Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING LOCAL COURT RULES FOR THE 12th JUDICIAL CIRCUIT, HENRY, OLDHAM AND TRIMBLE, FAMILY COURTS

Upon recommendation of the Family Court Judge for the 12th Judicial Circuit, Henry, Oldham and Trimble, Family Courts; and being otherwise sufficiently advised,

The Court Rules for Henry, Oldham and Trimble, Family Courts are hereby approved. This order shall be effective as of the date of this Order and shall remain in effect until further orders of this court.

Entered this the 23rd day of July 2025.

Debra Hembree Lambert
CHIEF JUSTICE

RULES OF COURT FOR FAMILY COURT
12TH JUDICIAL CIRCUIT
FOR HENRY, OLDHAM, AND TRIMBLE COUNTIES

RULE 1: INTRODUCTION/ADMINISTRATIVE PROCEDURE

101 Introduction/Preface

A. These are the Rules of Practice of the Family Court in the 12th Judicial Circuit, covering Henry, Oldham, and Trimble Counties. These Rules supplement the Kentucky Family Court Rules of Procedure and Practice (FCRPP),.Kentucky Rules of Civil Procedure (CR), and the Rules of Criminal Procedure (RCr). These rules shall be the only operative 12th Judicial Family Court Rules. All previous rules adopted by the 12th Judicial Family Court are hereby rescinded.

B. Cases filed in the Family Court shall be styled as follows:

COMMONWEALTH OF KENTUCKY
_____FAMILY COURT
CASE NO.:_____

102 Effective Date

These Rules shall be effective thirty days after Kentucky Supreme Court approval.

103 Citation

These Rules shall be cited as "12th Judicial Circuit Family Court Rules" or abbreviated as "KY HOTF."

104 Holidays and Weather Emergencies

A. Family Court shall adhere to the list of Court Holidays as set out by the Administrative Office of the Courts. Information about statewide closures can be found here: https://kycourts.gov/Courts/Family-Court/Pages/default.aspx.

B. Court Closure due to weather or other emergency will be decided by the Chief Circuit Judge after conferring with the Chief District Judge and the Circuit Clerk and will be disseminated through local media outlets as early as practical.

RULE 2: COURT SCHEDULING/ MOTION HOUR/ PROCEDURES FOR FILING

201 The 12th Judicial Family Court Schedule

A. Hours of operation of the Courts and Court Clerks are as follows:

Oldham County 8:00 A.M. – 4:00 P.M. Monday – Friday
Henry County 8:00 A.M. – 4:00 P.M. Monday – Friday
Trimble County 8:00 A.M. – 4:30 P.M. Monday – Friday

B. Phone Numbers for the Court Clerks are as follows:

Oldham County Family Court
Divorce & Custody (502)222-9837
Adoption, Juvenile, Paternity, and Domestic Violence (502)225-0791

Henry County Family Court
Adoption, Divorce, Juvenile, Paternity, and Domestic Violence (502)845-2868

Trimble County Family Court
Adoption, Divorce, Juvenile, Paternity, and Domestic Violence (502)255-3213

202 Motion Hour/Dockets

The Court publishes a calendar of motion hour dates, juvenile hearings, and domestic violence dockets on a monthly basis, at least 3 months in advance. Copies may be obtained from the Family Court Staff. As a general rule, subject to change due to scheduling needs or unforeseen reasons such as inclement weather, Court motion hours are as follows:

Dependency, Neglect and Abuse Dockets
Henry County 1st and 4th Tuesdays @ 9:00 A.M.
Oldham County 1st and 4th Thursdays @ 9:00 A.M.
Trimble County 1st and 3rd Wednesdays @ 9:00 A.M.

Child Support, Paternity, and Status Dockets
Henry County 2nd Tuesday @ 9:00 A.M.
Oldham County 2nd Thursday @ 9:00 A.M.
Trimble County 3rd Wednesday @ 9:00 A.M.

Civil Motion Dockets
Henry County 1st, 2nd and 3rd Tuesdays @ 1:00 P.M.
Oldham County 1st, 3rd and 4th Fridays @ 9:00 A.M.
Trimble County 1st and 3rd Wednesdays @ 1:00 P.M.

EPO Dockets
Henry County 1st, 2nd and 4th Tuesdays @ 2:00 P.M.
Oldham County 1st, 3rd and 4th Fridays @ 10:00 A.M.
Trimble County 1st and 3rd Wednesdays @ 2:00 P.M.

203 Deadline for Serving and Filing Motions

A. All motions in circuit actions are to be heard on a scheduled Motion Hour for each county and shall be "served" with Notice to the Other Parties and or Counsel seven (7) days prior to each county's scheduled Motion Hour, except for good cause

shown. Time calculations: For the purpose of calculating times, all days are calendar days unless otherwise specified.

B. Motions shall be "filed" with the Clerk's office by 4:00 P.M. if filing in person or by 11:59 P.M. if e-filing, per the following schedule:

1. For Motion Hour on a Monday, file by preceding Monday.
2. For Motion Hour on a Tuesday, file by preceding Tuesday.
3. For Motion Hour on a Wednesday, file by preceding Wednesday.
4. For Motion Hour on a Thursday, file by preceding Thursday.
5. For Motion Hour on a Friday, file by preceding Friday.

