

**Best Practice 2009-1
(updated with fee change 11/1/25)**

SPECIAL EXECUTION, SHERIFF'S SALE & MOTION TO CONFIRM

Collect the following at the time a Special Execution proceeding is first filed:

Special Execution and Order of Sale

- | | |
|--|---------------------|
| • Special Execution & Order of Sale Filing Fee | \$33.00 Court Fund |
| • Oklahoma Court Information System | \$25.00 OCIS |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRF/AC31 |
| • District Court Revolving Fund | \$1.50 DCRF/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRF/AC31 |
| • District Court Revolving Fund | \$.23 DCRF/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • (Proceeding After Judgment 28 O.S. §152) | |
| • SUBTOTAL | \$82.89 |
| • Sheriff's Service Fee on Execution & Sale (28 O.S. §152.1) | \$75.00 Sheriff Fee |

TOTAL COLLECTED UP FRONT **\$157.89**

Some clerks collect the estimated appraisers' fee at the time the special execution is first filed.

No extra service fee (\$50.00) collected for sheriff for return. Included in \$75 sale fee.

No separate fee for Motion to Confirm - included in Special Execution (Proceeding After Judgment) fee.

Alias Execution begin process again, collect \$157.89.

Approved by the Court Clerk's Executive Board on August 6, 2010.

Disclaimer: This is not intended to be legal advice or intent that you must follow these procedures. This is strictly to help all Court Clerks to be more uniform and to provide guidance.

Best Practice 2025-1

**APPLICATION FOR ATTORNEY FEES
MOTION FOR ATTORNEY FEES OR COSTS**

Collect the following at the time Application for Attorney Fees or Motion for Attorney Fees or Costs if not addressed in the Journal Entry of Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- | | |
|---|-------------------|
| • Application for Attorney fees | \$33.00 CF/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRE/AC31 |
| • District Court Revolving Fund | \$1.50 DCRE/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRE/AC31 |
| • District Court Revolving Fund | \$.23 DCRE/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT **\$82.89**

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-2

**APPLICATION FOR ORDER TO OKLAHOMA EMPLOYMENT SECURITY
COMMISSION TO PRODUCE EMPLOYMENT RECORDS**

Collect the following at the time Application for Order to Oklahoma Employment Security Commission to Produce Employment Records after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- Application for Order to Oklahoma Employment Security Commission to Produce Employment Records \$33.00 CF/AC01
- Court Clerk Management Fund and Preservation Fund \$10.00 CCPF/AC89
- Oklahoma Court Information System \$25.00 OCIS/AC79
- Oklahoma CASA \$10.00 CASA/AC58
- Court Clerk Revolving Fund \$1.00 CCRE/AC31
- District Court Revolving Fund \$1.50 DCRE/AC67
- Council on Judicial Complaints \$1.55 COJ/AC59
- Court Clerk Revolving Fund \$.16 CCRE/AC31
- District Court Revolving Fund \$.23 DCRE/AC67
- State Judicial Interpreter Translator \$.45 SJFI/AC65

TOTAL COLLECTED UP FRONT \$82.89

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-3

MOTION FOR A NEW TRIAL

Collect the following at the time Motion for New Trial after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- | | |
|---|-------------------|
| • Motion for a New Trial | \$33.00 CF/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRF/AC31 |
| • District Court Revolving Fund | \$1.50 DCRF/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRF/AC31 |
| • District Court Revolving Fund | \$.23 DCRF/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT **\$82.89**

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-4

MOTION FOR ENFORCEMENT OF NON-CUSTODIAL PARENT VISITATION
RIGHTS
MOTION TO ENFORCE VISITATION

Collect the following at the time Motion for Enforcement of Non-Custodial Parent Visitation Rights or Motion to Enforce Visitation:

