# 2024 Master Commissioner Conference



Tuesday, March 5, 2024 11:30 a.m. - 4:30 p.m. EST Administrative Office of the Courts 1001 Vandalay Drive • Frankfort, KY.

Lunch will be provided by the AOC.

4 CLE hours accreditation (includes 1 hour of Ethics)

Activity: 2024 Master Commissioner Conference

Format: Live - a program at a specific date and time - On site

Location: Frankfort, Kentucky

Date: 03/05/2024

Activity No. 260562 Sponsor No. 8749

TOTAL CREDITS: 4 ETHICS CREDITS 1

Ethics credits are INCLUDED in the TOTAL number of credits.

#### CLE ACCREDITATION

Kentucky attorneys attending or participating in the activity who have not claimed CLE credit must report their attendance either through the Member CLE Portal at www.kybar.org or by submitting a completed form #3.

#### CONFERENCE AGENDA

#### 11:30 a.m. – 11:45 a.m. – Welcome and Lunch

- Welcome by James Frazier, III
- Introduction of Advisory Committee Members
- Introduction of AOC Staff

# 11:45 a.m. – 12:15 p.m. – Updates & Review: AP Part IV and the Master Commissioner Accounting Policy & Procedure Manual

Jenny Lafferty, Esq. - Director of Finance & Administration, AOC

#### 12:15 p.m. – 12:45 p.m. – eFiling

- Malissa Carman-Goode e-Court Program Manager, Office of Information & Technology Services, AOC
- Emily Daniel Business Analyst, Office of Information & Technology Services, AOC

#### 12:45 p.m. – 1:45 p.m. – Judicial Conduct

• Thomas L. Blankenship - Master Commissioner, Marshall Circuit Court

1:45 p.m. – 2:00 p.m. – Break

2:00 p.m. – 2:30 p.m. – Alternative Income Streams

• James H. Frazier, III - Master Commissioner, Fayette Circuit Court

2:30 p.m. – 3:00 p.m. – Corporate Transparency Act & Surety Bonding

· Valerie L. Shannon, Master Commissioner, Oldham Circuit Court

3:00 p.m. – 3:30 p.m. – Escheats

• Carole C. Schneider, Master Commissioner, Jefferson Circuit Court

3:30 p.m. -4:30 p.m. = Q & A with Advisory Committee

# UPDATES TO AP PART IV AND THE ACCOUNTING POLICY AND PROCEDURE MANUAL

EFFECTIVE JANUARY 1, 2024

JENNY LAFFERTY, ESQ.
DIRECTOR OF FINANCE AND ADMINISTRATION, AOC

# Overview of Changes AP Part IV



#### Supreme Court Administrative Order 2024-07

# Supreme Court of Kentucky

2024-07

ORDER

IN RE: Amendments to the Rules of Administrative Procedure AP Part IV,
Master Commissioners of the Circuit Court

This Order hereby amends the Rules of Administrative Procedure, AP Part IV, Master Commissioners of the Circuit Court as follows:

PART IV. MASTER COMMISSIONERS OF THE CIRCUIT COURT

Section 1. Authority, Application, and Scope

 These rules are adopted pursuant to the authority granted the Kentucky Supreme Court:

# Changes Made by Supreme Court in Administrative Order 2024-07

- Documents salary increases effective 1/1/24:
  - \$2,000 + 6% increase to the limit for personal compensation for a MC.
    - ✓ Personal compensation for Master Commissioners shall not exceed \$62,794 annually unless another amount is approved by order of the Supreme Court.
    - √ \$5,232.83 per month.
  - \$2,000 + 6 % increase to the limit for personal compensation for a Deputy MC.
    - ✓ Personal compensation for Deputy Master Commissioners shall not exceed \$47,454 annually.
    - √ \$3,954.50 per month.
- Housekeeping to sync up with revisions to Accounting Policies and Procedures Manual.
- Changes term of advisory committee members so members are appointed / reappointed every two years.