C. In the event the Courthouse is closed on the above days, the motion shall be filed by 4:00 p.m. on the prior business day.

D. Any Motions filed after the deadlines established herein shall be rejected by the clerk and will have to be re-noticed for the next docket.

204 Pro Se Motions

Pursuant to FCRPP 1(4), self-represented litigants shall be held to knowledge of these rules the same as parties represented by counsel. "Pro se motion" procedure forms may be available in the Circuit Clerk's Offices. The Circuit Clerk or Deputy Clerks are prohibited by rule from giving legal advice.

205 Faxed Pleading

The Clerk is instructed not to accept faxed pleadings unless prior approval by the Family Court Judge.

RULE 3: ADOPTION/ TERMINATION OF PARENTAL RIGHTS

Every petition for adoption shall comply with the requirements for adoption cases as set out in KRS 199.470, 490; and every petition for termination of parental rights shall comply with the requirements for termination of parental rights cases as set out in KRS 625.020 et seq.

ADOPTIONS

301 Adoptions

A. Petition

The Petition shall be filed pursuant to KRS Chapter 199, and, in accordance with FCRPP 30 and 31, a guardian ad litem (GAL) shall be appointed for the child(ren) unless the provisions of KRS 199.480(3) are met.

B. Reports

Any reports from the CHFS or other agencies shall be filed within (90) days of the filing of the petition, as stated in KRS 199.510.

C. Hearing Dates

After the statutory time periods have been met, counsel for the petitioner(s), shall a file a motion, with notice to all necessary parties, on the Court's regular DNA docket.

302 Orders Setting Final Hearing

Pursuant to KRS 199.515, no adoption proceeding shall be assigned a final hearing date until the report of the GAL, and the report of the Cabinet, or other agency, is filed in the record. Counsel shall tender all necessary final paperwork and proposed orders to the Court fourteen days prior to the hearing for review, including Findings of Fact and Judgment of Adoption except as otherwise ordered by the Court.

303 Costs and Fees

An affidavit for costs and attorney's fees, signed by the Petitioner(s) must be filed with the Court, and are subject to approval by the Court.

304 Voluntary Termination Proceedings with Adoption

A. Petition

Any Petition for adoption with consent shall be filed pursuant to KRS 199.470, 199.490, 199.500 and FCRPP 31.

B. Guardian Ad Litem (GAL)

The Court shall appoint a GAL on behalf of the child, and upon request, attorneys for the parents, if indigent.

C. Expenses

Any expenses paid by the prospective adoptive parent(s) shall be submitted to the Court by affidavit or verified motion, signed by prospective adoptive parent(s) along with a tendered order approving expenses.

305 Involuntary Termination with Adoption

A. Petition

The Petition shall be filed pursuant to KRS 199.470, 199.490, 199.502, and FCRPP 31.

B. Guardian Ad Litem (GAL)

The Court shall appoint a GAL for the child, and attorneys for the parents pursuant to KRS 199.502(3), if indigent.

C. Pretrial Date

Immediately upon filing, the Petitioner shall obtain a pretrial date directly from the Court and shall serve a copy of the Order setting the pretrial date upon the parents and GAL with the Petition and Summons. A copy of the Order shall be served upon any appointed counsel immediately following appointment.

D. Hearings

A hearing shall be held within sixty (60) days of a motion for a trial date.

306 Confidentiality

All Adoption and Termination of Parental Rights proceedings shall be confidential.

307 Temporary Custody with Intent to Adopt

Temporary Custody Orders granted pursuant to KRS 199.473(7) shall be sealed and not opened to inspection by persons other than the Parties to such proceedings and their counsel.

TERMINATION OF PARENTAL RIGHTS

308 Petition

Every petition in a Termination of Parental Rights action shall comply with the requirements set forth in KRS 625.020 et. seq.

309 Guardian ad Litem

A. In all actions for Termination of Parental Rights that require the appointment of a guardian ad litem, a party pro se or counsel shall make a motion and tender an order for appointment of a guardian ad litem for the child(ren). In the best interest of the child(ren) the Court shall appoint a guardian ad litem (GAL), taking into consideration any previously appointed guardian ad litem in any related Dependency Neglect and Abuse and/or Termination of Parental Rights cases.

B. Whenever a parent in an action for involuntary termination of parental rights request an appointment of counsel, supported by an affidavit of indigency, the Clerk shall bring the court any related Dependency Neglect and Abuse file(s).

C. If the appointment of counsel is appropriate, the Court may offer the parent the option of being represented by the same counsel who represented the parent in the Dependency Neglect and Abuse proceeding(s).

310 Involuntary Termination of Parental Rights

In accordance with FCRPP 32(1), the petitioner shall obtain a pretrial date by filing a motion noticed for the first available motion hour occurring 21 days post filing. At the pre-trial date, the court shall schedule the matter for a final hearing, or, for good cause shown by any parent, schedule an additional pretrial conference. Per FCRPP 32(1) if the parent(s) have not been served prior to the pretrial date, the pretrial shall be used as a case status review to expedite the preceding.

