

WORK AND DATA FLOW ANALYSIS  
FOR THE OFFICE OF THE DISTRICT COURT CLERK  
IN THE STATE OF OKLAHOMA

By

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Scope and Method of Study: An initial benefit of an analysis of the data flow in the office of the district court clerk will be to spell out the process involved for each case type such that newly elected district court clerks might use the analysis as a learning tool. Second, benefits of the analysis will also accrue to the staff of the State Auditor and Inspector who are required to conduct annual audits of each county office (including the district court clerk). Finally, the district court clerks data flow analysis can facilitate the development of software as the district court clerks across Oklahoma computerize their operations.

The strategy used in analyzing the data flows was formulated around the following objectives:

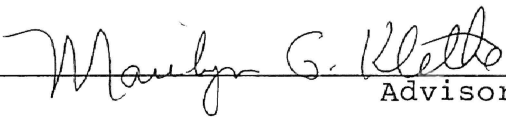
- a. To reveal the duties and responsibilities of the district court clerk apart from the more complex legal process involved in any particular case.
- b. To consolidate the procedures to be followed by the district court clerk from the various sources of guidance.
- c. To facilitate ease in automation of the district court clerk's office through identification of record-keeping and procedural requirements.
- d. To address procedure on as high an aggregate level as possible.
- e. To involve the ultimate users of an automated system to as great a degree as possible in the initial system analysis.

ADVISOR'S APPROVAL: \_\_\_\_\_

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## INTRODUCTION

### ORGANIZATIONAL BACKGROUND

The district court in Oklahoma is the first trial level for judicial issues of unlimited jurisdiction (as opposed to municipal courts limited to city ordinance prosecutions). The state is presently divided into 26 judicial districts, each consisting of an entire county or several contiguous counties. The district court is staffed by judges of three ranks: 1) district, 2) associate, and 3) special.

The district court clerk is an elected county officer responsible for keeping the records, books, and papers pertaining to the proceedings of the district court in that county.

At the intermediate level, the Court of Appeals is staffed by six judges who hear civil cases appealed from the district court. The Court of Appeals is assigned cases by the Supreme Court. Decisions of the Court of Appeals can be appealed to the Supreme Court of Oklahoma.

The Court of Criminal Appeals is the court of last resort for an appeal of a criminal case from the district court. In the event there is any conflict as to whether the Court of Criminal Appeals or the Supreme Court has jurisdiction of a case, the Supreme Court determines which court has jurisdiction.

Finally, an Administrative Director of the Courts is appointed by the Supreme Court to serve at its pleasure to assist the Chief Justice in fulfilling his/her constitutionally mandated responsibility as the administrative head of Oklahoma's courts. The duties of the Administrative Director of the Courts include:

- \* Overall budget and fiscal coordination for the state judicial system.
- \* Overall coordination of the judicial personnel in the state court system including judges of the district courts, court reporters, and district court clerks.
- \* Supervision of the budgeting for and expenditure of monies from the seventy-seven district court funds.
- \* Other duties as directed by the Supreme Court and by various Oklahoma statutes.

#### FUNCTION OF THE COURT CLERK

As the officer responsible for keeping the records, books, and papers pertaining to the district court and its proceedings, the district court clerk is required to maintain many records in a specific manner. The Oklahoma Statutes prescribe the way in which records are to be kept. However, in some instances state law charges the Administrative Director of the Courts with the responsibility for detailing procedures to be followed in the office of the district court clerk.

The types of cases filed in the office of the district court clerk are:

- \* Traffic
- \* Licenses
- \* Criminal (Misdemeanor and Felony)
- \* Civil (including probate)
- \* Small Claims (a civil procedure)

In very few instances does the district court clerk initiate an action. Typically, the district court clerk acts in response to actions filed by individuals (or to orders of the court). However, the actions taken by a district court clerk are determined by Oklahoma statute (or by a directive from the Administrative Director of the Courts) vis a vis the type of action initially filed in a case as well as any subsequent actions taken.

The district court clerk is also responsible for the accounting of fees, fines, and forfeitures collected by the district court. The district court clerk is a member of the governing board of the Court Fund along with the district judge and an associate district judge. Each year the governing board of the court fund submits an operating budget to the Administrative Director of the Courts.

## PURPOSE OF THE DATA FLOW ANALYSIS

Although the duties and responsibilities of the district court clerk in Oklahoma can be identified in the statutes and administrative directives, no systematic, comprehensive description of the required flow of data for each case type heretofore exists. The direction the district court clerk receives from legislation is found under a multitude of titles in the Oklahoma Statutes, the logic of which escapes the layman. Furthermore, administrative directives often address issues in a piecemeal fashion in response to recent legislation.

Thus, an initial benefit of an analysis of the data flow in the office of the district court clerk will be to spell out the process involved for each case type such that newly elected district court clerks might use the analysis as a learning tool. New employees in the office of the district court clerk can make similar use of the analysis.

Second, benefits of the analysis will also accrue to the staff of the State Auditor and Inspector who are required to conduct annual audits of each county office (including the district court clerk).

The purpose of the audit of the district court clerk's office is two-fold. First, the financial records of the district court clerk are examined to verify that fees, fines, and forfeitures are appropriately received and disbursed. Second, the district court clerk is often

required to garner signatures from specified individuals to validate documents. Also, the district court clerk and/or other participants in a case are required to take certain actions within specified periods of time based upon the case type at hand. Thus, "compliance audits" are also conducted to verify that the district court clerk has acted in accordance with the legal requirements in a case.

The data flow analysis can serve as a concise guide to the new or veteran auditor as the records in the office of the district court clerk are being examined.

Finally, and perhaps of particular importance, the district court clerks data flow analysis can facilitate the efficient and effective development of software as the district court clerks across Oklahoma computerize their operations. Coupled with the continued technical improvements of small computer systems, the improving affordability of computer systems makes automation in the district court clerks' offices a very real possibility.

## THE ANALYTICAL TECHNIQUE

### OBJECTIVES

The strategy used in analyzing the data flows in the office of the district court clerk was formulated around the following objectives for the project:

- a. To reveal the duties and responsibilities of the district court clerk apart from the more complex legal process involved in any particular case.

While the attorneys representing plaintiffs and defendants in a case may have any number of legal options available to pursue, the district court clerk typically is required to follow fairly standard procedures. Delineation of the district court clerk's operational framework devoid of the often cumbersome legal potentialities should facilitate ease in comprehending the district court clerk's office.

- b. To consolidate the procedures to be followed by the district court clerk from the various sources of guidance. The Oklahoma Statutes [5,6] contain a total of eighty-five titles addressing topics from abstracting to workers' compensation. Procedures involving the district court are to be found in many of these titles. Additionally, procedural guidelines released by the Administrative Director of the Courts typically deal with single issues and are found in the order of their release date rather than by topic.
- c. To facilitate ease in automation of the district court clerk's office through identification of record-keeping and procedural requirements.
- d. To address procedure on as high an aggregate level as possible. For example, misdemeanor and felony cases both come under the broader heading of

criminal procedure with many similarities in procedure for the district court clerk. Efforts to aggregate the analysis should eliminate needless replication and facilitate understanding. Further rationale for procedural aggregation is found in research which has revealed that a procedural system designed too tightly can result in adverse behavioral problems associated with the implementation of an automated system [2]. Thus, aggregation of the procedural analysis can serve to promote needed flexibility in the ultimate system design.

- e. To involve the ultimate users of an automated system to as great a degree as possible in the initial system analysis. Many references in the literature are made to faulty systems analysis and difficulty in implementation of automated systems due to poor problem definition, analysis, and design [1]. Through use of a "participative approach," the ultimate user of the system becomes a much more active partner in the analytical process. The result should be a greater commitment on the part of the user and better understanding of the system [3].



## KEY USER GROUPS INTERVIEWED

### Staff of the Administrative Director of the Courts

In gaining insights regarding systems analysis from the managerial perspective, several staff personnel of the Administrative Director of the Courts were interviewed. The interviews primarily involved consideration of the categories which might form the bases (or starting points) for the data flow analysis and the degree of flexibility which should be incorporated into the analysis.

The consensus was to proceed using general case types (civil, criminal, traffic, licenses, etc.) as the bases for categorization, and that aggregation of procedures at the highest possible level would ensure optimal flexibility in the system to deal with unique circumstances.

### Staff of the State Auditor and Inspector

Staff at both the state and district level for the State Auditor and Inspector were interviewed in order to identify (1) the duties and responsibilities of the State Auditor and Inspector vis a vis the office of the district court clerk, (2) the methodology utilized by field auditors in conducting audits of various county offices, and (3) the data flow analysis approach which would facilitate efficient and effective field audits of the office of the district court clerk.

The consensus was to analyze the process based on an individual "walking in to the district court clerk's office" and initiating some action.

#### District Court Clerks

Interviews with various district court clerks across Oklahoma were vital to the data flow analysis. The procedure these county officers are to follow is addressed in the Oklahoma Statutes and by guidelines issued by the Administrative Director of the Courts. However, simple identification of possible legal situations from these sources alone would be a monumental undertaking. Discussions with the district court clerks proved to be invaluable in ferreting out possible situations to which the district court clerk must respond.

Equally important was the input the court clerks provided regarding the procedure and data flow followed in their respective counties relative to the legal situations identified. Some situations were identified for which no statewide procedure is mandated. The resulting data flow analysis avoids procedural generalizations regarding situations handled uniquely from county to county.

#### HOW TO USE THE DATA FLOW ANALYSIS

The procedural avenues which a district court clerk follows in response to various legal initiatives is presented in flowchart form in section VIII of the analysis. An expanded reading concerning the district

court clerks' responsibilities in a legal action may be found in the narrative section corresponding to the flowchart.

Reference numbers found in the left margin of the flowchart narratives may be used as guideposts to the actual flowcharts. For example, reference number 3-8 in the flowchart narrative corresponds to the eighth item of page three in the flowchart section.

The right margins frequently contain references to the Oklahoma Statutes. Unless otherwise indicated, the statute references are to the 1981 edition. A reference to a statute supplement is identified by the year in parenthesis. Thus, "12 ss 22" means Oklahoma Statutes 1981, title 12, section 22. By the same token, "22 ss 1141.1 (1982)" means Oklahoma Statutes, 1982 Supplement, title 22, section 1141.1.

Definitions are included in the work with the goal of providing general familiarity. The definitions are not intended to be exhaustive legal descriptions of terms. There is always the danger that the legal implications of various terminology may change with time or circumstances. The reader, therefore, is referred to more authoritative legal sources when necessary.

Finally, in many instances the district court clerk is required to collect fees and fines. However, in order to avoid problems of obsolescence in this analysis, reference to specific dollar amounts for fees and fines are not made unless the issue in question is not subject to frequent

change. The interested reader is referred to the most current fee schedule of the Administrative Director of the Courts should such information be necessary.

## FLOWCHART A - CIVIL PROCEDURE

### NARRATIVE

The possible steps in the legal process for a civil case are outlined in the following paragraphs. The intent of this section is to provide the reader with a condensed outline of the steps pertinent to the district court clerk rather than to make the reader an expert in the legal intricacies of civil cases.

1-1

### PETITION

A civil action is initiated by the plaintiff (or his/her attorney) who prepares and files a petition with the court clerk. The plaintiff is the complaining party while the adverse party is known as the defendant. It is not the job of the court clerk to determine the legal sufficiency of the petition; however, the interested reader is referred to title 12 O.S. ss264 for the required contents of a petition.

12ss151

12ss11

1-3

### ESTABLISH AND COLLECT COSTS

The court clerk must know and assign the correct costs associated with any type of case. Costs are collected as they are incurred and are paid initially by the plaintiff.

After judgment is reached in the case, the court may direct who pays the costs and may also set attorney fees to be taxed as costs. The court clerk receives all money paid as costs, notes the transactions on the appearance docket and issues a receipt for all money collected. If the amount collected in a case is insufficient to pay all costs, it is apportioned ratably among all claimants.

12ss926  
to 934

12ss936  
to 939

#### FILE STAMP THE DOCUMENT

The file stamp may be a hand stamp or a stamping machine. In either case, it shall contain the date, should indicate who filed the document and may also indicate the time filed.

12ss31

#### RECORDS

##### Case File

The court clerk is required to file together and carefully preserve all documents associated with a particular case. Instruments for each case must be placed in a separate numbered file which is marked with the case title. In practice, the case file is normally a cardboard folder which is color coded for ease of identification by type of case.

12ss29

12ss30

##### Receipt Book

The court clerk must issue a receipt for all money received. A copy of the receipt must be permanently retained to provide a complete audit trail.

## Appearance Docket

The court clerk shall keep an appearance docket for 12ss22  
all civil cases. The appearance docket is a historical  
record of all actions for a particular case and a  
financial record of costs, credits and disbursements for  
that case. Entries should be brief abstracts of an event  
rather than detailed statements of its terms and  
conditions. Proceedings other than those which culminate 12ss23  
in an order or judgment shall not be abstracted onto the 21ss23  
appearance docket.

The reader of an appearance docket should be able to  
obtain an accurate impression of a particular case, the  
chronological sequence of actions which have taken place  
and the current status of the case. Entries must be neat  
and legible and ideally are typed onto the docket.

The following entries are frequently made on an  
appearance docket:

- a. Case number
- b. Plaintiff
- c. Defendant
- d. Nature of case
- e. Attorneys
- f. Date of each action
- g. Description of event

h. Book and page number in journal record or the microfilm record number

i. Costs, credits and disbursements

#### Appearance Docket Index

The appearance docket index is either the first section of an appearance docket book or a separate book if the appearance docket is kept in the form of loose sheets. The index is a semi-alphabetical listing of the names of all plaintiffs entered in the docket. All plaintiffs whose names start with an "A" are listed on the first page of the index in the order in which their cases were filed. All plaintiffs whose names begin with "B" are on the next page, etc.

Items normally entered on the appearance docket index are:

- a. Case number
- b. Plaintiff's name
- c. Page number of appearance docket
- d. Defendant's name

#### General Index

Many counties maintain a general index of defendants in civil cases covering a time period of many years. As with the appearance docket index, defendant's names are entered semi-alphabetically. Typical entries are:



- a. Case number
- b. Defendant
- c. Plaintiff
- d. Filing date
- e. Book number
- f. Page number

#### Journal Record

The journal record is a collection of duplicate 12ss24  
copies of many important documents filed in a case. Its  
importance is the preservation of legally sufficient data  
in the event that the original document is misplaced or  
destroyed. The journal record shall contain copies of  
all items of process by which the court acquired  
jurisdiction in the case and copies of all documents  
signed by the judge.

The journal record could take either of two forms:

- a. Hard Copy

This form of the journal has pages which are  
reproductions of the original documents made on  
permanent paper fastened together into a book  
and stored in a secure place.

- b. Microfilm

The journal may be kept entirely on microfilm,  
each document being filmed soon after it is  
filed. Copies from microfilm, when certified by  
the court clerk, may be received into evidence  
with the same effect as the original document.

## SUMMONS

### Preparation

The plaintiff or his attorney shall prepare the summons and it is issued by the court clerk. It must be signed by the court clerk and dated the day it is issued. The summons is directed to the defendant and informs him that he has been sued and must answer the petition by a certain date. The plaintiff will supply the court clerk with enough copies of the petition so that a copy of the petition can be attached to each copy of the summons. The short copy of the summons is left with the defendant (along with a copy of the petition) while the long form is returned to the court clerk by the serving official. The summons must specify the following dates which are selected by the plaintiff.

12ss153

12, Ch. 2,  
App., Rule 1

### Return Date

The date by which the summons must be served and notice returned to the court clerk is the "return date." It must be not less than ten days or more than 60 days after issue.

### Mail Effective Date

Service is considered effected if the court clerk receives the return receipt within 21 days of mailing the summons.

## Answer Date

The date by which the defendant must formally answer the petition is the "answer date." The answer date shall be not less than 30 days from the issue date of the summons.

Issuance of the summons must be noted on the appearance docket.

1-7

## SERVICE

The plaintiff selects the method of service of the summons. Possibilities are: 12ss153.1

1-8

## By Sheriff

The court clerk or the plaintiff's attorney delivers the summons to the sheriff for service. If the service is in a foreign county, the summons, accompanied by a voucher for the service costs, is mailed to the court clerk of the foreign county for delivery to the sheriff. 12ss153.1(a)

1-13

## By Mail

The court clerk shall enclose the summons and a copy of the petition in an envelope, prepay the postage and mail it to the defendant by certified mail. It must be mailed within five days of issue. The court clerk shall endorse on the file copy the date the summons was mailed and the date the service by mail was receipted; and shall attach the returned receipt to the file copy of the summons. 12ss153.1(b) 12ss155(c) 12ss153(b)

## By Publication

A summons may be served by publication in a newspaper under certain conditions. The summons must be published one day a week for three consecutive weeks in a newspaper which meets certain conditions. The notice must contain specified items. Service by publication is proven by affidavit from the printer or other specified person. Costs of publication shall be taxed as other costs in the action.

12ss170.6,  
170.7

12ss173

12ss174

12ss934

Return of the summons and manner of service shall be entered on the appearance docket.

12ss32

## MOTIONS

Motions are made by an attorney requesting an order by or a ruling of the court. A session to hear motions and demurrers shall be held in each county at least once every 30 days. Any motion or demurrer on file at least five days must be placed on the motion docket.

20ss96

## PREPARATION

In preparing for the day a motion docket is to be called, the court clerk should:

- a. Organize and type the motion docket according to case type (civil, criminal, etc.) and further group the cases according to attorney where applicable.

Items frequently included on the motion docket are:

1. Case number
  2. Type of case
  3. If motion or demurrer
  4. Attorneys' names and addresses
  5. Parties' names and addresses
  6. Date case was filed
- b. Provide a copy of the motion docket to the court and all the attorneys involved (to the parties if unrepresented) in a reasonable time before the "motion docket day." 20, Chp. 1, App 2, Rule 14
- c. Pull the case files the day before the motions are to be heard (suggestion).
- d. Make case files available to the court upon request.

## HEARINGS

On the day motions are to be heard, the court clerk:

- a. Makes sure the court has a motion docket.
- b. Makes sure the court has the case files or gives the court each case file as the docket is called.
- c. Retrieves each case file after the court has acted on the case.
- d. Writes a minute for each ruling by the court.

One of the most important duties of the court clerk is to accurately preserve a record of the courtroom events. This is done by the taking of minutes. Minutes

are a written condensed summary of what transpired during each court session of each case. All significant events should be documented. Minutes should be recorded after preparation. The actual form of the minutes varies with county policies.

- e. Enters each minute on the appropriate appearance docket.
- f. Enter each minute on the minute docket. The minute docket is a collection of the minutes of all court sessions. It is arranged chronologically and civil and criminal cases may be intermingled. Many minutes appear on each page.
- g. Places each continuance on the motion docket as ordered by the court.

2-4

#### PRETRIAL

##### PURPOSE

A pretrial is a conference held in the judge's chambers or in the courtroom at the discretion of the court. The court takes an active part in the discussions with attorneys and (rarely) their clients. The purpose of a pretrial is to expedite the ultimate disposition of a case by discussing:

12, Ch. 2,  
App,  
Rule 5

- a. The facts the attorneys expect to prove in the trial.
- b. The theory and legal validity behind arguments to be made at the trial.
- c. The identity of witnesses to be called and the subject matter of their testimony.
- d. Exhibits, documents, etc. (submitted at the pretrial) to be introduced at the trial.
- e. The possibility of a settlement of the case without a trial.

#### DOCKET

The court clerk shall provide a copy of the pretrial docket to the attorneys involved at least ten days prior to the pretrial conference date.

Recommended to accompany the pretrial docket are:

- a. Pretrial hearing instructions.
- b. Forms on which the plaintiff can prepare notes for the court regarding the content of their pretrial conference.

#### CONFERENCE

The court clerk is not necessarily present at the pretrial conference. Prior to and after the pretrial conferences the court clerk likely:

- a. Supplies the court clerk with forms on which to make notes during the pretrial.

- b. Retrieves the court notes after the pretrial conferences.
- c. Makes a copy of the court notes for each attorney involved.
- d. Writes minutes of the pretrial conferences from the court notes.
- e. Enters the minutes on the appearance docket.
- f. Places a copy of the minutes in the case file.
- g. Places the original of the court notes in the appropriate case file.
- h. Places each undecided case on the next trial docket date specified by the court.
- i. Notifies the jury panel (by whatever method is used) to report for duty on the date(s) specified by the court.

#### DISPOSITION

2-11

#### DOCKET PREPARATION

Any action which is not at issue and in which no action has been taken for one year should be listed on the disposition docket. Its purpose is to call them to the attention of attorneys and their clients, to arrange for pretrial dates, and to make final disposition on cases where possible without a trial. Once the court has set the date for the disposition docket to be called, the court clerk should prepare it. This docket should contain essentially the same information as a motion

12ss1083  
20, Ch. 1,  
App. 2,  
Rule 14



docket and it is suggested that it be arranged according to:

- a. Matters to be set before a particular judge.
- b. Case type (civil, criminal, etc.)
- c. Cases being handled by particular attorneys.

#### DOCKET DISTRIBUTION

The court clerk shall send a copy of the disposition docket to all the attorneys who will be involved. The court, appropriate bondsmen and unrepresented parties should also receive a copy. Disposition dockets should be received by the attorneys sufficiently in advance of the docket day to provide adequate time to prepare their case.

20, Ch. 1,  
App. 2,  
Rule 14

In some instances an attorney may respond to receipt of the disposition docket by:

- a. Making a motion to dismiss the case on behalf of the plaintiff. Upon receipt of a court order granting a motion for dismissal, the court clerk strikes the case from the disposition docket and records the dismissal order.
- b. Making a motion for continuance of the case. Upon filing of a written request for continuance the court clerk sets the request on the disposition docket if approved by the court.

- c. Requesting that the case be placed on the next pretrail docket. Upon receipt of a written request for pretrail, the court clerk sets the request on the disposition docket.

#### HEARING

On the day the disposition docket is called, the court clerk:

- a. Should have the appropriate case files pulled. If the number of case files pulled makes it impractical to take them all to the courtroom, the bailiff can be dispatched by the court for a particular file.
- b. Makes sure the court has a copy of the disposition docket.
- c. Provides the court with motions requesting a continuance or pretrial when the case is called.
- d. Writes a minute for each ruling of the court.
- e. Places a copy of each minute in the appropriate case file.
- f. Enters each minute on the appearance docket.
- g. Places a copy of the minute in the case file.
- h. Puts the cases set for pretrial or trial on the appropriate dockets.

## TRIALS

### DOCKETS

2-13           To facilitate the trial and disposition of cases,           20ss91.2  
actions filed in the district court shall be assigned to  
various dockets by the court clerk, such as:

1. Civil
2. Criminal
3. Traffic
4. Probate
5. Juvenile and Family Relations
6. Small Claims

At least 12 days before the trial date the court           12ss663  
clerk shall prepare a trial docket and distribute it  
to the attorneys involved.

The court may receive written communication from the  
attorneys in a case that a settlement has been reached  
out of court. At the order of the court, the court clerk  
strikes the case from the trial docket, places the court  
order in the case file, and enters the order on the  
appearance docket.

2-17

### JUDGMENTS

As discussed in this section, judgments of a court  
grant relief sought by a petition or a cross-petition.

## EXAMPLES

Some examples of cases in which a judgment would be sought are petitions for:

- a. Payment of money owed.
- b. Payment for damages (to person or property).
- c. Foreclosure of a lien or mortgage.
- d. Replevin (recovery of property for which the title is held by the petitioner).

## DUTIES

When a judgment has been rendered by the court, the court clerk must perform the following duties:

- a. Enter the judgment on the judgment docket.
- b. Enter copies of all documents bearing the signature of the judge which specify the relief granted or order made in the journal record.
- c. Enter the judgment on the appearance docket as well as the book and page numbers of the judgment docket and journal record containing data relative to the case.

12ss24

## JUDGMENT DOCKET

The judgment docket shall be kept in the form of an alphabetical index. The name of the person against whom judgment is rendered is listed. If more than one person is named in the judgment, the entire entry shall be repeated under the name of each person. The full listing shall include:

12ss25

- a. The names of the parties.
- b. Amount and nature of the judgment and costs.
- c. Date of the judgment.
- d. Date entered on the judgment docket.

#### COLLECTION OF JUDGMENT AND COSTS WITHOUT WRIT OF EXECUTION

The court clerk may receive the amount of the judgment and costs without a writ of execution. Receipt of the judgment and costs is considered the same as if the sheriff had been paid on the execution. 12ss27

The lien of a judgment satisfied by payment or otherwise discharged shall be released by the court upon written motion of the judgment debtor. If a judgment creditor files a release, the court clerk shall show the judgment released on the judgment docket and shall prepare a certificate of release on a form provided by the Administrative Director of the Courts for the judgment debtor. 12ss706B (1983) Effective Nov. 1, 1983

#### DISCHARGING LIEN OF JUDGMENT DURING APPEAL

The lien on real property of a judgment debtor shall cease when a cash deposit is made with the court clerk sufficient to cover the whole amount of the judgment including interest, costs, attorneys' fees, and costs and interest associated with the appeal. A written statement must accompany the deposit designating that it is being made to discharge the lien of the judgment. 12ss706. 706.2 (1983)

The court clerk performs the following actions upon receipt of the deposit:

- a. Enter receipt of the written statement and the amount of cash deposit on the appearance docket.
- b. Enter receipt of the statement and cash deposit on the judgment docket opposite the judgment.
- c. Deposit the cash in a separate official depository account.
- d. Mail notice of receipt of the cash deposit to the judgment creditor.
- e. Prepare a certificate of release on a form provided by the Administrative Director of the Courts for the judgment debtor within ten days after mailing the notice (upon request of the judgment creditor and without objection of the judgment debtor).
- f. Distribute the money according to the final determination of the appellate court.

#### WRITS OF EXECUTION

If the court clerk has not received the amount of the judgment and costs, the attorney for the prevailing party in the judgment is responsible for preparation of a writ of execution. The writ must be provided to the court clerk of the court in which the judgment was

12ss28

12ss706

rendered.

#### DUTIES

Once the writ is delivered, the court clerk proceeds as follows:

- a. Obtains the court and sheriff's fees from the attorney.
- b. It is customary in some counties for the court clerk to check the appearance docket to see if the amount to be recovered as stated on the writ corresponds to the amount stated in the judgment.
- c. Issues the writ to the sheriff.
- d. Enters the issuance of the writ on the execution docket.
- e. Enters on the appearance docket the book and page number of the execution docket where the writ is recorded.

#### SERVICE

A writ of execution may be directed to different counties at the same time. The sheriff of another county 12ss731 directed to serve a writ can make the return of execution by mail. However, the return must be postmarked to show 12ss815 that the return of execution was mailed soon enough to reach the court clerk's office within sixty days of issuance. Once the sheriff has made a return of execution, the court clerk enters the date of the return on the execution and appearance docket. The sheriff is

further responsible for the sale of property or recovery of money from the judgment debtor. The money is deposited with the court clerk who issues a receipt to the sheriff.

When the prevailing party's attorney submits a court order of distribution of the funds, the court clerk issues a check as ordered by the court. Poundage is allowed on all monies paid in or out with limitations on the amount of poundage set by statute.

#### EXECUTION DOCKET

The following data shall be entered on the execution 12ss26 docket once a writ has been issued:

1. Names of the parties.
2. Date and amount of the judgment and costs.
3. Date of the execution.
4. Name of the county to which it is issued.
5. The sheriff's return of execution.

#### RELEASE OF JUDGMENT

When the judgment creditor (or his attorney) submits a written statement designating release and satisfaction of judgment, the court clerk should:

- a. Enter the release on the appearance docket.
- b. Enter the release on the judgment docket.