## Overview of Changes Master Commissioner Accounting Policies and Procedures Manual (2024)



Section 100.1 - Authority of Administrative Office of the Courts

To request permission to deviate from any of the rules and requirements found within the Accounting Policies and Procedures Manual, the Master Commissioner must request advance approval on an OFA-MC-4 *Master Commissioner Waiver Request Form*.

To request any approvals required by the Accounting Policies and Procedures Manual, the Master Commissioner must request advance approval on an OFA-MC-5 *Master Commissioner Approval Request Form*.

Either form should be emailed to the AOC Department of Financial Services at MasterCommissionerFilings@kycourts.net.

# OFA-MC-4: Master Commissioner MCAPPM Waiver Request

OFA-MC-4			FINANCIAL SERVICES USE ONLY:	
Rev. 12-23 Page 1 of 1			Status: GRANTED NOT GRANTED	
Commonwealth of Kentucky			Effective Date:	
Court of Justice <u>www.kycourts.gov</u> AP Part IV Master Commissioners of	MASTER COMM MCAPPM WAIVE		Expiration Date: N/A	
the Circuit Court	mear in trail	N NEGOES!	Signature:	
INSTRUCTIONS: To request a waiver to the Master Commissioner Accounting Policies and Procedures Manual (MCAPPM), complete this form and email it to MasterCommissionerFilings@kycourts.net. Only one waiver request can be submitted per form. Waivers must be consistent with the overall intent and spirit of AP Part IV: Master Commissioners of the Circuit Court.				
SECTION 1: REQUEST INFORMA	MOITA		!	
Master Commissioner:	Cou	nty:	Date of Request:	
SECTION 2: WAIVER REQUEST				
I am requesting the following waive	er to a requirement of th	ne MCAPPM:	!	
• .			count. If granted, I understand:	
<ul> <li>That any instructions to deposit or maintain funds in the operating account shall be interpreted to mean the escrow account instead.</li> </ul>				
			ensation authorized for the Master required to open a separate	
[100.6(4), 100.7(5), 100.9(4),	100.10(8,11,15), 100.12(1	17,19,20), 100.13(2,1	11), 100.15(5), 100.16(2)]	
<ul><li>That the following bank acc</li><li>Escrow Account</li><li>Operating Account</li></ul>	ount(s) be non-interest	bearing (select all	l that apply): [100.12 (17),100.13]	
To deposit non-sale fees di escrow account. [100.7(5), 1		account instead of	f first depositing them into an	
☐ To file the Annual Report of Schedules later than March			accompanying documentation and days. [100.12(5)]	
☐ To file the Final Report of Master Commissioner and all required accompanying documentation by  (30 days upon termination, resignation, or death of previous Master Commissioner)				
deadline. I need an extensi				
Other:				
Manual Section Number:				
Describe below the reason for the	request. Attach additior	nal pages if needer	d.	

# OFA-MC-5: Master Commissioner MCAPPM Approval Request

		Signature:		
SECTION 1: REQUEST INFORMA				
Master Commissioner:	County:	Date of Request:		
SECTION 2: REQUEST FOR AN APPROVAL BASED ON THE AVAILABILITY OF EXCESS FEES  As required by the MCAPPM and to the extent excess fees are available, I am requesting written approval by the AOC Executive Officer, Department of Financial Services for:				
	employee in the amount of \$ im approved amount of \$			
Employee name:	No. o	of authorized weekly hours:		
Maximum salary approval for a new employee hire. (Attached resume) [100.10(9)(c)]				
Employee name:	No. c	of authorized weekly hours:		
Payment of health insurance premiums for the full-time employee indicated below in the amount of per month, with a monthly employee contribution of [(Attach quote). [100.10(10)(c)]				
Employee name:	Total	weekly hours:		
The purchase of an item that costs \$ (Attach quote) I understand that if this approval is granted, it is only valid for this calendar year and if the final price of the item exceeds more than 5% of the quoted price, I must seek a new approval. [100.10(15)]				
Describe below the reason for the	request. Attach additional pages if ne	eded.		
SECTION 3: APPROVAL FOR CHECK SIGNING AUTHORITY  As required by the MCAPPM. I am requesting the written approval by the AOC Executive Officer.				
Department of Financial Services for check signing authority for the following employee: [100.13(9)]				
Employee name:				