RULE 4: DOMESTIC VIOLENCE PROTOCOL AND 24-HOUR ACCESS POLICY

The Twenty-Four (24) Hour Accessibility to Emergency Protective Orders and Local Joint Jurisdiction Domestic Violence Protocol for 12th Judicial Circuit and District consisting of Henry, Oldham, and Trimble Counties is attached hereto in Appendix A and incorporated herein by reference as if set out in full.

401 Procedures for Filing and Obtaining a Domestic Violence Order or Interpersonal Protective Order

A. Per KRS 403.725 and 456.030, during regular work hours, a verified petition for Domestic Violence Order (DVO) of protection or Interpersonal Protective Order (IPO) shall be filed at the Circuit Clerk's Office in the county where petitioner resides or in the county to which Petitioner has fled to escape domestic violence and abuse. Pursuant to KRS 403.725(4) and KRS 456.030(4), all law enforcement officers, Commonwealth's Attorneys, County Attorneys, regional rape crisis centers, or domestic violence shelters are authorized to provide and verify domestic violence petitions in emergencies arising outside normal business hours of the Circuit Clerk's offices.

B. Each petition for a domestic violence order shall conform with the requirements of KRS 403.725, and each petition for an interpersonal protective order shall conform with the requirements of KRS 456.030.

402 Violations of Domestic Violence Order or Interpersonal Protective Orders.

A. Pursuant to KRS 403.763 and KRS 456.180, a violation of the terms or conditions of a Domestic Violence Order, Emergency Protective Order, Interpersonal Protective Order, or Temporary Interpersonal Protective Order (all of which are considered a "protective order" herein these rules) after the person has been served or given notice of the protective order shall constitute either contempt of court or a criminal offense.

B. Once a criminal or contempt proceeding has been initiated, the other shall not be undertaken regardless of the outcome of the original proceeding.

C. Motions to hold a Party in contempt for violation of the terms or conditions of a protective order should be noticed for the motion hour docket in the county in which the case is pending. Such motions should be filed at least seven (7) days in advance of the motion hour in a manner consistent with Rule 203 herein.

D. A party choosing to initiate criminal proceedings for the violation of the terms or conditions of an order of protection should contact the county attorney's office in the county in which the violation of the protective order occurred.

RULE 5: PATERNITY

501 Motion Practice

A. The schedule for motion hour for paternity cases is outlined in Rule 202 herein.

B. The following motions may be filed for consideration off docket at the Court's convenience and shall stand submitted to the Court unless a written objection and request for hearing is filed within seven (7) days of the date shown on the Certificate of Service of the motion:

1. Motion for Appointment of Guardian ad Litem
2. Motion to Request for Approval of Guardian ad Litem fee
3. Motion for Wage Assignment pursuant to KRS 403.215 and KRS 405.465
4. Motion to Submit to DNA testing.

C. Motions for Default Judgment for failure to plead or otherwise defend, as provided by the Rules of Civil Procedure, shall stand submitted upon filing and shall not be noticed for motion hour; however, if the Court determines that a hearing is necessary under CR 55.01, a hearing date will be assigned.

D. The following motions shall be noticed for motion hour and shall be filed seven (7) days prior to the requested date:

1. Motion to Establish Child Support
2. Motion to Establish Parenting Time
3. Motion to Modify, Suspend, or Terminate Child Support
4. Motion to Determine Child Support Arrearage
5. Motion for Contempt
6. Motion for Summary Judgment
7. Motion for Judgment of Paternity.

E. All matters relating to foreign support orders under the Unified Interstate Family Support Act (UIFSA) shall be filed in and heard on the Family Court's Paternity docket. This includes, but is not limited to, registering a foreign support order or seeking contempt proceedings on a foreign support order.

502 Pretrial Conference for Cases Involving County Attorney

A. In all cases involving the County Attorney in which the Respondent either files a Response admitting paternity or signs an Affidavit admitting paternity, the parties shall submit to a pre-trial conference for the purpose of simplifying the issues to be heard by the Court. Upon completion of said conference, the parties shall file a Stipulation of Facts to avoid unnecessary proof or delay.

B. No case involving the County Attorney shall be scheduled for a hearing on a Motion for Trial, Motion for Judgment on the Pleadings, Motion for Summary Judgment, or Motion for Child Support without first participating in a pre-trial conference and submitting a Stipulation of Facts as outlined herein.

C. Nothing in this Rule shall prohibit the parties from entering into an Agreed Judgment of Paternity and/or an Agreed Order for Child Support and requesting approval by the Court for consideration off docket. However, if the Cabinet for Health and Family Services is a party to the action and/or is providing benefits to the child, then the Cabinet shall be notified prior to submission of an agreed order to the Court.

D. After a pre-trial conference is held and Stipulation of Facts are submitted, if both parties agree that a hearing is necessary, the parties may e-mail the Judge's secretary to obtain a hearing date after filing the appropriate motion(s).

503 Multi-Party Affidavit of Paternity

In the event that a party to a dissolution action requests that the Court approve an agreement to establish paternity for a person outside the marriage, the party shall submit a Three-Way Paternity Affidavit Form (VS-8C), which may be obtained from the Office of Vital Statistics (https://www.chfs.ky.gov/agencies/dph/dehp/vsb/pages/default.aspx). All parties must participate in a pre-trial conference prior to submission of such request and a Stipulation of Facts shall be filed.