- c. Place the written release of judgment in the case file.

2-19

## APPEAL

An appeal of a case is the process by which a court with greater jurisdiction reviews or retries the proceedings or decisions of a court with lesser jurisdiction. Since the following sections address only the court clerk's direct involvement in the appeal process, the interested reader should refer to the Oklahoma Statutes [5,6] or to West's Oklahoma Court Rules and Procedures [7] for a comprehensive reading on the responsibilities of all parties in an appeal.

### INITIATION OF APPEAL

#### Designation of Record

Generally, an appeal of a district court decision is begun when counsel for the appellant files a "petition in error" with the Clerk of the Supreme Court, the district court clerk, and with each party involved. The petition in error includes the style and number of the case and the court from which the appeal is taken, a brief description of the nature of the case, the precise points of law to be urged as error, and a brief outline of the relief sought. The appellant must also file a designation of record with the district court clerk. The designation of record identifies the pertinent instruments, proceedings, and evidence which the appellant desires to include in the record on appeal and

12, Ch. 15,  
App. 2, Rules  
1.14 to 1.16

22, Ch. 18,  
App., Rule  
2.18

instructs the court clerk what to compile.

After a designation of record is filed, the court clerk shall promptly assemble in chronological order a copy of:

12, Ch. 15,  
App. 2, Rule  
1.20

- a. All the designated instruments on file in the case which have been designated.
- b. The petition in error.
- c. All designations of record.
- d. All appearance docket sheets (suggestion).
- e. The journal entry of judgment or order.

22, Ch. 18,  
App., Rule  
2.2A

The instruments in the record on appeal shall be numbered consecutively, indexed and fastened together, and certified under the seal of the court clerk.

12, Ch. 15,  
App. 2,  
Rule 1.18B

When more than one appeal is taken from the same judgment or order (or from different decisions of the same case), the court clerk shall prepare a single record on appeal.

22, Ch. 18,  
App., Rule  
3.3B

If a transcript of evidence taken at a court proceeding is requested in the designation of record, the court reporter is fully responsible for filing the original and two copies of the transcript with the court clerk.

12, Ch. 15,  
App. 2,  
Rule 1.20

22, Ch. 18,  
App., Rule 2.2B

#### Writ of Certiorari

A writ of certiorari commands a lower court to supply the records of a court proceeding for review. The court clerk shall prepare the "record on certiorari" in the same manner as for the record on appeal.

12, Ch. 15,  
App. 2,  
Rule 1.54

## COMPLETION OF RECORD ON APPEAL

### Time for Completion by Case Type

The court clerk is required to have the record on appeal ready for transmission to the Clerk of the Supreme Court within a specified time period.

#### a. Civil

The record shall be ready for transmission not later than six months from the final judgment or order. 12, Ch. 15, App. 2, Rule 1.26A

If the designation of record does not call for any part of the transcript of evidence, the court clerk shall immediately notify the parties involved and the Clerk of the Supreme Court that the record on appeal has been completed and is ready for transmission. 12, Ch. 15, App. 2, Rule 1.20B

If the original designation of record does not include all instruments on file in the case, a counter designation of record may be filed within ten days after receipt of the original. Therefore, the district court clerk should send a notice of completion of record to the Clerk of the Supreme Court after the ten-day period has elapsed. 12, Ch. 15, App. 2, Rule 1.20B

b. Driver's License

The record must be ready for transmission to the Clerk of the Supreme Court within 30 days from the date of the decision.

12, Ch. 15,  
App. 2,  
Rule 1.26B

c. Water Conservation Districts

The record must be ready for transmission to the Clerk of the Supreme Court within the time limits prescribed in 82 O.S. ss508,545 for filing an appeal.

12, Ch. 15,  
App. 2,  
Rule 1.26C

d. Writ of Certiorari

The record shall be ready for transmission to the Clerk of the Supreme Court not later than 30 days from the date certiorari is granted.

12, Ch. 15,  
App. 2,  
Rule 1.54C

Duties Upon Completion of Record

Once the record on appeal is completed, the court clerk shall:

12, Ch. 15,  
App. 2,  
Rule 1.26E

a. Notify the parties or their counsel in writing of such completion.

22, Ch. 18,  
App., Rule  
2.3B

b. Notify the Clerk of the Supreme Court that the record is complete and that all parties to the action (or their counsel) have been advised in writing.

22, Ch. 18,  
App., Rule  
2.3B

## TRANSMISSION OF RECORD ON APPEAL

The attorneys for the appellant and appellee shall file briefs within the following time frame:

12, Ch. 15,  
App. 2,  
Rule 1.28D

- a. Appellant - Brief must be filed within 60 days of receipt of notice that the record on appeal is complete.
- b. Appellee - Answer brief must be filed within 40 days after the appellant's brief was filed.
- c. Appellant - Reply brief may be filed within 20 days after the appellee's answer brief was filed.
- d. Appellee - Reply brief may be filed within 20 days after the appellant's reply brief was filed.

One copy of each brief on appeal shall be filed with the court clerk. A party who does not intend to file a reply brief shall give written notice to the court clerk.

12, Ch. 15,  
App. 2,  
Rule 1.28D

Upon receipt of a reply brief (or a notice that no reply briefs will be filed), the court clerk transmit the record on appeal to the Clerk of the Supreme Court.

## FEES

The court clerk shall charge a fee for preparing, assembling, indexing and transmitting the record for appellate review. The fees shall be paid by the appellant. If more than one party appeals from the same judgment, the party commencing the principal appeal (as directed by the court) shall pay the fee. The fee collected shall be paid into the court fund.

28ss155.1

## CASES REQUIRING SPECIAL PROCEDURES

3-1

The following cases are processed in essentially the same manner as the routine civil cases covered earlier in this section. All records and tasks previously discussed will apply to these cases except as noted in the following paragraphs.

### CHANGE OF NAME

The service of summons does not apply when a petition is filed for a change of name. Instead, the notice that the petition was filed is made by publishing it in a newspaper one time, at least ten days prior to the hearing date. 12ss1633

### REPLEVIN

A petition for replevin may be filed by a plaintiff to recover possession of certain specific personal property. Upon receipt of the petition, the court clerk shall issue a notice (along with the summons) to the defendant that an order for the delivery of specific property is being sought. The defendant then has five days (after summons service) to file a written objection with the court clerk and mail or deliver a copy to the plaintiff's attorney. 12ss1571

## MAJORITY RIGHTS

District courts have the authority to confer upon minors certain rights of majority. A petition requesting majority rights must be filed with the court clerk. A hearing shall be scheduled not less than 15 days or more than 30 days after petition filing. Notice of the hearing shall be sent to the minor's parents or others mentioned in the statute. Notice of the hearing must also be published at least ten days before the hearing.

## SINKING FUNDS

Under certain conditions, a treasurer of public funds may file a written application with the court clerk for investment of sinking funds. The court clerk shall enter the application on the appearance docket, without cost, and shall immediately transmit it to the district attorney. Within three days the court shall enter an order setting the case for hearing and requiring the court clerk to give public notice of the hearing.

## SURFACE DAMAGE

Every operator drilling or preparing to drill for oil or gas shall file a corporate surety bond or letter of credit from a banking institution with the Secretary of State. The bonding company or banking institution shall file a certificate (accompanied by a fee) to that effect with the court clerk in each county where the operator is drilling or plans to drill. The court clerk should keep a record of these certificates and establish a file for their safekeeping.

If the land owner and operator cannot agree on 52ss318.5  
surface damages, the operator shall petition the district (1982)  
court for appointment of appraisers. This petition is  
filed as a civil case by the court clerk. Ten days  
notice of the petition shall be given to the opposite  
party by personal service or by publication in a  
qualified newspaper.

The appraisers shall file a written report with the 52ss318.5  
county clerk who shall forward a notice and a copy of the (1982)  
report to each attorney, each party and each interested  
party of record.

The case then proceeds through the legal steps as any 52ss318.6  
other civil case. If the judgment is appealed, a certified (1982)  
copy of the final order or judgment shall be transmitted by  
the court clerk to the county clerk.

#### DRIVER'S LICENSE APPEAL

A person who has been denied a driver's license or 47ss6-211  
whose license has been cancelled, suspended or revoked  
may appeal the action by filing a petition with the  
court. The petition must be filed within 30 days of the  
action. The court clerk shall file the petition and set  
a hearing not less than 15 days or more than 30 days from  
the date the petition is filed. A copy of the petition  
and order for hearing shall be sent by certified mail to  
the Department of Public Safety (DPS). At the time of  
filing the petition, the plaintiff may also file a bond  
(amount set by statute) with the court clerk. If  
approved by the court clerk, a copy of the bond will be



mailed to the DPS along with the petition.

#### FINANCIAL RESPONSIBILITY APPEALS

47ss7-102

Any act or order of the Commissioner of Public Safety made under the financial responsibility provisions of the statutes may be appealed. The plaintiff files written notice of appeal with the commissioner within ten days after the order was made. He must then file, within ten days, a petition with the court clerk asking for vacation or modification of the order. A copy of the order must be attached to the petition. The case shall be set for hearing within 30 days from the date of filing the petition. If the plaintiff desires to have the order stayed during the appeal, he may file a bond (amount set by statute) with the court clerk. In the event that the commissioner appeals the district court's decision, the court clerk shall furnish a complete transcript of the proceedings without fee or deposit.

#### RAILROAD RIGHT-OF-WAY

66ss53

The owner of real property may not wish to grant a company right-of-way on which to locate a railroad. Either party may file a petition with the court clerk requesting appointment of commissioners to examine the case. After ten days notice to the opposite party, the court may direct the sheriff to summon three disinterested free holders to be selected by the court as commissioners. The condemnor's notice to the condemnee may be served personally, by leaving a copy of the notice at the residence of the condemnee (with qualifications),

or by publication (with qualifications). If published, the notice must be printed in a newspaper once a week for two consecutive weeks, and the notice and petition shall be mailed to the party within five days of first publication. The commissioners shall be sworn to inspect the property, assess damages and file a report with the court clerk. The report must be filed and recorded by the court clerk and a certified copy may be transmitted to the county clerk for filing and recording.

Within ten days of filing the commissioners report, the court clerk shall forward to all interested parties a copy of the report and a notice stating reply date requirements on a form like Figure II.1. The court clerk shall file a copy of the notice in the case and endorse on it the details of its distribution. Within 30 days after the filing of the commissioner's report either party may file written exceptions with the court clerk for ruling by the court. As an alternative, within 60 days of the report's filing, either party may demand a trial by jury. From this point, the case is processed as any other civil matter.

66ss55

#### HIGHWAY RIGHT-OF-WAY

The actions required of a court clerk in this case are identical to those involved in a railroad right-of-way case.

69ss1203

## PROTECTION FROM DOMESTIC ABUSE

### General

The 1982 Domestic Abuse Act covers threatening, causing or attempting to cause serious physical harm on family or household members. It is important to note that jurisdiction rests in the county of the residence of the victim. In this section, the terms victim and plaintiff are used interchangeably.

22ss60.1  
(1982)  
22ss60.2  
(1983)

There are Domestic Violence Centers in various communities around the state. Though not court related, these centers often advise the victim and assist the victim with petition preparation.

### General Court Clerk Tasks

The case is filed in the domestic relations appearance docket (if the court clerk maintains that docket) or in the civil appearance docket. "CDA" is used as the case number prefix. One important exception to normal procedures is that no fees shall be charged to the plaintiff at the time of petition filing. The court may assess costs to either party at a later time.

22ss60.2(C)  
(1983)

### Petition for Protective Order

The petition forms shown as Figure II.2 shall be provided by the court clerk, but it is also possible that the victim may arrive in the court clerk's office with the form already prepared. The plaintiff may prepare the form in the court clerk's office or, upon request, the court clerk or victim-witness coordinator shall prepare it or assist the victim in its preparation. It is

22ss60.2  
(1983)

extremely important that the court clerk refrain from giving out legal advice. Assisting the victim with the mechanics of petition preparation and explaining the terms and meanings of the terms on the forms is different than advising the victim about legal matters.

#### Initial Hearing

If the plaintiff requests an emergency ex parte order (an order made without the adverse party having been given notice), the court shall hold a hearing on the same day that the petition is filed. The court shall schedule a full hearing on the petition, regardless of whether an emergency ex parte order was issued or not.

A copy of the petition, notice of the hearing and a copy of any ex parte order issued by the court shall be served on the defendant in the same manner as a summons. Ex parte orders shall be given priority service by the sheriff's office and can be served 24 hours a day. Within 24 hours after the return of service to any order, the court clerk shall send certified copies of the order to all appropriate law enforcement agencies designated by the plaintiff.

#### Full Hearing

If the defendant fails to appear for the full hearing as ordered, the court might order a default judgment. The normal result of the hearing, however, is a final protective order. This order is effective for up to a year but may be extended. It shall not affect title to real property. Prompt distribution of the order

should be made to the defendant, plaintiff, police department and sheriff.

#### PAUPER'S AFFIDAVIT

A litigant may file a notarized affidavit that, by reason of poverty, he/she is unable to pay the required fees and costs and is financially unable to employ counsel. Upon favorable showing to the court, no fees or costs shall be required. 28ss152 (1983)

#### CERTAIN GUARDIANSHIP CASES

The court clerk shall collect no fees in a guardianship case involving a minor above age 17 where the sole purpose of the proceeding is to secure legal permission for enlistment in the armed services. 28ss31.1

#### PROCEEDINGS REGARDING CHILDREN

No court cost or witness fees shall be allowed against any party to a petition regarding delinquent, dependent, or neglected children unless the court allows mileage to a witness. 10ss1124 (1982)

#### PRE-JUDGMENT GARNISHMENT

Garnishment is the process in which money or property in the hands of a third person, which is due a defendant, is attached by a plaintiff in order to recover a debt owed by the defendant.

Prior to obtaining a judgment in the case, the plaintiff can initiate proceedings to ensure that the money or property due the defendant remains available until a judgment is rendered. At the instigation of the plaintiff or plaintiff's attorney, the court clerk takes the following actions:

#### GARNISHMENT AFFIDAVIT

- a. Receives from the plaintiff a surety bond(s) for 12ss1172.1  
not less than double the amount of the A4(1983)  
plaintiff's claim.
- b. Sends the defendant a copy of a garnishment 12ss1172.1  
affidavit and a notice that a garnishee summons A1(1983)  
has been requested. The notice shall inform the  
defendant that a written objection to the  
proceeding may be filed with the court clerk and  
the plaintiff's attorney within five days of the  
service of the notice. The notice and the  
garnishment affidavit may be served by the  
sheriff, by certified mail, or by publication if  
the defendant is a nonresident whose whereabouts  
are unknown.

#### GARNISHEE SUMMONS

- a. If no written objection is filed within the 12ss1172.1  
five-day period, the court clerk shall issue a A2(1983)  
garnishee summons, in the form specified by 12  
O.S. ss1173 (1983), to the third party holding  
the money or property.

b. If a written objection is filed by the defendant within five days of the notice, the court clerk sets the matter for prompt hearing according to court order and notifies the parties involved. Should the plaintiff prove the probable merit of his cause at the hearing, the judge shall sign the garnishee summons before it is issued by the court clerk. A copy of the garnishment affidavit must be attached to and served with the garnishee summons.

12ss1173  
(1983)

The garnishee summons shall be served by the sheriff in the manner provided for the service of summons. The sheriff's return of service must be made within five days from issuance (ten days when issued to another county).

12ss1173  
(1983)

#### GARNISHEE'S ANSWER

Within ten days from receipt of a garnishee summons, the garnishee shall file an affidavit with the court clerk which provides data appropriate to the case. A copy of the garnishee's answer shall also be delivered or mailed to the plaintiff (or his attorney) by the garnishee.

12ss1178  
(1983)

#### POST-JUDGMENT GARNISHMENT

##### ISSUE NOTICES

Subsequent to a judgment against the defendant, the court clerk shall issue the following to the garnishee:

12ss1172.2  
(1983)

a. Garnishment affidavit.

12ss1176,  
1178  
(1983)

b. Garnishee summons. 12ss1173

c. Notice that exemptions may be claimed (Figure (1983)  
II.3).

If the garnishee is a financial institution, the 12ss1172.1  
notice of garnishment and exemptions shall be prepared by (1983)  
the judgment creditor and issued by the court clerk in one  
of the following ways:

- a. Service by the sheriff in the manner provided  
for the service of summons.
- b. By certified mail with return receipt requested.
- c. By publication notice (when the defendant is a  
nonresident whose whereabouts are unknown).

#### APPLICATION FOR HEARING FILED

If the application requesting a hearing is filed 12ss1172.2  
within ten days from the answer date of the garnishee, the (1983)  
court shall set the matter for hearing within not less  
than two days nor more than ten days from receipt of the  
application. The court clerk shall give notice of the  
hearing to each of the parties by first-class mail.

#### APPLICATION FOR HEARING NOT FILED

If an application claiming an exemption and 12ss1172.2  
requesting a hearing is not filed within ten days from (1983)  
the answer date of the garnishee, the court clerk shall  
issue an order to the garnishee to pay money into the  
court for disbursement to the plaintiff. The court clerk  
shall not have the duty to determine whether or not the  
garnishee has delivered the notice of garnishment to the  
judgment debtor.



Furthermore, the court clerk shall not be held liable 12ss1172.2  
for noncompliance by the garnishee of notice requirements. (1983)

Should the garnishee pay funds into the court prior 12ss1172.2  
to any such court order, the court clerk shall not be (1983)  
held liable. The court clerk should hold the funds until  
a court order for payment is issued.

## FLOWCHART B - CRIMINAL PROCEDURE

### NARRATIVE

The possible steps in the legal process for a criminal case are outlined in the following paragraphs.

### COMPLAINTS

The complaint takes one of the following forms:

- a. An information.
- b. Indictment by a grand jury.
- c. Traffic ticket endorsed by the district attorney.
- d. Citation for a water safety or wildlife conservation code violation.
- e. Oklahoma Tax Commission information.

If the defendant is not in custody, the court, after a request by the district attorney, may order issuance of an arrest warrant. After service, it should be recorded

### ESSTABLISH COSTS

Court Clerks must accurately assess the proper costs 21ss142.18 for each particular condition. Costs must be entered on the appearance dockets. It should be noted that the court shall order a victim compensation assessment in accordance with the referenced statute.

A complaint on a misdemeanor charge may be filed by 22ss231 to 223 a complaining witness without district attorney endorsement (signature). In that event, the complaining witness must file a bond approved by the court for at least \$50 to cover all costs. The county is not liable

for any costs involved in such an action. See the referenced statutes for more detail.

#### ASSIGN THE CASE NUMBER

When a case is filed, the court clerk's first duty is normally to assign it a case number. The case number shall be of the form "CR" followed by a hyphen and the last two digits of the calendar year followed by another hyphen and then the consecutive number of the case. If the presiding judge has so directed, the prefix for misdemeanors shall be "CRM" and the prefix for felonies shall be "CRF." The case number "CRF-83-427" identifies the 427th felony filed in 1983. The case number should be entered on all documents associated with the case.

A.D.,68-1

#### FILE THE CASE

All documents associated with a case must be filed and preserved. The act of filing is a three-phased process:

##### File Stamp the Document

The file stamp may be a hand stamp or a stamping machine. In either case, it shall contain the date, should indicate who filed the document, and may also indicate the time filed.

12ss31

##### Enter on the Appearance Docket

The fact that a particular document was filed in the case must be noted on the appearance docket.

## Place in the Case File

The document must be placed in the case file for safekeeping.

## MINIMUM REQUIREMENTS

The court clerk is required by statute to file the following specific items:

- a. The court reporter's records of evidence and the proceedings taken in any case. 20ss106.4(c)
- b. When judgment upon a conviction is rendered: 22ss977
  - 1) The indictment and a copy of the minutes of the plea or demurrer.
  - 2) A copy of the minutes of the trial.
  - 3) The charges given or refused, and the endorsements, if any, thereon.
- c. Application for post-conviction relief. 22ss108
- d. Executed search warrants. 22ss1224.2

## RECORD

The term "record" includes both the act of filing and making a permanent copy of the document to be located in the journal record. When a document has been recorded, the page or microfilm file number should be included beside the entry on the appearance docket. The following documents must be recorded:

- a. All instruments which bear the signature of the judge 12ss24
- b. All items of process by which the court acquired jurisdiction in the case 12ss24

- c. Indictments 22ss1275
- d. An information 22ss1275
- e. Bonds 22ss1275

#### RECEIPT

A receipt must be issued for all money collected by the court clerk. The original is given to the individual if payment was made in person. If received by mail, the receipt is either mailed to the payor or placed in the case file according to local policy.

#### WARRANTS

##### 6-4 ARREST WARRANT

An arrest warrant is a written order of a court directing that a person be taken into custody. Its form is specified in 22 O.S. ss172. When the court orders an arrest warrant to be issued, the warrant is prepared by the court, the district attorney, or the court clerk depending upon local custom. 22ss171

Once the warrant is completed with the judge's signature, the court clerk:

- a. Issues the warrant and directs it to the sheriff.
- b. Places a copy of the warrant in the case file and enters the issuance of the warrant on the appearance docket.
- c. Receives the return of service from the sheriff and places a copy in the case file and enters the action on the appearance docket.

## BENCH WARRANT

When a defendant in a criminal case who has been released on bail fails to appear in court at a time prescribed, the court may direct the court clerk to issue a bench warrant for the defendant's arrest. Its form is specified in 22 O.S. ss456. The court clerk responds in the same manner as in the case of an arrest warrant (see the previous section).

22ss454

Bench warrants are also used in civil cases to arrest people who fail to comply with the court's order to appear on a specified date.

6-7

## FIRST APPEARANCE

During the first courtroom appearance, the court advises the defendant of his constitutional rights and notifies him of the nature of the charges against him. The defendant has the right to representation by counsel and the court may appoint an attorney for an indigent defendant.

22ss464

The first appearance takes a different form for a misdemeanor than for a felony.

## MISDEMEANOR

The first appearance for a misdemeanor is normally the arraignment. The court may accept a guilty or not guilty plea from the defendant. If the defendant pleads guilty, the court imposes a sentence or sets sentencing for a later date. If the defendant pleads not guilty, the defendant may elect for a jury or non-jury trial.

The court sets bail and advises the defendant of the date for trial.

#### FELONY

If the offense is a bondable felony, bail is often set at the first appearance. In addition to the bail procedure discussed later in this section, the defendant could be released on personal recognizance. The defendant may waive or demand a preliminary hearing and the case is scheduled for either a preliminary hearing or arraignment as appropriate.

#### Take Minutes

One of the most important duties of the court clerk is to accurately preserve a record of courtroom events. This is done by the taking of minutes. Minutes are a written condensed summary of what transpired during each court session of each case. All significant events should be documented. There is a statutory requirement to enter pleas, verdicts, judgments upon conviction, and bail forfeitures on the minutes. Minutes should be placed on the appearance docket and in the case file after preparation. The actual form of the minutes varies greatly with county policies.

22ss514, 922  
22ss977, 1108

6-11

#### ACCEPT BAIL

The court clerk is authorized to accept bail from a defendant. Bail may be posted in the form of cash, surety bond or property bond.

22ss1101

## CASH BAIL

Currency is the easiest form of bail to process, because issuance of a receipt, deposit of the money and entry of the action on the appearance docket are the only necessary actions. If bail was accepted by an agency other than the court clerk, the documentation must be delivered to the court clerk for filing.

22ss1106

## SURETY BOND

The court clerk may accept a surety bond from a qualified bondsman. Acceptance of the bond must be recorded on the appearance docket for the case. The bondsman must register his license and power of attorney with the court clerk of the county of his residence. He may act as surety in any other county by presenting a certificate of that registration to the court clerk in that county.

22ss1104

59ss1320

## PROPERTY BOND

A property bond may be accepted by the court clerk following the guidance of the referenced statute. Upon approval of the property bond, the court clerk shall file a certified copy of the bond with the county clerk in the county where the property is located. A filing fee assessed by the county clerk must be paid by the person executing the bond and must accompany the bond. The bond becomes a lien against the property when the county clerk has taken appropriate action.

59ss1324



## SEARCH WARRANT

A search warrant is an order in writing signed by a judge directing a law officer to search for personal property and bring it before the court. Its form is specified in 22 O.S. 22ss1221 22ss1223  
22ss1226. In order for a search warrant to be issued, the prosecuting attorney must show probable cause for the warrant. The probable cause must be supported by an affidavit naming the person, property, and place to be searched.

The court may also take oral testimony which supplements the affidavits. However, the oral testimony must be recorded and transcribed. 22ss1224.1

When the court directs the court clerk to issue the search warrant to a law officer, the court clerk: 22ss1224.2

1. Files in alphabetical order in a "search warrant file" the affidavit for search warrant, the search warrant, and the transcript of oral testimony. Both the original recording and the transcription shall become part of and kept with the official case records. 22ss1223.1 (1982)
2. Files the return of service in the search warrant file.
3. Places the search warrant in the case file if criminal prosecution is pursued.

## PRELIMINARY HEARING

22ss258

The sole purpose of a preliminary hearing is to determine whether sufficient evidence exists to warrant the continued detention of a defendant alleged to have committed a felony. A defendant can demand or waive a preliminary hearing. If a preliminary hearing is demanded, the court clerk:

1. Pulls the case file the day prior to the hearing (at local option).
2. Provides the case file to the court during the hearing.
3. Writes the minutes of the proceeding.
4. Retrieves the case file upon completion of the hearing.
5. Enters the minutes on the appearance docket.
6. Places a copy of the minutes in the case file.
7. Sets the case on the appropriate docket ordered by the court.

## EXONERATE BAIL

If ordered by the court, bail must be released according to the type posted.

## CASH BAIL

An appearance docket entry must be made and a voucher written. It is important to note that cash bail must be returned to the person who actually posted the bail. That person is not necessarily the defendant.

## SURETY BOND

No specific actions are needed (other than an appearance docket entry). As a matter of courtesy, the court clerk could inform the bondsman of the court order.

## PROPERTY BOND

The lien against the property must be released. This is done by notifying the court clerk (of the county in which the property is located) of the court order. In practice the person posting bail takes the completed form to the county clerk's office and pays any required fees associated with release of the lien.

7-8

## ARRAIGNMENT

A defendant is formally charged with a criminal offense at an arraignment. Other actions at an arraignment include informing the defendant of his constitutional rights and appointing legal counsel if the defendant is indigent. The court clerk:

1. Writes the minutes of each arraignment.
2. Enters the minutes on the appearance docket.
3. Places a copy of the minutes in the case file.
4. Sets the case on the next appropriate docket as ordered by the court.

8-1

## MOTIONS

Motions are made by an attorney requesting an order by or a ruling of the court. A session to hear motions and demurrers shall be held in each county at least once

20ss96

every 30 days. Any motion or demurrer on file at least five days must be placed on the motion docket.

#### PREPARATION

In preparing for the day a motion docket is to be called, the court clerk should:

- a. Organize and type the motion docket according to case type (civil, criminal, domestic, etc.) and further group the cases according to attorney where applicable.

Items frequently included on the motion docket are:

- 1) Case number
- 2) Type of case
- 3) If motion or demurrer
- 4) Attorneys' names and addresses
- 5) Parties' names and addresses
- 6) Date case was filed

- b. Provide a copy of the motion docket to the court and all the attorneys involved (to the parties if unrepresented) in a reasonable time before the "motion docket day." 20, Ch. 1  
App. 2,  
Rule 14
- c. Pull the case files the day before the motions are to be heard (suggestion).
- d. Make case files available to the court upon request.

