



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

OSCN Found Document:IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

[Previous Case](#)

[Top Of Index](#)

[This Point in Index](#)

[Citationize](#)

[Next Case](#)

[Print Only](#)

IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS2023
OK CR 17Case Number: CCAD-2023-2Decided: 11/08/2023IN RE REVISION OF PORTION OF THE
RULES OF THE COURT OF CRIMINAL APPEALS

Cite as: 2023 OK CR 17, __ __

ORDER ADOPTING NEW FORMS

¶1 Pursuant to revisions made to Section 983 of Title 22 of the Oklahoma Statutes, we find that new forms should be adopted. Revision of the Rules of the Oklahoma Court of Criminal Appeals by the creation of new Forms 13.17a, 13.17b, 13.17c, 13.17d, 13.17e, 13.17f, and 13.17g is necessary. Therefore, pursuant to the provisions of Section 1051(B) of Title 22 of the Oklahoma Statutes, we promulgate the following new Forms as portions of the Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2023), as follows:

Form 13.17a Affidavit Regarding Ability to Pay



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

IN THE DISTRICT COURT OF _____ COUNTY

STATE OF OKLAHOMA

STATE OF OKLAHOMA, Plaintiff,

v.

_____, Defendant.

))))))

Case Nos.:

AFFIDAVIT REGARDING ABILITY TO PAY

[This affidavit and any supporting documents shall not be visible on a court-controlled website. 22 O.S. § 983(I). If you need additional space on any questions, please use page 5 or attach additional pages.]

GOVERNMENT BENEFITS



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Do you receive (circle all that apply):

SNAP (food stamps)

WIC

TANF

SSI

SSDI

Tribal Disability

Veterans Disability

Section 8 (Housing Choice Voucher)

Other housing assistance (be specific):

Other federal need-based support (be specific):

Proof is attached for the following programs:

INCOME

Do not list any disability or other government benefits listed above.

Number of adults in household: ____ Number of children that you support: ____

Defendant

Adult 2



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Adult 3

Adult 4

Relationship to you: (spouse, parent, etc.)

Yourself

Income Amount:

Income source:

(employment, gift, etc.)

How often? (week/month)



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Do you support this person?

Yes

If you support adults in your household, explain why you must support them:

Are you currently employed? Yes / No How long employed/unemployed? _____

Highest Grade/Degree completed: _____

In the past ten (10) years, what was your longest term of employment? (employer/job title/how long)

Are you currently still doing that type of work? Yes / No

If no, describe any barriers preventing you from going back to that type of work:

Do you have any physical or mental health conditions that make it difficult for you to work or manage your money? If yes, describe:

List any other reasons you would like the judge to know about why it is difficult for you to earn enough income to pay your fines/fees off:



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

EXPENSES

List your expenses. The Court may ask you to provide proof of these expenses, so bring proof with you to your cost hearing.

Expense:

Amount:

Last time late (or amount behind):

Expense:

Amount:

Last time late (or amount behind):

Rent/Mortgage

Utilities (Water/Phone/Power)



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Car payment

Insurance

Child care/expenses

Medical Bills Insurance/Prescriptions



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

List any additional expenses:

Do you pay child support? Yes / No If so, how much per month? _____

Are you behind on child support? Yes / No If so, how much? _____

Do you have to pay any other expenses on these cases (restitution, DA fees, probation fees, drug test fees)? If yes, please describe.

When was the last time you had difficulty paying for food? What did you do?

When was the last time you had difficulty paying for housing? What did you do?

ASSETS



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Do you own the following:

Your Home: Yes / No

Investments (stocks/bonds): Yes / No

Other land/homes: Yes / No

More than one vehicle: Yes / No

(Car, truck, motorcycle,

Boat, ATV, etc.)

The land your home is on: Yes / No

Vehicle: Yes / No (With Loan Yes / No)

Bank Accounts: Yes/No Value: _____

—

If you answered "Yes" to any of the answers in the box above, please describe this property:

List any additional expenses:

When was the last time you had to sell or pawn something to pay for an expense? Describe what happened.



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

OTHER INFORMATION

Is there a definite date when your financial situation will improve or worsen? (For example, you will start working on X date, your disability payments will start on X date, or you will lose your housing on X date.) If yes, please describe.

If someone can verify your financial situation, please attach a letter from that person. For example, a case manager at a shelter, a clergy member who provides you with assistance, etc.

I declare under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct to the best of my knowledge and belief.

Date:_____ Respectfully submitted,

Respectfully submitted,

_____ Signature

_____ Name

_____ Address

_____ Phone

Additional information:

[] Attached _____



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

[] Not Attached Phone

ADDITIONAL INFORMATION

Use this page if you need additional space to respond to any question. Attach additional pages if needed. Please indicate which section you are responding to (e.g. Benefits, Income, Expenses, Assets, Other).

