

# 2010

## State Law Report Card



## Oklahoma

### Access to Protective Orders

In Oklahoma, minors can obtain Protective Orders (POs),<sup>1</sup> and courts can issue POs against minor abusers.<sup>2</sup> Oklahoma also allows people in dating relationships to seek POs against their abusers.<sup>3</sup>

### Procedure

State law allows minors to petition for a PO on their own behalf at age sixteen.<sup>4</sup> Minors under the age of sixteen must have an adult household member, among others, petition for a PO on the minor's behalf.<sup>5</sup> The law does not specify whether the parent or guardian of a minor petitioner must be notified when a PO is issued. A petition for a PO against a minor respondent must be filed in juvenile court.<sup>6</sup>

### Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse, stalked or harassed the petitioner.<sup>7</sup> The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>8</sup> the respondent to:

- participate in a counseling or batterers' intervention program; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here. The Protective Order is modifiable.<sup>9</sup>

### Minors' Access to Sensitive Services<sup>10,11</sup>

All minors can consent to:

- HIV/STI testing and treatment
- Prenatal care
- Adoption\*
- Medical care for child(ren)

\*Applies only to a minor 14 or older.

Physicians may inform a minor's parents.

Some minors may consent to contraceptive services. Parental consent and notice is required for abortion services.

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### School Response to Dating Violence

Oklahoma law does not provide for a school response to dating violence.

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### Recommendations for Immediate Policy Change

In order to improve Oklahoma's response to teen dating violence, the following changes are recommended:

- Allow all minors to petition for POs on their own behalf.
- Ensure all PO cases involving minors are heard in the same court as adult domestic violence victims.
- Mandate dating violence education in all middle schools and high schools.

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### References

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<sup>1</sup> OKLA. STAT. tit. 22 § 60.2(A) (2009).

<sup>2</sup> *Id.* § 60.2(A).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* § 60.2(A)(1).

<sup>7</sup> *Id.* § 60.1.

<sup>8</sup> *Id.* § 60.4(C)(1).

<sup>9</sup> *Id.* § 60.4(G)(3)

<sup>10</sup> Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

<sup>11</sup> Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_MASS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf), accessed December 1, 2009.

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