## HEARINGS

On the day motions are to be heard, the court clerk:

- a. Makes sure the court has a motion docket.
- b. Makes sure the court has the case files or gives the court each case file as the docket is called.
- c. Retrieves each case file.
- d. Writes a minute for each ruling by the court.
- e. Enters each minute on the appropriate appearance docket.
- f. Places each continuance on the next motion docket ordered by the court.

## PRETRIAL

8-4

### PURPOSE

A pretrial is a conference held in the judge's chambers or in the courtroom at the discretion of the court. The court takes an active part in the discussions with attorneys and (rarely) their clients. The purpose of a pretrial is to expedite the ultimate disposition of a case by discussing:

12, Ch. 2,  
App. Rule 9

- a. The facts the attorneys expect to prove in the trial.
- b. The theory and legal validity behind arguments to be made at the trial.
- c. The identity of witnesses to be called and the subject matter of their testimony.

- d. Exhibits, documents, etc. (submitted at the pretrial) to be introduced at the trial.
- e. The possibility of a settlement of the case without a trial.

#### DOCKET

The court clerk shall provide a copy of the pretrial docket to the attorneys involved at least ten days prior to the pretrial conference date. Recommended to accompany the pretrial docket are:

- a. Pretrial hearing instructions.
- b. Forms on which the plaintiff can prepare notes for the court regarding the content of their pretrial conference.
- c. Forms on which the defendant's attorneys can prepare notes for the court regarding the content of their pretrial conference.

#### CONFERENCE

The court clerk is not necessarily present at the pretrial conference. Prior to and after the pretrial conferences the court clerk likely:

- a. Supplies the court with forms on which to make notes during the pretrial.
- b. Retrieves the court notes after the pretrial conferences.
- c. Makes a copy of the court notes for each attorney involved.

- d. Writes minutes of the pretrial conferences from the court notes.
- e. Enters the minutes on the appearance docket.
- f. Places a copy of the minutes in the case file.
- g. Places the original of the court notes in the appropriate case file.
- h. Places each undecided case on the next trial docket date specified by the court.
- i. Notifies the jury panel (by whatever method is used) to report for duty on the date(s) specified by the court.

8-12

#### DISPOSITION

##### Docket Preparation

Any action which is not at issue and in which no action has been taken for one year should be listed on the disposition docket. Its purpose is to call them to the attention of attorneys and their clients, to arrange for pretrial dates, and to make final disposition on cases where possible without a trial. Once the court has set the date for the disposition docket to be called, the court clerk should prepare it. This docket should contain essentially the same information as a motion docket and it is suggested that it be arranged according to:

12ss1083

20, Ch. 1,  
App. 2,  
Rule 14

- a. Matters to be set before a particular judge.
- b. Case type (civil, criminal, etc.)

- c. Cases being handled by particular attorneys.

#### Docket Distribution

The court clerk shall send a copy of the disposition docket to all the attorneys who will be involved. The court, appropriate bondsmen, and unrepresented parties should also receive a copy. Disposition dockets should be received by the attorneys sufficiently in advance of the docket day to provide adequate time to prepare their case.

20, Ch. 1,  
App 2,  
Rule 14

In some instances an attorney may respond to receipt of the disposition docket by:

- a. Making a motion to dismiss the case on behalf of the plaintiff. Upon receipt of a court order granting a motion for dismissal, the court clerk strikes the case from the disposition docket and records the dismissal order.
- b. Making a motion for continuance of the case. Upon filing of a written request for continuance, the court clerk sets the request on the disposition docket if approved by the court.
- c. Requesting that the case be placed on the next pretrial docket. Upon receipt of a written request for pretrial, the court clerk sets the request on the disposition docket.



## Hearing

On the day the disposition docket is called, the court clerk:

- a. Should have the appropriate case files pulled.  
If the number of case files pulled makes it impractical to take them all to the courtroom, the bailiff can be dispatched by the court for a particular file.
- b. Makes sure the court has a copy of the disposition docket.
- c. Provides the court with motions requesting a continuance or pretrial when the case is called.
- d. Writes a minute for each ruling of the court.
- e. Places a copy of each minute in the appropriate case file.
- f. Enters each minute on the appropriate appearance docket.
- g. Puts the cases set for pretrial or trial on the appropriate dockets.

8-9

## TRIALS

### DOCKETS

To facilitate the trial and disposition of cases, actions filed in the district court shall be assigned to various dockets by the court clerk, such as:

20ss91.2

- a. Civil

- b. Criminal
- c. Traffic
- d. Probate
- e. Juvenile and Family Relations
- f. Small Claims

At least 12 days before the trial date the court clerk shall prepare a trial docket and distribute it to the attorneys involved.

12ss663

The court may receive written communication from the attorneys in a case that a settlement has been reached out of court. At the order of the court, the court clerk strikes the case from the trial docket, places the court order in the case file, and enters the order on the appearance docket.

## APPEAL

### INITIATION OF APPEAL

#### Designation of Record

8-15

Generally, an appeal of a district court decision is begun when counsel for the appellant files a "notice of intent to appeal" and a "petition in error" with the Clerk of the Supreme Court, the district court clerk, and with each party involved. The petition in error includes the style and number of the case and the court from which the appeal is taken, a brief description of the nature of the case, the precise points of law to be urged as error, and a brief outline of the relief sought. The appellant must also file a designation of record with the district

12, Ch. 15,  
App. 2, Rule  
1.14 to 1.16

22. Ch. 18,  
App., Rule  
2.1B

court clerk. The designation of record identifies the pertinent instruments, proceedings, and evidence which the appellant desires to include in the record on appeal and instructs the court clerk what to compile.

After a designation of record is filed, the court clerk shall promptly assemble in chronological order a copy of:

12, Ch. 15  
App. 2,  
Rule 1.20

- a. All the instruments on file in the case which have been designated.
- b. The petition in error.
- c. All designations of record.
- d. All appearance docket sheets (suggestion).
- e. The records of judgment and sentence.

22, Ch. 18  
App., Rule  
2.2A

The instruments in the record on appeal shall be numbered consecutively, indexed and fastened together, and certified under the seal of the court clerk.

12, Ch. 15  
App. 2,  
Rule 1.18B

When more than one appeal is taken from the same judgment or order (or from different decisions of the same case), the court clerk shall prepare a single record on appeal.

22, Ch. 18  
App., Rule  
3.3B

12, Ch. 15  
App. 2,  
Rule 1.20

If a transcript of evidence taken at a court proceeding is requested in the designation of record, the court reporter is fully responsible for filing the original and two copies of the transcript with the court clerk.

22, Ch. 18  
App., Rule  
2.2B

## Writ of Certiorari

A writ of certiorari commands a lower court to supply the records of a court proceeding for review. The county clerk shall prepare the "record on certiorari" in the same manner as for a record on appeal.

12, Ch. 15  
App. 2,  
Rule 1.54

## COMPLETION OF RECORD ON APPEAL

### Time for Completion by Case Type

The court clerk is required to have the record on appeal ready for transmission to the Clerk of the Supreme Court within a specified time period. The time allowed depends upon the case type.

#### a. Misdemeanor

The record shall be ready for transmission in sufficient time to assure that it will reach the office of the Clerk of the Court of Criminal appeals within 120 days from the date judgment and sentence is pronounced.

22, Ch. 18  
App., Rule 2.

#### b. Felony

The record must be ready for transmission in sufficient time to assure that it reaches the office of the Clerk of the Court of Criminal appeals within six months from the date the judgment and sentence is pronounced.

22, Ch. 18,  
App.,  
Rule 2.3B

#### c. Juvenile

The record must be ready for transmission to the Clerk of the Supreme Court within 60 days from the date of the court order.

22, Ch. 18  
App.,  
Rule 7.4

d. Writ of Certiorari

The record shall be ready for transmission to the Clerk of the Supreme Court not later than 30 days from the date certiorari is granted.

12, Ch. 15  
App. 2,  
Rule 1.54C

Duties upon Completion of Record

Once the record on appeal is completed, the court clerk shall:

12, Ch. 15,  
App. 2,  
Rule 1.26E

- a. Notify the parties or their counsel in writing of such completion.
  - b. Notify the Clerk of the Supreme Court that the record is complete and that all parties to the action (or their counsel) have been advised in writing.
- 22, Ch. 18,  
App.,  
Rule 2.3B
- 22, Ch. 18,  
App.,  
Rule 2.3B

TRANSMISSION OF RECORD ON APPEAL

Criminal Appeals

The appellant's attorney has 15 days from the date the court clerk notified of completion of the record to initiate transmission of the record to the Clerk of the Court of Criminal Appeals. The appellant's attorney may obtain the appeal records and send them, or a request in writing may be made for the court clerk to transmit the record directly to the Clerk of the Court of Criminal Appeals.

22, Ch. 18,  
App.  
Rule 2.4A

Regardless of the method chosen for transmission, the appellant's attorney has the ultimate responsibility for the content and timely filing of the record on appeal. The court clerk shall make the appropriate entry on the appearance docket to reflect the transmission of

22, Ch. 18,  
App.,  
Rule 2.4B

the appeal records to the Court of Criminal Appeals.

#### Criminal Appeals for Indigent Defendant

Upon determination of indigency by the district court, a defendant can be represented in an appeal by an appellate public defender. As soon as possible after the filing of the notice of intent to appeal and the order appointing the appellate public defender, the court clerk shall transmit the original and two certified copies of the original record to the appellate public defender. 22ss1362

The original transcript and two certified copies of the transcript shall be transmitted to the appellate public defender within the established time limits for the case as outlined by the Rules of the Court of Criminal Appeals.

#### FEES

The court clerk shall charge a fee for preparing, assembling, indexing and transmitting the record for appellate review. The fees shall be paid by the appellant. If more than one party appeals from the same judgment, the party commencing the principal appeal (as determined by the court) shall pay the fee. The fee collected shall be paid into the court fund. 28ss155.1

## FLOWCHART C - LICENSES

### NARRATIVE

9-1           The court clerk is authorized by law to issue several different licenses. This section is a compilation of the rules for issuing licenses and provides the court clerk with guidance for the proper processing of license applications. All licenses discussed in this section (except marriage licenses) should be documented in the court clerk's office by case files and appearance dockets.

### CASE FILE

Manila folders are typically used as case files and ideally are color coded for ease of identification by case type. All documents associated with a case are maintained in the case files and frequently are secured by means of a metal clip. Licenses discussed in this chapter are identified by the prefix ABL followed by the last two digits of the year followed by the case number. For example, ABL-83-1624.

### APPEARANCE DOCKET

The appearance docket normally takes the form of a bound book, a loose leaf binder or loose sheets kept in a file container. It is an historical record of all actions for a particular case and a financial record of costs, credits and disbursements for that case. Entries should be brief abstracts of an event rather than detailed statements of its terms and conditions.

The reader of an appearance docket should be able to obtain an accurate impression of a particular case, the chronological sequence of actions which have taken place, and the current status of the case. Entries must be neat and legible and, ideally, are typed onto the docket.

10-1

## BINGO GAMES

### GENERAL

10-2

The court clerk is authorized by law to issue a license to various organizations to conduct bingo games. The criteria an organization must meet to qualify for licensing are:

21ss995.1  
(1983)

- a. The organization must be religious, charitable, labor, fraternal, educational, or any branch, lodge, chapter, or auxiliary thereof, or of any non-profit veterans' or firemen's organization.
- b. The organization must operate without profit to its members.
- c. The organization must have been in existence at least two years immediately prior to the date of application.
- d. The organization must be exempt from tax under paragraphs (3), (4), (5), (6), (7), (8) and (19) of the Internal Revenue Code of 1954, as amended.

### THE APPLICATION PROCESS

A verified application to conduct bingo games may be submitted to the court clerk of the county in which the organization is situated. The application shall be on a

21ss995.3  
(1983)



form directed by the court clerk and described by statute. State Auditor and Inspector Form No. 417 (Figure IV.1) could be used for that purpose. The application must be accompanied by certification from the Internal Revenue Service that the organization is non-profit in nature and exempt from federal income taxes. An applicant organization shall be denied a license if any officer of the organization has ever been convicted of a felony.

Upon submission of an application, the court clerk initiates a case file and appearance docket for the application. Proper fees are collected for deposit to the court fund. Organizations which conduct bingo games three times a year or fewer may, with qualifications, be exempt from fee payment but must still pay court costs, mailing and posting fees.

21ss995.4  
A.D., 83-1

10-5

When an application is filed, the court clerk gives a five day notice by posting a notice of application (Figure IV.2) on the front of the building in which the bingo games are to be conducted. Also, a copy of the notice is provided to the county sheriff, the district attorney, and the chief of police or marshall of the city or town in which the bingo games are to be held.

21ss995.3  
(1983)

10-8

If, within five days of the posting of the notice, a protest is filed (Figure IV.3) objecting to the application, the court clerk shall advise the chief judge who shall set the matter for hearing within 30 days. The court clerk shall give due notice of the hearing to the

21ss995.3  
(1983)



11-7           Should no valid protests be made, the court clerk issues the license. The pool hall license must be renewed each year.

#### REVOCATION OF LICENSE

A judge of the district court shall revoke a pool hall license for any of five specific reasons listed in 21 O.S. 1103. The court clerk must notify the license holder of the proposed action at least five (5) days before revocation. 21ss1103

12-1

#### BEER LICENSE

Oklahoma law defines beverages containing more than three and two-tenths percent (3.2%) alcohol by weight to be intoxicating. All other beverages are non-intoxicating. For the purpose of this section, non-intoxicating beverages are those containing more than one-half of one percent (1/2 of 1%) alcohol by volume and not more than three and two-tenths percent (3.2%) alcohol by weight. For convenience, the term "beer" is used interchangeably with "non-intoxicating beverage." It is unlawful for any person to operate any place where beer is sold for consumption without first securing a permit issued by the court clerk in the county where the premises are located. 37ss163.1 37ss163.11

12-2

#### THE APPLICATION PROCESS

The application for a permit to sell beer must certify as to the accuracy of the statements made on the application (Figure IV.8). The applicant must also 37ss163.11 37ss163.11A

simultaneously file an affidavit certifying that the applicant is actually residing in the county or an adjoining county and has maintained a residence in Oklahoma for at least one year immediately preceding the application date (if the applicant is a corporation, the agent or manager of the retail outlet must meet these qualifications).

Upon submission of an application, the court clerk initiates a case file and appearance docket for the applicant and collects fees for deposit to the court fund.

12-3            When an application is filed, the court clerk sets the matter for hearing (Figure IV.9) and gives at least five days notice of the application and hearing date (Figure IV.10). A copy of the notice is posted on the front of the building in which beer is to be sold, and a copy is mailed to the district attorney, the sheriff, and the chief of police or marshall of the city or town where the beer is to be sold. 37ss163.11

12-4            If a written protest to the application is filed by a citizen of the county, the court clerk shall advise the chief judge. The chief judge shall assign the protest to a district or associate district judge for hearing. 37ss163.11

Should no valid protests be made, the court clerk shall grant a retail permit. The permit must be renewed each year.

12-7 REPORT TO OKLAHOMA TAX COMMISSION

On or before the tenth of each month the court clerk shall report the name, address, and permit number (if applicable) of each person who has had a beer license issued, revoked, or refused during the prior month. These reports are furnished to the Oklahoma Tax Commission on a form prescribed by that agency.

37ss163.11

13-1 MARRIAGE LICENSE

THE APPLICATION PROCESS

Court clerks are authorized by law to issue marriage licenses (Figure IV.11). The records of the application, license, and certificate are made on one page of a marriage record book. The application section is completed by the court clerk and signed by the applicants. Persons over 18 years of age may apply for a marriage license upon satisfaction of the following:

43ss5

43ss9

13-2 a. Both parties must make application in person. 43ss5

b. The full names and ages of the applicants must be verified with either a birth certificate, a current driver's license, a current voter's registration certificate, a current passport or visa, or some other license or document normally recognized for name and age verification. 43ss5

c. The applicants cannot be related (see 43 O.S.ss2 for exceptions.). 43ss2

- d. The applicants must be competent to contract for marriage. If doubt exists regarding legal competency, the judge or the court clerk shall require additional evidence to determine competency. 43ss1 43ss10
- e. The applicants must file an affidavit or certificate from a physician stating that a serological examination conducted within the last 30 days showed the absence of infection with syphilis. 43ss31
- f. Payment of the marriage license fee must be received.

#### APPLICATION OF PERSON(S) UNDER AGE EIGHTEEN

In addition to the standard requirements for issuance of a marriage license, a person under age 18 and at least 16 may be issued a marriage license: 43ss3

- a. Upon consent and authority of parent or guardian given in the presence of the judge or court clerk.
- b. Upon written consent of parent or guardian executed and acknowledged before a judge or court clerk of any court of record.
- c. Upon written consent of parent or guardian along with a certificate from a medical doctor or osteopath that the parent or guardian is unable to be present for health reasons.

- d. If the parent or guardian be on active duty in the Armed Forces of the United States, upon written consent of parent or guardian acknowledged by military personnel authorized to administer oaths and accompanied by a certificate executed by the commissioned officer in command of the parent or guardian.
- e. Upon consent of the judge of the district court following receipt of an affidavit from three reputable persons that both parents of the underage person are deceased or mentally incompetent or their whereabouts are unknown, and that no guardian has been appointed.

The application shall have been on file in the court clerk's office for at least 72 hours before the license is issued. 43ss5

The court has the authority to permit the marriage of a person under age 16 in cases involving pregnancy or illegitimate children. 43ss3

#### WAIVER OF HEALTH EXAMINATION REQUIREMENTS

Marriage license applicants over 25 years of age may be allowed, due to emergency, to dispense with the requirements for a serological examination. An extension of the thirty day period following the examination may be made to not more than 90 days. 43ss32

In both cases the judge of the district court must make an order authorizing the parties to dispense with the requirements. The order and an accompanying

memorandum stating the judge's reasons for granting the order must be filed with the court clerk.

All employees of the court clerk's office shall hold the memorandum of the judge in absolute confidence.

13-3 To issue a marriage license, the judge or court clerk completes the licensing portion of the document with the date of issuance, name of the court, the city and county in which the court is located, the full names of the persons to be married, their ages and places of residence. The marriage license shall be directed to the person authorized to perform the marriage ceremony designating that the ceremony must be conducted within ten days of issuance of the license.

43ss6

,-6 The person performing the marriage ceremony is required to complete the "Certificate of Marriage" portion of the license. The license must be returned to the court clerk within five days of the marriage. The court clerk records the license and certificate in the marriage record book.

43ss8  
43ss36

13-8 After noting on the marriage license the book and page number where the license is recorded, the original license is returned to the applicants.

43ss9

#### 14-1 PROCESS SERVER LICENSE

Service and return of process (writs, warrants, etc) in civil cases may be made by a licensed private process server. Any person at least 18 years old may file an

12ss158.1



application for a process server license provided a previous license has not been revoked.

#### THE APPLICATION PROCESS

12ss158.10

Upon submission of an application for a process server license, the court clerk initiates a case file and appearance docket for the applicant and collects the appropriate fees.

14-4

The court clerk then sets a date for the Presiding Judge of the Judicial Administration District to act upon the application allowing at least five days for proper notice of the application to be given. To give such notice, the court clerk posts a notice in the courthouse and mails a copy to the district attorney, the sheriff, and the chief of police or marshall of the county seat. The court clerk attests to proper notification.

12ss158.10

14-8

If any citizen of the county files a written protest, the court clerk shall advise the presiding judge. The judge shall set a date to hear the application and protest within 30 days from receipt of the protest. The court clerk shall notify all interested parties of the hearing.

12ss158.1F

14-11

Should the presiding judge order the license issued to the applicant, the applicant must file with the court clerk a \$5000 bond running to the State of Oklahoma. The court clerk then issues a process server license to the applicant.

12ss1581E

14-2

#### POSTING LIST OF LICENSED PROCESS SERVERS

The court clerk shall keep a list posted in the office of all private process servers licensed in the county. Any person may designate a process server from the list to perform services.

12ss158.11  
(1984)

15-1

#### CLOSING OUT SALE

It is unlawful for any person to advertise or conduct a "closing out sale" unless a license has been obtained from the court clerk. A license is not required, however, for any sale in anticipation of the termination of a business which can be and is conducted within 60 days. Any person claiming a 60 day exemption shall certify the facts to the court clerk.

15ss767

15ss752

15-2

#### THE APPLICATION PROCESS

The applicant shall file an application in writing and under oath with the court clerk. It shall be accompanied by an affidavit and shall contain the following information (see 15 O.S.ss767 for more details):

15ss767

- a. The name and address of the owner of the goods.
- b. The description of the place of business where the sale is to be held.
- c. The name and address of the person holding the sale.
- d. The nature of the occupancy of the place where the sale is to be held and the effective date of termination of such occupancy.

e. A statement of the facts about the sale.

f. An inventory of the goods.

#### FEE FOR A CLOSING OUT SALE LICENSE

The court clerk shall charge a fee for issuance of a closing out sale license. 15ss767

#### 15-3 DISTRICT ATTORNEY INVESTIGATION

The court clerk shall forward a copy of the application to the district attorney who may investigate the facts contained in the application. The district attorney may file an objection to the application based on one or more of the reasons contained in the referenced statute. Such an objection must be filed within ten days after the application was filed. A valid objection from the district attorney shall be grounds for denying the application. 15ss768

#### 15-5 ISSUANCE OF THE LICENSE

The court clerk shall issue a license to the applicant which authorizes the advertising and conducting of the sale provided that: 15ss769

- a. It appears to the court clerk that all statements in the application are true.
- b. It appears to the court clerk that the proposed sale is of the character represented in the application.
- c. The application is in full compliance with the law.

d. The fee has been paid.

e. The ten day waiting period has elapsed with no objection from the district attorney.

It is suggested that the license issued by the court clerk specify the conditions listed in 15 O.S.ss769 as well as pertinent data from the application.

## FLOWCHART D - TRAFFIC

### NARRATIVE

The court is required to keep a record of every traffic citation received from law enforcement officials. This includes convictions, forfeitures of bail, acquittals and fines. The court clerk is required to furnish the Department of Public Safety (hereafter called DPS), within ten days after a conviction or bail forfeiture, an abstract of all cases except for illegal parking or standing. This abstract must be made on a form furnished by the DPS and must contain certain specific data.

47ss18-101(a)

47ss18-101(b)

47ss18-101(c)

6-1

### ARREST

A traffic case is normally initiated by the apprehension of a citizen by an arresting officer. One of the options available to the defendant at the time of arrest is to plead guilty. This is designated on the reverse side of the ticket (Figure V.1) above the defendant's signature. The ticket and the fine payment are mailed or delivered to the court clerk by the arresting officer.

22ss1114.1  
(1982)

16-2

16-3

### COURT CLERK ACTIONS

1. Be sure that the defendant signed the ticket if the guilty plea was made to the arresting officer.

2. Write a receipt for the fine and give the original to the defendant (if present) or place it in the court file. (This does not apply if cash bond was previously posted).
3. Return the defendant's driver's license or bond certificate if either has been posted as bond.
4. Assign the next consecutive case number by writing it on the ticket.
5. Complete the traffic docket envelope to show the action taken.
6. Stamp the envelope to show that the case is closed.
7. Complete and mail the DPS copy of the ticket.
8. Notify the district attorney of the guilty plea and case closure. 22ss1114.3

16-5            Another option available to the defendant is to post bail and be released. This option is frequently associated with a plea of not guilty. Bail may take the form of a cashier's check, postal money order, traveler's check, guaranteed bank check, personal check (with qualifications), guaranteed arrest bond certificate (with qualifications), or driver's license. If the defendant deposits his driver's license with the arresting officer, the officer gives him a receipt (Figure V.2) which will be recognized as his driver's license for a period of 20 days. Regardless of the bail form, the bail, the original and one copy of the ticket (Figures V.3 and V.1) are mailed to the court clerk or personally delivered by

22ss1114.1  
(1982)

the officer. The original copy will become the court clerk's file copy while the second copy will eventually become the DPS copy (after being processed by the court clerk.)

#### PROCEDURES IF BAIL IS POSTED

16-6

##### Initial Actions

After accepting bail from the defendant, the officer mails or delivers the bond, the original and one copy of the ticket to the court clerk who takes the following actions:

16-9

- a. Issue a receipt. The original of the receipt should be placed in the case file or sent to the defendant, depending on local policy. For the purpose of this chapter, the case file is defined as the grouping of all documents pertinent to a particular case whether clipped together or located inside a traffic docket envelope.
- b. If a driver's license or bond certificate is received, it should be placed in the court file.
- c. Enter the Highway Patrol ticket number and the defendant's name on a list retained in the court clerk's office. The alternate method is to prepare and retain a copy of the original ticket. The purpose of this task is to maintain an accounting of tickets received while they are physically removed from the court clerk's possession.

22ss1114.3

- d. The original ticket is then taken to the district attorney.

16-12 District Attorney Procedures

The district attorney or prosecution attorney endorses the ticket on the rear side (Figure V.1) at which time it becomes an "information" against the defendant. The district attorney returns the ticket to the court clerk after endorsement.

22ss1114.3

16-13 Court Clerk Action

- a. It is possible that the district attorney declined to prosecute the case. In that event, the ticket must not be filed or have a case number assigned. Instead, the traffic list should be marked to indicate that the ticket was returned from the district attorney and that he declined to prosecute the case. The DPS copy of the ticket should be mailed to DPS.

- 17-1 b. If the district attorney endorsed the ticket designating that the case should be prosecuted, the court clerk should proceed as follows:

- 1) Indicate on the traffic list that the ticket was returned (or remove the copy of the ticket being held awaiting district attorney action).
- 2) File stamp the ticket. Note that the statutes require the district attorney to endorse the ticket before filing by the court clerk.

22ss1114.3



- 3) Assign a case number by writing it on the ticket. 22ss1114.3
- 4) Complete the traffic docket envelope in as much detail as possible.
- 5) File the envelope in the traffic case file.
- 6) Index the case.

16-10 If the defendant does not post one of the previously mentioned forms of bail, he is taken into custody unless 22ss1114.8

16-7 he is released by the officer after signing the "promise to appear" statement on the front side of the traffic ticket. 47ss16-108d

17-3 FAILURE TO APPEAR

If the defendant fails to pay his fine or appear on or before the court appearance date, his bail shall be forfeited. The exact procedure to be followed by the court clerk varies with the type of bail originally deposited.

17-7 Procedure if Cash Bond Posted 22ss1114.4

- a. Complete the traffic docket envelope to show that cash bond was forfeited.
- b. Stamp the envelope to show that the case is closed.
- c. Complete and mail the DPS copy of the traffic ticket.

17-9 Procedure if Bond Certificate Posted 22ss1114.4

While the district attorney is responsible for initiating collection of the sum of money bonded by the certificates, these tasks, in practice, fall to the court

clerk. Specifically,

- a. Complete the traffic docket envelope to show failure to appear.
- b. Mail a notice to the bonding company using their form or one of your own.
- c. Receive payment from bonding company.
- d. Mail the defendant's bond card to the bonding company.
- e. Complete the traffic docket envelope.
- f. Stamp the envelope to show that the case is closed.
- g. Complete and mail the DPS copy of the traffic ticket to them.

17-10

#### Procedure if Driver's License Posted as Bail

22ss1114.4

If a driver's license had been deposited with the arresting officer, and the defendant fails to appear, the court clerk shall proceed as follows:

- a. Prepare a DPS "official notification" form (Figure V.4) on which is summarized the court's action on the case.
- b. Send the defendant's driver's license and the "official notification" to the DPS. The DPS suggests that the court clerk hold the license and notification form for 10 days after the court appearance date before mailing them. Violators often appear during this time period.

- c. Complete the traffic docket envelope to show the action taken.

The case at this time is still considered to be open. After the DPS receives the "official notification" and driver's license, they will notify the defendant of its suspension. To reinstate his driver's license, the defendant must first pay the original fine with the court clerk. The court clerk should issue a receipt to the defendant and proceed to close the case as before. The defendant can then regain driving privileges by application and fee payment to the DPS.