Form 13.17b Summons for Court Financial Obligations (District)

IN THE DISTRICT COURT OF _____ COUNTY

STATE OF OKLAHOMA

STATE OF OKLAHOMA, Plaintiff,

v.

_____, Defendant.

))))))

Case Nos.:



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

SUMMONS FOR COURT FINANCIAL OBLIGATIONS

To: _____ (Name) _____

_____ (Address)

☐ Delivered in Person

☐ Delivered by Mail

Hearing Date and Time: _____

Judge: _____

Courtroom: _____

Court Address: _____

Court Clerk Phone: _____

You are ORDERED to appear for a COST HEARING at the above specified time, place, and date to determine if you are financially able to pay the fines, costs, fees, or assessments or an installment due in the above cases.

YOU MUST BE PRESENT AT THE HEARING.



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

At any time before the date of the cost hearing, you may contact the court clerk and pay the amount due or request in writing or in person prior to the court date, that the hearing be rescheduled for up to thirty (30) days after the scheduled time.

THIS IS NOT AN ARREST WARRANT. However, if you fail to appear for the cost hearing or fail to pay the amount due, the court will issue a WARRANT and refer the case to a court cost compliance liaison which will cause an additional administrative fee of up to thirty percent (30%) to be added to the amount owed and may include additional costs imposed by the court.

Issued this _____ day of _____, 20____.

[Clerk Signature and Seal Block, automated, similar to Jury Summons.]

You may consult with counsel prior to your hearing, and you may have counsel present at your hearing.

Form 13.17c Summons for Court Financial Obligations (Municipal)

IN THE MUNICIPAL COURT OF THE CITY/TOWN OF _____

STATE OF OKLAHOMA

THE CITY/TOWN OF _____ Plaintiff,

v.

_____, Defendant.

))))))



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Case Nos.:

SUMMONS FOR COURT FINANCIAL OBLIGATIONS

To: _____ (Name) _____

_____ (Address)

☐ Delivered in Person

☐ Delivered by Mail

Hearing Date and Time: _____

Judge: _____

Courtroom: _____

Court Address: _____

Court Clerk Phone: _____

You are ORDERED to appear for a COST HEARING at the above specified time, place, and date to



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

determine if you are financially able to pay the fines, costs, fees, or assessments or an installment due in the above cases.

YOU MUST BE PRESENT AT THE HEARING.

At any time before the date of the cost hearing, you may contact the court clerk and pay the amount due or request in writing or in person prior to the court date, that the hearing be rescheduled for up to thirty (30) days after the scheduled time.

THIS IS NOT AN ARREST WARRANT. However, if you fail to appear for the cost hearing or fail to pay the amount due, the court will issue a WARRANT and refer the case to a court cost compliance liaison which will cause an additional administrative fee of up to thirty-five percent (35%) to be added to the amount owed and may include additional costs imposed by the court.

Issued this _____ day of _____, 20____.

[Clerk Signature and Seal Block, automated, similar to Jury Summons.]

You may consult with counsel prior to your hearing, and you may have counsel present at your hearing.

Form 13.17d Cost Arrest Warrant (District)

IN THE DISTRICT COURT OF _____ COUNTY

STATE OF OKLAHOMA

STATE OF OKLAHOMA, Plaintiff,

v.

_____, Defendant.



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

))))))

Case Nos.:

COST ARREST WARRANT

THE STATE OF OKLAHOMA TO LAW ENFORCEMENT OFFICER WITHIN THE STATE OF OKLAHOMA:

You are COMMANDED to arrest:

Defendant: _____ SSN: XXX-XX-_____ Sex: _____ Hair: _____

Address: _____ DOB: __/__/_____ Eyes: _____ Weight: _____

_____ Height: _____

and bring him/her before the Court or if the court is adjourned or is not in session, that you retain him/her in your custody or deliver him/her to the lawful custodian of inmates of the _____ County Jail subject to further order of the Court.

ATTENTION BOOKING DEPARTMENT:

The Defendant may also be released upon payment of One Hundred Dollars (\$100) remitted to the Court Clerk of _____ County towards his/her Court Financial Obligations and obtaining a new cost



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

hearing date from said Clerk.

The Defendant is entitled to a cost hearing or willfulness hearing before the Court within seventy-two (72) hours of arrest. If the Defendant remains in your custody after seventy-two (72) hours from the time of arrest without appearance before the Court for a cost hearing or willfulness hearing, you are directed to contact the _____ County Court Clerk to obtain a cost hearing date for the Defendant, provide the Defendant with this information, and release the Defendant on his/her own recognizance.