Section 100.10 – Limits on Annual Compensation of Deputy Master Commissioner and Staff

Subsection 9: Salaries or Hourly Waves for staff must be approved in advance by the Department of Financial Services.

- ➤ Each December DFS will send letters to each Master Commissioner authorized to have staff detailing the maximum annual salary / hourly wage for each employee. Annual increments will be applied consistent with increments approved for judicial branch staff the previous July.
- > To establish salary / wages for a new employee, submit a *MCAPPM Approval* Request form and a resume to MasterCommissionerFilings@kycourts.net.
- ➤ To increase an employee's maximum salary / hourly wages, submit a *MCAPPM Approval* form to MasterCommissionerFilings@kycourts.net
- > Salary is commensurate with similarly-graded positions on the pay schedule established by the judicial personnel system.

Section 100.10 – Limits on Annual Compensation of Deputy Master Commissioner and Staff

#### Section 11:

- > Clarifies that all staff of the master commissioner are employees of the master commissioner's office and not employees of the Administrative Office of the Courts.
- ➤ Payroll for all staff must be paid out of the master commissioner's operating account. The master commissioner must **not** use his or her private practice payroll to compensate staff for their role as employees of the office of master commissioner.

Section 100.10 – Limits on Annual Compensation of Deputy Master Commissioner and Staff

#### Subsection 12:

- The cost of health insurance premiums for staff and master commissioners working at least 37.5 hours in the master commissioner's office are authorized expenses if:
  - ✓ Excess fees are available; and
  - ✓ The amount of the premium is approved by the DFS on a *MCAPP Approval* form.
- To obtain approval to use excess fees to pay health insurance premiums for full time employees, submit a *MCAPP Approval* form along with cost information to MasterCommissionerFilings@kycourts.net.

Section 100.12 – Accounting of Master Commissioners

#### Subsection 20:

- > The master commissioner must maintain two separate interest-bearing checking accounts for master commissioner funds only.
  - ✓ An escrow account for all funds received, to be distributed per court order; and
  - ✓ An operating account where all fees generated by the office of master commissioner are deposited.
- > All references to "fee" accounts have been updated to "operating" accounts.
- > Checking accounts must be reconciled monthly within 30 days of the date of the bank statement.

Section 100.13 – Escrow and Operating Accounts

Subsections 7 and 9 (Collateral Security Agreements):

- > The CSA must perfect the master commissioner's security interest in the collateral and must be approved by DFS. For approval, email the CSA to <a href="MasterCommissionerFilings@kycourts.net">MasterCommissionerFilings@kycourts.net</a>.
- > The master commissioner must have a CSA for each depository bank used by the master commissioner.
- > The CSA must require the bank to pledge securities for all amounts over the FDIC insured amount deposited in the bank and to provide regular statements of pledged securities from the Trustee to the master commissioner.
- > The master commissioner must receive and review statements of collateral balances at least quarterly to ensure the collateral is sufficient to cover all deposits in the depository bank not insured by the FDIC.

Section 100.13 – Escrow and Operating Accounts

Subsections 11 and 13 (Reconciliations and Escheatments):

- > Both escrow and operating accounts must be reconciled monthly.
- ➤ If the master commissioner is unable to locate a payee, it a dated check is stale and voided and cannot be reissued, or if remaining sale proceeds are unclaimed, funds are considered unclaimed and may be escheated per KRS 91.517 and 393A.040 or other applicable statute.
  - ✓ Direct expenses related to escheatment of funds are not recoverable by the master commissioner.
  - ✓ The master commissioner shall not charge fees for preparing reports or drafting documents related to the escheatment of funds.