#### Bench Warrants

22ss1114.4

The court may elect to issue a bench warrant if:

- a. A bond certificate has been deposited and it cannot be collected upon.
- b. A driver's license has been posted as bail and the defendant fails to appear.
- c. A personal check or other form of bail is not honored.
- d. The defendant fails to appear to answer charges when a court appearance is mandatory.

A.D., 81-9

17-4

#### COURT APPEARANCE

The court procedures for a traffic case are similar to those for a misdemeanor. The presence of a minute clerk in the courtroom is optional with local policy. However, an accurate record of the court proceedings must be provided to and maintained by the court clerk.

## FINAL ACTIONS

17-5            When court action is complete, the court clerk  
should proceed to close the case as follows:

- 17-13            a.    Collect money if the fine exceeds the cash bond            22ss1114.4  
                 previously deposited--or--refund the difference  
                 between the fine and the bond if appropriate.
- b.    Receipt for any money collected. The original  
                 copy of the receipt is given to the defendant,  
                 if present, or placed in the case file.
- c.    Return the driver's license or bond certificate  
                 if previously deposited.
- d.    Complete all appropriate items on the traffic  
                 docket envelope.
- e.    Stamp the envelope showing that the case is  
                 closed.
- f.    Complete and mail the DPS copy of the ticket

## FLOWCHART E - SMALL CLAIMS

### NARRATIVE

Small claims procedures were established with the 12ss1761  
object of dispensing speedy justice for the parties by an  
informal process. Suits may be brought under the small 12ss1751  
claims procedure if the value of the money or personal (1983)  
property involved does not exceed \$1,500.00. Libel and 12ss1751  
slander suits are specifically excluded from small claims (1983)  
procedures as are claims brought by a collection agency.  
The attorney's fees which are allowed shall not exceed 12ss1751  
ten percent of the judgment for an uncontested case. (1983)  
Attachment or prejudgment garnishment does not apply to 12ss1760  
small claims procedures.

Civil action under small claims procedure for the 12ss1752B  
collection of an open account or for the collection of  
any note or other instrument of indebtedness shall be  
filed, at the option of the plaintiff(s), in:

1. any county as provided by law, or:
2. the county in which the debt was contracted or  
the note or other indebtedness was given.

### AFFIDAVIT AND ORDER

#### INITIAL STEPS

18-1 A small claims action is initiated by the plaintiff 12ss1753  
or his attorney by filing an affidavit in the form of (1982)  
Figure VI.1. The claimant shall prepare the affidavit 12ss1754  
or, at his request, the court clerk shall draft it for

him.

The affidavit is presented in person or mailed to the court clerk who takes the following actions:

12ss1754

a) File the affidavit.

b) Make a true and correct copy of the affidavit.

18-3

c) Fill in the blanks on the associated order. The hearing date selected by the court clerk shall be not more than 30 days or less than 10 days from the date of the order.

12ss1756

d) Sign the order.

e) Notify the defendant, in person or by certified mail, of the hearing date and order the defendant to appear at that time.

12ss1756

#### ASSIGN THE CASE NUMBER

One of the court clerk's first tasks when a small claims case is filed is to assign the case number. The case number takes the form of the letters "SC" followed by a hyphen and the last two digits of the calendar year, followed by another hyphen and then the consecutive number of the case. The first small claims case filed in 1983 would have the case number "SC-83-1." The case number must be entered on all documents associated with the case.

A.D., 68-1

#### FILE

All documents associated with a case number must be filed and preserved in the following manner:

### File Stamp the Document

The file stamp may be a hand stamp or a stamping machine. In either case, it shall contain the date, should indicate who filed the document and may also indicate the time filed.

12ss31

### Enter on the Appearance Docket

The fact that a particular document was filed in the case must be noted on the appearance docket.

### Place in the Case File

The document must be placed in the case file for preservation.

### Receipt

A receipt must be issued for all money collected by the court clerk. The original copy of the receipt is given to the individual and a copy retained in the court clerk's office as a permanent record. Collection of any money should also be noted on the appearance docket for the case.

### RECORDS

The court clerk normally maintains several records associated with a small claims action.

### Case File

The court clerk is required to file together and carefully preserve all documents associated with a particular case. Each case must be in a separate file marked with the case title and numbered. In practice,

12ss29

12ss30

the case file is normally a file folder which is color coded for ease of identification by type of case. Documents are frequently secured inside the file by a metal clip.

#### Receipt Book

The court clerk must issue a receipt for all money received. A copy of the receipt must be permanently retained to provide a complete audit trail.

#### Appearance Docket

The court clerk shall keep an appearance docket for all civil cases. The appearance docket is an historical record of all actions for a particular case and a financial record of costs, credits and disbursements for that case. Entries should be brief abstractions of an event rather than detailed statements of its terms and conditions.

The reader of an appearance docket should be able to obtain an accurate impression of a particular case, the chronological sequence of actions which have taken place, and current status of the case.

Entries must be neat and legible and ideally are typed onto the docket. Entries normally made on the appearance docket are:

- a. Case number.
- b. Plaintiff's name and address.
- c. Defendant's name and address.



- d. Nature of case.
- e. Attorneys (if applicable).
- f. Date of each action.
- g. Description of event.
- h. Book and page number in the journal record or the microfilm record number.
- i. Costs, credits and disbursements.
- j. The date set for the hearing.

#### Appearance Docket Index

The appearance docket index is either the first section of an appearance docket book or a separate book if the appearance docket is kept in the form of loose sheets. The index is a semi-alphabetical listing of the names of all plaintiffs entered in the docket. All plaintiffs whose names start with an "A" are listed on the first page of the index in the order in which their cases were filed. All plaintiffs whose names begin with "B" are on the next page, etc.

Items normally entered on the appearance docket index are:

- a. Case number.
- b. Plaintiff's name.
- c. Page number.
- d. Defendant's name.

#### General Index

Many counties maintain a general index of defendants covering a time period of many years. As with the appearance docket index, defendant's names are entered

semi-alphabetically. Typical entries are:

- a. Case number
- b. Defendant.
- c. Plaintiff.
- d. Filing date.
- e. Book number.
- f. Page number.

#### SPECIFIC TASKS

##### Issue Affidavit and Order

- 18-4                    Unless the plaintiff requests otherwise, the                    12ss1755  
affidavit and order shall be served on the defendant  
by mail. The court clerk sends a copy of the  
affidavit and the order to the defendant by prepaid  
certified mail with a return receipt requested from  
the addressee only. The order shall be served on                    12ss1756  
the defendant at least seven days before the hearing  
date.
- The court clerk shall attach the receipt for the                    12ss1755  
certified letter and the return card (or other  
evidence of service) to the original copy of the  
affidavit which was recorded in the case.
- 18-5                    If the envelope is returned undelivered, and                    12ss1755  
sufficient time remains for making service, the  
court clerk (after collecting the fee) shall deliver  
a copy of the affidavit and order to the sheriff who                    12ss1756  
shall serve the defendant at least seven days before  
the hearing date.

If the affidavit and order are not served on the defendant, the plaintiff must apply to the court clerk for a new order containing a new hearing date. The time requirements and plaintiff notification requirements listed earlier also apply to this new order.

12ss1756

18-7

#### TRANSFER CASE

A small claims case shall be transferred to the civil docket on the motion of the defendant. Notice must be given to the opposite party at least 48 hours before hearing time. The defendant must deposit an amount set by statute with the court clerk to cover court costs. The case shall then proceed as any civil action and not as small claims.

12ss1757

The court clerk sends a copy of the transfer order to the plaintiff by prepaid mail. The plaintiff shall file a petition conforming to civil procedures within 20 days after the date that the transfer order was signed. The answer of the defendant shall be due within 20 days after the filing of the petition. The reply of the plaintiff is due within 10 days after the answer is filed. If the plaintiff prevails, reasonable attorney fees may be allowed to the plaintiff's attorney as costs in this case.

12ss1767

The case shall also be transferred if the claim, counterclaim or setoff is filed for an amount in excess of \$1,500 unless both parties agree in writing that the

12ss1759  
(1983)

matter be tried under the small claims procedure and file the agreement with the court clerk. If such an agreement has not been filed, a judgment in excess of \$1,500 may not be enforced. If transferred, the person whose claim exceeded \$1,500 shall deposit appropriate fees with the court clerk.

18-8

#### TAKE MINUTES

One of the most important duties of the court clerk is to accurately preserve a record of the courtroom events. This is done by the taking of minutes. Minutes are a written condensed summary of what transpired during each court session of each case. All significant events should be documented. Minutes should be recorded after preparation in the case file and on the appearance docket.

#### JOURNAL RECORD

The journal record is a collection of copies of the more important documents filed in a case. Its importance is the preservation of legally sufficient data in the event that the original document is misplaced or destroyed. Many counties maintain a journal record for small claims cases though it is not statutorially required. The journal record could take either of two forms:

12ss24

1. Hardcopy

This form of the journal has pages which are reproductions of the original documents made on permanent paper fastened together into a book and stored in a secure place.

2. Microfilm

The journal may be kept entirely on microfilm, each document being filmed soon after it is filed. Copies from microfilm when certified by the court clerk, may be received into evidence with the same effect as the original document.

MINUTE DOCKET

The minute docket is a collection of the minutes of all court sessions. It is arranged chronologically and civil and criminal cases may be intermingled. Many minutes appear on each page.

JUDGMENT DOCKET

The court clerk enters the judgment of the court on the judgment docket only upon payment of the required fee by the prevailing party. This fee is processed as other costs associated with the action.

12ss1771  
(1983)

18-9

STATEMENT OF JUDGMENT

A small claims judgment becomes a lien on real property of the judgment debtor only after the statement of judgment is filed with the county clerk. When

12ss1770(A)  
(1982)

requested, the court clerk shall prepare a Statement of Judgment for the judgment creditor who can then take a certified copy to the county clerk for filing to establish a lien.

18-10

#### CERTIFICATE OF RELEASE

A small claims lien shall be released by the court clerk upon written application by the judgment debtor after the judgment has been satisfied. The judgment creditor shall be notified of the application at least 10 days before the lien is released. If there is no response or objection within 10 days after mailing the notice, the court clerk shall show the judgment released on the judgment and appearance dockets. No court hearing is required unless requested by a party to the action. The party filing the application for release shall pay all recording fees and other costs.

12ss1770(B  
(1982)

12ss1770(C  
(1982)

When requested, the court clerk shall prepare a certificate of release. The judgment debtor can release the lien on the property by filing the certificate of release with the county clerk.

12ss1770(B  
(1982)

## FLOWCHART F - FINANCE

### NARRATIVE

### RECEIPTS

19-1           When money is paid to the court clerk for court  
fees, fines, bonds, etc., a numbered receipt for payment  
is issued (and a copy retained) in the name of the person  
19-2           making the payment. It is suggested that pre-numbered  
receipts be used to insure accountability. The case  
Number, style of the case, and the reason for the payment  
should be included on the receipt.

              Immediately after receiving the payment, a record of  
the receipt should be entered on the appropriate  
appearance docket. An advisable policy to ensure  
accuracy is to require the person receiving the payment  
to enter the information on the appearance docket.

19-4           At the close of the day, all money received is  
listed on an "official depository ticket." Checks are  
listed individually and the cash received is listed as  
19-5           one lump sum. The money is then delivered to the county  
treasurer who assumes responsibility for deposit in the  
court clerk's depository account.

19-3           The information on each receipt issued during a day  
is then recorded in the "cash receipt book." The entry  
should include the date the money was received, the  
receipt number, the person making the payment, the case  
number, and the amount received. The amount received is

entered under the column heading for the appropriate case type.

#### DISBURSEMENTS

19-6 Funds are disbursed from the depository account  
through the issuance of a pre-numbered depository  
19-7 voucher. The amount of the payment must be registered by  
the county treasurer on the voucher before issuance to  
the payee. The person issuing the voucher should retain  
a copy and immediately record the action on the  
appropriate appearance docket.

19-8 At the end of the day, copies of the depository  
vouchers are used to record the disbursements in the  
"cash disbursements book." The entry will include the  
date payment was made, the voucher number, the person  
receiving the payment, the case number, and the amount  
paid. The amount paid is entered under the column  
heading for the appropriate case type.

#### MONTHLY REPORT - SCHEDULE OF CASES

20-1 After receipts and vouchers have been posted daily  
to the cash book in numerical order, they are sorted  
20-2 according to case type (probate, civil, criminal, etc.)  
and posted to the schedule of cases (Figure VII.1) in  
numerical order by case number. At the end of each  
month, the court clerk's fees earned are posted in the  
3 "paid court fund" column on the schedule of cases and on  
the appearance docket for each case. (This includes any



fees, fines and bonds forfeited. Fish and Game fines and sheriff's fees are recorded in separate columns.) It is important to verify the balance shown on each appearance docket with the balance computed on the schedule of cases.

20-11

A grand total is then obtained of the "paid court fund" column totals arrived at in each appropriate case type (probate, civil, criminal, etc.) and a depository voucher is then issued payable to the court fund. Fish and Game fees, county sheriff's fees and victims compensation fees are handled in the same manner with separate vouchers being issued in each type. Fish and Game fines and forfeitures are to be paid to the county general fund (50%) and the State Wildlife Conservation Fund (50%). Sheriff's fee for service is paid to the sheriff's service fee account.

29ss3-301

28ss152.1  
(1984)

In addition to any costs, penalties, or fines imposed upon a defendant, victim compensation assessments shall be made according to the amounts specified by statute for the following categories:

21ss142.18  
A, B

1. Felonies involving criminally injurious conduct.
2. Other felonies.
3. Misdemeanors (not including traffic offenses).

All monies collected as victim compensation assessments are to be forwarded by the court clerk to the Administrative Director of the Courts for deposit in the Victim's Compensation Revolving Fund.

21ss142.18C

After receipts and vouchers for the last day of the month have been posted to the schedule of cases, the "ending cash balance" is obtained and recorded in each case. Totals are then verified as to accuracy with the cash receipt book and the cash disbursement book.

Monthly totals are posted, after verification, to the "court clerk's monthly report, cash summary" (Figure VII.2).

When the "County Official depository" sheet (Figure VII.3) is received, it is reconciled with the "court clerk's monthly report, cash summary."

#### MONTHLY TRANSFERS TO THE GENERAL FUND

Each month the court clerk shall transfer a sum of money from the court fund to the county general fund. The sum to be transferred is determined as follows:

1. For the fiscal years 1965-66 and 1966-67, determine the total fees, fines, and forfeitures received by the general fund. Subtract from each total all the expenses paid for the operation of the courts of the county in each fiscal year.
2. Using the larger amount from the two fiscal years, divide by 12.

The amount so determined is paid with a court fund voucher to the county treasurer for deposit in the general fund.

## OTHER COURT FUND DISBURSEMENTS

20-12

Authorized payments are made on court fund vouchers upon receipt of a "court fund claim" (Figure VII.4) which has been approved by the governing board of the court fund. Where appropriate, invoices should be attached to a court fund claim to be sent to the board for approval.

An expense of the court fund is recorded in a "court fund book" as well as on a "court fund appropriations ledger" for that category. The ledger allows the court clerk to be aware of the balance of funds budgeted for the fiscal year.

## QUARTERLY PAYMENTS FROM THE COURT FUND

### LAW LIBRARY FUND

21-2

Transfers from the court fund to the Law Library Fund are made each quarter by delivering a court fund voucher to the treasurer in the county in which the Law Library is situated. The amount transferred is equal to the total number of noncriminal cases in which a cost deposit was filed times an amount set by statute.

20ss1202  
(1983)

### LAW ENFORCEMENT OFFICERS TRAINING FUND

21-4

For every fine collected and bond forfeited in any criminal action filed, the court clerk shall pay an amount set by statute from the court fund into the Law Enforcement Officer Training Fund. The quarterly payment is sent to the "Law Enforcement Officers Training Fund,"

20ss1313.1  
(1982)

P.O. Box 11476, Cimarron Station, Oklahoma City,  
Oklahoma, 73111.

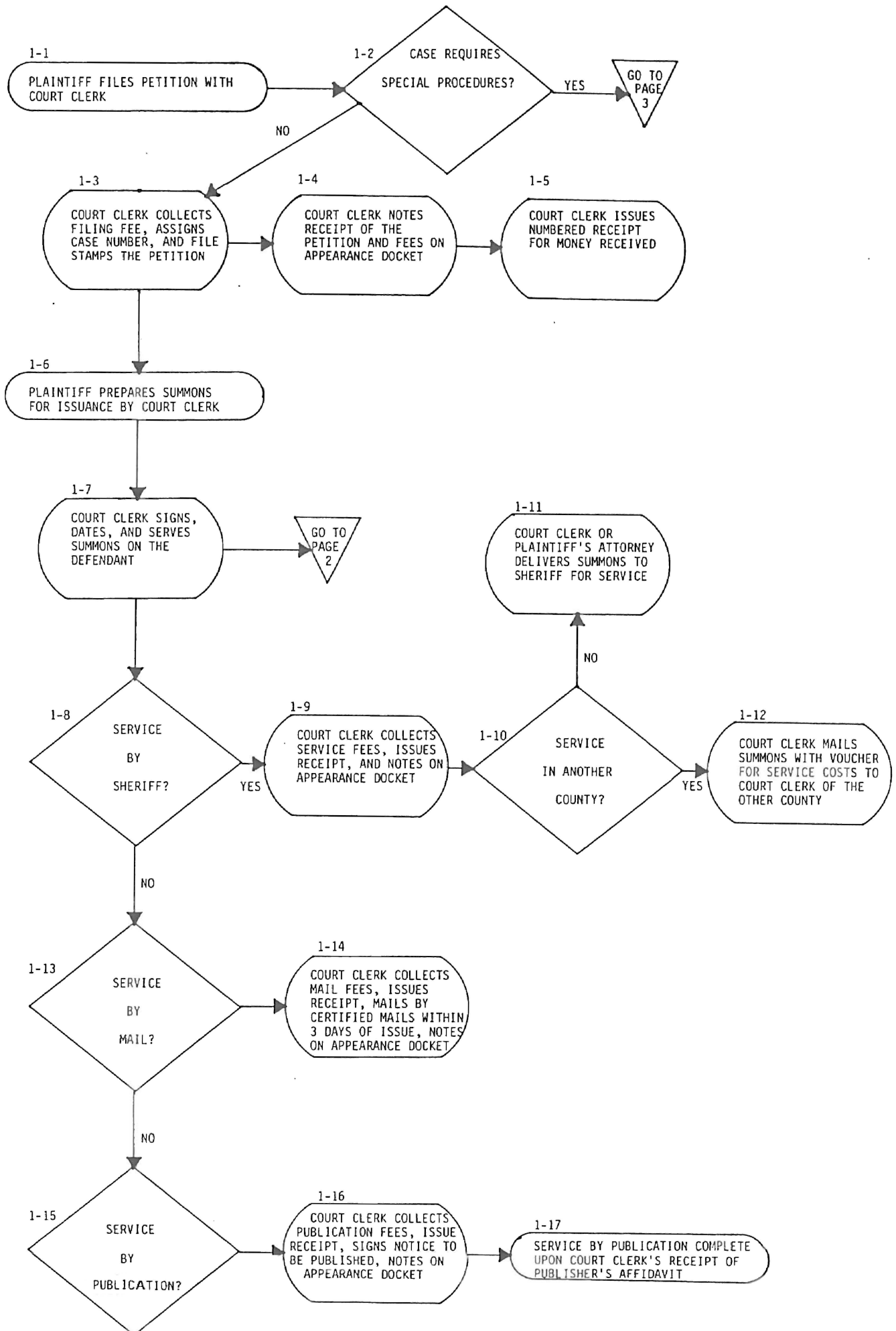
STATE JUDICIAL RETIREMENT FUND

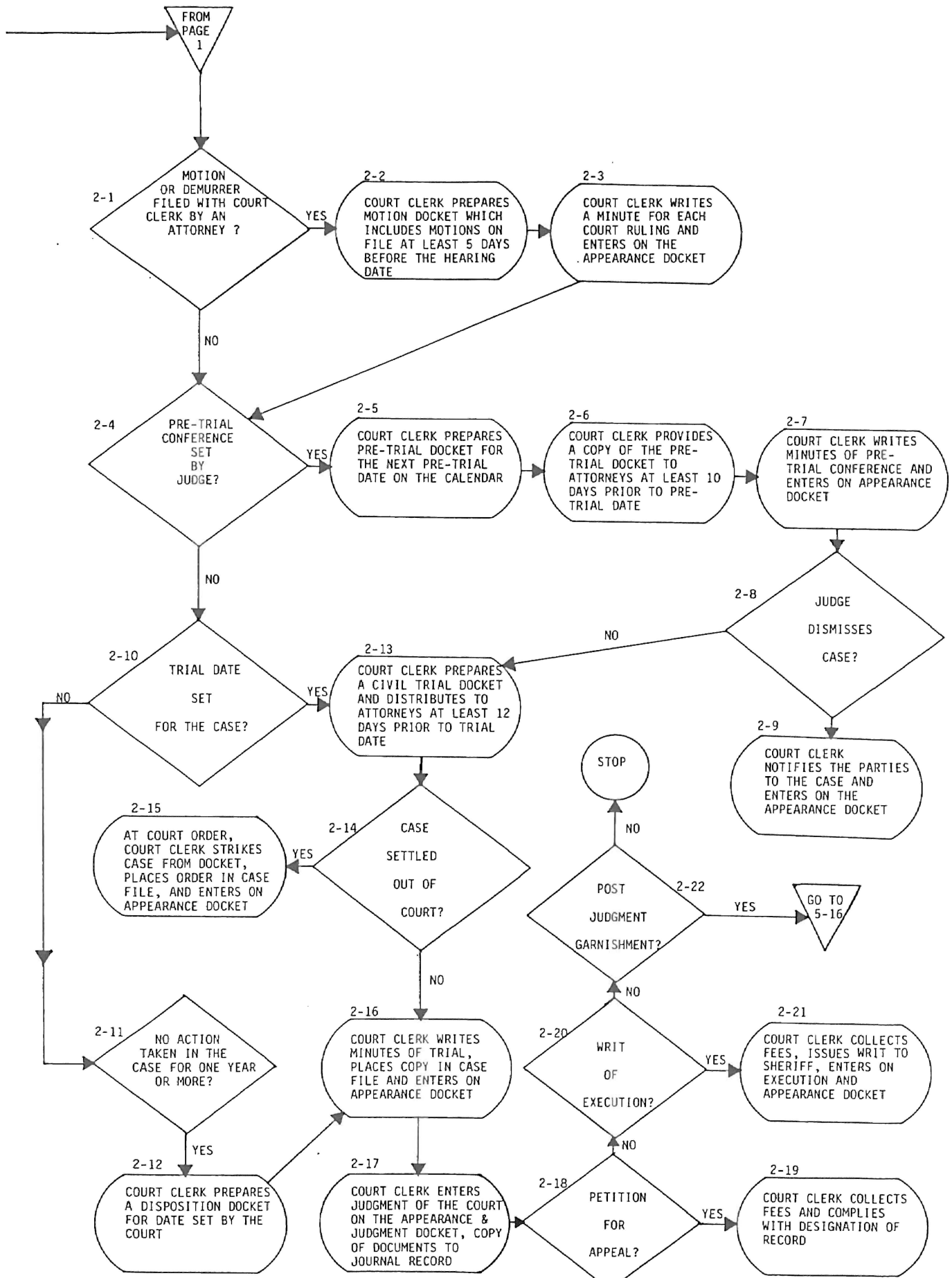
21-6            Ten percent of the amount collected in the court            20ss1307  
fund shall be transferred to the State Judicial  
Retirement Fund at the end of each quarter. The court  
fund voucher is submitted to the Administrative Director  
of the courts for deposit in the proper fund.

STATE JUDICIAL FUND

21-8            The amount of the quarterly transfer from the court            21ss1308  
fund to the State Judicial Fund is computed using the  
court fund quarterly report form. The court fund voucher  
is submitted to the Administrative Director of the Courts  
for deposit in the proper fund.