504 Access to Case Files

A. An attorney seeking permission to review and/or copy a paternity case file <u>for reasons relating to representation of a party in that action</u>, shall submit a written and signed statement to the Clerk of the Court requesting permission to inspect said

Court file and outlining his/her reason for that request. In the alternative, a party to a paternity action may sign a notarized release authorizing an attorney to review and/or copy his/her paternity case file.

B. After review and signature of a Court Order by the Judge authorizing access to the file, the Clerk shall grant the attorney access.

C. Attorneys and Guardian ad Litems representing an incarcerated party in a paternity action are not subject to this provision and shall have access to these Court files without a Court Order.

RULE 6: DEPENDENCY, NEGLECT AND ABUSE PROCEEDINGS

601 Orders and Case Procedure

A. Pursuant to FCRPP 15, to the extent not otherwise specified, any order entered in a dependency, neglect and abuse action shall be on the appropriate AOC forms.

B. Persons are referred to FCRPP 16 through 29 for additional statewide rules of procedure, which shall apply to the 12th Judicial Family Court.

602 Procedure for Emergency Custody Orders

A. Any request for an emergency custody order in a dependency, neglect and abuse case shall be in writing and shall be accompanied by an affidavit for emergency custody order which contains the contents of the official AOC form, AOC-DNA-2.1 (Affidavit for Emergency Custody Order), and which alleges dependency, or abuse or neglect. The affidavit shall be presented to the judge with any other documentation presented at the time of the filing of the request. The official AOC form may be utilized for compliance with this rule.

1. Persons seeking an Emergency Custody Order (ECO) shall first have the Petition reviewed by the appropriate Cabinet for Health and Families Services (CHFS) Office and the appropriate County Attorney to assess the sufficiency of the allegations in conformity with the 12th Judicial Family Court Rule 603 below. A copy shall also be provided to the person seeking the ECO.

2. During the normal business hours, persons seeking an Emergency Custody Order (ECO) shall come to the Circuit Court Clerk's office to request an emergency custody order from the Family Court Judge, Circuit Court Judge, or District Court Judge.

3. After working hours, and on weekends and holidays, the on-call Judge shall be contacted. If appropriate, the County Attorney shall complete the ECO and, if granted, shall provide the original order to CHFS. CHFS will file the original order with the 12th Judicial Family Court Clerk's Office on the

next working day at which time the clerk will assign a case number. The original ECO shall remain with the 12th Judicial Circuit Court Clerk's Office and a copy shall also be provided to the person seeking the ECO.

B. An affidavit for an emergency custody order may be sworn, either in the presence of or through reliable electronic means, before an official authorized to administer oaths. The presentation of the affidavit to the Court and the administration of the oath may be made in person or by reliable electronic means.

C. If not filed with the emergency custody order, a petition shall be filed with the clerk within 72 hours of taking the child into custody in the same case file as the emergency custody order and affidavit.

603 Petition for Dependency, Neglect or Abuse

A. Pursuant to KRS 620.070(1), a Petition may be filed by any interested person. All petitions shall be filed in accordance with FCRPP 19 and shall contain the contents of the official AOC form, AOC-DNA-1, Dependency, Neglect or Abuse Petition, which is available for use in compliance with this rule. In proceedings involving siblings, separate petitions shall be filed for each child and individual case numbers shall be assigned by the clerk of the court.

B. The Petition shall first be submitted to the County Attorney's Office who shall check the Petition for legal sufficiency. If the Petition is rejected by the County Attorney, it shall be submitted to the Family Court Judge for determination of legal sufficiency. If the Judge determines that the Petitions fails to state grounds for action pursuant to KRS Chapter 620, the Petition shall be dismissed. If the Petition is approved, the County Attorney or Judge, as appropriate, shall initial the Petition for filing. A copy shall be distributed to the County Attorney's Office and the original shall be filed with the 12th Judicial Family Court Clerk's Offices.

C. Any petition filed with this Court shall contain:

1. The contents of the official AOC-DNA-1 (Juvenile Dependency/Neglect or Abuse Petition) form;

2. Citations to the specific statute and factual allegations relied upon for asserting the Court's jurisdiction; and

3. Full information concerning the child's parents and their address(es), email address(es), and phone number(s). The Petitioner shall make diligent efforts to locate the child's parents, including but not limited to initiating contact with the County Attorney's Office - Child Support Division.

D. When a petition is filed, a copy shall be mailed or provided by the clerk to the parents or other person exercising custodial control or supervision, CHFS, the

County Attorney, any guardian ad litem, and any counsel of record, no later than the business day following the filing of the petition.

604 The Effects of Service on Only One Parent/Person Exercising Custodial Control or Supervision

The Judge may permit the Temporary Removal Hearing or the adjudicatory hearing to go forward when the non-custodial parent has not been served in accordance with FCRPP 17 if it is established on the record that the Petitioner has made diligent efforts to serve all other parties. The Petitioner shall make continuing legal efforts after the hearing to locate and notify all persons who were not served, and any unserved parties shall retain any legal defenses available.

605 Temporary Removal Hearing

A. Temporary Removal Hearings (TRH) shall be scheduled on the Court's dependency docket if the docket will be held within 72 hours (excluding holidays and weekends) of the issuance of an ECO. If the dependency docket will not be held within 72 hours, the Temporary Removal Hearing will be scheduled as an emergency docket within 72 hours of the issuance of the ECO.