Other proceeding After Judgment 28 O.S. §152

- Motion for Enforcement of Non-Custodial Parent Visitation Rights or Motion to Enforce Visitation \$33.00 CF/AC01
- Preservation Fund \$10.00 CCPF/AC89
- Oklahoma Court Information System \$25.00 OCIS/AC79
- Oklahoma CASA \$10.00 CASA/AC58
- Court Clerk Revolving Fund \$1.00 CCRF/AC31
- District Court Revolving Fund \$1.50 DCRE/AC67
- Council on Judicial Complaints \$1.55 COJ/AC59
- Court Clerk Revolving Fund \$.16 CCRF/AC31
- District Court Revolving Fund \$.23 DCRE/AC67
- State Judicial Interpreter Translator \$.45 SJFI/AC65

TOTAL COLLECTED UP FRONT \$82.89

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Best Practice 2025-5

MOTION TO VACATE

Collect the following at the time Motion to Vacate after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- | | |
|---|-------------------|
| • Motion to Vacate | \$33.00 CF/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRF/AC31 |
| • District Court Revolving Fund | \$1.50 DCRF/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRF/AC31 |
| • District Court Revolving Fund | \$.23 DCRF/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT \$82.89

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Best Practice 2025-6

MOTION TO MODIFY CHILD SUPPORT

Collect the following at the time Motion to Modify Child Support after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- | | |
|---|-------------------|
| • Motion to Modify Child Support | \$43.00 CE/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRF/AC31 |
| • District Court Revolving Fund | \$1.50 DCRF/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRF/AC31 |
| • District Court Revolving Fund | \$.23 DCRF/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT \$92.89

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-7

POST JUDGMENT PETITION TO EXECUTE JUDGMENT AGAINST SHAREHOLDER

Collect the following at the time Post Judgment Petition to Execute Judgment against Shareholder after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- Application for Post Judgment Petition to Execute Judgment against Shareholder \$33.00 CF/AC01
- Court Clerk Management Fund and Preservation Fund \$10.00 CCPF/AC89
- Oklahoma Court Information System \$25.00 OCIS/AC79
- Oklahoma CASA \$10.00 CASA/AC58
- Court Clerk Revolving Fund \$1.00 CCRF/AC31
- District Court Revolving Fund \$1.50 DCRF/AC67
- Council on Judicial Complaints \$1.55 COJ/AC59
- Court Clerk Revolving Fund \$0.16 CCRF/AC31
- District Court Revolving Fund \$0.23 DCRF/AC67
- State Judicial Interpreter Translator \$0.45 SJFI/AC65

TOTAL COLLECTED UP FRONT \$82.89

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-8

**SMALL CLAIMS CASE TYPE APPLICATION
FOR CONTEMPT CITATION APPLICATION
FOR HEARING ON ASSETS**

Collect the following at the time Application for Contempt Citation or Application for Hearing on Assets after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- | | |
|--|-------------------|
| • Application for Contempt Citation or Application for Hearing on Assets | \$33.00 CF/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRF/AC31 |
| • District Court Revolving Fund | \$1.50 DCRF/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRF/AC31 |
| • District Court Revolving Fund | \$.23 DCRF/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT **\$82.89**

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Best Practice 2025-9

WRIT OF ASSISTANCE

Collect the following at the time Writ of Assistance after Judgment is filed:

Other proceeding After Judgment 28 O.S. §152

- | | |
|---|-------------------|
| • Application for Attorney fees | \$33.00 CF/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRF/AC31 |
| • District Court Revolving Fund | \$1.50 DCRF/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRF/AC31 |
| • District Court Revolving Fund | \$.23 DCRF/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT \$82.89

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Best Practice 2025-10

**PATERNITY CASE TYPE
ORDER OF PATERNITY ESTABLISHED AND PETITION FOR CUSTODY FILED**

Collect the following at the time Petition for Custody filed in same case paternity has been established:

Other proceeding After Judgment 28 O.S. §152

- | | |
|---|-------------------|
| • Application for Attorney fees | \$33.00 CF/AC01 |
| • Court Clerk Management Fund and Preservation Fund | \$10.00 CCPF/AC89 |
| • Oklahoma Court Information System | \$25.00 OCIS/AC79 |
| • Oklahoma CASA | \$10.00 CASA/AC58 |
| • Court Clerk Revolving Fund | \$1.00 CCRE/AC31 |
| • District Court Revolving Fund | \$1.50 DCRE/AC67 |
| • Council on Judicial Complaints | \$1.55 COJ/AC59 |
| • Court Clerk Revolving Fund | \$.16 CCRE/AC31 |
| • District Court Revolving Fund | \$.23 DCRE/AC67 |
| • State Judicial Interpreter Translator | \$.45 SJFI/AC65 |

TOTAL COLLECTED UP FRONT \$82.89

CAN FILE AS A NEW CASE TYPE OF FMI AND COLLECT FEES FOR NEW CASE FILING.