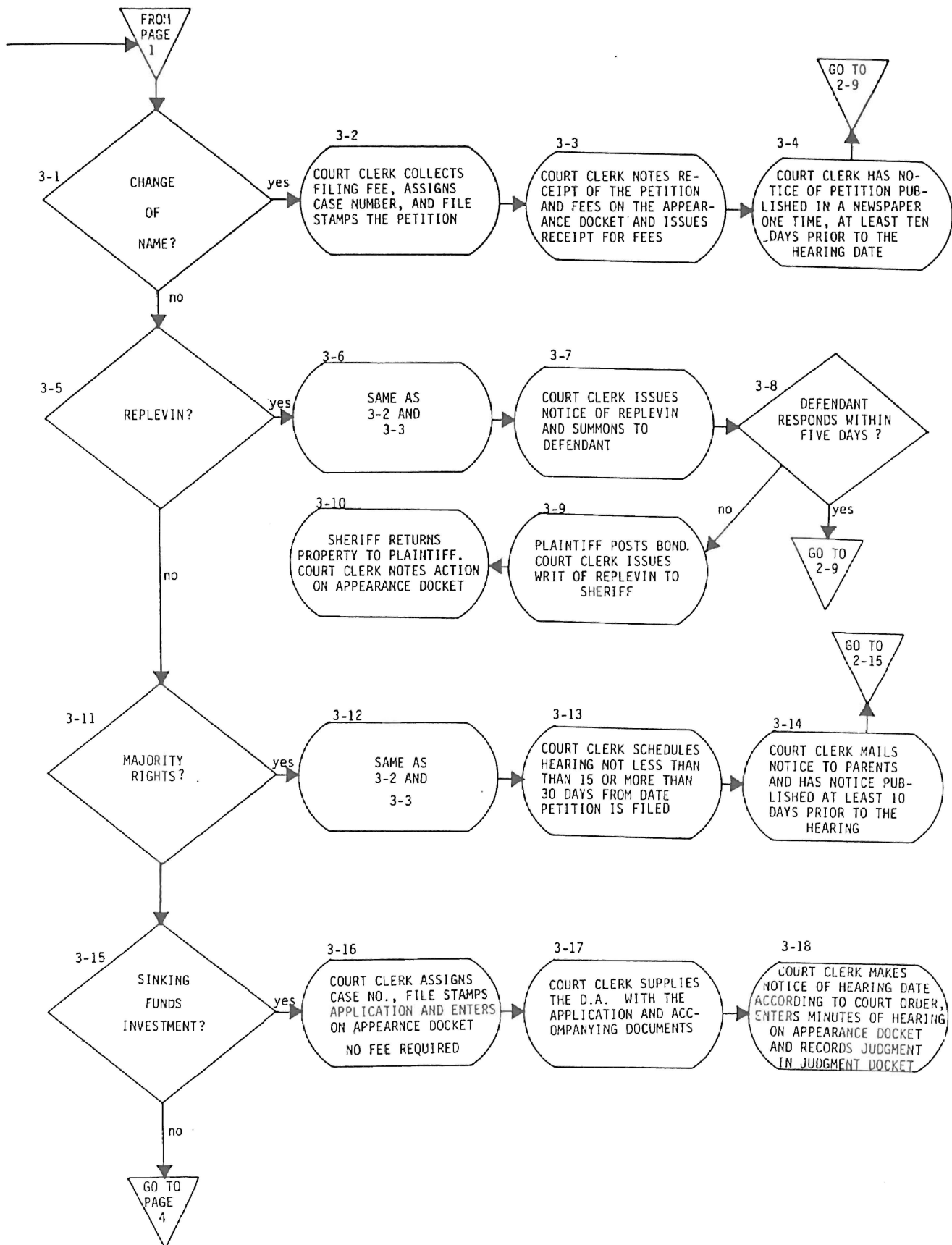
SECTION VIII  
FLOWCHARTS



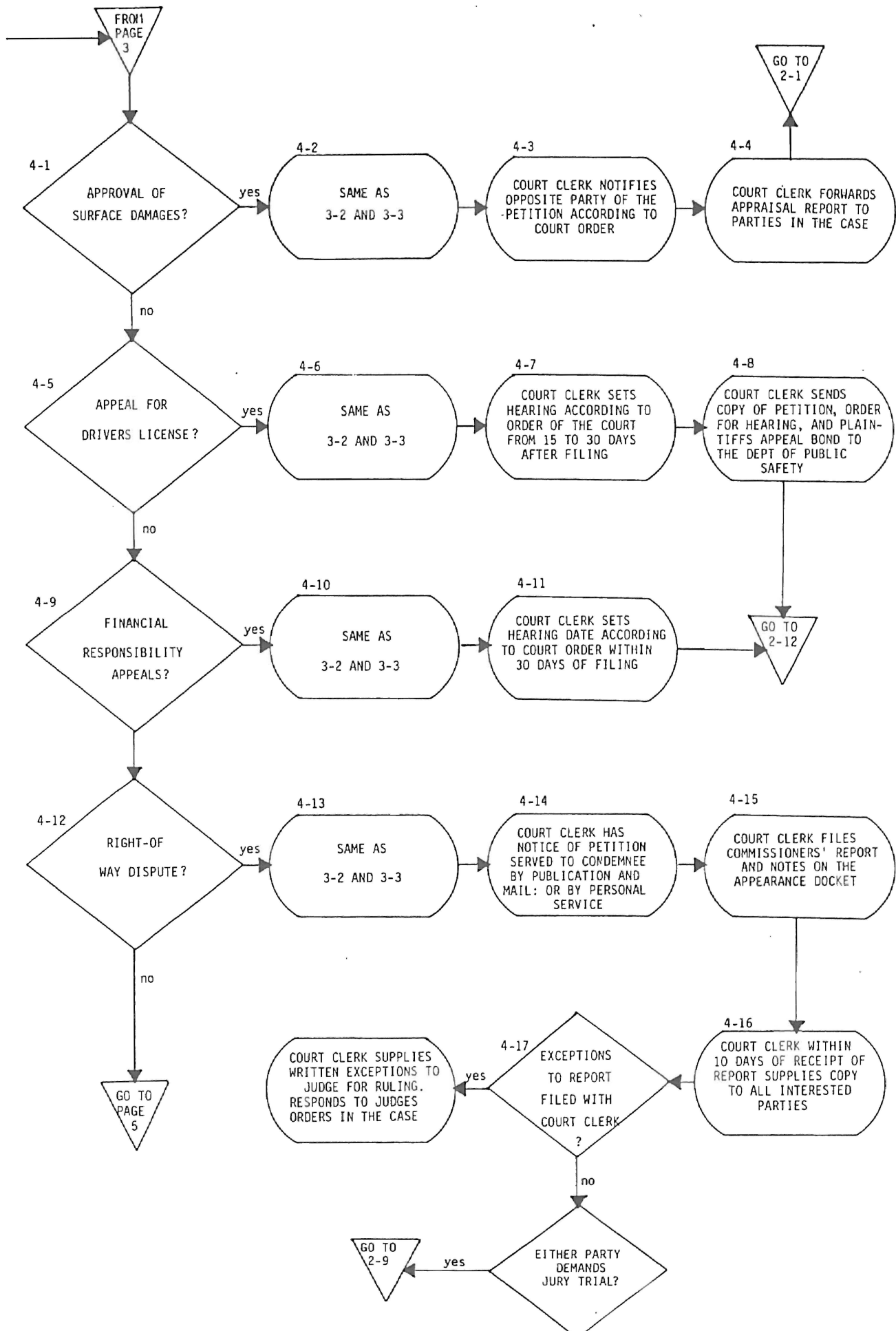


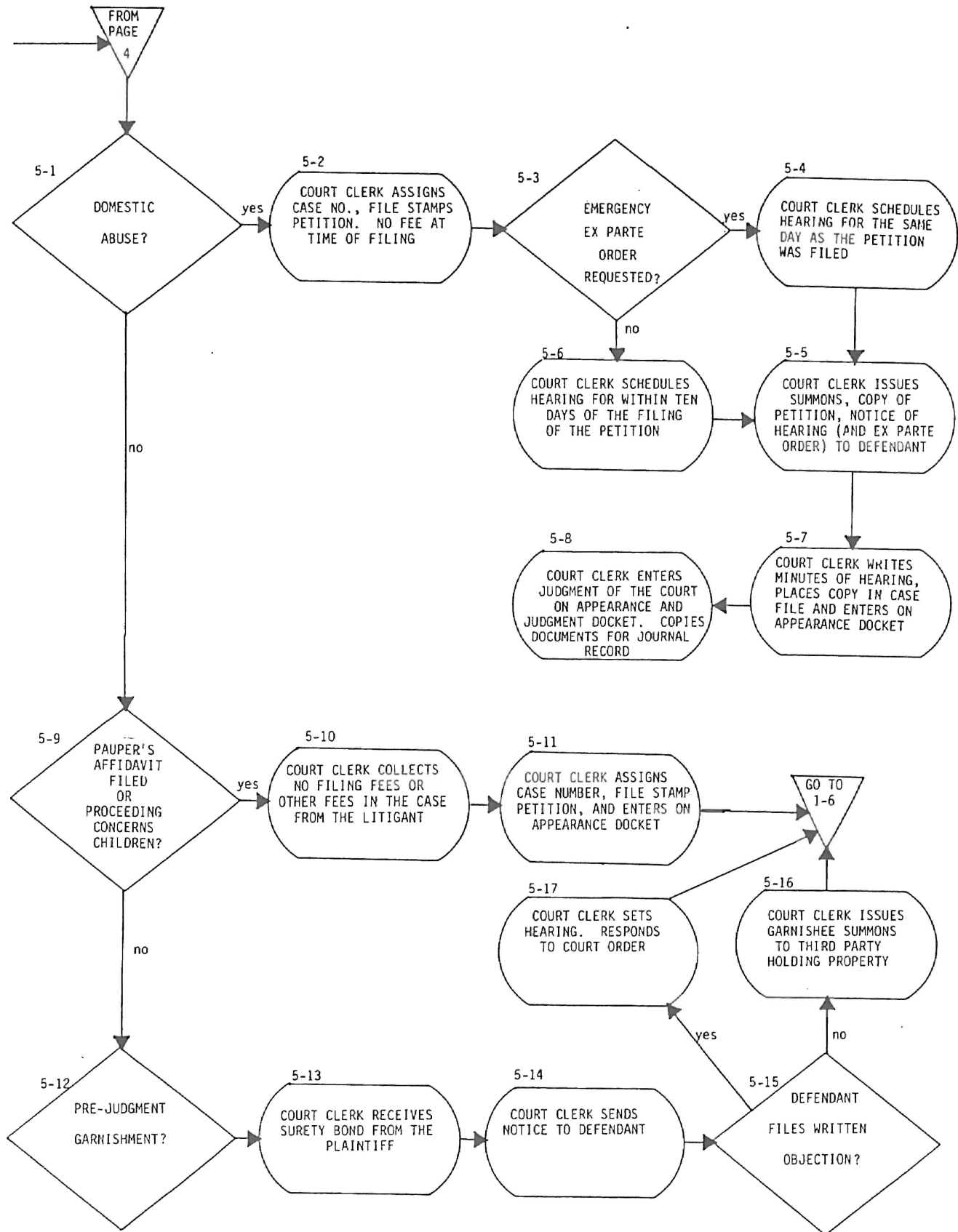
# FLOWCHART A: CIVIL PROCEDURE

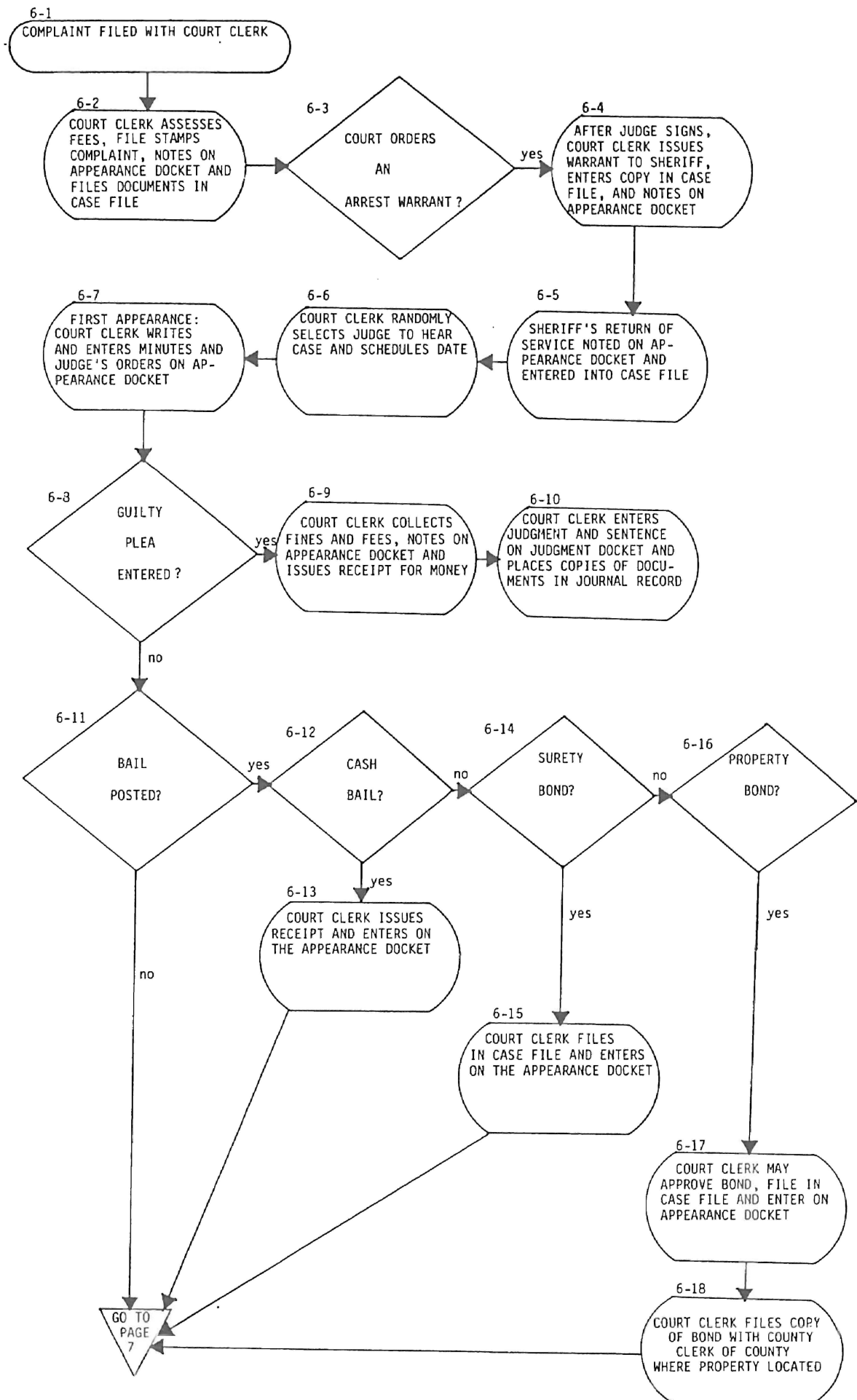
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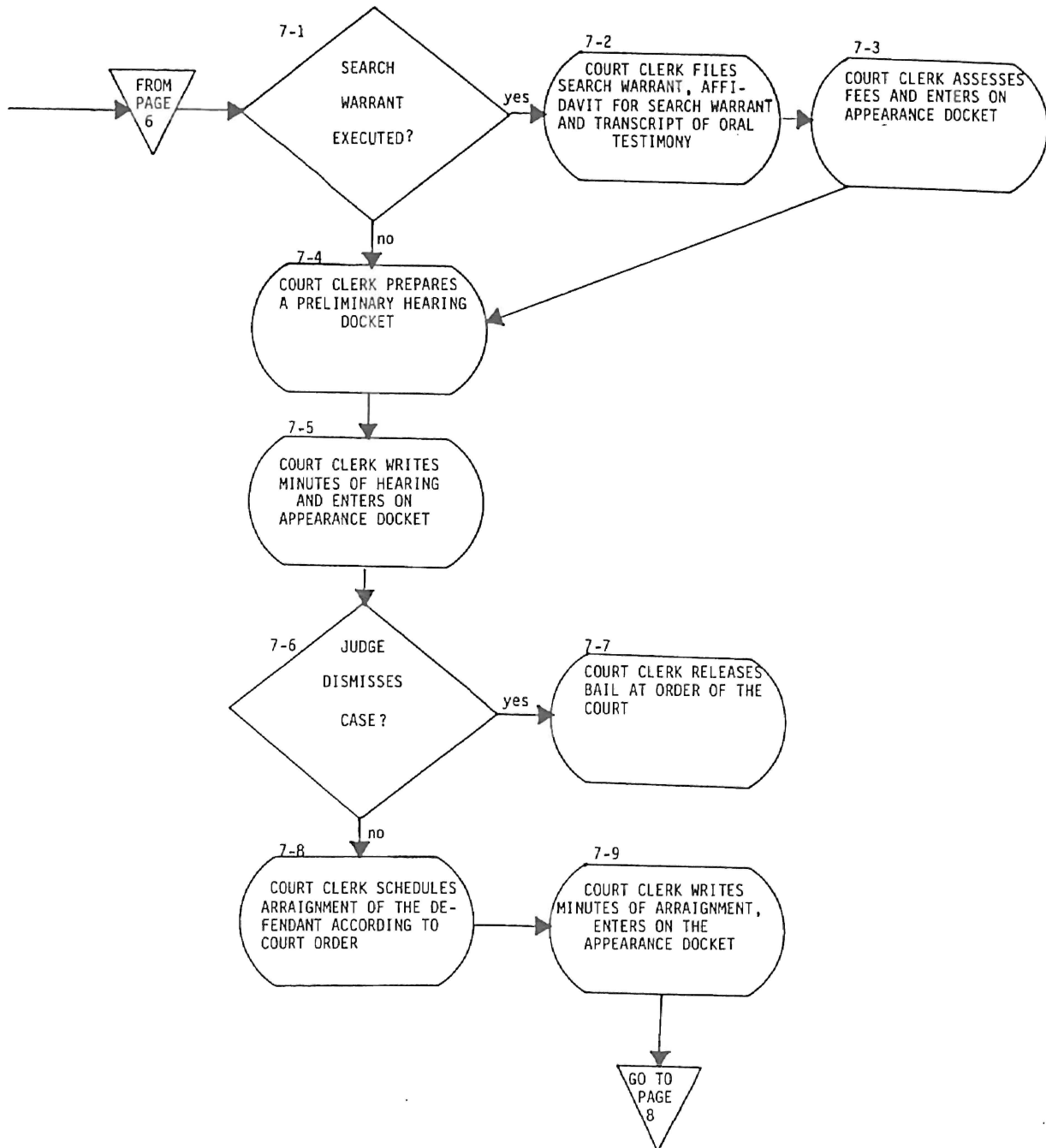


