Chapter 28.	Partition, §§ 1501 — 1517	257
Chapter 29.	Quo Warranto, §§ 1531 — 1538.....	259
Chapter 30.	Receivers, §§ 1551 — 1560	261
Chapter 31.	Replevin, §§ 1571 — 1585	262
Chapter 32.	Uniform Reciprocal Enforcement of Support, §§ 1600.1 — 1600.38.....	266
	Uniform Support of Dependents Law, §§ 1601 — 1630.....	269
Chapter 33.	Change of Name, §§ 1631 — 1640	271
Chapter 34.	Declaratory Judgments, §§ 1651 — 1657	272
Chapter 35.	Uniform Interstate and International Procedure Act	
Article I.	Bases of Personal Jurisdiction Authorizing Service Outside State, §§ 1701.01 — 1701.05	273
Article II.	Service, §§ 1702.01 — 1702.04.....	274
Article III.	Taking Depositions, §§ 1703.01 — 1703.02.....	274
Article IV.	Determination of Foreign Law, §§ 1704.01 — 1704.03.....	274
Article V.	Proof of Official Records, §§ 1705.01 — 1706.01.....	275
Article VI.	Miscellaneous, §§ 1706.02 — 1706.04	275
Chapter 36.	Small Claims Procedure Act, §§ 1751 — 1773	275
Chapter 37.	Dispute Resolution Act, §§ 1801 — 1813.....	282
	Rules and Procedures for the Dispute Resolution Act, §§ 1 — D	285
Chapter 38.	District Court Mediation Act, §§ 1821 — 1825	295
Chapter 38A.	Choice in Mediation Act, §§ 1831 — 1840	296
Chapter 38B.	Uniform Arbitration Act, §§ 1851 — 1881.....	298
Chapter 39.	Oklahoma Pleading Code, §§ 2001 — 2056 to 2100.....	306
Chapter 40.	Oklahoma Evidence Code	
Article I.	General Provisions, §§ 2101 — 2107	338
Article II.	Judicial Notice, §§ 2201 — 2203.....	339
Article III.	Presumptions, §§ 2301 — 2305.....	340
Article IV.	Relevance, §§ 2401 — 2414	341
Article V.	Privilege, §§ 2501 — 2513.....	344
Article VI.	Witnesses, §§ 2601 — 2611.2.....	351
	Uniform Child Witness Testimony by Alternative Methods Act	
Article VI.	Witnesses, § 2611.3.....	354
Article VI.	Witnesses, §§ 2611.4 — 2615	
	Uniform Child Witness Testimony by Alternative Methods Act	
Article VII.	Expert and Opinion Testimony, §§ 2701 — 2705	357
Article VIII.	Hearsay, §§ 2801 — 2806.....	358
Article IX.	Authentication and Identification, §§ 2901 — 2903	362
Article X.	Contents of Writings, Recordings and Photographs, §§ 3001 — 3011.....	363
Article XI.	Miscellaneous Provisions, §§ 3101 — 3103	365
Chapter 41.	Discovery Code, §§ 3201 — 3237.....	366
Chapter 41A.	Structured Settlement Protection Act of 2001, §§ 3238 — 3245.....	385
	Uniform Interstate Depositions and Discovery Act of 2021, §§ 3250 — 3257.....	388

TABLE OF CONTENTS

TITLE 20. COURTS

Chapter 1A. Court of Civil Appeals, §§ 30.1. —30.4, 30.6, 30.14..... 391
Chapter 4. District Courts, §§ 95.7, 130..... 392
Chapter 7. Transfer of Causes, §§ 641 — 644..... 392
Chapter 15. Destruction of Court Records, §§ 1001 — 1011..... 393
Chapter 40. General Provisions, §§ 3001.1, 3002, 3004 396

TITLE 23. DAMAGES

Chapter 1. In General (§§ 1 — 15)..... 399
Chapter 2. Measure of Damages
Breach of Contract (§§ 21 — 40)..... 402
Damages from Torts and Obligations Not Arising from Contract (§§ 61 — 72) 404
General Provisions (§§ 91 — 103) 407
Patent Infringement (§§ 111 — 114)..... 408

TITLE 25. DEFINITIONS AND GENERAL PROVISIONS

Chapter 1. Meanings of Words and Construction of Statutes, §§ 3 — 6, 10 — 14,
16 — 19, 21,23, 26 411
Chapter 2. Holidays, §§ 82.1, 82.1 412

Title 76. Torts, §§ 1 – 29 415

OKLAHOMA COURT RULES

UNIFORM FEE SCHEDULE FOR DISTRICT COURTS

Civil Filing Fees table 427
Civil Actions table 428
Miscellaneous Fees in Civil Matters table 429

RULES OF CERTAIN JUDICIAL DISTRICTS

Rules of the Seventh and Twenty-Sixth Judicial Districts [Oklahoma and Canadian
Counties], Rule 6, 8 — 10.1, 14, 16 – 22, 46 431
Rules of the Tenth Judicial District [Osage County], Rule 3 – 5, 18 435
Rules of the Northeastern Judicial Administrative District [Tenth, Eleventh,
Twelfth, and Thirteenth Judicial Districts], Rule 1.10, 1.12 436
Rules of the Fourteenth Judicial District [Tulsa and Pawnee counties]
Civil Rules, Rule CV 1 – 35..... 436
Rules of the Eighteenth Judicial District
Chapter III. Civil, Rule 3.1 – 3.7 442
District Court of the Eight Judicial District Rules (Kay, Noble Counties),
Rule 2.1 – 2.12 443
Ninth Judicial District of Oklahoma (Payne and Logan Counties), Rules 15 –
18, 24..... 445
Fifteenth Judicial Court Rules (Muskogee County), Civil Rules 1 – 5..... 446
Sixteenth Judicial District Court Rules, Rules 25 – 37..... 446
Court Rules of the 19th Judicial District of Oklahoma, Rule 2.1 – 2.3, 5.1, 5.3 448
Twentieth Judicial District Court Rules (Carter, Johnston, Love, Marshall and
Murray Counties), Rule 1.5 – 1.7, 4.1 – 4.5..... 448

TABLE OF CONTENTS

Official Court Rules of the Twenty-First Judicial District (Cleveland, McClain, and
Garvin Counties), Rule 6 – 10, 15, 6 –19..... 450

Rules of the Twenty-third Judicial Administrative District (Pottawatomie and
Lincoln Counties) Rule 7, 10 – 11, 13 – 18, 32 – 33, 36, 38 – 39,
43, 45..... 453

Forms, Forms 1 – 24 457

INDEX.....I-1