# **Contact Information**



# WHEN TO CONTACT THE AOC OFFICE OF FINANCE AND ADMINISTRATION, DEPARTMENT THE OF FINANCIAL SERVICES

Danielle Craig, Financial Services Coordinator Tammy Brown, Executive Officer Jenny Lafferty, Director of Finance and Administration MasterCommissionerFilings@kycourts.net

- To determine whether a prospective appointee can qualify for a bond.
- Upon appointment of a new master commissioner.
- To request authorized salary and staffing levels.
- For approval of a collateral security agreement.
- Notifications regarding resignations and appointments.
- Expense approvals.
- General questions about the Accounting Manual.
- To request a waiver of any of the requirements of the Master Commissioner Accounting Policies and Procedures Manual.
  - > DFS cannot authorize waivers of requirements contained in AP Part IV.

# WHEN TO CONTACT THE AOC OFFICE OF AUDITS

Alice Wilson, Director of Audits Debbie Kissick, Manager Donna Copeland, MC Audit Lead

- When you have questions about an ongoing audit.
- When you have questions about a completed audit.
- For assistance with transfers upon death, retirement, termination, or removal of a master commissioner.
- To report escrow account noncompliance.
- To report fraud, waste, or abuse.

### AOC CONTACT INFORMATION:

# AOC Office of Finance and Adminnistration, Department of Financial Services

MasterCommissionerFilings@kycourts.net

Danielle Craig – Financial Services Coordinator Danielle Craig@kycourts.net

Tammy Brown – Executive Officer, Financial Services
TammyBrown@kycourts.net

Jenny Lafferty - Director of Finance & Administration JennyLafferty@kycourts.net

#### **AOC** Office of Auditis

Alice Wilson – Director of Office of Audits Alice Wilson@kycourts.net

Debbie Kissick – Manager, Auditing Services DebraKissick@kycourts.net

Donna Copeland – Audit Lead Donna Copeland @kycourts.net

# WHEN TO CONTACT YOUR MASTER COMMISSIONER ADVISORY COMMITTEE REPRESENTATIVE

- To request training be developed on a particular topic.
- To suggest edits to the Auditing Manual.
- To suggest recommendations for AP Part IV.
- To comment on proposed legislation.
- If you have questions about how to conduct a sale or handle a special proceeding.
- You can also seek input from your peers on the Master Commissioner listserv by emailing: <u>MasterCommissioners@kcoj.onmicrosoft.com</u>.

# MASTER COMMISSIONER ADVISORY COMMITTEE MAP BY SUPREME COURT DISTRICT



# CONTACT INFORMATION MASTER COMMISSIONER ADVISORY COMMITTEE

James H. Frazier, Chair

Carole C. Schneider, Vice-Chair

#### District 1:

Tom Blankenship tom@bedlaw.com

#### District 2:

David F. Broderick brandismith@warrencountymastercommissioner.com

#### District 3:

Howard O. Mann hmannlaw@bellsouth.net

#### District 4:

Carole C. Schneider cschneider@jcomm.org

#### District 5:

James H. Frazier jfrazier@mcbrayerfirm.com

#### District 6:

Valerie Shannon valshannonlaw@gmail.com

#### District 7:

Stephen L. Hogg pikemastercommissioner@gmail.com

#### At Large Member

Carolyn Carroway
ccarroway@carrowaylaw.com

#### At Large Member

Earl Rogers earl3rogers@yahoo.com



An Introduction to KCOJ's e-Filing System

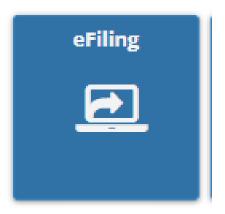
Administrative Office of the Courts \_\_

