

TULSA COURT'S REQUIREMENTS OF DIVORCING COUPLES WITH MINOR CHILDREN

Over the years, the courts have become concerned of the effects of divorce on minor children. To help protect the children, the courts have implemented specific requirements for divorcing parents of minor children. If you are a parent of a minor child who was born, adopted, or conceived by artificial insemination during the marriage, your divorce process will require additional steps and additional time. The following is a list and explanation:

1. **Waiting Period:** Oklahoma requires that you wait 90 days after the filing of your Petition for Dissolution of Marriage before your divorce can be granted. *The waiting period for divorcing couples without minor children of the marriage is only 10 days.*

2. **Parenting Plan Conference:** Tulsa County *requires* that both parents attend the Parenting Plan Conference. You cannot get a divorce in Tulsa County without attending this conference*. The conference is held in a small courtroom setting before a court referee. During the conference the referee discusses the effects of divorce on minor children. The judge's discussion is followed by a short video. The video gives audio and visual examples of the effects of divorce on children. At the end of the conference there is a representative from Tulsa County's Family and Children Services present. The representative is there to help answer questions you may have about divorce with minor children. If you are represented by an attorney he/she may appear at that conference with you. **Not all counties require this conference.**

* *If you choose to do your divorce collaboratively, your collaborative team will discuss whether this conference should be waived in your case. Usually your judge will agree to waive it, knowing that you are working on the same issues in the process of a collaborative divorce. The judges know you are getting the message if you go collaborative. Waiver of the Parenting Plan Conference requires a filing of both the Joint Application to Waive Parenting Plan Conference and Order Waiving Parenting Plan Conference.*

2. **Helping Children Cope with Divorce Seminar:** This seminar is sponsored by Tulsa County's Family and Children Services. Tulsa County *requires* that all divorcing parents with minor children attend this seminar. The seminar is four hours. It focuses on ways to help your child(ren) cope with divorce. There is a fee for this seminar and pre-registration is required. Family and Children's Service will issue a certificate of attendance to each parent in attendance. The certificate is filed and made a part of your divorce record. Parents seeking a divorce in Tulsa County cannot get divorced without proof of attendance to this seminar. **Not all counties require attendance to this seminar.**

3. **Notice of Disclaimer of Interest by DHS:** DHS is now required by Tulsa County Courts to state whether they have any interest in all Tulsa County divorce cases with minor children. The disclaimer is completed by a DHS attorney. If you file for divorce in

Tulsa County and have minor children the disclaimer must be filed before a Tulsa County court can grant your divorce. Tulsa County DHS must approve your divorce decree if they have an interest in your divorce case. Normally Tulsa County DHS does not have interest in a case unless you receive services or owe them money.

All of these steps are mandatory for parents of minor children who seek a divorce in Tulsa County. Steps one and two listed above are very insightful and offer a wealth of good advice to divorcing families. The focus of both steps one and two above is to help divorcing couples with minor children understand and nurture your child(ren's) needs throughout the divorce process.

Because each court system has their own procedural rules, these requirements are not consistent throughout all Oklahoma counties. If you live in a county other than Tulsa and are contemplating divorce, you may want to check with your county court clerk.

~ Barbara Ann Bartlett ~

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