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-11

DIVORCE CASE TYPE
MOTION FOR TEMPORARY ORDER PURSUANT TO THE DEPLOYED PARENTS
CUSTODY AND VISITATION ACT

Collect the following at the time Motion for Temporary Order Pursuant to the Deployed Parents Custody and Visitation Act is filed:

Other proceeding After Judgment 28 O.S. §152

- Motion for Temporary Order Pursuant to the Deployed Parents Custody and Visitation Act \$33.00 CF/AC01
- Court Clerk Management Fund and Preservation Fund \$10.00 CCPF/AC89
- Oklahoma Court Information System \$25.00 OCIS/AC79
- Oklahoma CASA \$10.00 CASA/AC58
- Court Clerk Revolving Fund \$1.00 CCRE/AC31
- District Court Revolving Fund \$1.50 DCRE/AC67
- Council on Judicial Complaints \$1.55 COJ/AC59
- Court Clerk Revolving Fund \$.16 CCRE/AC31
- District Court Revolving Fund \$.23 DCRE/AC67
- State Judicial Interpreter Translator \$.45 SJFI/AC65

TOTAL COLLECTED UP FRONT \$82.89

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Best Practice 2025-12

**DIVORCE CASE TYPE
GRANDPARENT VISITATION PETITION FILED AFTER DIVORCE DECREE
ENTERED**

Collect the following at the time Grandparent Visitation Petition is filed.

All Other Civil Actions 28 O.S. §152

• Grandparent Visitation Petition	\$85.00 CF/AC01
• Law Library	\$6.00 LL/AC23
• Oklahoma Court Information System	\$25.00 OCIS/AC79
• Court Clerk Management Fund and Preservation Fund	\$10.00 CCPF/AC89
• Oklahoma CASA	\$10.00 CASA/AC58
• Court Clerk Revolving Fund	\$1.00 CCRF/AC31
• District Court Revolving Fund	\$1.50 DCRF/AC67
• Council on Judicial Complaints	\$1.55 COJ/AC59
• Court Clerk Revolving Fund	\$.16 CCRF/AC31
• District Court Revolving Fund	\$.23 DCRF/AC67
• State Judicial Interpreter Translator	\$.45 SJFI/AC65
• Dispute Mediation	\$7.00 DM/AC64
• Lengthy Trial Fund	\$10.00 LTF/AC81
• Courthouse Security	\$10.00 CHS/AC88
• Court Clerk Revolving Fund	\$1.00 CCRF/AC31
• District Court Revolving Fund	\$1.50 DCRF/AC67
• SUBTOTAL WITH LENGTHY TRIAL FUND AND NO COURTHOUSE SECURITY WITH COURTHOUSE SECURITY	\$157.89 \$170.39
• SUBTOTAL WITHOUT LENGTHY TRIAL FUND AND NO COURTHOUSE SECURITY WITH COURTHOUSE SECURITY	\$147.89 \$160.39

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-13

**GUARDIANSHIP CASE TYPE
MOTION TO BE EXEMPT FOR PAYMENT OF FEES FOR FILING ANNUAL
GUARDIASHIP REPORT
MOTION TO TERMINATE GUARDIANSHIP**

No Collection of fees at the time a Motion to be Exempt for Payment of Fees for Filing Annual Guardianship Report or Motion to Terminate Guardianship.

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-14

**DEPRIVED CASE TYPE
PETITION FOR GUARDIANSHIP**

No Collection of fees at the time a Petition for Guardianship is filed within the Deprived Case. Title 10A specifically allows for the Guardianship to be filed as a motion in the existing deprived child action at [10A O.S. §1-4-710](#).