Malissa Carman-Goode eCourt Program Manager

**Emily Daniel KYeCourts Product Owner** 



# **Objectives**



- Overview of the eFiling
   System & Account Creation
- eFiling Rules & Mandatory eFiling
- Delegate Access
- Overview of Trusted
   Submitter/Future Feature
- Demo



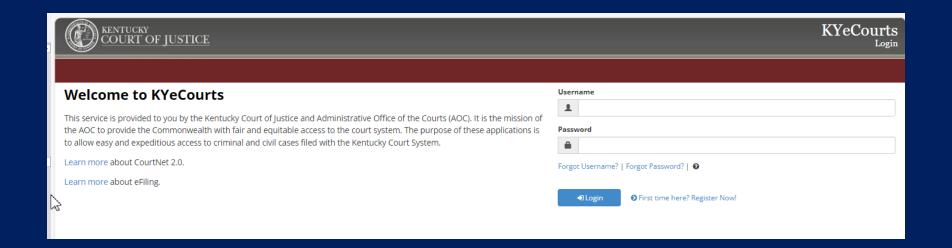
#### eFiling Overview

eFiling is at the heart of KYeCourts, the court system's sweeping, multiyear initiative to update court technology and transform how the judicial, legal and law enforcement communities do business. The aim of KYeCourts is to update Kentucky's court technology to meet the demands on the court system and enable the courts to stay current with the mainstream of law and commerce.





#### How do I get a Government KYeCourt/CourtNet Account?





To Register for a Government KYeCourt/CourtNet account, please reach out to <a href="mailto:CourtAdmin@KYcourts.gov">CourtAdmin@KYcourts.gov</a>.

After completing a subscription agreement and returning it to the administrator, you will receive account credentials to login and create your KYeCourts account.

\*The admin can help you determine eligibility for the appropriate account.



# Login to KYeCourts Account



#### 1 Log on to CourtNet 2.0

Helpful Hint: Users should contact their agency CourtNet administrator for assistance with changing passwords.

- Navigate to <a href="https://kcoj.kycourts.net/kyecourts/Login">https://kcoj.kycourts.net/kyecourts/Login</a>
- Enter user name and password in applicable text boxes
- Select <Login>

Username			
1			
Password			
<b>a</b>			
Forgot Username?   Forgot Password?   0			
■Login			



#### Add Sub Account

Helpful Hint: If the agency wishes to have multiple administrators, the Account Administrator box must also be checked for specific user. If no additional administrator is needed, the checkbox should be left blank.



- Select the <User Profile> tile
- 2. Select <Account Profile>
- 3. Click the <Manage Licenses> button
- Click <+Sub Account> button
- Enter email, name, job title (optional) and location (optional) in applicable text boxes
- Check the <Does User Perform Searches?> box (if applicable)
- Click the <Send Invite> button

Add SubAccount 🕡	
53 Send Invite	
Email	Additional Properties
	(i) Is user an Administrator for this Account (ii) Does User Perform Searches?
FirstName	B 558 581 741511 385585
LastName	
Middle Name	
Suffix	
jab Title	



# Login and Profile Activities

Login through https://kcoj.kycourts.net/KYeCourts/login.

Verify User Profile data (you may change your password by clicking on the password icon also on this screen).

Complete KBA Verification under Profile Identifiers (one time only activity).

Add information on the Business Info tab. This information will populate automatically into your eFilings for you.

Use the Additional eMails tab to send notifications to other emails

# Attorney eFiling Program Fast Facts Facts

## eFiling Rules

eFiling Rules have been adopted by the Kentucky Supreme Court. These rules supplement other rules of practice and procedure and are deemed to comply with the Kentucky Rules of Civil Procedure. To the extent the eFiling Rules are inconsistent or otherwise conflict with the Kentucky Rules of Procedure, the eFiling Rules control in cases subject to electronic filing.