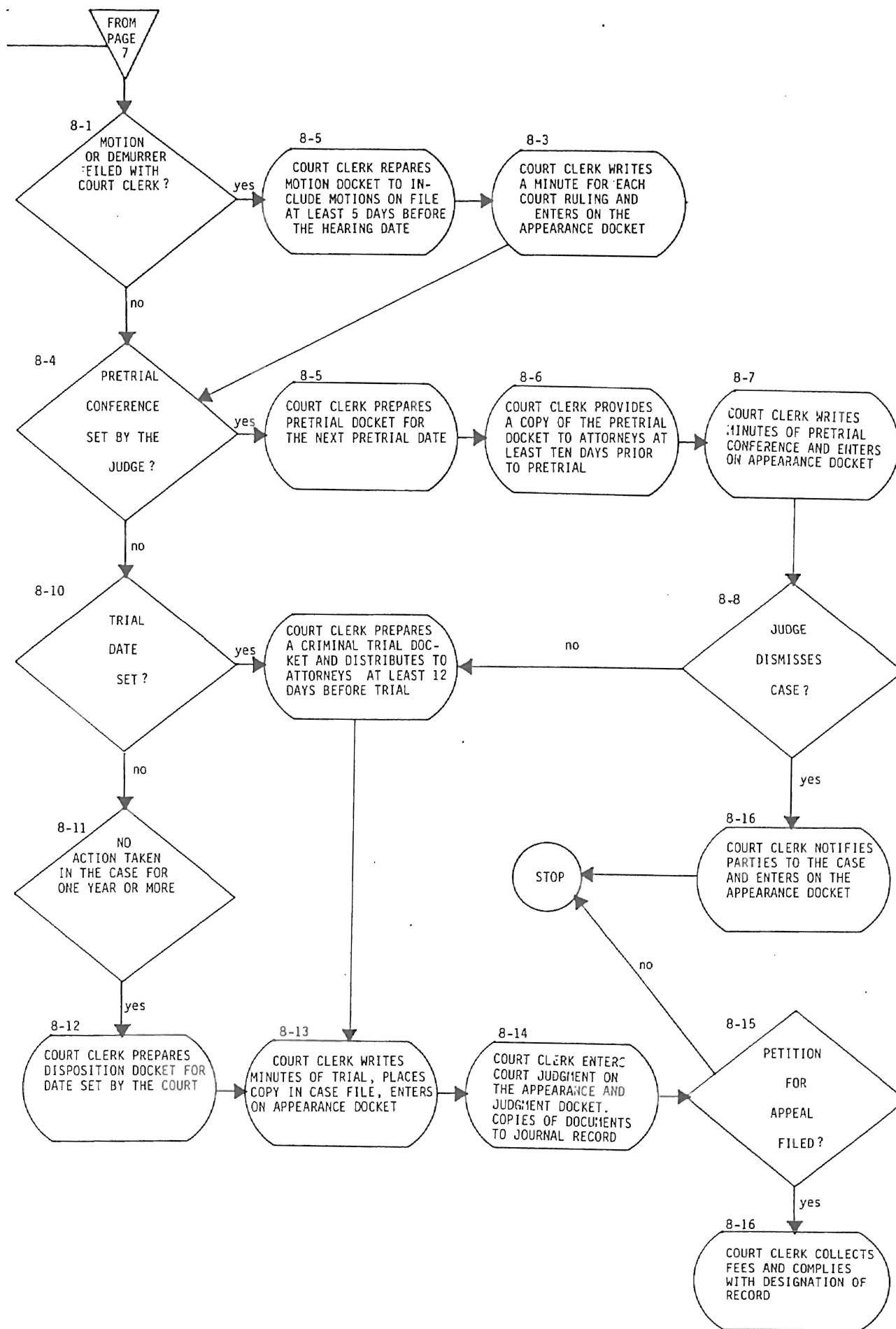


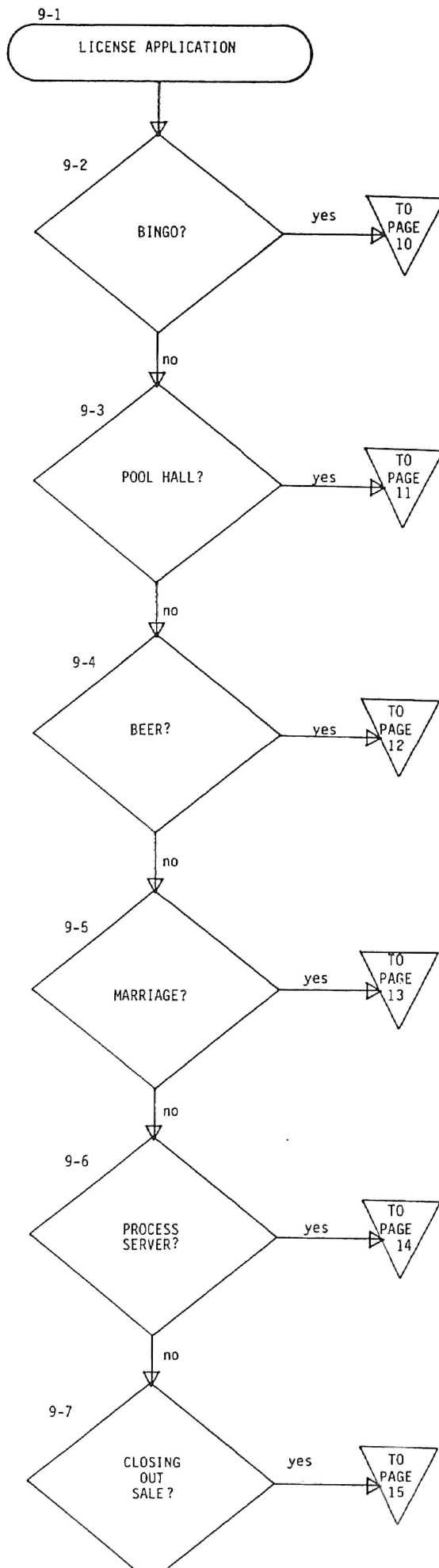






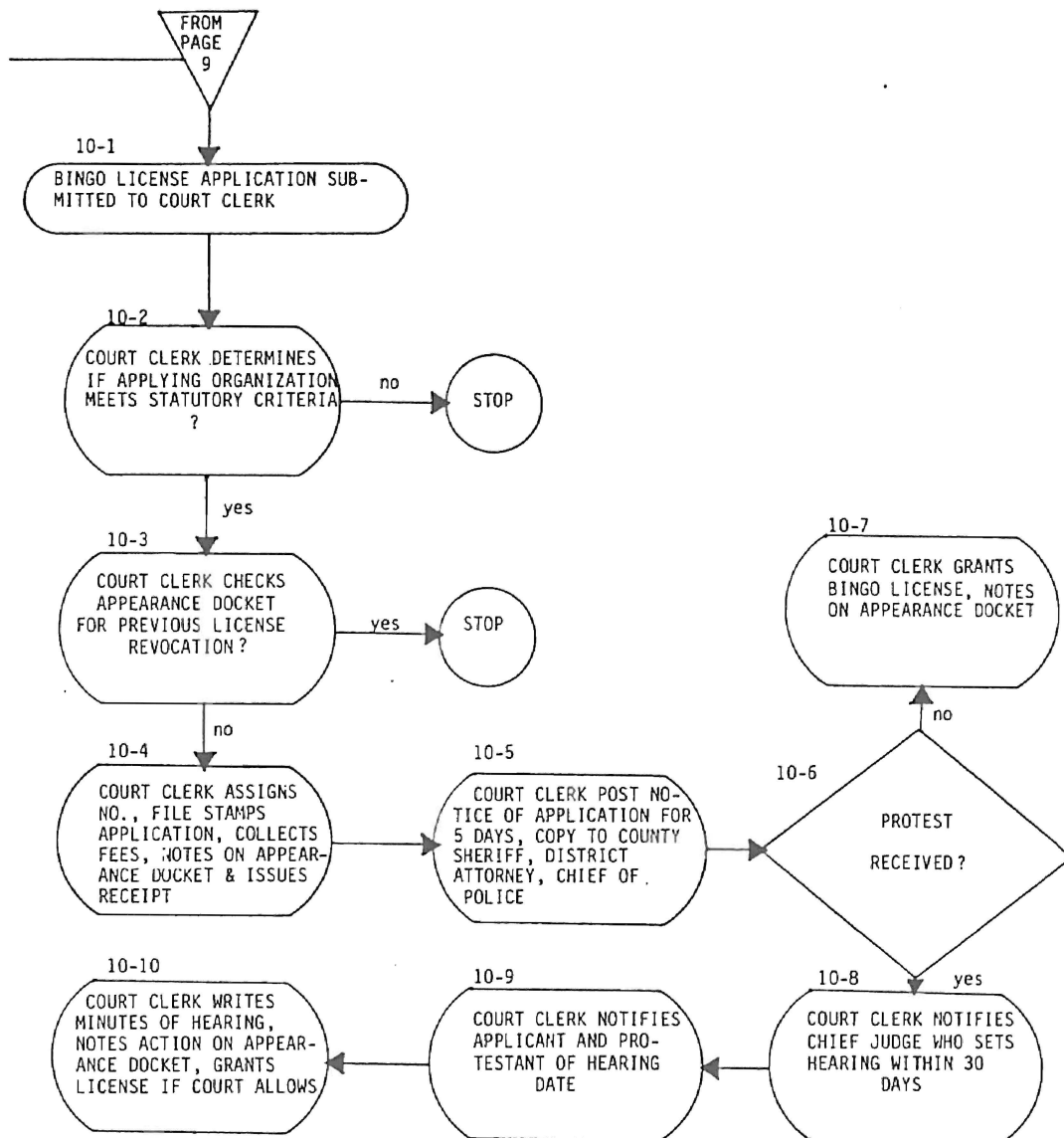


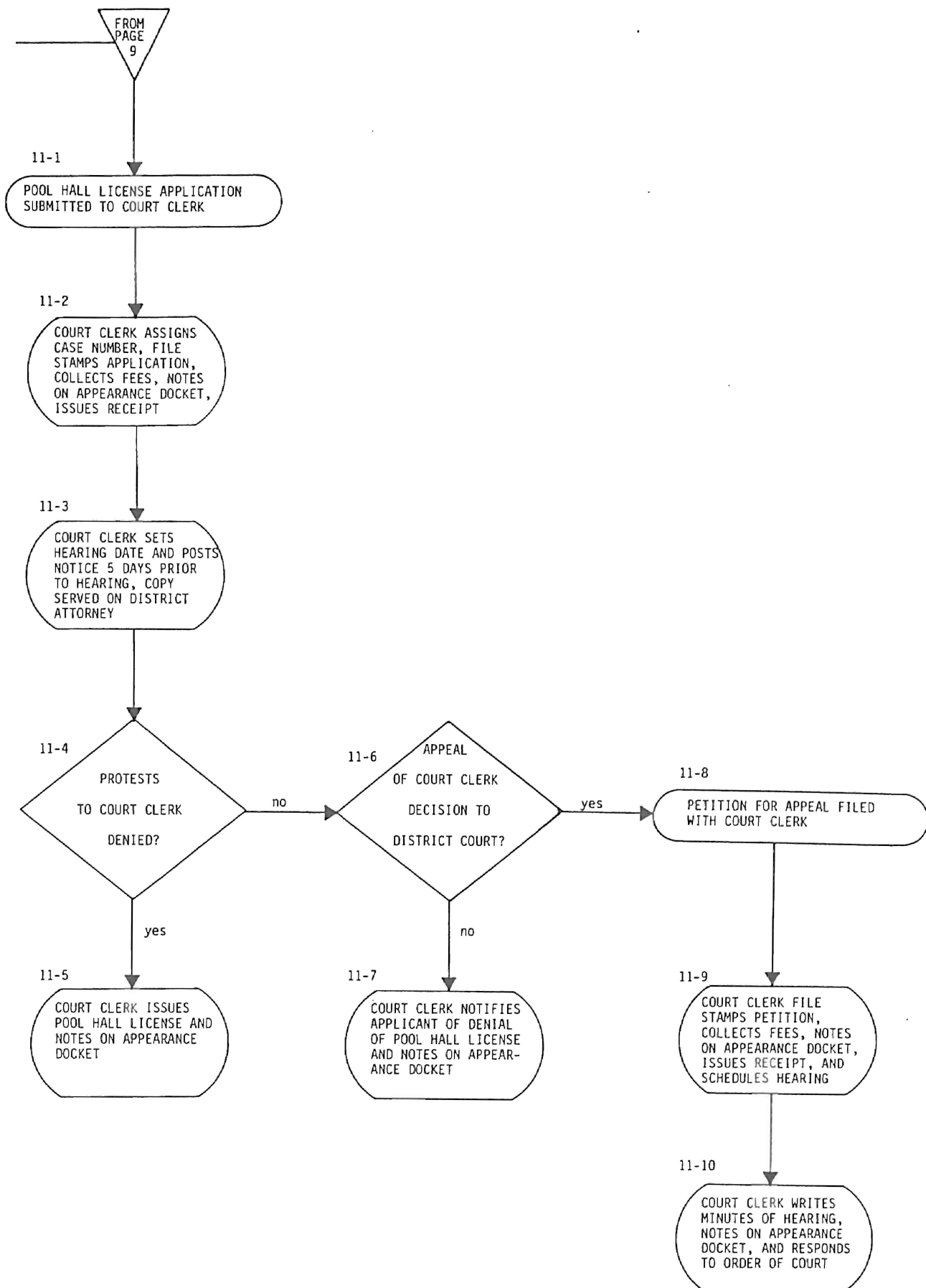




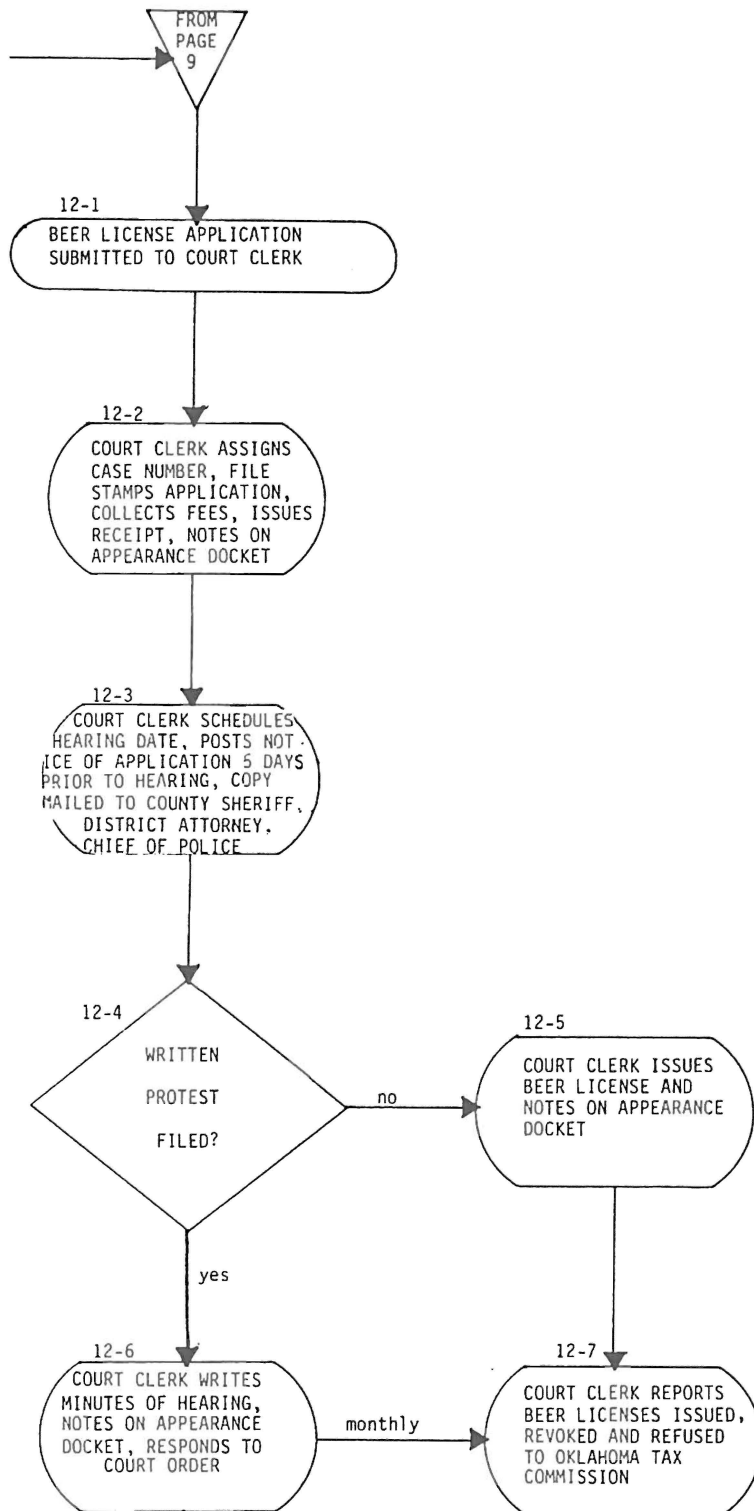
# FLOWCHART C: LICENSES-BINGO

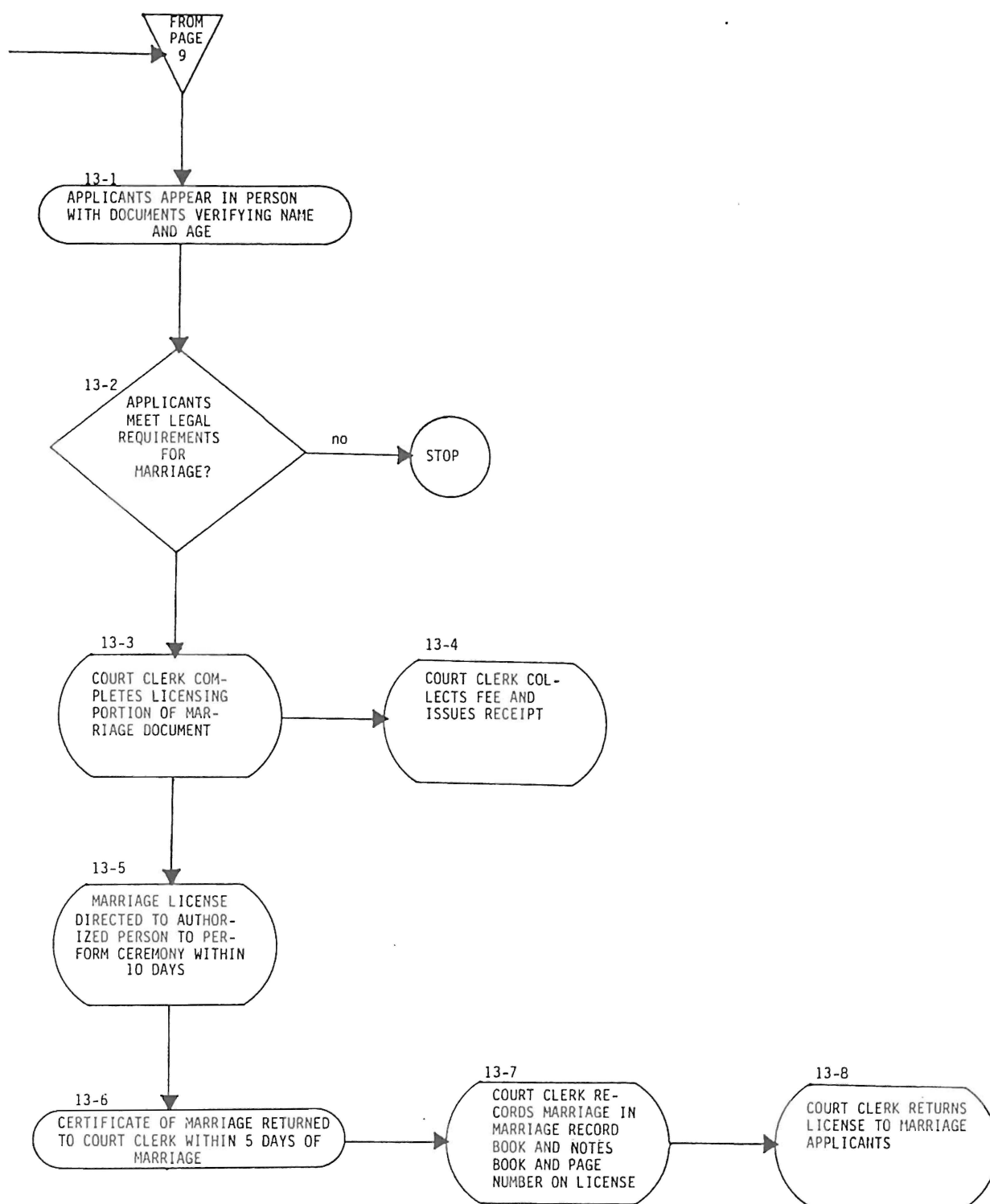
PAGE 10

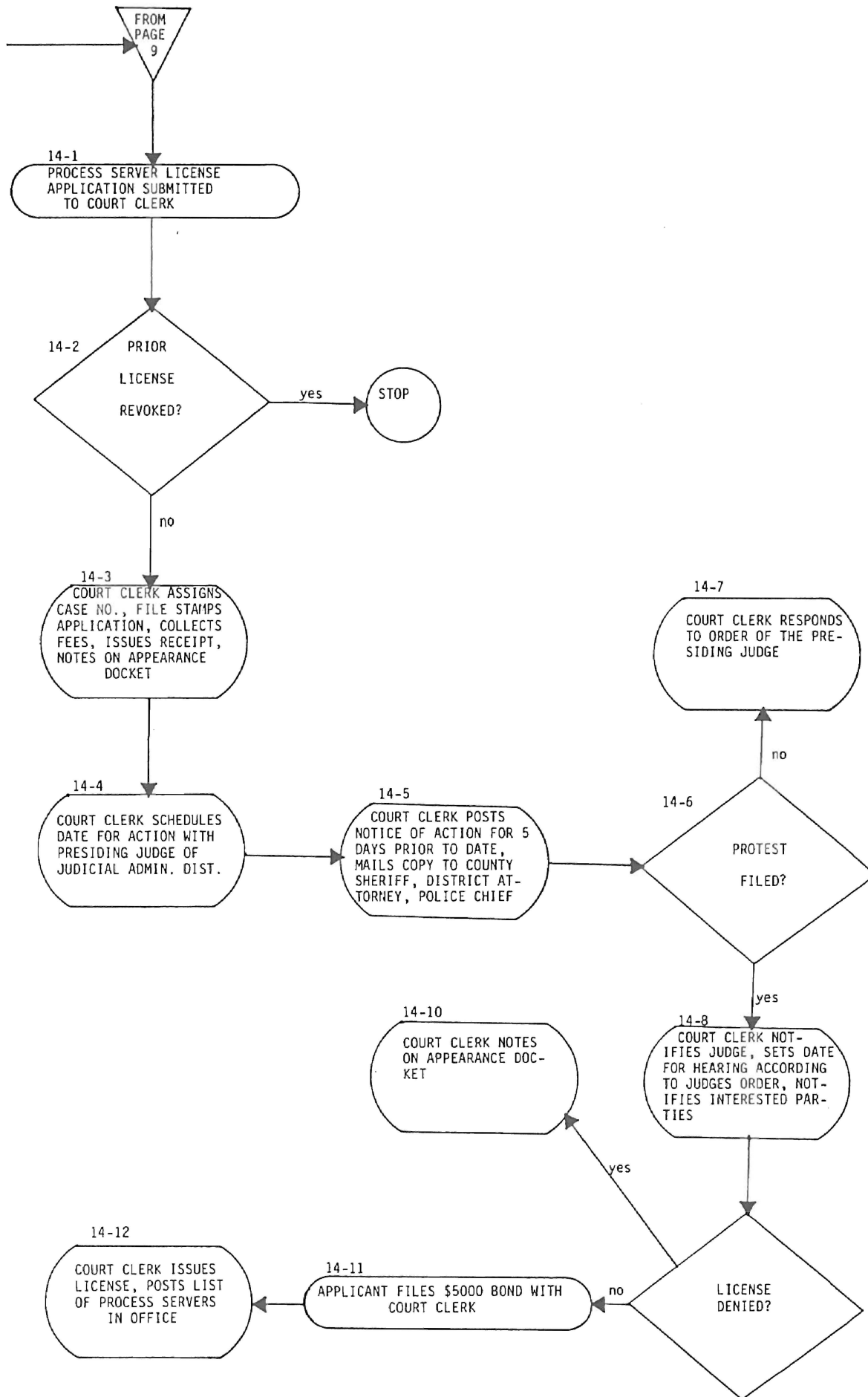


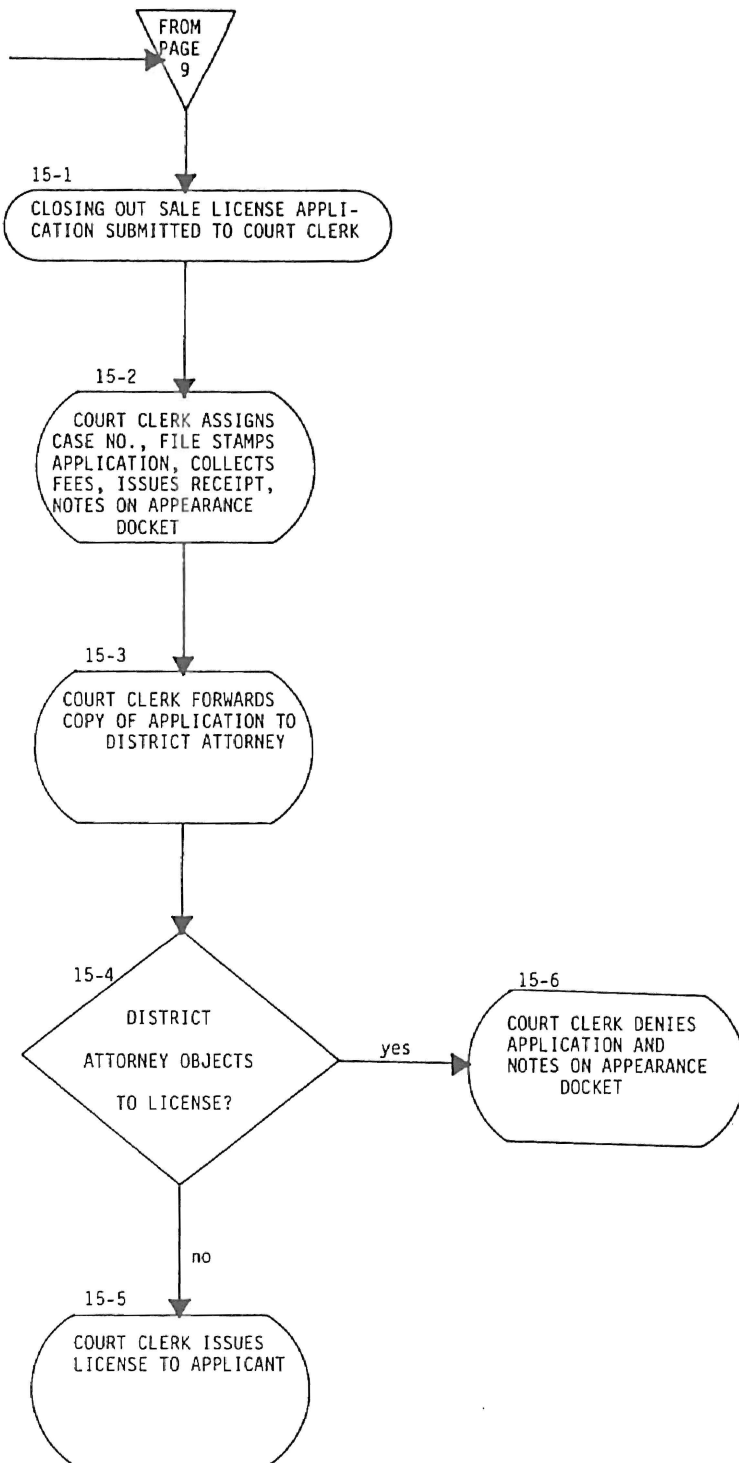


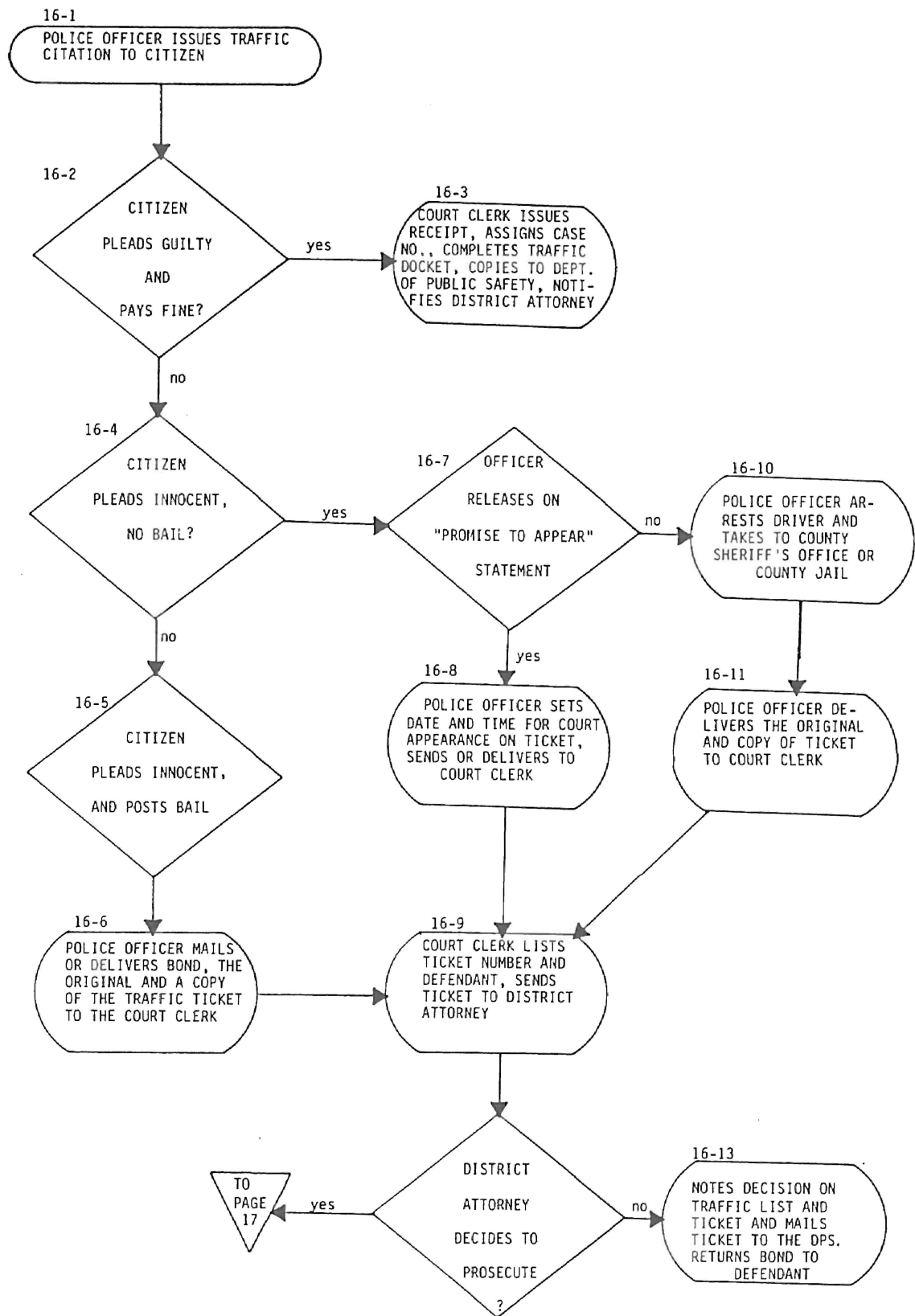


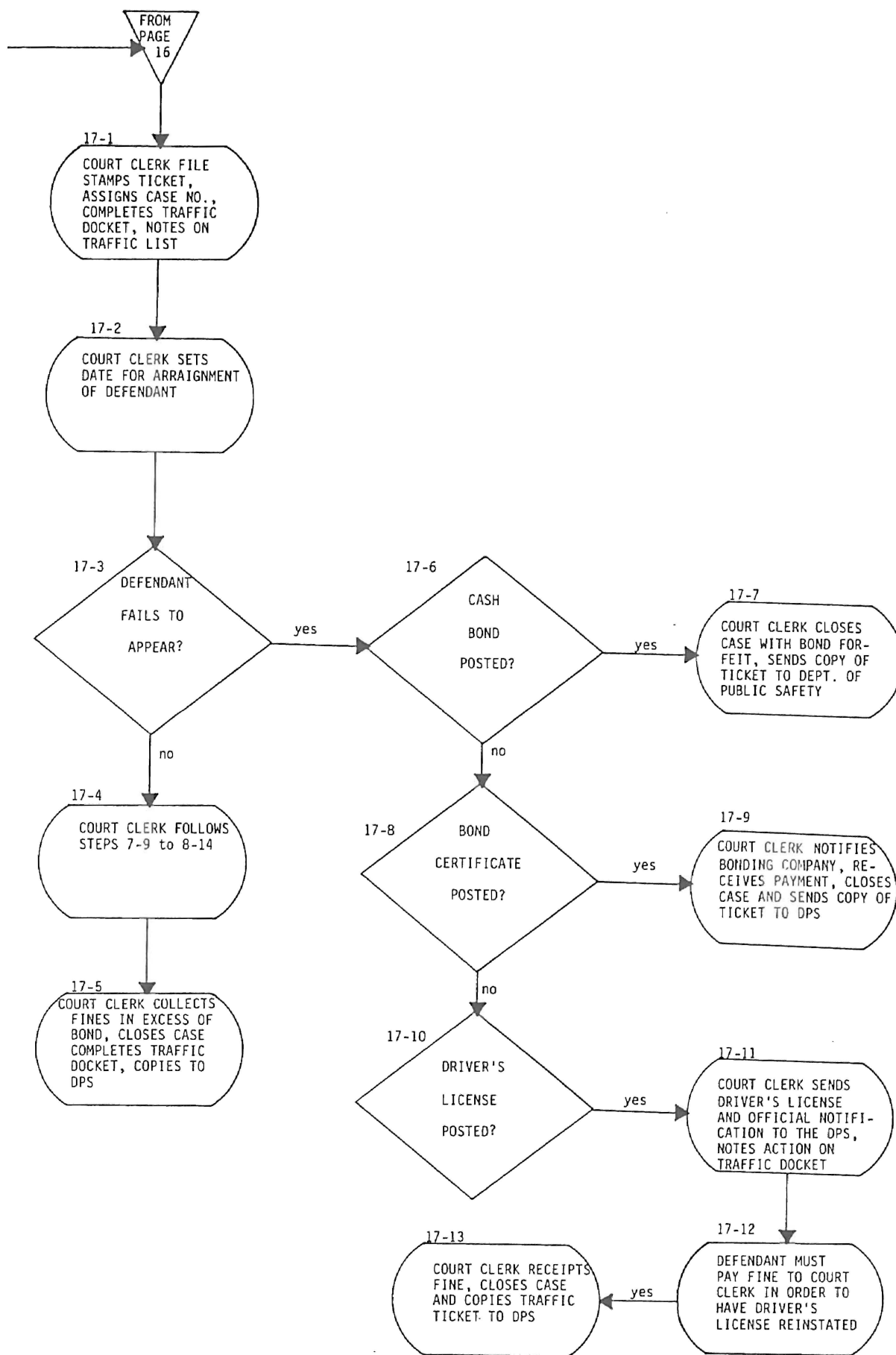


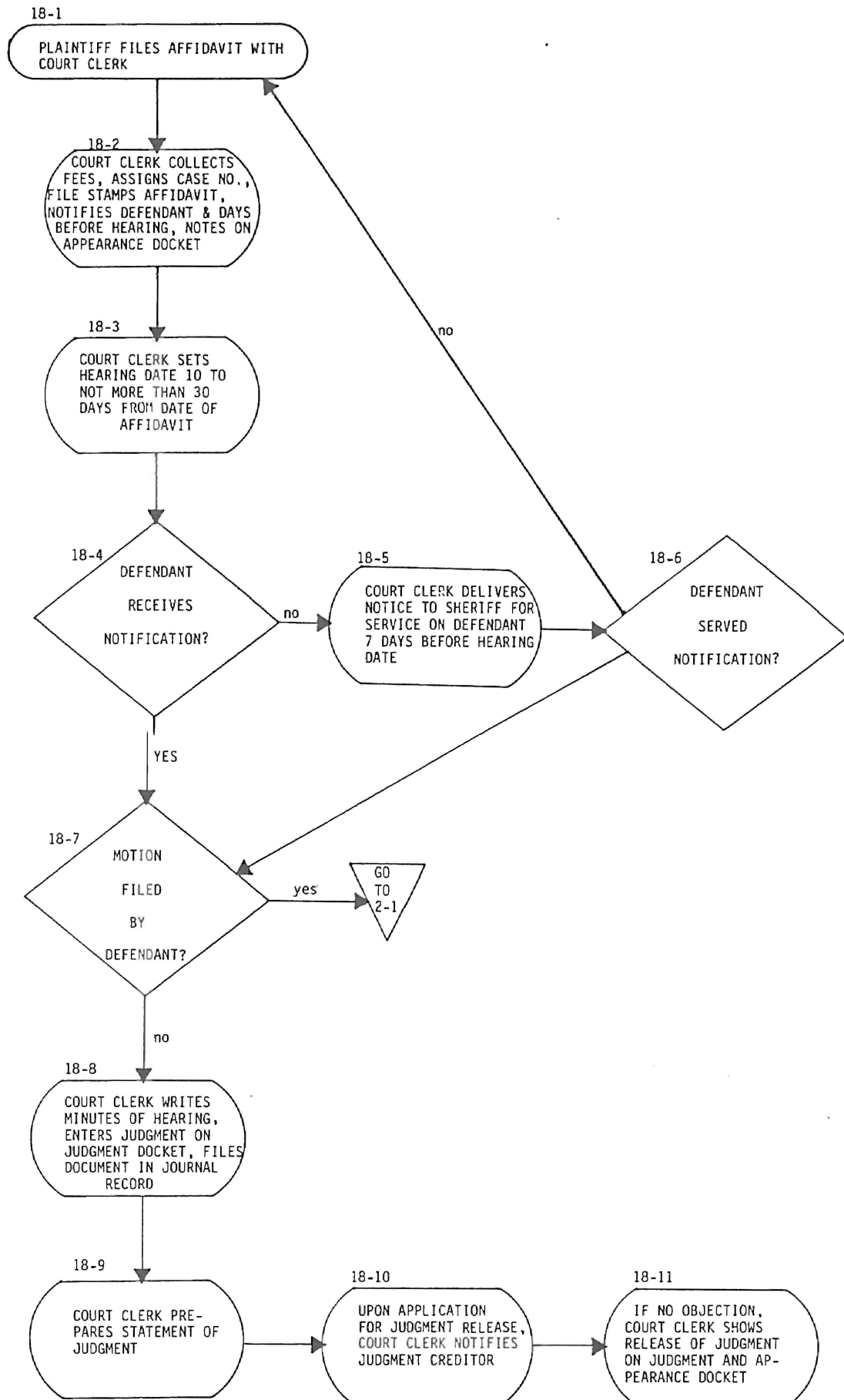


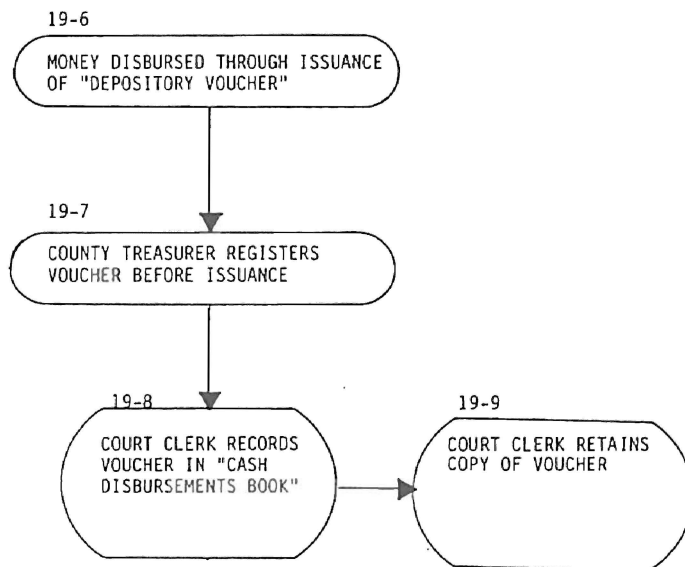
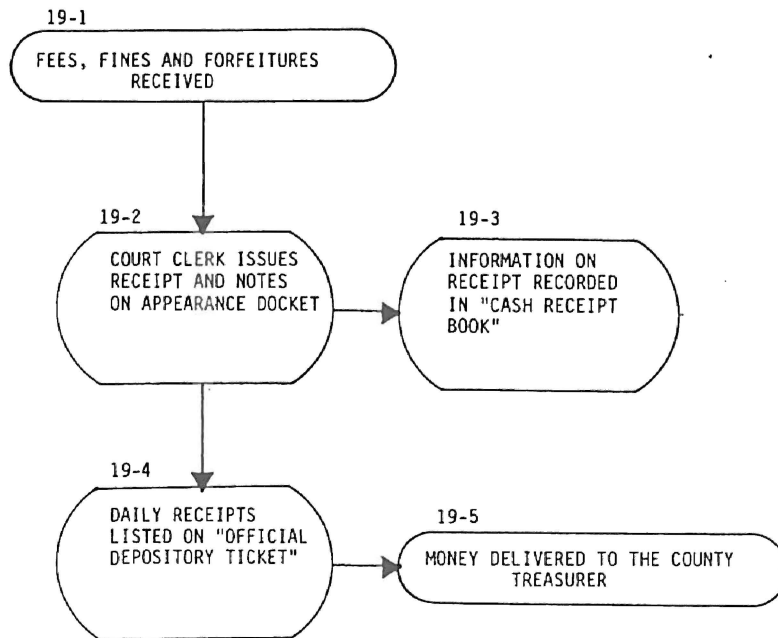