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-15

WRIT OF HABEAS CORPUS

No Collection of fees at the time a Writ of Habeas Corpus is filed, only the service fee.

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-16

**MOTION TO SETTLE JOURNAL ENTRY
MOTION TO STAY EXECUTION OF JUDGMENT
APPLICATION FOR ORDER NUNC PRO TUNC**

No Collection of fees at the time a Motion to Settle Journal Entry, Motion to Stay Execution of Judgment, or Application for Order Nunc Pro Tunc is filed.

Approved by the Court Clerk's Executive Board _____, 2025.

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Best Practice 2025-17

PROTECTIVE ORDERS

1. **File the Petition for Protective Order or Emergency Petition for Protective Order from Officer.**
2. **Assign a Case Number and present to the Judge.**
3. **File return of service**
4. **If Petition is granted or denied show on the events page**
ST Protective Order Granted
ST Protective Order Dismissed

SB 813 adds the following near-identical language to both 22 O.S. sec. 40.3 (Emergency Temporary Order of Protection), 60.3 (Emergency Ex Parte Order – Hearing), and 60.16 (Duties of Police Officer – Emergency Temporary Order of Protection), effective 7/1/2025: “The peace officer shall make every attempt to serve the subject of the order and complete a return of service when filing the petition with the district court. If the peace officer is unable to obtain service, the petition shall be filed by a peace officer with the district court the next business day. The court clerk shall receive the petition upon delivery by the peace officer and document the hearing date and time assigned to the case as documented by the peace officer. If the court clerk observes that service has not been obtained, the petition shall still be filed by the court clerk and issued to the appropriate office of the county sheriff to obtain service with priority.”

Additionally, the full paragraph of sec. 60.16 reads: “File a copy of the petition and the statement of the peace officer with the district court of the county immediately upon the opening of the court on the next day the court is open for business. The peace officer shall make every attempt to serve the subject of the order and complete a return of service when filing the petition with the district court. If the peace officer is unable to obtain service, the petition shall be filed by a peace officer with the district court on the next business day. The court clerk shall receive the petition upon delivery by the peace officer and document the hearing date and time assigned to the case as documented by the peace officer. If the court clerk observes that service has not been obtained, the petition shall still be filed by the court clerk and issued to the appropriate office of the county sheriff to obtain service with priority.”

[Protective Orders – OSCN](#)

Approved by the Court Clerk’s Executive Board _____, 2025.

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Best Practice 2025-18

SEARCH FEE

~~First of all, our Court COPYING fees~~ under 28 O.S. sec. 31 are much larger than the copying fees permitted by the Open Records Act. That increased cost contemplates the extra work it takes to research any issues.

But even if we were to use the search fees permitted by the Open Records Act, there are major exceptions which have to be honored to avoid a lawsuit:

51 O.S. sec. 24A.5 (4). Any request for a record which contains individual records of persons, and the cost of copying, reproducing or certifying each individual record is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall the record copying fee exceed twenty-five cents (\$0.25) per page for records having the dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller, or a maximum of One Dollar (\$1.00) per copied page for a certified copy. **However, if the request:**

- a. is solely for commercial purpose, or
- b. would clearly cause excessive disruption of the essential functions of the public body,

then the public body may charge a reasonable fee to recover the direct cost of record search and copying; **however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose** and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy. The fee charged by the Department of Public Safety for a copy in a computerized format of a record of the Department shall not exceed the direct cost of making the copy unless the fee for the record is otherwise set by law. A public body may require advance payment of the estimated fees authorized under this section when the estimated cost exceeds Seventy-five Dollars (\$75.00) or if the requestor has outstanding fees from previous requests. Any portion of an advance payment that exceeds the costs of responding to the request shall be returned to the requestor.

Any public body establishing fees under the Oklahoma Open Records Act shall post a written schedule of the fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information;

This is a case where we believe the exceptions might likely swallow the rule, because you would have to make a determination each time records are sought to see whether the search fee is applicable. It must only attach when the request is solely for commercial purposes or would clearly cause excessive disruption. Even then, if the requestor is the news media, authors, or scholars, the search fee may not be charged. More concerning, is if the requestor is seeking the records as a taxpayer seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants, the research fee does not apply.