B. In matters not involving an ECO, Temporary Removal Hearings (TRH) will be scheduled on the Court's dependency docket within 10 days, (excluding holidays and weekends).

C. The clerk shall provide notification of the temporary removal hearing to the parents or other person exercising custodial control or supervision, county attorney, CHFS, any guardian ad litem, and any counsel of record.

606 Pretrial Conference

After the temporary removal hearing, the Court shall set a pretrial conference at which time the named parties responsible may stipulate or request an adjudication hearing.

607 Adjudication Hearing

Unless a stipulation is entered by the named parties responsible, the Court shall conduct an adjudication hearing for the parties to present evidence which support or deny the claims made in the original Petition. At the conclusion of the adjudication hearing, the Court shall either enter a finding of dependency, abuse and neglect, or shall dismiss the action. In the event a finding is made, the Court shall schedule a disposition hearing.

608 Disposition Hearing

All dispositional report(s) shall be filed one (1) week in advance of the dispositional hearing. The Dispositional Report shall be submitted on form AOC-DNA-12.

609 New Action

Any new allegation or request for removal after a child has achieved permanency shall be filed as a new action.

610 Guardian ad Litem and Parent Attorneys

A. The Family Court will maintain a roster of eligible attorneys who may serve as Guardian ad Litem or Parent Attorneys.

B. Each attorney on the roster must be a member in good standing with the Kentucky Bar Association.

C. Each attorney on the roster must complete the DNA training provided by the Administrative Office of the Courts.

D. Each attorney on the roster must complete a minimum of four hours of relevant legal or multi-disciplinary training every two years. Relevant legal education must include instruction on improved practice and current law regarding DNA, termination of parental rights, or related proceedings. Multi-disciplinary training must include instruction on child development, trauma-informed care and approaches, substance abuse disorder, child welfare forensics, impact of the Americans with Disability Act, or other matters related to practice in actions under KRS Chapter 625. Court-appointed counsel shall provide proof that he or she has completed the required training to the Court to remain eligible for appointments.

E. Each attorney appointed as counsel for a person or persons exercising custodial control shall have the responsibilities set forth in Appendix D of the FCRPP, the Statewide Standards of Expected Conduct for Court-Appointed Counsel.

F. Each attorney appointed as counsel for a *de facto* custodian shall have the responsibilities set forth in Appendix D of the FCRPP, the Statewide Standards of Expected Conduct for Court-Appointed Counsel.

G. Each attorney appointed as a Guardian ad Litem shall have the responsibilities set forth in Appendix D of the FCRPP, the Statewide Standards of Expected Conduct for Court-Appointed Counsel.

H. No attorney shall be appointed exclusively as a GAL for a child or as counsel for an adult.

I. Upon an attorney inquiring to be included on the GAL or court-appointed counsel list, the Judge shall determine if the attorney shall be appointed to be on the list of approved court-appointed counsel and guardians ad litem based on the requirements of these rules and FCRPP. The Judge shall have the ability to remove any attorney from the list at any time for good cause.

RULE 7: DOMESTIC RELATIONS PRACTICE

701 Required Case Information

A Case Data Information Sheet, Form AOC-FC-3, and a Vital Statistics VS-300 form shall be filed with any dissolution petition.

702 Appearances, Waivers, Disclosures, Pleadings and Agreements

A. Unrepresented parties must sign and acknowledge Appearances, Waivers, and Agreements before a notary or deputy clerk.

B. No Entry and Appearance shall be signed prior to filing of a petition.

C. All Agreements and Agreed Orders shall contain the correct mailing addresses and e-mail addresses for the attorneys.

1. All Agreements and Agreed Orders that contain substantive non-procedural matters shall be signed by the parties and, if represented, by their attorneys.

2. Attorneys may sign for their clients but must state on the signature line the method of authority.

D. Discovery shall not be filed in the record at the time of request or upon being answered. This rule does not prohibit a party from attaching discovery to a motion to compel or some other purpose.

E. Preliminary Verified Disclosure Statements, to be completed pursuant to the FCRPP, may be filed in the record without attachments unless otherwise ordered by the Court. Preliminary Verified Disclosure Statements are required of both parties whenever one or both parties are unrepresented by counsel.

F. Final Verified Disclosure Statements shall be filed in the record without attachments.

G. Final Proof in a Dissolution matter shall be submitted to the Court upon a joint written motion, with necessary proof, that is sufficient to prove the statutorily require facts. The Proof affidavit or interrogatories shall not be signed prior to the expiration of 60 days from the date of service or entry of appearance by the Respondent in Dissolution matters where there are minor children.

H. If the parties reach a settlement resolving issues to be hear at a hearing or trial, the parties shall file notice with the Court, and contact Family Court staff at (502)222-2490 to remand the motion from the Court's docket. The notice to the Court to remand may be contained in the Agreed Order of the parties.

703 Divorce Education Program

Families involved in a divorce proceeding where there are minor children of the marriage shall be ordered to participate in a Divorce Education Program. Each party shall contact (502)222-4717 to enroll in the program.