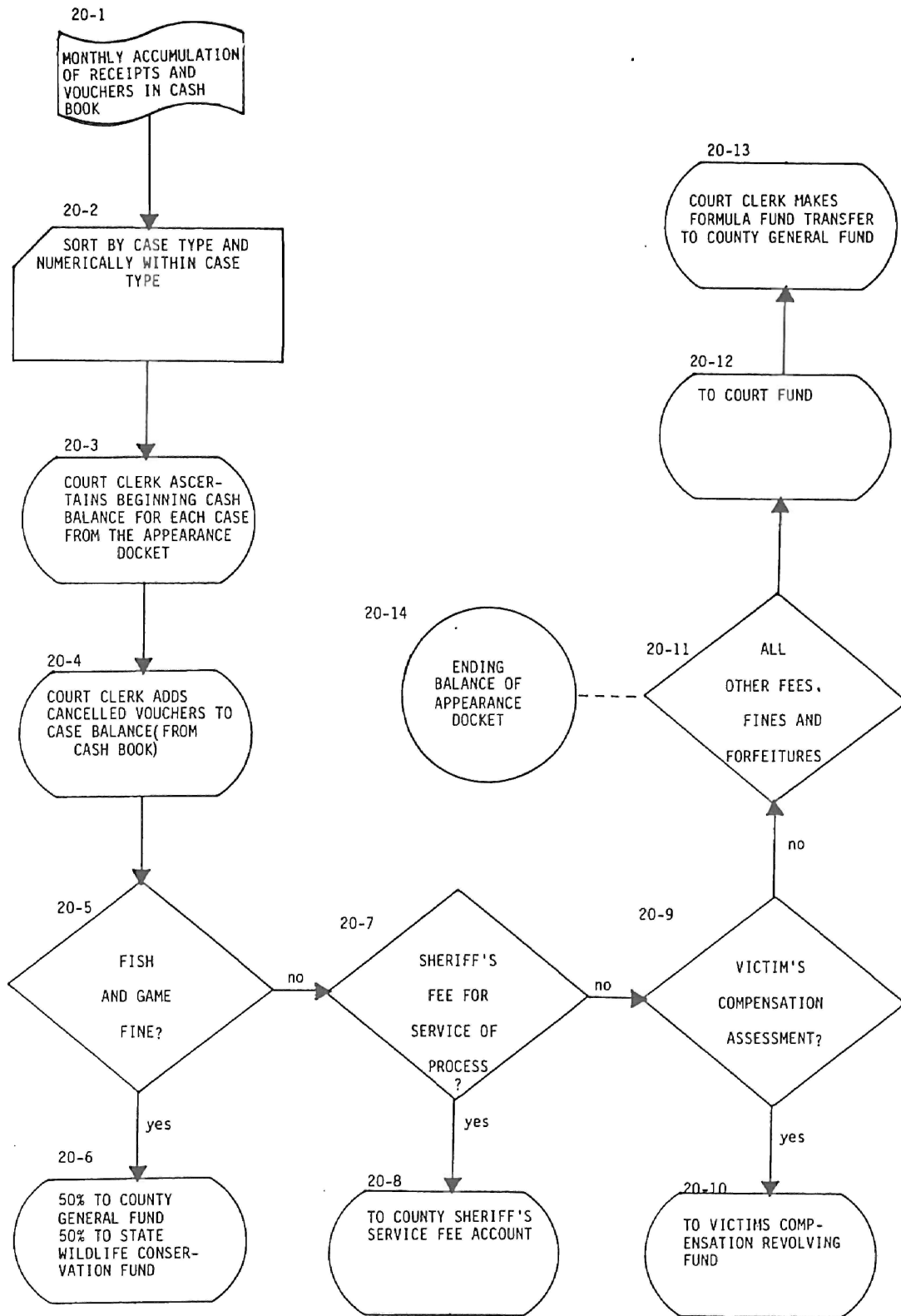


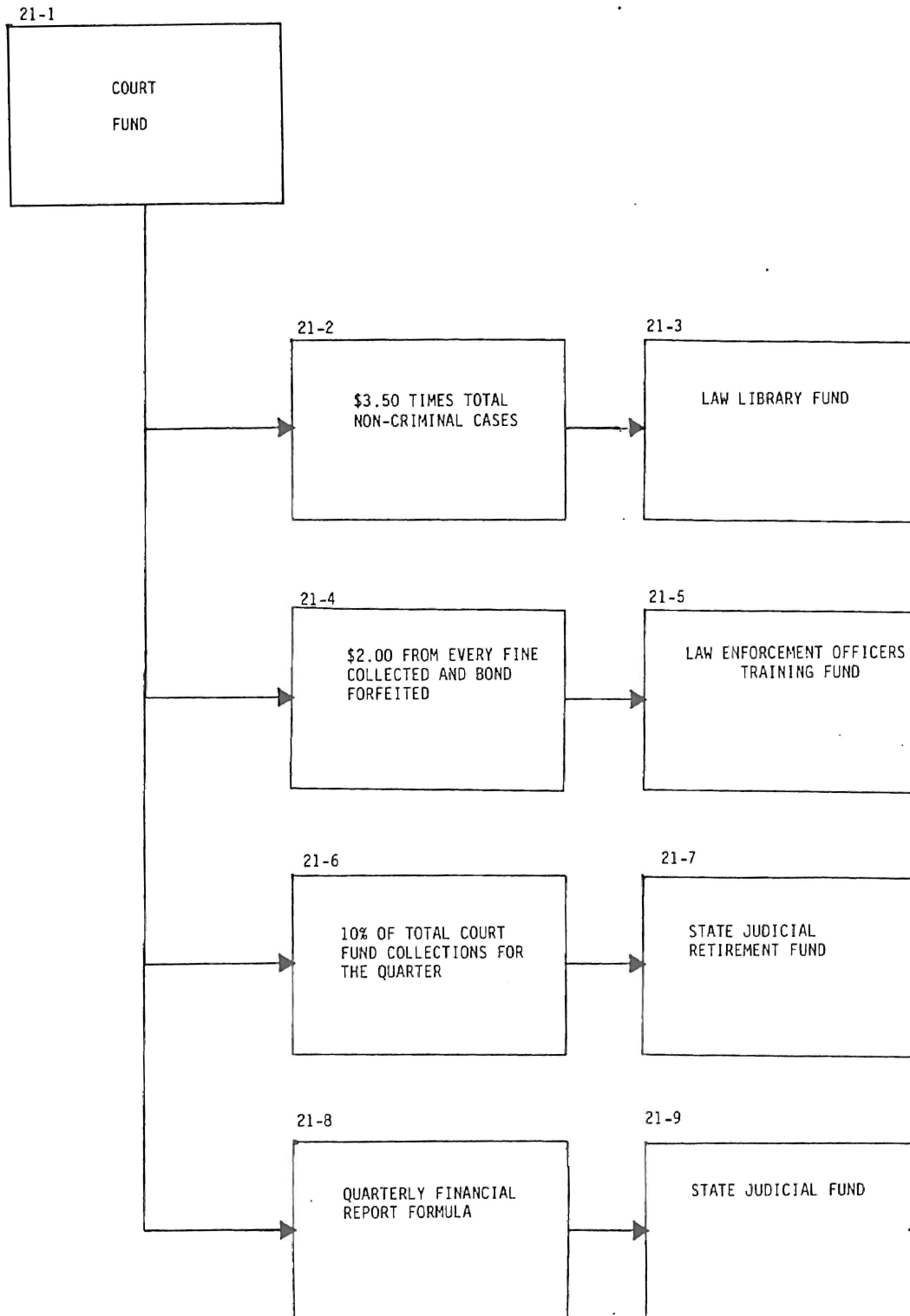












## DEFINITIONS

### Acquittal

A finding by a court or jury that one accused of a crime is not guilty.

### Adverse Party

The party on the opposite side of the legal action.

### Affidavit

A sworn statement of fact.

### Alimony

A court's award to one party in a divorce action to be paid by the other party. Allowance may be in a lump sum or in periodic payments.

### Appeal

A request for a higher court to review a judgment or order of a lower court.

### Appellant

The person who files an appeal.

### Appellee

The person against whom an appeal is taken.

### Arraignment

The process in which a defendant is formally charged with an offense.

### Arrest Warrant

A court order to arrest a person.

### Attachment

A proceeding to take a defendant's property into legal custody to satisfy a plaintiff's demand.

## Bail

To set at liberty a person arrested or imprisoned, on security being taken, for his appearance on a specified day and place.

## Bench Warrant

An order from the court empowering the proper legal authorities to seize a person.

## Body Attachments

A court order commanding a law enforcement official to deliver a person before the court.

## Bond

A written promise to pay money on conditions stated.

## Bondsman

A surety; one who obtains surety bonds for others; one who arranges for the defendant in a criminal case to be released from jail by posting bail.

## Citation

A court order commanding the appearance of a party in a proceeding.

## Condemnee

The owner of property which is being declared useless or unfit for habitation.

## Condemnor

The party seeking to have property declared useless or unfit for habitation.

## Continuance

The adjournment or postponement to a subsequent date of an action pending in a court.

## Conviction

A finding of guilty.

### Counterclaim

A counter-demand made by a defendant against the plaintiff.

### Custody

The legal guardianship of a person; the restraint and physical control over a person to insure his presence at a hearing.

### Decree

A decision or order of the court.

### Defendant

The accused person in a criminal action or the person responding to the complaint in a civil action.

### Deposition

A procedure by which a witness is examined, under oath, before trial. The testimony is written and usually takes the form of questions and answers.

### Designation of Record

The instrument filed by the appellant designating the portion of the original record and the portion of the transcript of evidence requested in order to perfect an appeal.

### Divorce

A judgment of a court terminating a marriage.

### Domestic Abuse

Threatening, causing or attempting to cause physical harm to family or household members.

### Ex Parte

A judicial proceeding brought for the benefit of one party only, without notice to or challenge by the adverse party.

Exonerate

To free from obligation.

Expunge

To erase, strike out or obliterate.

Felony

A crime which is, or may be, punishable with death or imprisonment in the State Prison.

Forfeiture

Something surrendered as punishment for a breach of contract.

Garnishment

A process in which money or property, in the hands of a third person, which is due a defendant is attached by the plaintiff.

Indigent

A person unable to provide his own financial needs.

Information

A form of accusation made by a district attorney regarding a crime.

Injunction

A court order requiring a party to refrain from doing a particular act or agreement.

Instrument

A written document which records an act or agreement.

Judgment

A decision of the court.

Judgment Creditor

A creditor who has obtained a judgment against a debtor.

#### Judgment Debtor

A debtor who has had a judgment rendered against him.

#### Jurisdiction

The power to hear and determine a case.

#### Jury

A group of citizens, usually twelve in number, who determine issues of fact in a trial.

#### Juvenile

A category of cases involving persons below the age of 18.

#### Libel

A false and malicious publication printed for the purpose of defamation.

#### Lien

A charge, hold or claim upon the property of another as security for some debt or charge.

#### Majority, Age of

The age when a person is considered legally capable of being responsible for all his activities.  
Eighteen years of age.

#### Manslaughter

The unlawful killing of another person without malice aforethought.

#### Minor

Any person who has not reached his 18th birthday.

#### Minute

An official record of proceedings.

#### Misdemeanor

A crime less serious than a felony.

## Motion

An application to the court requesting an order in favor of the applicant.

## Notice of Intent to Appeal

A written instrument filed with the court clerk which gives notice that an appeal of the court decision in a criminal matter will be made.

## Pauper

A person who is extremely poor.

## Petition

The document that a person bringing a case files to tell the court what the general nature of the case is and the facts on which that person claims a right to sue another.

## Petition in Error

An instrument which describes the case, indicates the points of law in debate and outlines the relief sought.

## Plaintiff

The person who initially brings the civil suit.

## Plea

The answer of an accused to the charge.

## Pleadings

Statements of fact which constitute the plaintiff's cause of action and the defendant's grounds of defense.

## Poundage

A tax or commission based on the value of payments (such as alimony) processed.

## Presentment

A written accusation of crime made by a grand jury.



### Prevailing Party

The party in whose favor a judgment is rendered.

### Replevin

A civil action to recover the possession of property.

### Record on Appeal

The instruments of the trial court case bound together with the transcript and exhibits.

### Search Warrant

A written court order which directs an officer to search a specified house or other premises for stolen property.

### Sentence

The punishment orderd by a court to be inflicted upon a person convicted of a crime.

### Setoff

A counterclaim by defendant against plaintiff which diminishes the plaintiff's potential recovery.

### Slander

An oral remark which defames or damages the reputation of another.

### Subpoena

An order of a court commanding a person to appear at a trial as a witness.

### Sue

The act of bringing suit.

### Suit

A proceeding in a court by which an individual (or group) pursues that remedy which the law affords.

### Summons

In civil actions, the document which notifies a defendant that a lawsuit has been filed against him.

### Transcript of Evidence

The court reporter's written verbatim record of a court proceeding with incorporated or attached exhibits.

### Trial

The procedures before a court in which evidence on both sides is produced so that the court may be informed of the facts of the case and make its decision thereon.

### Verdict

The opinion of a judge or jury on a question of fact.

### Warrant

A written order directing a certain act.

### Writ of Certiorari

A means of gaining appellate review. Issued from a superior court to a court of lower jurisdiction, the writ commands the lower court to return the record of a case to the higher court.

## REFERENCES

1. Alavi, Maryann, "An Assessment of the Prototyping Approach to Information Systems Development," Communications of the ACM, Volume 27, Number 6, June, 1984, p. 556-63.
2. Dagwell, Ron and Ron Weber, "Systems Designers' User Models: A Comparative Study and Methodological Critique," Communications of the ACM, Volume 26, Number 11, November, 1983, p. 987-97.
3. Dearnley, P.A. and P.J. Mayhew, "In Favor of System Prototypes and their Integration into the Systems Development Cycle," The Computer Journal, Volume 26, Number 1, 1983, p. 36-42.
4. \_\_\_\_\_, Directives for District Court Clerks, Administrative Director of the Courts, State Capitol, Room 107, Oklahoma City, Oklahoma.
5. \_\_\_\_\_, Oklahoma Statutes 1981 - Volumes 1-3, West Publishing Company, St. Paul, Minnesota, 1981.
6. \_\_\_\_\_, 1984 Supplement - Oklahoma Statutes, West Publishing Company, St. Paul, Minnesota, 1984.
7. \_\_\_\_\_, West's Oklahoma Court Rules and Procedures, West Publishing Company, St. Paul, Minnesota.

## APPENDIX A

### FIGURES

IN THE DISTRICT COURT

IN .....COUNTY, STATE OF OKLAHOMA

.....)  
PLAINTIFF, )  
.....) )  
.....)  
DEFENDANT. )

NOTICE IN CONDEMNATION PROCEEDING

TO: (Here list the name and mailing address of the condemnor's lawyer and of each condemnee's lawyer, as well as the name and mailing address of each unrepresented condemnee.)

You will take notice that court-appointed commissioners (appraisers) filed in this case their report on....., 19..... A copy of this report, as it pertains to the tract in which you have an interest, is attached to this notice.

If you wish to present a legal challenge to the attached report or contest the condemnor's right to take, you or your lawyer must file a written exception to it in this office at the courthouse not later than thirty (30) days after the date the attached report was filed. Should you desire a jury trial on the amount of damages to be awarded, you or your lawyer must file a written demand for it in this office at the courthouse not later than sixty (60) days after the date the attached report was filed.

You are advised that in computing the time limits for filing the papers mentioned in this notice the date the commissioners' report was filed is to be excluded and the last day of the prescribed period included.

If you fail to file an exception to the attached report or a demand for jury trial within the time limits given in this notice, your property that is sought to be taken in this case may pass to the condemnor for the amount stated in the attached commissioners' report.

.....  
(name of town and date of notice)

.....  
(name of Court Clerk)

Court Clerk of.....  
County

By.....  
(Deputy)

I certify that a copy hereof, together with a copy of the Report of Commissioners, was mailed by me this date, postage prepaid, to each of the persons herein named at the address above indicated which is the last known address of each of them; and

I certify that a copy hereof was published one (1) time in the  
..... on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

.....  
(Date)

.....  
(Deputy)

(INSTRUCTIONS: The certificate shown at the bottom of this form is to be added only on the original that is filed by the clerk in the case; copies of this notice to be used for mailing or publishing shall not show this certificate.)

Figure II.1 Condemnation Notice

IN THE DISTRICT COURT IN AND FOR \_\_\_\_\_ COUNTY  
STATE OF OKLAHOMA

	)	
Plaintiff	)	
	)	
vs.	)	Case No. _____
	)	
	)	
Defendant	)	

PETITION FOR PROTECTIVE ORDER

Plaintiff, being sworn, states:

1. (Check one or more)

☐ The defendant caused or attempted to cause serious physical harm to \_\_\_\_\_.

☐ The defendant threatened \_\_\_\_\_ with imminent serious physical harm.

2. The incident causing the filing of this petition occurred on or about \_\_\_\_\_ (date). (Describe what happened:)

---

---

---

---

---

---

3. The victim and the defendant are related as follows:  
(check one)

☐ married

☐ divorced

☐ parent and child

☐ persons related by blood

☐ persons related by marriage

☐ persons living in the same household

☐ persons formerly living in the same household

4. (Answer this question only if the plaintiff is filing on behalf of someone else, minor or incompetent)  
The plaintiff and the victim are related as follows:

☐ married

☐ divorced

☐ parent and child

☐ persons related by blood

☐ persons related by marriage

☐ persons living in the same household

☐ persons formerly living in the same household

Figure 11.2 Petition for Protective Order

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY,  
STATE OF OKLAHOMA

\_\_\_\_\_  
Plaintiff, )  
-vs- ) Case No. \_\_\_\_\_  
\_\_\_\_\_  
Defendant, )  
-and- )  
\_\_\_\_\_  
Garnishee.)

CLAIM FOR EXEMPTION AND REQUEST FOR HEARING

1. Funds sought in garnishment are exempt from execution because they are (check applicable box):

- ☐ A. Social Security Benefits 42 U.S.C. §407.  
☐ B. Supplemental Security Income 42 U.S.C. §1383(d).  
☐ C. Unemployment Benefits - 40 O.S. §2-303.  
☐ D. Workmens' Compensation Benefits - 85 O.S. §48.  
☐ E. Welfare Benefits - 56 O.S. §173.  
☐ F. Veterans' Benefits - 38 U.S.C. §3101, 31 O.S. §7.  
☐ G. Monies in possession of Police Pensions - 11 O.S. §50-124.  
☐ H. Monies in possession of Firemens' Relief and Pension Fund - 11 O.S. §49-126.  
☐ I. Monies in possession of County Employee's Retirement System - 19 O.S. §959.  
☐ J. Monies in possession of Public Employee's Retirement Fund - 74 O.S. §923.  
☐ K. Teacher's Annuities or Retirement Allowance - 70 O.S. §17-109.  
☐ L. Annuities and Pension Payments Under Railroad Retirement Act - 45 U.S.C. §231 (m).  
☐ M. United States Civil Service Retirement and Disability Pension Fund Payments - 5 U.S.C. §8346.  
☐ N. United States Civil Service Survivor Annuities 5 U.S.C. §8346.  
☐ O. Interest in Retirement, Pension and Profit Sharing Plans - 60 O.S. §327, 60 O.S. §328.  
☐ P. The Wages of Seamen - 46 U.S.C. §601.  
☐ Q. Funds vested in the Alien Property Custodian 50 U.S.C. Appx. §9(f).  
☐ R. Prepaid Burial Benefits 36 O.S. §6125.  
☐ S. Proceeds of Group-Life Insurance Policy - 36 O.S. §3632 and 36 O.S. §4026.  
☐ T. Alimony, support, separate maintenance, or child support necessary for support of defendant or dependent - 31 O.S. §1.1.  
☐ U. Personal wage exemption because of undue hardship - 31 O.S. §1.1  
☐ V. Other \_\_\_\_\_  
(Please State)

2. Check one box:

- ☐ All funds are exempt OR  
☐ I believe the following amount of money is exempt \$ \_\_\_\_\_  
(fill in amount of funds to be exempt).

3. Check if applicable:

- ☐ I have attached copies of the documents that show that my money is exempt.

I request that this matter be set for a hearing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address for mailing of Court Hearing Notice

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

S.F. 41 No. 411  
 STATE OF OKLAHOMA }  
 COUNTY }  
 IN THE MATTER OF THE APPLICATION OF }  
 FOR COUNTY BINGO LICENSE }  
 APPLICATION  
 TO THE COURT CLERK OF SAID COUNTY.  
 Located at No. \_\_\_\_\_  
 (Name of Applicant) \_\_\_\_\_  
 Street, \_\_\_\_\_, Oklahoma, hereby makes application for a  
 license at the above location for the purpose of conducting bingo games, in accordance with the provisions of H.B. 1220, First  
 Regular Session of the 34th Legislature, 1973.  
 I hereby certify that the applicant is a nonprofit organization which has been in existence for longer than two (2) years  
 continuously immediately preceding the date of this application; and  
 That said organization is exempt from tax under paragraphs (4), (5), (6), (7) and (8) of subsection (c) of Section 501 of  
 the Internal Revenue Code of 1954, as amended; and  
 That none of the receipts derived from conducting bingo games, except actual expenses incurred in the conduct thereof,  
 is to inure to the benefit of any individual shareholder, member or employee of the organization; and  
 That no commission, salary, compensation, reward or recompense will be paid to any person for conducting such games  
 except when the conducting of such games is only incidental to the regular employment of employees of such organization,  
 and  
 That \_\_\_\_\_  
 (Name and Address)  
 is authorized to receive notice in behalf of said applicant; and  
 That applicant proposes to conduct all bingo games at the following location \_\_\_\_\_  
 \_\_\_\_\_; and  
 That the applicant will abide by all the provisions of H.B. 1220, First Regular Session, 34th Legislature  
 Supplied herewith are:  
 (1) Certification from the Internal Revenue Service recognizing that the applicant is a nonprofit organization and  
 exempt from payment of federal income taxes.  
 (2) Check applicable paragraph:  
 a - ☐ Original License fee of Twenty Five Dollars ( \$ \_\_\_\_\_ );  
 b - ☐ Renewal of original License fee of Five Dollars  
 c - ☐ No License fee is attached. Section 4, H.B. 1220, applies to this applicant because no more than  
 three (3) bingo activities will be conducted by it within one calendar year from date the license is  
 issued. The games to be conducted will be as follows:  
 LOCATION \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 Dated \_\_\_\_\_  
 BY \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 ORGANIZATION \_\_\_\_\_  
VERIFICATION  
 I hereby verify that the above information is true and correct and that I am the presiding officer of the applicant organization.  
 BY \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 ORGANIZATION \_\_\_\_\_

Figure IV.1 Application for Bingo License



PUBLIC NOTICE

NOTICE is hereby given that \_\_\_\_\_  
(Applicant)  
has filed an application in accordance with the provisions and requirements of H.B. 1220, 1st Regular Session, 34th Legislature, 1973, for a license or permit to conduct Bingo Games on the premises at No. \_\_\_\_\_ Street, in the City, or Township of \_\_\_\_\_, \_\_\_\_\_ County, State of Oklahoma, and that hearing upon said application or Permit, will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., before the Court Clerk in the Court Clerk's office in \_\_\_\_\_ County, Oklahoma, at which time and place anyone objecting to the issuing of such license may appear and voice said objections.

Dated at \_\_\_\_\_, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Court Clerk.

*Post*

One in Front of Establishment;

*Mail*

One to District Attorney

One to Sheriff

One to Chief of Police or Marshal of City or Town.

Figure IV.2 Public Notice

S.E.A. Form No. 420

STATE OF OKLAHOMA

County of \_\_\_\_\_

} ss.

IN THE OFFICE OF COURT CLERK  
SAID COUNTY AND STATE

IN THE MATTER OF THE APPLICATION OF

Case No. \_\_\_\_\_

FOR COUNTY BINGO LICENSE

PROTEST AGAINST THE ISSUANCE OF COUNTY BINGO LICENSE

I/ot we hereby enter a protest against the issuance of a license to \_\_\_\_\_

OF \_\_\_\_\_, Oklahoma, to conduct bingo games on their premises located at No. \_\_\_\_\_

Street, \_\_\_\_\_, Oklahoma, for the following reasons, to-wit: \_\_\_\_\_

Dated, subscribed and respectfully submitted, this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
*Protestant*

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
*County Clerk*

By \_\_\_\_\_, *Deputy*

Figure IV.3 Protest

NOT TRANSFERABLE	LICENSE NO. _____
------------------	-------------------

## COUNTY BINGO LICENSE

*To all to whom these presents shall come, Greeting*

THIS IS TO CERTIFY THAT \_\_\_\_\_

of \_\_\_\_\_, Oklahoma, having paid a fee of \_\_\_\_\_ DOLLARS

\_\_\_\_\_ and having satisfied the undersigned Court Clerk that having met all the requirements of H.B. 1220, 34th Legislature, 1973, is hereby granted a

### COUNTY BINGO LICENSE

TO conduct bingo games at \_\_\_\_\_

FOR A PERIOD OF ONE YEAR BEGINNING \_\_\_\_\_ OR \_\_\_\_\_

(Date of License)

on the following stated dates (1) \_\_\_\_\_

(2) \_\_\_\_\_ (3) \_\_\_\_\_

OR until revoked as provided by law

\_\_\_\_\_  
*Court Clerk*  
PAYNE COUNTY, OKLAHOMA

(POST IN CONSPICUOUS PLACE)

Figure IV. 4 Bingo License

## APPLICATION FOR POOL OR BILLIARD HALL LICENSE

To the Court Clerk of \_\_\_\_\_ County, Oklahoma:

I, \_\_\_\_\_ a citizen of \_\_\_\_\_ State of  
Oklahoma, do hereby make application for a license to maintain and operate a Pool or Billiard Hall at No.  
\_\_\_\_\_ Street in the City-Town of \_\_\_\_\_  
County of \_\_\_\_\_, State of Oklahoma, in accordance with the provisions of Senate Bill  
No. 588, Session Laws 1968.

