

SUPREME COURT OF OKLAHOMA

In re Establishment of Rule 1.19 of Oklahoma Supreme Court Rules

2019 OK 51 (Okla. 2019) · Decided June 24, 2019

SUMMARY

The Oklahoma Supreme Court issued an order establishing new Rule 1.19 concerning payment of fees, costs, and other charges by credit card, debit card, or other electronic payment methods. The order also adopted Form No. 4A, an affidavit of intent to remit a cost deposit electronically, and made the rule immediately applicable to pending cases before the Supreme Court and Court of Civil Appeals.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Per Curiam; Chief Justice Gurich; Vice Chief Justice Darby; Justice Winchester; Justice Edmondson; Justice Colbert; Justice Combs; Justice Kauger
JURISDICTION	Oklahoma
DECIDED	June 24, 2019
DISPOSITION	other
PROCEDURAL POSTURE	Original rulemaking proceeding in which the Supreme Court of Oklahoma adopted a new court rule and accompanying form.
PRECEDENTIAL VALUE	Published Oklahoma Supreme Court rulemaking order; establishes a court rule and filing procedures rather than resolving a conventional adversarial appeal.

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QUESTIONS PRESENTED

1. Whether the Supreme Court of Oklahoma should establish a new rule authorizing and regulating payment of court fees, costs, and other charges by credit card, debit card, or other electronic payment

methods.

2. Whether the Court should adopt Form No. 4A for affidavits of intent to remit a cost deposit through electronic payment.

HOLDINGS

1. The Supreme Court of Oklahoma adopted new Rule 1.19 governing payment of fees, fines, forfeitures, cost deposits, penalty assessments, and other charges by nationally recognized credit card, debit card, or other authorized electronic payment methods.
2. The Court adopted Form No. 4A under Rule 1.301 for an affidavit of intent to remit a cost deposit by credit card, debit card, or another electronic payment method.
3. Rule 1.19 was made immediately effective and applicable to all pending cases before the Supreme Court of Oklahoma or the Court of Civil Appeals.

KEY QUOTATIONS

“Rule 1.19 is immediately effective and shall apply to all pending cases before this Court or the Court of Civil Appeals.” (Order establishing new Oklahoma Supreme Court Rule 1.19)

“Submission of the affidavit alone without subsequent communication with the Clerk of the Supreme Court to provide any and all information necessary to process the cost deposit, or failure to provide an alternate form of payment in the event of a declination of the cost deposit, may result in dismissal of the initial pleadings.”
(Exhibit A, Rule 1.19(D))

FACTUAL BACKGROUND

The opinion concerns the administrative need to authorize electronic payment of fees, fines, forfeitures, cost deposits, and other charges collected by the Clerk of the Supreme Court. The adopted rule establishes procedures for in-person and mailed filings, including use of an affidavit of intent when electronic payment cannot be processed concurrently with filing.

PROCEDURAL HISTORY

The Supreme Court of Oklahoma acted in conference to establish Rule 1.19 concerning payment of fees, costs, and other charges by credit card, debit card, or other electronic payment methods. The Court also adopted Form No. 4A under Rule 1.301 and made Rule 1.19 immediately applicable to all pending cases before the Supreme Court and Court of Civil Appeals.

DISPOSITION

other

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