~~I think, to be safe, you are better off not charging the search fee.~~ If you do via Administrative Order, the Judge must make sure that such Order complies with the terms of the Open Records Act as quoted above.

Approved by the Court Clerk's Executive Board _____ 2025.

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Best Practice 2026-1

TRANSFER CASE FROM ONE COUNTY TO ANOTHER

In all cases that are transferred, the court clerk, without delay, must transmit a certified copy of the file and transcripts of the case by certified mail.

Title 20 Courts

Chapter 7 - Transfer of Causes

Section 642 - Procedure for Transfer

Upon showing by the plaintiff or defendant in all civil and criminal cases; or some interested person in probate matters, being filed by the clerk of the court, that the venue of said cause is in some other county as provided by the preceding section, the court shall order the transfer of such case or probate matter to such other county; and, upon such order being made, the clerk of the court shall prepare a transcript of all the papers filed, orders entered and a bill of the costs accrued, and shall forthwith transmit the said files and transcript of said cause by registered mail, to the court or clerk of the court of the proper county.

Civil Cases:

Title 12 Civil Procedure

Chapter 5 – Venue

Section 140.1 Transfer of Case for Venue – Transmittal of Files and Transcript – Fees

When the court orders the transfer of a case upon a showing by a party that the venue is or should be in some other county, the clerk of the court shall prepare a transcript of all the papers filed, orders entered, and a bill of the costs accrued. The clerk shall collect a new filing fee and shall forthwith transmit by certified mail such files and transcript of the cause and the filing fee which shall be due to the clerk of the court to which transfer is ordered. Unless otherwise ordered by the court, the plaintiff shall be responsible for appropriate filing fees when a case is brought in the wrong venue and transferred to a court having proper venue. In all other instances, the moving party shall be responsible for fees. The fees for the transfer shall be paid within ten (10) days of the transfer order.

Criminal Cases:

Title 22 Criminal Procedure

Chapter 6 – Transfer of Indictments

Section 442 – Duty of Clerk to Deliver Indictment, Papers, Certified Copy of Proceedings and Bill of Costs

It shall be the duty of the clerk of the district court, without delay, to deliver the indictment in all cases transferred, together with all the papers relating to each case, to the proper court or justice of the peace, as directed in the order of transfer; and he shall accompany each case with a certified copy of all the proceedings taken therein in the district court, and also with a bill of the costs that have accrued therein in

the district court, and the said costs shall be collected in the court in which said cause is tried, in the same manner as other costs are collected in criminal cases.

Title 22 Criminal Procedure
Chapter 6 – Transfer of Indictments
Section 445 – Transfer to Proper Venue

In all criminal cases pending in any county where the venue properly lies in another county, the court may, upon motion of the county attorney, or upon its own motion, transfer such cause to the county of proper venue; such transfer, in all respects, shall be made in the manner provided by law

Title 22 Criminal Procedure
Chapter 7 – Proceedings Before Trial
Section 562 – Change of Venue – Proceedings – Costs and Expenses

A. The order of removal from the county must be entered upon the minutes and the court clerk must thereupon make out, and within ten (10) days transmit to the county to which the action is removed, a certified copy of the order of removal and the record, and shall transmit the pleadings including the undertaking for the appearance of the defendant, and of the witnesses, and the cause must be docketed and stand for trial within six (6) months from the date the cause was ordered removed.

B. If an order of removal is entered, all expenses incurred as a result of the action prior to the date of the order of removal shall be taxed as costs and shall remain payable to the court fund of the county from which the action was removed.

C. Except as otherwise provided by this section, the court fund of the county from which the action is removed shall be liable for the expense and charge of removing, delivering and keeping the prisoner, and the fees of jurors and witnesses in attendance during the trial, court reporter's fees, all fees and mileage of the sheriff, and the per diem of bailiffs during the time said cause is on trial, and such other expenses as may be lawfully incurred incident to the trial, which costs and expenses shall be approved by the Court Administrator of the Supreme Court of the State of Oklahoma and certified by the clerk of the court to which the action was transferred to the court clerk of the county from which the cause was removed and shall show the name of each person and the amount due to him.