704 Mediation

A. Mediation

1. The Court encourages parties to seek mediation of unresolved issues prior to trial and prior to requesting any hearing two hours or longer. The Court, upon its own motion or motion of either party, may order the parties to attend mediation prior to the hearing or trial date, pursuant to FCRPP 39.

2. If ordered by the Court pursuant to FCRPP 39, the parties shall engage in mediation unless the exceptions provided therein apply. The parties shall participate in mediation in good faith.

B. Qualifications

Any selected or appointed mediator shall be qualified as a mediator pursuant to FCRPP 39.

C. Appointment of Mediator

The mediator shall be compensated at the rate agreed between the mediator and the parties if the mediator is chosen by agreement. If the Court appoints the mediator, the fee for the mediator shall be reasonable. Any objection to a mediator's fee may be addressed by the Court prior to initiation of a mediation conference. Unless otherwise agreed by the parties or ordered by the court after motion of either party, the parties shall equally divide the mediator's professional fees.

D. Mediation Procedure

1. Following selection of the mediator, the parties shall contact the mediator to schedule mediation to occur at no less than thirty (30) days prior to the hearing or trial except for good cause shown. The mediation conference shall be held in the county in which the case is pending or at a site agreed upon by the parties. The mediator may require the parties to submit a confidential statement of the case or other materials that the mediator may reasonably believe appropriate for efficiently conducting the mediation conference. The mediator or attorneys may terminate the mediation conference after a settlement is reached or when they determine that continuation of the process would be unproductive.

2. The parties and attorneys shall mediate in good faith.

E. Report to the Court

1. If an agreement is reached during the mediation conference, it shall be reduced to writing and signed by the parties and their counsel. The parties shall be responsible for the drafting of the agreement, although the mediator may assist in the drafting of the agreement at the request of the parties. Should the agreement resolve all issues for which a hearing has been scheduled, the parties shall file notice with the Court, which may be within the agreed order, and notify Court Staff, (502)222-2490, that the hearing is remanded from the Court's docket.

2. If no agreement is reached, the mediator shall report to the Court that the mediation has not been completed, or that the mediation has been completed with or without an agreement on any or all issues. With the consent of the parties, the mediator may also identify those matters, which, if resolved or completed, would facilitate the possibility of a settlement.

F. Confidentiality of Mediation

1. Mediation sessions shall be closed to all persons other than the parties, their legal representatives, and other persons invited by the mediator with the consent of the parties.

2. Mediation shall be considered as settlement negotiations for purposes of KRS 408.

3. Mediators shall not be subject to process requiring the disclosure of any matter discussed during the mediation, but rather, such matters shall be considered confidential and privileged in nature. This privilege and immunity resides in the mediator and may not be waived by the parties.

4. Nothing in this rule shall prohibit the mediator from reporting abuse according to KRS 209.030, KRS 620.030, or other applicable law.

705 Procedures for Obtaining a Final Trial Date

If the Parties are unable to resolve all issues in their Dissolution of Marriage case by agreement or through mediation, then either Party may file a motion with the Court requesting a trial date for any/all remaining unresolved issues to be tried before the Family Court. Upon assignment of a trial date, the Court may enter such Orders setting pre-trial deadlines for compliance with the Family Court Rules of Practice and Procedure and the Civil Rules as the Court deems reasonable. Additionally, the Court may Order the Parties to submit a pre-trial memorandum outlining the issues to be tried before the Court in advance of the trial date. Said pre-trial memorandum shall be on a form to be supplied by the Court with the entry of the Order setting pre-trial deadlines and the filled-in memorandum shall be filed as a legal pleading by the deadline prescribed by the Court. A copy of the pre-trial memorandum form and Order is provided as Appendix B. of these rules.

706 Friend of the Court and Guardian Ad Litem in Custody and Dissolution of Marriage Matters

A. Appointment

1. At the request of either party or upon its own initiative, the Court may appoint a Friend of the Court (FOC) or Guardian Ad Litem (GAL).

2. The Court may appoint an FOC for any purpose provided for in KRS 403.090 or KRS 403.300. The FOC shall be an attorney duly licensed to practice in Kentucky who has experience in Family Law matters.

3. A GAL shall be appointed from a list maintained by the Court. The GAL shall be an attorney duly licensed to practice in Kentucky who has the requisite experience and training required by law.

4. An FOC appointed at the request of any party shall be compensated for their services based upon their prevailing hourly rate and may require an advanced fee to be paid by the parties prior to beginning work on the case. Unless otherwise Ordered by the Court or agreed by the Parties, the parties shall be equally responsible for payment of the FOC's fees. The FOC shall be under no duty to undertake any actions until such time as their initial advanced fee has been paid in full. The FOC's fees shall be reasonable and commiserate with their normal hourly rate as a private attorney.

5. A GAL appointed at the request of any party shall be compensated for their services based upon their prevailing hourly rate and may require an advanced fee to be paid by the parties prior to beginning work on the case. Unless otherwise Ordered by the Court or agreed by the Parties, the parties shall be equally responsible for the GAL's fees. The GAL shall be under no duty to undertake any actions until such time as their initial advanced fee is paid in full by the parties. The GAL's fees shall be reasonable and commenserate with their normal hourly rate as a private attorney.