Given under my hand this _____ day of _____, 20____.

By Order of the Court:

The Clerk shall refer this case to the cost compliance program.

By: _____

Judge of the District Court

OFFICER'S RETURN OF SERVICE

Received this ____ day of _____, 20__, at ____ o'clock ____M. and served the same by taking the above named person into custody on the _____ day of _____, 20____, and delivering the person to the judge named.

Serving Warrant:\$_____ Copy: \$_____

Mileage: \$_____

(_____ Miles @ ____ per mile)

Total: \$_____

_____, Sheriff



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

_____, County, Oklahoma

By: _____, Deputy

WARRANT NUMBER:

Form 13.17e Cost Arrest Warrant (Municipal)

IN THE MUNICIPAL COURT OF THE CITY/TOWN OF _____

STATE OF OKLAHOMA

THE CITY/TOWN OF _____ Plaintiff,

v.

_____, Defendant.

))))))

Case Nos.:



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

COST ARREST WARRANT

[This warrant may be served at any place within the State of Oklahoma. 11 O.S. § 27-113.]

THE CITY/TOWN OF _____ TO ANY LAW ENFORCEMENT OFFICER WITHIN THE
STATE OF OKLAHOMA:

You are COMMANDED to arrest:

Defendant: _____ SSN: XXX-XX-____ Sex: _____ Hair: _____

Address: _____ DOB: __/__/____ Eyes: _____ Weight: _____

_____ Height: _____

and bring him/her before the Court or if the court is adjourned or is not in session, that you retain him/her in your custody or deliver him/her to the lawful custodian of inmates of the _____ Jail subject to further order of the Court.

ATTENTION BOOKING DEPARTMENT:

The Defendant may be released upon payment of One Hundred Dollars (\$100) remitted to the Court Clerk of the City/Town of _____ towards his/her Court Financial Obligations and obtaining a new cost hearing date from said Clerk.

The Defendant is entitled to a cost hearing or willfulness hearing before the Court within seventy-two (72) hours of arrest. If the Defendant remains in your custody after seventy-two (72) hours from the time of arrest without appearance before the Court for a cost hearing or willfulness hearing, you are directed to contact the Court Clerk of the City/Town of _____ to obtain a cost hearing date for the Defendant, provide the Defendant with this information, and release the Defendant on his/her own recognizance.

Given under my hand this _____ day of _____, 20____.



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

By Order of the Court:

The Clerk shall refer this case to the cost compliance program.

By: _____

Judge of the Municipal Court

OFFICER'S RETURN OF SERVICE

Received this ____ day of _____, 20____, at ____ o'clock ____M. and served the same by taking the above named person into custody on the ____ day of _____, 20____, and delivering the person to the judge named.

Serving Warrant:\$_____ Copy: \$_____

Mileage: \$_____

(_____ Miles @ ____ per mile)

Total: \$_____

_____, Sheriff

_____, County, Oklahoma

By: _____, Deputy

WARRANT NUMBER:

Form 13.17f Cost Cite and Release Warrant (District)



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

IN THE DISTRICT COURT OF _____ COUNTY

STATE OF OKLAHOMA

STATE OF OKLAHOMA, Plaintiff,

v.

_____, Defendant.

))))))

Case Nos.:

COST CITE AND RELEASE WARRANT

[No fees shall accrue to Defendant due to the issuance or service of this warrant. 22 O.S. § 983(C)(4)]

TO ANY LAW ENFORCEMENT OFFICER WITHIN THE STATE OF OKLAHOMA:

Upon encountering:

Defendant: _____ SSN: XXX-XX-_____ Sex: _____ Hair: _____

Address: _____ DOB: __/__/_____ Eyes: _____ Weight: _____



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

_____ Height: _____

You are COMMANDED to issue to the Defendant a Warning/Notice to have Defendant appear before the Court Clerk of _____ County for the purposes of setting cost hearing within ten (10) days of the issuance of the Warning/Notice. You SHALL NOT ARREST the Defendant based on this warrant. However, this does not prevent you from arresting the Defendant based on another warrant, or upon probable cause. If you arrest the Defendant based on another warrant or upon probable cause, the Warning/Notice shall provide ten (10) days to report to the Court Clerk of _____ County upon Defendant's release from custody.

If the Defendant shows you proof of another Warning/Notice issued for this warrant in the previous ten (10) days, you SHALL NOT issue an additional Warning/Notice.

Given under my hand this _____ day of _____, 20____.

By Order of the Court:

The Clerk shall refer this case to the cost compliance program.