D. On receipt of such certificate, the clerk of the court from which the action was transferred shall draw his warrants on the court fund for the total amount of costs allowed by the transferee court, payable to the order of the court fund of the transferee court subject to the order of the person entitled thereto, and forward the same to the clerk of the court where the cause was tried, who shall deposit it in the court fund.

E. If the court fund of the county from which the action was removed does not contain sufficient revenue to make payment to the transferee court, the court clerk of the payor county shall notify the Administrative Director of the courts who shall make payment of any deficiency in the amount due and owing to the transferee court from the Supreme Court Revolving Fund.

F. All fees not claimed two (2) years after having been received by the clerk of the transferee court, shall by him be returned to the clerk of the transferor court to be held in the court fund for the benefit of the owner for a period of one (1) year, and, if not claimed within that time, such fees shall become the property of the court fund of the county.

Title 22 Criminal Procedure
Chapter 7 – Proceedings Before Trial
Section 566 – Trial Upon Removal – Transfer of Pleadings and Papers

The court to which the action is removed must proceed to trial and judgment therein the same in all respects as if the action had been commenced in such court. If it is necessary to have any of the original pleadings or other papers before such court, the court from which the action is removed must at any time upon the application of the district attorney or the defendant, order such papers or pleadings to be transmitted by the clerk, a certified copy thereof being retained.

Juvenile Cases:

Title 10A Children and Juvenile Code
Article 1 Oklahoma Children's Code
Article Chapter 4, Part 1 - Jurisdiction
Section 1-4-101 - Jurisdiction - Temporary Order - Interlocutory Relief - Conflicting Orders - Venue - Transfer of Proceedings

A. 1. Upon the filing of a petition, the assumption of the custody of a child, or issuance of an emergency custody order pursuant to the provisions of the Oklahoma Children's Code, the district court shall obtain jurisdiction over any child who is or is alleged to be deprived. Jurisdiction shall also be obtained over any parent, legal guardian, or custodian of and any other person living in the home of such child who appears in court or has been properly served with a summons pursuant to Section 1-4-304 of this title.

2. When jurisdiction has been obtained over a child who is or is alleged to be a deprived child:

a. such jurisdiction may be retained until the child becomes eighteen (18) years of age,

b. the court may issue any temporary order or grant any interlocutory relief authorized by this Code in an emergency, regardless of whether another district court within the county or state has prior or current jurisdiction to determine the custody, support, or visitation of the child,

c. all other action then pending or thereafter commenced within the county or state that concerns the custody, support, or visitation of the child shall be automatically stayed unless after notice to the parties in the deprived action, the written consent of such court is obtained and filed in the other proceeding; provided, a child's delinquency action may, in the discretion of the court, proceed pursuant to the Oklahoma Juvenile Code,

d. all orders entered in the deprived proceeding concerning the custody, support, or visitation of a child shall control over conflicting orders entered in other actions until such time as the jurisdiction of the court in the deprived proceeding terminates, and

e. the judge presiding over a deprived action shall have the authority to make a final determination in the matter and preside over any separate action necessary to finalize a child's court-approved permanency plan including an adoption, guardianship, or other custody proceeding.

B. 1. Venue of any action involving a child alleged to be deprived shall be in the county where:

a. the child resides, or has resided for six (6) months preceding the filing,

b. the alleged acts of deprivation occurred, or

c. a parent or sibling has a deprived action pending.

If none of the locations listed in this paragraph are known, venue may be in the county where the child is found.

2. A deprived action shall not be dismissed if filed in the wrong venue, but shall be transferred to the proper venue upon discovery of the proper venue, unless venue is waived by all parties on the record.