Applicant respectfully represents: First, that he is a person of good moral character; second that  
he has never been convicted of violating any of the laws prohibiting the traffic in any spirituous, vinous,  
fermented or malt liquors, or any of the laws commonly called "prohibition laws;" third, that he has never  
been convicted of violating any of the gambling laws of the State; fourth, that he has never paid the  
special liquor dealer's tax to the United States, and that no special liquor dealer's tax stamps or receipts  
issued by the United States is held by any person occupying that part, or adjoining that part, of the build-  
ing in which the above proposed Billiard or Pool Hall is to be maintained or operated.

Dated at \_\_\_\_\_, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Applicant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Court Clerk

Figure IV.5 Application for Pool Hall License

ORDER FIXING DATE FOR HEARING APPLICATION

It is hereby ordered that hearing of above application, be set for..... 19.....  
at ..... o'clock.....M. in the County Court Room at.....for the County of.....  
....., State of Oklahoma, and that notice thereof be given by posting at least four  
notices one of which shall be at the Court House in said County and three thereof in the City or Town in  
which it is proposed to maintain and operate said Pool or Billiard Hall.

Dated this..... day of....., 19.....

.....  
Court Clerk

# PUBLIC NOTICE

---

Notice is hereby given, that \_\_\_\_\_

has filed an application in accordance with the provisions and requirements of Title Senate Bill No. 586,  
 Session Laws 1968, for a License to maintain and operate a Pool or Billiard Hall at No. \_\_\_\_\_  
 Street in the City—Town of \_\_\_\_\_, County of \_\_\_\_\_, State of  
 Oklahoma and that hearing upon said application for license will be held on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. before the Court Clerk  
 in the Court Room in and for the County of \_\_\_\_\_ State of Oklahoma.

Dated at \_\_\_\_\_ Oklahoma this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
 Court Clerk

\_\_\_\_\_  
 County, Oklahoma

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STATE OF OKLAHOMA

\_\_\_\_\_)  
 \_\_\_\_\_) ss  
 \_\_\_\_\_ COUNTY)

IN THE OFFICE OF COURT CLERK IN  
 AND FOR SAID COUNTY AND STATE

IN THE MATTER OF THE APPLICATION OF

\_\_\_\_\_)  
 \_\_\_\_\_) FOR COUNTY BEVERAGE LICENSE

CASE NO. \_\_\_\_\_

APPLICATION

TO THE COURT CLERK OF SAID COUNTY:

\_\_\_\_\_) Doing Business as \_\_\_\_\_  
Name of Applicant Name of Firm or Corporation

doing business at \_\_\_\_\_, Oklahoma, hereby makes application for a license at the location described above to sell non-intoxicating beverages containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) alcohol measured by volume, and not more than three and two-tenths per cent (3.2%) of alcohol measured by weight, for consumption or use in accordance with the provisions of Senate Bill No. 588, 1968 Session Laws.

I hereby certify that I am a person of good moral character, that I have never been convicted of violating any of the laws prohibiting the traffic in any spirituous, vinous, fermented or malt liquors, or of any of the gambling laws of the State, or any other State of the United States, within three (3) years immediately preceding the date of this application, or any of the laws commonly called "Prohibition Laws," or had any permit or license to sell non-intoxicating liquors revoked in any county of this State within the last twelve (12) months. I further certify that I am not the holder of a retail liquor dealer's permit or license issued by the United States Government to engage in the sale of intoxicating liquor, and, that for at least one (1) year next preceding filing of this application, I have maintained a bona fide residence in the State of Oklahoma, and, am at this time maintaining a residence in this County or in an adjoining County in which said application is made.

I further certify that I shall keep accurate records of all sales of beverages to consumers and users, and of all purchases of such beverages from wholesalers or otherwise; and such records shall be preserved for a period of not less than three years from and after the date of the permit or license to be issued under this application, which shall be open to inspection at all times by the Oklahoma Tax Commission or any of its employees. (O.S. 1961 Title 37 Sections 163.13 and 163.14 and Senate Bill No. 588, 1968 Session Laws)

Dated at \_\_\_\_\_ Oklahoma, this the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
 Applicant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

\_\_\_\_\_  
 Court Clerk

Figure IV.8 Beer License Application

STATE OF OKLAHOMA

COUNTY OF \_\_\_\_\_

ss

BEFORE DISTRICT COURT IN AND  
FOR SAID COUNTY AND STATE

IN THE MATTER OF THE APPLICATION OF

FOR COUNTY BEVERAGE LICENSE

CASE NO. \_\_\_\_\_

### ORDER FOR HEARING APPLICATION

Upon application of \_\_\_\_\_, for a license permitting him to sell beverages for consumption on and/or off the premises of his place of business, located at \_\_\_\_\_, Oklahoma, said application having been filed on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

IT IS HEREBY ORDERED that the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_M., of said day in the District Court of said County, be and the same is hereby fixed as the time when all persons desiring to enter a protest will be required to appear and show cause why license should not be granted as applied for.

IT IS FURTHER ORDERED, that notice of said hearing be given by posting one of which shall be plainly exhibited on the front of the building in which said nonintoxicating beverages are to be sold, one copy of such notice shall be mailed to the District Attorney, one copy shall be mailed to the Sheriff, and one copy shall be mailed to the Chief of Police or Marshal of any City or Town in which said business is to be operated, and that five days notice shall be given, and that due return of said posting and mailing of notice shall be made before the date of said hearing.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Court Clerk

Notice of appeal, denial or revocation in relation to any application or permit must be made by the Court Clerk to the Oklahoma Tax Commission within five (5) days after such action

Figure IV.9 Order for Hearing



## PUBLIC NOTICE

NOTICE is hereby given that \_\_\_\_\_  
(Applicant)

doing business as \_\_\_\_\_  
(Name of Firm or Corporation)

has filed an application in accordance with the provisions and requirements of (37 O.S. Supp. 1970 § 163.11), for a license or permit to sell beverages containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) alcohol measured by volume and not more than 3.2 per cent (3.2%) of alcohol measured by weight, for consumption on and or off the premises at No. \_\_\_\_\_ Street, in the City, or Township of \_\_\_\_\_ County, State of Oklahoma, and that hearing upon said Application or Permit, will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M., before the Court Clerk in the Court Clerk's office in \_\_\_\_\_ County, Oklahoma, at which time and place anyone objecting to the issuing of such license may appear and voice said objections.

Dated at \_\_\_\_\_, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Court Clerk

Post: One in Front of Establishment

Mail: One to District Attorney  
One to Sheriff  
One to Chief of Police or Marshal of City or Town

Figure IV.10 Public Notice

**STATE OF OKLAHOMA**

**MARRIAGE LICENSE**

COUNTY OF  
**CANADIAN**  
IN DISTRICT COURT

To any person authorized to perform or solemnize the Marriage Ceremony According

You are hereby authorized, upon delivery of this marriage license within ten days from date of its issue to you, to join in marriage

Mr. \_\_\_\_\_  
of \_\_\_\_\_ County of \_\_\_\_\_  
State of \_\_\_\_\_ age \_\_\_\_\_ years, and  
Mr. \_\_\_\_\_  
of \_\_\_\_\_ County of \_\_\_\_\_  
State of \_\_\_\_\_ age \_\_\_\_\_ years

and by the command of the statute you shall make due return of this license to my office within five days succeeding the performance of the marriage herein authorized

Issued under my hand and official seal, and recorded in my marriage record before delivery at El Reno, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Court Clerk  
\_\_\_\_\_  
Deputy

**Certificate of Marriage**  
State of Oklahoma County of Canadian

I, \_\_\_\_\_  
OFFICIAL DESIGNATION \_\_\_\_\_ CHURCH OR CONGREGATION \_\_\_\_\_  
of \_\_\_\_\_ County State of Oklahoma do hereby certify that I joined in marriage the persons named in and authorized by this license to be married, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_ at \_\_\_\_\_, Oklahoma, in the presence of \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_

MY PRESENTIAL AUTHORITY ARE RECORDED IN MY OFFICE

BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_ PERSON PERFORMING CEREMONY \_\_\_\_\_  
OF \_\_\_\_\_ COUNTY OKLAHOMA OFFICIAL DESIGNATION \_\_\_\_\_

THIS LICENSE IS VALID IN ANY COUNTY BUT MUST BE RETURNED TO COURT CLERK IN CANADIAN COUNTY

Figure IV. 11 Marriage License

File No \_\_\_\_\_ Docket No \_\_\_\_\_ Page No \_\_\_\_\_

Officer's Remarks for Testifying in Court

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEA AND/OR WAIVER OF APPEARANCE

I, the undersigned, do hereby enter my appearance on the complaint of the offense charged on other side of this summons. I have been informed of my right to a trial in conformance with 22 O.S. 1971 Sections 1114.1-1114.1C.

- ☐ I do hereby PLEAD GUILTY to said offense as charged and waive my rights to a hearing by court or jury. I further agree to pay the penalty prescribed for my offense.
- ☐ I do hereby PLEAD NOT GUILTY to said offense as charged, posting amount designated below as my bond for appearance in court as specified on reverse side.

\_\_\_\_\_  
(Defendant's Signature)

AMOUNT \$ \_\_\_\_\_ DATE \_\_\_\_\_

Date	COURT ACTION AND OTHER ORDERS
	The within complaint has been examined and there is probable cause for filing the same. Complaint filed.
	Signature (D.A., Prosecuting Attorney)
Date	<input type="checkbox"/> Bond Forfeiture <input type="checkbox"/> Plea of Guilty Finding by Court (Jury) <input type="checkbox"/> Convicted <input type="checkbox"/> Acquitted <input type="checkbox"/> Dismissed <input type="checkbox"/> Other _____
	The Court therefore, enters following order: Fined \$ _____ Costs \$ _____ Jailed _____ days in _____ Traffic School _____ days Probation _____ days Defendant notified of his rights _____ Appeal Bond of \$ _____ filed _____ Appeal to _____ Court

I Certify This To Be A True And Correct Abstract Of Court Record

\_\_\_\_\_  
Signature of Judge or Clerk

\_\_\_\_\_  
Deputy Clerk

Figure V.1 Traffic Citation (Back)

**SUMMONS**  
**RECEIPT and TEMPORARY DRIVER LICENSE**  
**READ CAREFULLY**

1. This instrument constitutes a temporary Oklahoma Drivers license for a period of time not to exceed the court appearance date stated on the reverse side

AUTHORITY: \_\_\_\_\_  
Officer's Name Badge No.

DL Restrictions: \_\_\_\_\_

NOTICE The making of application for a duplicate license during this period is a crime punishable by imprisonment from 7 days to 5 months and a fine of not more than \$500.00.

In order to promptly recover driver license, subject must appear in court as prescribed on reverse side of this ticket.

2. This is a receipt to the person charged on the reverse side of this ticket for deposit of GUARANTEED ARREST BOND CERTIFICATE issued by

\_\_\_\_\_  
Name of Company Number of Certificate (if any)

NAME \_\_\_\_\_  
(Signature of Officer Issuing Receipt) Badge No.

**RECEIPT**

3. To the best of my knowledge the person charged on reverse side of this ticket, wishing to PLEAD GUILTY to the charge, has complied with 22 O.S. 1971, Sections 1114.1-1114.10.

DATE \_\_\_\_\_ FINE & COSTS \$ \_\_\_\_\_

\_\_\_\_\_  
(Signature of Officer Issuing Receipt) Badge No.

RECEIPT NO. \_\_\_\_\_

**RECEIPT**

4. To the best of my knowledge, the person charged on reverse side of this ticket, wishing to PLEAD NOT GUILTY to the charge, has complied with 22 O.S. 1971, Sections 1114.1-1114.10.

DATE \_\_\_\_\_ BOND \$ \_\_\_\_\_

\_\_\_\_\_  
(Signature of Officer Issuing Receipt) Badge No.

RECEIPT NO. \_\_\_\_\_

**NOTICE**

The court may issue a WARRANT for the arrest of any defendant who has failed to appear to answer a traffic summons duly served upon him and upon which a complaint has been filed.

Upon notification from the court of defendants failure to appear, the Department of Public Safety shall SUSPEND the defendants driving privilege.

Figure V.2      Receipt

OKLAHOMA HIGHWAY PATROL  
OKLAHOMA UNIFORM VIOLATIONS COMPLAINT

Case No. \_\_\_\_\_ Docket No. \_\_\_\_\_ Page No. \_\_\_\_\_  
State of Oklahoma \_\_\_\_\_ { Jud. Dist. } Court: \_\_\_\_\_  
County of \_\_\_\_\_ ss \_\_\_\_\_ { Municipal }

COMPLAINT - INFORMATION OHP

the undersigned, being duly sworn, upon his oath deposes and says that  
on or about (date) \_\_\_\_\_ at (time) \_\_\_\_\_ at or near (location) \_\_\_\_\_

County number \_\_\_\_\_ East \_\_\_\_\_ North \_\_\_\_\_  
Control-Int \_\_\_\_\_ Location \_\_\_\_\_  
within the city, county and state aforesaid

Name \_\_\_\_\_ last \_\_\_\_\_ first \_\_\_\_\_ middle \_\_\_\_\_ zip code \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

birthdate (mo., da., yr.) \_\_\_\_\_ height \_\_\_\_\_ weight \_\_\_\_\_ race \_\_\_\_\_ sex \_\_\_\_\_ op \_\_\_\_\_ Ch \_\_\_\_\_ Cc \_\_\_\_\_ Mc \_\_\_\_\_ Other \_\_\_\_\_

DL No. \_\_\_\_\_ vi \_\_\_\_\_ State \_\_\_\_\_

Employer \_\_\_\_\_ Did Unlawfully \_\_\_\_\_ Operate \_\_\_\_\_ Park \_\_\_\_\_

Vehicle-make \_\_\_\_\_ year \_\_\_\_\_ body style-color \_\_\_\_\_ license no. \_\_\_\_\_ state \_\_\_\_\_ year \_\_\_\_\_

and did then and there commit the following offense

<input type="checkbox"/> SPEEDING	<input type="checkbox"/> MPH in	<input type="checkbox"/> MPH Zone	<input type="checkbox"/> Pace	<input type="checkbox"/> Radar	<input type="checkbox"/> Plane	<input type="checkbox"/> Vascar
<input type="checkbox"/> Disobeyed						
<input type="checkbox"/> Stop Sign	<input type="checkbox"/> wrong place	<input type="checkbox"/> at walk speed	<input type="checkbox"/> faster			
<input type="checkbox"/> Disobeyed	<input type="checkbox"/> past middle	<input type="checkbox"/> middle of	<input type="checkbox"/> not reached			
<input type="checkbox"/> Traffic Sig	<input type="checkbox"/> intersection	<input type="checkbox"/> intersection	<input type="checkbox"/> intersection			
<input type="checkbox"/> Improper Turn						
<input type="checkbox"/> no	<input type="checkbox"/> into wrong	<input type="checkbox"/> cut	<input type="checkbox"/> from wrong	<input type="checkbox"/> pro		
<input type="checkbox"/> left-right-U	<input type="checkbox"/> signal	<input type="checkbox"/> lane	<input type="checkbox"/> corner	<input type="checkbox"/> lane	<input type="checkbox"/> hibited	
<input type="checkbox"/> Improper	<input type="checkbox"/> at intersection	<input type="checkbox"/> cut in	<input type="checkbox"/> on hill	<input type="checkbox"/> on hill		
<input type="checkbox"/> Passing &	<input type="checkbox"/> between traffic	<input type="checkbox"/> on right	<input type="checkbox"/> marked zone	<input type="checkbox"/> marked zone		
<input type="checkbox"/> Lane Use	<input type="checkbox"/> lane straddling	<input type="checkbox"/> wrong lane	<input type="checkbox"/> on curve	<input type="checkbox"/> on curve		
<input type="checkbox"/> Failure to Yield	<input type="checkbox"/> Following too Closely	<input type="checkbox"/> Parking violation (describe)				
<input type="checkbox"/> Other violation						

The undersigned further states that he has just and reasonable grounds to believe, and does believe, that the person named above committed the offense herein set forth, contrary to law

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ } signature of officer \_\_\_\_\_  
name and title \_\_\_\_\_ Troop \_\_\_\_\_  
Badge No. \_\_\_\_\_ Dist. No. \_\_\_\_\_

Court Appearance \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_ M

Address of Court \_\_\_\_\_

without admitting guilt I promise to appear in said court at said time & place

Signature \_\_\_\_\_

Conditions that increased seriousness of violation	Slippery	<input type="checkbox"/> rain	Caused Person to Dodge	<input type="checkbox"/> PD	<input type="checkbox"/> PI	<input type="checkbox"/> FATAL
	Pavement	<input type="checkbox"/> snow		<input type="checkbox"/> pedestrian	<input type="checkbox"/> vehicle	
		<input type="checkbox"/> ice		<input type="checkbox"/> driver	<input type="checkbox"/> hit fixed object	
		<input type="checkbox"/> night		<input type="checkbox"/> just missed accident	<input type="checkbox"/> right angle	
Darkness	<input type="checkbox"/> fog		<input type="checkbox"/> head on	<input type="checkbox"/> sideswipe		
Other traffic present	<input type="checkbox"/> snow		<input type="checkbox"/> rear end	<input type="checkbox"/> ran off roadway		
	<input type="checkbox"/> cross		<input type="checkbox"/> intersection			
	<input type="checkbox"/> on coming					
	<input type="checkbox"/> pedestrian					
	<input type="checkbox"/> same direction					
Area	<input type="checkbox"/> business	<input type="checkbox"/> industrial	<input type="checkbox"/> school	<input type="checkbox"/> residential	<input type="checkbox"/> rural	
Highway Type	<input type="checkbox"/> 1 lane	<input type="checkbox"/> 2 lane	<input type="checkbox"/> 3 lane	<input type="checkbox"/> 4 or more und.	<input type="checkbox"/> 4/more div.	

MON POSTED. ☐ Cash \$ \_\_\_\_\_ Bond Card No. \_\_\_\_\_  
☐ D.L.

Figure V.3 Traffic Citation (Front)

OFFICIAL NOTIFICATION  
TO  
OKLAHOMA DEPARTMENT OF PUBLIC SAFETY  
☐ Failure to Appear ☐ Warrant Issued Data  
☐ Dishonored Check

=====

THIS IS OFFICIAL NOTIFICATION THAT SUBJECT:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

BIRTHDATE \_\_\_\_\_ SEX \_\_\_\_\_ RACE \_\_\_\_\_

HAS FAILED TO APPEAR IN \_\_\_\_\_ COURT

OF \_\_\_\_\_ COUNTY

ON \_\_\_\_\_ TO ANSWER TO CHARGE

Appearance Date

OF: \_\_\_\_\_

Violation

STATED ON SUMMONS NUMBER \_\_\_\_\_

DATE OF ARREST \_\_\_\_\_ CASE NUMBER \_\_\_\_\_

WARRANT NUMBER \_\_\_\_\_ HAS BEEN ISSUED

D.L. No. \_\_\_\_\_ Exp. \_\_\_\_\_ State \_\_\_\_\_

DL ENCLOSED WITH THIS NOTIFICATION

-----

Signature of: ☐ Judge ☐ Clerk City \_\_\_\_\_

READ INSTRUCTIONS ON BACK

DPS69-21-3  
Rev. 9-26-69

Figure V.4      Official Notification

In the District Court, County of \_\_\_\_\_, State of  
Oklahoma

Plaintiff

vs Small Claims No. \_\_\_\_\_

Defendant

STATE OF OKLAHOMA

ss

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says:

That the defendant resides at \_\_\_\_\_, in  
the above-named county, and that the mailing ad-  
dress of the defendant is \_\_\_\_\_

That the defendant is indebted to the plaintiff in  
the sum of \$\_\_\_\_\_ for \_\_\_\_\_, that plaintiff has  
demanded payment of said sum, but the defendant  
refused to pay the same and no part of the amount  
sued for has been paid.

or

That the defendant is wrongfully in possession of  
certain personal property described as \_\_\_\_\_

that the value of said personal property is \$\_\_\_\_\_,  
that plaintiff is entitled to possession thereof and  
had demanded that defendant relinquish possession  
of said personal property, but that defendant wholly  
refuses to do so.

Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public (or Clerk or Judge)

My Commission Expires: \_\_\_\_\_

On the affidavit shall be printed:

#### ORDER

The people of the State of Oklahoma, to the  
within-named defendant:

You are hereby directed to appear and answer the  
foregoing claim and to have with you all books,  
papers and witnesses needed by you to establish your  
defense to said claim.

This matter shall be heard at \_\_\_\_\_  
(name or address of building), in \_\_\_\_\_, County of  
\_\_\_\_\_, State of Oklahoma, at the hour of \_\_\_\_\_  
o'clock of the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, or at  
the same time and place seven (7) days after service  
hereof, whichever is the latter. And you are further  
notified that in case you do not so appear judgment  
will be given against you as follows:

For the amount of said claim as it is stated in said  
affidavit, or for possession of the personal property  
described in said affidavit.

And, in addition, for costs of the action (including  
attorney fees where provided by law), including  
costs of service of the order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Clerk of the Court (or Judge)

In the District Court, County of \_\_\_\_\_, State of  
Oklahoma

Plaintiff

vs

Small Claims No. \_\_\_\_\_

Defendant

Defendant

STATE OF OKLAHOMA

ss

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says:

That, \_\_\_\_\_, the defendant resides at  
\_\_\_\_\_, in the above-named county, and  
that the mailing address of the defendant is  
\_\_\_\_\_

That, \_\_\_\_\_, the defendant resides at  
\_\_\_\_\_, in the above-named county, and  
that the mailing address of the defendant is  
\_\_\_\_\_

That the plaintiff has custody or possession of  
money in the amount or value of \$\_\_\_\_\_, held  
pursuant to the following:

That the defendants claim or may claim to be  
entitled to such money.

That the plaintiff deposits herewith into the court  
\$\_\_\_\_\_, which equals the amount of such money to  
be invested in accordance with the order of the court  
and that the plaintiff will abide with the judgment  
of the court as to the final disposition thereof.

Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public (or Clerk or Judge)

My Commission Expires: \_\_\_\_\_

On the affidavit shall be printed:

#### ORDER

The people of the State of Oklahoma, to each of  
the within-named defendants:

You are hereby directed to appear and answer the  
foregoing claim and to have with you all books,  
papers and witnesses needed by you to establish your  
claim to such money.

This matter shall be heard at \_\_\_\_\_  
(name or address of building), in \_\_\_\_\_, County of  
\_\_\_\_\_, State of Oklahoma, at the hour of \_\_\_\_\_  
o'clock of the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, or at  
the same time and place seven (7) days after service  
hereof, whichever is the latter. And you are further  
notified that in case you do not so appear judgment  
will be given against you as follows:

Determining or foreclosing your claim to the  
above-described money as well as the disposition  
thereof.

And, in addition, for costs of the action, including  
attorney fees where provided by law, and including  
costs of service of the order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Clerk of the Court (or Judge)

Figure VI. I Affidavit

## S.E. &amp; I. Form No. 1722-SP

[illegible]

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## SEBI FORM NO 1721 (1988) - INVESTORS REG. NO. 1 1000 0 00

Figure VII.2 Court Clerk's Monthly Report, Cash Summary

# County Official Depository

Lois Webb

NAME OF OFFICER

Logan County Court Clerk

OFFICIAL TITLE

In Account With

MADE IN DUPLICATE

FILE WITH COUNTY CLERK

State Exam. & Ins. Form 224

Please examine at once. If no error is reported within 10 days the account will be considered correct.

Monthly Report by Treasurer to Depositor

Statement for Month of

February

1983

DEPOSITS		VOUCHERS REGISTERED FOR PAYMENT					
DATE	AMOUNT	YOUR NUMBER	AMOUNT	V	YOUR NUMBER	AMOUNT	V
2/1/83	1,898.48	16690	22,085.74	✓	16722	22.00	✓
2/2/83	1,517.99	16691	594.00	✓	16723	10.00	✓
2/3/83	1,309.25	16692	607.50	✓	16724	10.00	✓
2/4/83	1,154.48	16693	607.50	✓	16725	10.00	✓
2/7/83	776.57	16694	370.00	✓	16726	500.00	✓
2/8/83	1,810.89	16695	15.73	✓	16727	500.00	✓
2/9/83	2,524.17	16696	57.00	✓	16728	177.69	✓
2/10/83	1,548.40	16697	13.00	✓	16729	15.00	✓
2/11/83	1,476.57	16698	141.40	✓	16730	15.00	✓
2/14/83	1,433.84	16699	7.00	✓	16731	10.00	✓
2/15/83	997.51	16700	77.00	✓	16732	10.00	✓
2/16/83	137,439.10	16701	157.71	✓	16733	10.00	✓
2/17/83	1,567.14	16702	57.00	✓	16734	15.00	✓
2/18/83	5,002.36	16703	87.20	✓	16735	15.00	✓
2/22/83	977.70	16704	7.00	✓	16736	21.42	✓
2/23/83	2,577.69	16705	30.00	✓	16737	5.00	✓
2/24/83	4,766.52	16706	7.00	✓	16738	1.18	✓
2/25/83	2,076.74	16707	5.00	✓	16739	3.95	✓
2/28/83	61,940.12	16708	37.00	✓	16740	6.11	✓
		16709	8.00	✓	16741	21.79	✓
		16710	7.00	✓	16742	47.77	✓
		16711	7.00	✓	16743	5.00	✓
		16712	117.52	✓	16744	5.00	✓
		16713	13,162.52	✓	16745	5.00	✓
SUMMARY		16714	7.00	✓	16746	32.64	✓
Balance of 1/31/83	\$ 141,842.27	16715	31.92	✓	16747	37.00	✓
Deposits this Month	\$ 232,795.52	16716	57.63	✓	16748	2.00	✓
TOTAL	\$ 374,637.79	16717	46.08	✓	16749	8.00	✓
Total Vouchers Registered Less Attached	\$ 169,068.11	16718	42.75	✓	16750	47.00	✓
Balance Close of this Month	\$ 205,569.68	16719	250.00	✓	16751	45.75	✓
		16720	148.78	✓	16752	5.00	✓
		16721	20.00	✓	16753	5.00	✓

Figure VII.3 County Official Depository

Figure VII.4 Court Fund Claim

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[illegible]

VITA

Gary Wayne Holland

Candidate for the Degree of

Master of Business Administration

Report: WORK AND DATA FLOW ANALYSIS FOR THE OFFICE OF THE  
DISTRICT COURT CLERK IN THE STATE OF OKLAHOMA

Major Field: Business Administration

Biographical

Personal Data: Born in Muskogee, Oklahoma, November 5,  
1951, the son of M.A. and Mary Holland

Education: Graduated from Sulphur High School,  
Sulphur, Oklahoma, 1969; received the Bachelor of  
Business Administration degree from the University  
of Oklahoma with a major in marketing, December,  
1973; completed requirements for the Master of  
Business Administration degree at Oklahoma State  
University, December, 1985.

Professional Experience: Small Business Owner,  
1974-76; Director of Public Relations, Northern  
Oklahoma College, 1976-79; Local Government  
Specialist, Oklahoma State University, 1979-present.