By: _____

Judge of the District Court

OFFICER'S RETURN OF SERVICE

[If the Officer electronically transmits to the relevant Court Clerk a Warning/Notice issued based on the above warrant, the Officer is excused from completing this return of service.]

On the ____ day of _____, 20____, I issued a Warning/Notice to the above-named Defendant, directing him/her to report to the Court Clerk of _____ County within ten (10) days. A copy of the Warning/Notice is attached. I returned this warrant and warning/notice to the appropriate person within my agency on the ____ day of _____, 20____, for transmission to the appropriate Court Clerk. [within 5 days]



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

_____, Law Enforcement Agency

By: _____, Law Enforcement Officer

WARRANT NUMBER:

Form 13.17g Cost Cite and Release Warrant (Municipal)

IN THE MUNICIPAL COURT OF THE CITY OF _____

STATE OF OKLAHOMA

THE CITY/TOWN OF _____ Plaintiff,

v.

_____, Defendant.

))))))

Case Nos.:



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

COST CITE AND RELEASE WARRANT

[No fees shall accrue to Defendant due to the issuance or service of this warrant. 22 O.S. § 983(C)(4)]

TO ANY LAW ENFORCEMENT OFFICER WITHIN THE STATE OF OKLAHOMA:

Upon encountering:

Defendant: _____ SSN: XXX-XX-____ Sex: _____ Hair: _____

Address: _____ DOB: __/__/____ Eyes: _____ Weight: _____

_____ Height: _____

You are COMMANDED to issue to the Defendant a Warning/Notice to have Defendant appear before the Court Clerk of the City/Town of _____ for the purposes of setting cost hearing within ten (10) days of the issuance of the Warning/Notice. You SHALL NOT ARREST the Defendant based on this warrant. However, this does not prevent you from arresting the Defendant based on another warrant, or upon probable cause. If you arrest the Defendant based on another warrant or upon probable cause, the Warning/Notice shall provide ten (10) days to report to the Court Clerk of the City/Town of _____ upon Defendant's release from custody.

If the Defendant shows you proof of another Warning/Notice issued for this warrant in the previous ten (10) days, you SHALL NOT issue an additional Warning/Notice.

Given under my hand this _____ day of _____, 20____.

By Order of the Court:

Optional: ☐ Refer to cost compliance program.

By: _____



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

Judge of the Municipal Court

OFFICER'S RETURN OF SERVICE

[If the Officer electronically transmits to the relevant Court Clerk a Warning/Notice issued based on the above warrant, the Officer is excused from completing this return of service.]

On the ____ day of _____, 20____, I issued a Warning/Notice to the above-named Defendant, directing him/her to report to the Court Clerk of the City/Town of _____ within ten (10) days. A copy of the Warning/Notice is attached. I returned this warrant and warning/notice to the appropriate person within my agency on the ____ day of _____, 20____, for transmission to the appropriate Court Clerk. [within 5 days]

_____, Law Enforcement Agency

By: _____, Law Enforcement Officer

WARRANT NUMBER:

¶2 IT IS SO ORDERED.

¶3 WITNESS OUR HANDS AND THE SEAL OF THIS COURT this 8th day of November, 2023.

/S/SCOTT ROWLAND, Presiding Judge

/S/ROBERT L. HUDSON, Vice Presiding Judge

/S/GARY L. LUMPKIN, Judge

/S/DAVID B. LEWIS, Judge

/S/WILLIAM J. MUSSEMAN, Judge



IN RE REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

2023 | Cited 0 times | Court of Criminal Appeals of Oklahoma | November 8, 2023

ATTEST:

/s/John D. Hadden

Clerk

Citationizer © Summary of Documents Citing This Document Cite Name Level Title 22. Criminal Procedure Cite Name Level

22 O.S. Form 13.17b, Summons for Court Financial Obligations (District) Cited 22 O.S. Form 13.17d, Cost Arrest Warrant (District) Cited 22 O.S. Form 13.17e, Cost Arrest Warrant (Municipal) Cited

Citationizer: Table of Authority Cite Name Level None Found.

oscn

EMAIL: webmaster@oscn.net Oklahoma Judicial Center 2100 N Lincoln Blvd. Oklahoma City, OK 73105

courts Supreme Court of Oklahoma Court of Criminal Appeals Court of Civil Appeals District Courts decisions New Decisions Supreme Court of Oklahoma Court of Criminal Appeals Court of Civil Appeals programs The Sovereignty Symposium

Alternative Dispute Resolution Early Settlement Mediation Children's Court Improvement Program (CIP) Judicial Nominating Commission Certified Courtroom Interpreters Certified Shorthand Reporters Accessibility ADA

Contact Us Careers Accessibility ADA