Rules for eFiling (kycourts.net)



Beginning July 1, 2022, the court has mandated eFiling for specified case types on a rolling release basis.

Mandatory Electronic Filing in Selected Case
Types



Effective March 1, 2024, all district, circuit, and family court judges shall electronically enter orders in all case types in which eFiling is mandatory for attorneys.

Electronic Entry of Orders (eOrders)



### eFiling Certification

Attorney Online eFiling Training and Certification is also available. Log in to KYeCourts here

https://kcoj.kycourts.net/kyecourts/Login and click the

eLearning tile.



Live virtual trainings are available on a limited basis. Register for virtual training <a href="https://example.com/here">here</a>.



### Keep in mind when eFiling:

- While building an envelope the system displays the local time of the courthouse being filed into.
- PDF or PDF(A) documents uploaded (8 ½ x
   11) should not exceed 4MB per PDF.
- Total size of ALL documents contained within an uploaded envelope should not exceed 50 MB.
- DOC or DOCX documents are only used when submitting proposed orders – tendered documents.
- No password protections or Macros can be used on documents.



# Future Features

#### Trusted Submitter

- Specific configurations for MC Role
- Ability to edit AOC Forms
- Ability to receive Word version of Tendered Documents for editing and signature
- Review possibility of Electronic Signature

#### CourtNet 3



#### Attorney must submit the envelope to court, not delegate!

#### Section 6. Registration and Responsibilities of eFilers

- (1) Authorized eFilers. Registration is limited to:
  - (a) Licensed attorneys in good standing with the Kentucky Bar Association who have completed eFiling certification;
  - (b) Judges and their staff;
  - (c) Court administrative staff, including technical support staff;
  - (d) Government employees and law enforcement with authorized access to eFile in cases relating to their functions; and

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(e) Self-represented parties permitted to electronically file, subject to authentication and training requirements imposed by the AOC. Nothing in this subsection shall be construed to convey a right to file electronically if authentication or training requirements are not available or have not been completed by a self-represented party.



## 

#### User Profile

Login to KYeCourts and navigate to User Profile.

# Welcome Please choose from one of the following authorized applications: Case Search (CourtNet) Q M CourtNet Cou

#### **Delegate Access**

Select the Delegate Access Tab and select +Delegate Access and search for staff.



#### Invite Delegate

Select Invite to send a notification to the staff/delegate





#### **Attorney Support Services**

Filers may send their questions to <a href="mailto:eCourtSupport@kycourts.net">eCourtSupport@kycourts.net</a> for assistance with eFiling issues. Assistance is also available if filers contact 502-573-2350, ext. 50109. Support is available during the AOC's regular business hours, 8:00 AM to 5:30 PM EST, Monday through Friday, excluding holidays. Calls after that time will be forwarded to voice mail.

When calling for assistance, please have your envelope number handy!



#### We Love to Hear From You!



User Feedback



-Top Ten Most Filed Actions



-Pain Points



-What do you wish worked differently and how?



# Resources & Guides

- Reference Guides (kycourts.net)
- ehelp.kycourts.net





Questions?



#### CourtNet 2.0 Government Administrative User

Administrative Office of the Courts 1001 Vandalay Drive Frankfort, KY 40601 (502) 573-2350