3. Except as provided for in this subsection, a deprived action commenced in a county outside of the residence of the child may be transferred to the county of the child's residence at any stage in the proceedings after the petition has been filed. The receiving court shall continue with the proceedings as though the original petition had been filed in that court.

a. When a petition or motion to terminate parental rights has been filed, the case shall not be transferred until the sending court has concluded the termination proceeding.

b. Absent good cause to the contrary, a deprived action shall be transferred to the county where other proceedings are pending concerning custody of the child or the child's siblings.

c. Prior to adjudication pursuant to Section 1-4-603 of this title, a case may be transferred to a venue where the evidence or witnesses are located when the interests of justice or convenience of the parties so require. Following adjudication, the receiving court may transfer the case back to the county of the child's legal residence as provided in this section.

4. For purposes of this section, the residence of the child shall be the residence of the person who has the legal right to physical custody of the child according to a prior court order or by operation of law.

a. If there is no order determining the custody of the child, the custodian of the child shall be:

(1) both parents where they reside together,

(2) the primary or actual physical custodial parent where parents do not reside together, or

(3) the mother where paternity has or has not been established.

b. The residence of a newborn child shall be deemed to be the county where the child's mother legally resided at the time of the child's birth.

c. When the child is in the permanent custody of a public or private child care agency, the residence of the child shall be the county in which the child resides at the time when legal proceedings are initiated.

d. For purposes of transfer, the residence of the child may be with the person that the court approves for permanent placement.

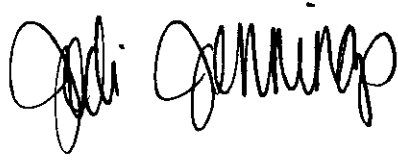
5. The court may request the transfer of the case to another county where the child resides.

a. Prior to transferring a case to another venue, the court shall contact the judge in the other venue to confirm that the judge in the other venue will accept the transfer.

b. Upon written confirmation that transfer of venue is accepted, the transferring judge shall enter the transfer order, and certified copies of all documents of record with the clerk of the transferring court shall be transmitted to the receiving court along with the names and addresses of all parties entitled to notice of any further proceedings.

c. Upon transfer of the case, the receiving court shall set a hearing date for the parties that is not more than thirty (30) days following the date upon which the change of venue has occurred.

Approved by the Court Clerk's Executive Board March 13 2026.

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Disclaimer: This is not intended to be legal advice or intent that you must follow these procedures. This is strictly to help all Court Clerks to be more uniform and to provide guidance.

Best Practice 2026-2

ALIAS SUMMONS

Alias Summons Issued

If the original summons was returned as “Not Summoned,” or “Not Found,” the plaintiff can ask that an alias summons be issued. The alias summons is similar in form to the original summons, but the word “alias” appears above the word “summons” in the heading. The procedure for issuing an alias summons is the same as for issuing the original summons.

Title 28 Fees

Chapter 4 – Court Costs and Fees

Section 152.1 – Civil Actions – Charge in Addition to Flat Fee

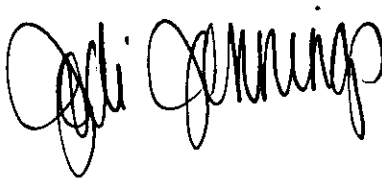
A. In civil cases, the court clerk shall collect and deposit in the court fund the following charges in addition to the flat fee:

1. For posting notices and filing certificates required by statute..... \$30.00
2. For the filing of any counterclaim or setoff pursuant to Section 1758 of Title 12 of the Oklahoma Statutes..... \$20.00
3. For mailing by any type of mail writs, warrants, orders, process, command, or notice for each person \$10.00
4. For the actual cost of all postage in each case in excess of..... \$10.00
5. For serving or endeavoring to serve each writ, warrant, order, process, command, or notice for each person in one or more counties..... \$50.00

provided that if more than one person is served at the same address, one flat fee of Fifty Dollars (\$50.00) may be charged
6. For sheriff's fees on court-ordered sales of real or personal property..... \$75.00
7. When a jury is requested..... \$349.00
8. For issuing each summons for each person..... \$10.00
9. For services of a court reporter at each trial held in the case..... \$20.00

10. For filing a motion for summary judgment or summary disposition of issue(s).....\$50.00

Approved by the Court Clerk's Executive Board March 13 2026.

A handwritten signature in black ink, appearing to read "Ashli Jennings".

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