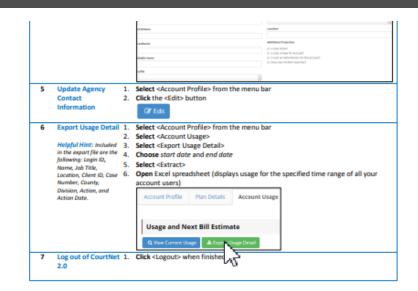


Bracketed Text<> = button or link

#### Quick Reference Guide

itep	Objective	Action
1	Log on to CourtNet 2.0	Navigate to <a href="https://kcol.kycourts.net/kyccourts/Login">https://kcol.kycourts.net/kyccourts/Login</a> Enter user name and password in applicable text boxes     Select <login></login>
2	Add Sub Account  Helpful Hint: If the agency wishes to have matitele administrators, the Account  Administrator box must also be checked for specific user. If no additional administrator should be inferentially the specific user the Accidion should be left blank.	Select the <user profile=""> tile Select <account profile=""> Click the <manage licenses=""> button Click &lt;+Sub Account&gt; button Senter email, name, jab title (optional) and location (optional) in applicable text boxes Check the <does perform="" searches?="" user=""> box (if applicable) Click the <send invite=""> button</send></does></manage></account></user>
3	Inactivate Sub Account	Click (Manage Licenses>     Select user name to be removed     Uncheck all boxes

Bold Text = Action



For additional questions, please contact the eCourts Support Desk at (502) 573-2350 x 50109.

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### CourtNet 2.0 Government User Quick Reference Guide

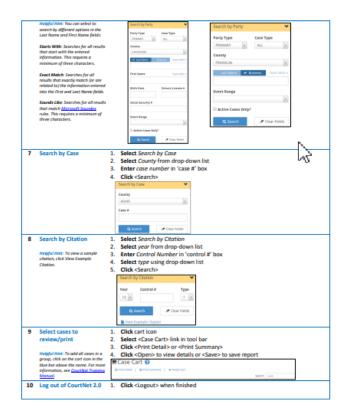
Administrative Office of the Courts 1001 Vandalay Drive Frankfort, KY 40601 (502) 573-2350



Legend: Look for Helpful Hints Bold Text = Action Bracketed Text<> = button or link Click=Select w/ Mouse or Touch Pad Italicized Text = Object of Action Single Quotes = Description Step Objective Action 1 Log on to CourtNet 2.0 1. Navigate to https://kcoj.kycourts.net/kyecourts/Login 2. Enter user name and password in applicable text boxes Weigful Mint: Users should contact 3. Select <Login> their agency CourtNet administrator for assistance with changing passwords. 2 Accept User Agreement 1. Accept the User Agreement 3 Individual Usage Meter 1. Click < User Profile> 2. Select <View Usage> 4 Track Client ID 1. Click drop down arrow to change client 2. Choose an existing client -OR-Heigful Hint: Allows you to search for cases under a specific client Enter a new client ID name and tie system usage to client. Det D Faplable 1. Click on <Apps> 5 Access Reports 2. Select Docket 3. Choose county, division, and date 6 Search by Party/Business Search by Party (if not already on Party tab) (Default) 1. Select Party Type from drop-down list 2. Select Case Type from drop-down list Neight Mint: If you want only active 3. Select County from drop-down list coses, click the 'Active Coses Only'
4. Enter Last Name and First Name 5. Enter other identifiers if available 6. Click < Search> Search by Business 1. Click the "Last Name" slider to search by Business 2. Select Party Type from the drop-down list 3. Select Case Type from the drop-down list 4. Enter Business Name 5 Click «Search»

For additional questions, please contact the eCourts Support Desk at (502) 573-2350 x 50109.

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For additional questions, please contact the eCourts Support Desk at (502) 573-2350 x 50109.

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## JUDICIAL CONDUCT

PRESENTED BY THOMAS BLANKENSHIP
MASTER COMMISSIONER, MARSHALL CIRCUIT COURT

# BREAK

#### ALTERNATIVE INCOME STREAMS

PRESENTED BY JAMES H. FRAZIER, III
MASTER COMMISSIONER, FAYETTE CIRCUIT COURT

# CORPORATE TRANSPARENCY ACT & SURETY BONDING

PRESENTED BY VALERIE L. SHANNON MASTER COMMISSIONER, OLDHAM CIRCUIT COURT

## **ESCHEATS**

PRESENTED BY CAROLE C. SCHNEIDER
MASTER COMMISSIONER, JEFFERSON CIRCUIT COURT

# A 38 9