6. If a party fails to pay the billed fees after a retainer is exhausted, the FOC or GAL may pursue the fees in the matter upon which they are appointed through contempt or collection as they see fit.

RULE 8: JUVENILE STATUS OFFENSES

Family Court has jurisdiction over status offenses as defined by KRS 23A 100(2)(d). This jurisdiction includes status offenses under KRS Chapter 630 except where proceeding under KRS Chapters 635 or 640 are pending.

RULE 9: MISCELLANEOUS

901 Identification of Counsel or Party Required

Every pleading, motion, and any other paper filed in the record by counsel or party shall contain the case number, typed or printed name, address, telephone number and e-mail address of the attorney or party signing the paper. A rubber stamp shall not be deemed a signature either under this rule or CR11.

902 Protection of Personal Identifiers

A. A Family Court Case Data Sheet must be fully completed in all cases. In addition, all pleadings must comply with the requirements of KRS Chapter 205, 403, 406 and 407 by providing the personal identifying information required by those chapters. However, except as set forth in paragraph B below, where personal identifiers are required by statute or contained in other documents or exhibits filed with the court pursuant to the above-styled chapters, parties shall comply with CR 7.03(1)(b) by filing one copy from which any personal data has been redacted and filing an unredacted copy in a marked and sealed envelope. The Clerk of Court shall allow the unredacted sealed copy of the pleading, document, or exhibit containing personal identifiers to be accessed only by a party to the case, an attorney of record in the case, a judge of the Court or other authorized Court personnel, a duly authorized employee or agent of the Cabinet for Health and Family Services involved in child support matters attendant to the case, or a person authorized to view the copy by specific orders of the Court. As used in the section, "personal identifier" means Social Security number, taxpayer identification number, date of birth, or financial account number.

B. Pleadings, documents, or exhibits filed in actions deemed confidential by statute need not be redacted, and any access to those files shall be governed by the 12th Judicial Family Court Rule 504 and by KRS 199.570, KRS 610.340, KRS 625.045, and KRS 625.108.

903 Notice of Submission

In accordance with SCR 1.050(8), when any action stands submitted for final adjudication, counsel or unrepresented parties may file an AOC Form 280 with the Judge, Circuit Court Clerk, and the Administrative Office of the Courts.

904 Request for Confidential Video Records

A. The 12th Judicial Circuit Court Clerk's Office shall not release any copies of 12th Judicial Family Court confidential video records without a specific written order from the Family Court Judge. An individual requesting a judicial order must file a written motion, with notice to all parties, including the child's Guardian ad Litem, if any, and set forth the purpose for the request.

B. Pursuant to KRS 610.340(2), this shall not apply to public officers or employees

engaged in the investigation and prosecution of the cases under KRS Chapters 600 through 645 or other prosecution authorized by the Kentucky Revised Statutes, as certified by that public officer or employee. Said public officer or employee shall use and distribute this information only for investigation or prosecution of offenses under the Kentucky Revised Statutes.

APPROVED:

/Date 7/21/25
DOREEN S. GOODWIN
Family Court Judge

/Date 7/18/25
JERRY CROSBY
Circuit Judge

/Date 7/21/25
BRITTANY MCKENNA
District Judge

/Date 7/18/2025
DANIEL FENDLEY
District Judge

Appendix A

TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTIONAL PROTOCOLS TWELFTH JUDICIAL CIRCUIT AND DISTRICT OLDHAM, HENRY, & TRIMBLE COUNTIES

Pursuant to KRS 403.725 and KRS 456.030, and in compliance with Family Court Rules of Procedure and Practice (FCRPP) Section IV, these local protective order protocols are established to ensure twenty-four (24) hour accessibility to emergency protective orders (EPOs) and temporary interpersonal protective orders (TIPOs) and to establish written procedures for protective order matters in which there may be joint jurisdiction between Circuit/Family and District Courts.

I. Uniform Protocol for Handling Cases

A. These protocols apply to all actions for a protective order, which includes actions for an EPO, TIPO, domestic violence order (DVO), or Interpersonal Protective Order (IPO).

B. Protective order actions shall be processed consistent with the rules and procedures set forth in the Kentucky Circuit Court Clerk's Manual.

B. All cases will be assigned a "D" case number with the appropriate trailer number within the court case management system and may not be consolidated with any other case type.

C. Domestic violence matters may be reassigned from the district court division to circuit/family court when there is a dissolution/custody proceeding pending.

D. No county shall adopt a blanket "no-drop" policy. Protective order cases are civil matters within the purview of CR 41.01.

E. When parties to a protective order case have a dissolution or child custody action pending outside this Family Court, the Family Court Judge presiding at the hearing may transfer the case to the jurisdiction in which the dissolution or child custody is pending. Consistent with FCRPP 12, when the case is transferred to another circuit due to a pending dissolution or custody matter, the summons shall be reissued by the initiating court and, if applicable and if service has not been made as of the date of transfer, the EPO or TIPO shall remain in effect for a period not to exceed fourteen (14) transfer or as the court determines is necessary for the protection of the petitioner. Thereafter, reissuance of the summons shall occur as needed in the court of transfer.

II. Twenty-four Hour Accessibility

A. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to the petitioner during regular business hours: The

appropriate Circuit Court Clerk's office or any law enforcement officer.

B. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner after regular business hours and weekends: All law enforcement officers, Commonwealth and County Attorneys, regional rape crisis centers or domestic violence shelters.

C. Upon receipt of a petition during regular business hours, the authorized agency/officer shall present the petition to the following: Family Court Judge, District Judge, trial commissioner (Henry and Trimble counties only), or Circuit Judge in that order of availability.

D. Upon receipt of a petition after regular business hours, the authorized agency/officer shall present the petition to the on-call judge.

E. Petitions will be reviewed within an hour of presentation to a judge or trial commissioner unless it is impossible due to the unavailability of a judge or trial commissioner.

F. The schedule for domestic violence hearings is as follows:

Henry – 1st, 2nd, & 3rd Tuesday at 2:00 p.m.
Oldham – 1st, 3rd, & 4th Friday at 10:00 a.m.
Trimble – 1st & 3rd Wednesday at 2:00 p.m.

The monthly calendar is subject to change. Monthly calendars can be obtained from the Family Court staff.

III. Contempt Proceedings

A. Pursuant to KRS 403.763 and KRS 456.180, civil and criminal proceedings for violation of a protective order for the same violation of a protective order shall be mutually exclusive.

B. No petitioner may be held in contempt for failing to appear at a domestic violence hearing or to prosecute a criminal violation of a protective order.

Appendix B

COMMONWEALTH OF KENTUCKY
_____ FAMILY COURT
CASE NO. ____-CI-_____

_____ PETITIONER

V. **PRE-TRIAL MEMORANDUM**

_____ RESPONDENT

____Petitioner's OR ____ Respondent's (check one) Pre-trial Memorandum (to be submitted 14 days prior to trial date)

1. Did the parties attend mediation?
   a. Yes _____
   b. No _____

2. Children
   a. Please list by initials and ages of all minor children (attach additional page(s) if necessary)
      i. Name _____ Age _____
      _____ Age _____
      _____ Age _____
      _____ Age _____

3. Custody
   a. Please indicate custodial arrangement sought:
      i. Joint custody _____
      ii. Sole Custody _____
      iii. Other (please describe):
      _____
      _____
      _____

4. Parenting/visitation:
   a. Are you seeking other than an equal (50%/50%) parenting/visitation schedule for any/all minor children involved:
      i. Yes _____
      ii. No _____
      iii. If yes, please state the schedule requested:_____
      _____
      _____.

5. Non-marital property:
   a. Please list all assets to which you are asserting a non-marital property claim (attach additional page(s) if necessary)

i. _____
ii. _____
iii. _____
iv. _____
v. _____

6. Marital property:
   a. Are you seeking other than an equal (50%/50%) division of marital property accumulated during the marriage?
      i. Yes _____
      ii. No _____

7. Debts:
   a. Are you seeking other than an equal division of the unsecured debts of the parties?
      i. Yes _____
      ii. No _____
8. Maintenance
   a. Are you seeking maintenance from the other party?
      i. Yes _____
      ii. No _____
   b. If Yes, please state the monthly amount of maintenance sought and the duration of maintenance being sought:
      i. $_____ per month for _____ months.
   c. If Yes, please state the income of the Petitioner $_____ and the income of the Respondent$_____.
   d. If Yes, is the income of the parties agreed?
      i. Yes _____
      ii. No _____

9. Child support:
   a. Are you seeking child support from the other party?
      i. Yes _____
      ii. No _____
   b. If Yes, state the monthly amount of child support being sought:
      i. $_____ per month

10. Reimbursement of attorney's fees
    a. Are you seeking reimbursement of your attorney's fees and/or costs under KRS 403.220?
       i. Yes _____
       ii. No _____

Respectfully submitted,

_____(sign)
____ Petitioner _____ Respondent
____ Attorney for ____Petitioner/_____Respondent
_____ (print name)
_____ (address)
_____
_____
_____ (phone number)
_____ (email address)

Appendix C

COMMONWEALTH OF KENTUCKY
_____ FAMILY COURT
CASE NO. _____

_____ PETITIONER

vs. **TRIAL ORDER**

_____ RESPONDENT

IT IS HEREBY ORDERED THAT:

1. This case shall be brought on for trial on _____, _____, at _____ in the _____ County Family Court courtroom. The matter is set for _____hours on the docket. If the matter necessitates more time, the Court may limit witnesses or set another date based upon the Court's calendar.
2. At least fourteen (14) days in advance of the trial date, each party shall file and exchange the following information:
    a. A pretrial memorandum on the form supplied by the Court outlining all issues in dispute to be tried;
    b. A list of all witnesses that may be called to testify; and
    c. A list of all exhibits that may be introduced.
3. Issues not identified in the Pretrial Memorandum shall not be heard except upon good cause shown.
4. Witnesses or Exhibits not identified at least fourteen (14) days in advance of the trial shall not be permitted at trial except upon good cause shown.
5. This trial will not be continued except for good cause shown in the file or on the record within fourteen (14) days of the trial or unless the case has been settled.
6. Any objection to this Order must be noticed and heard before on a motion hour prior to the date of the trial or said objection shall be deemed waived.
7. The parties shall file and exchange all required documents under the Civil Rules, the Family Court Rules of Practice and Procedure, or the local rules of this jurisdiction, including final disclosure statements by the deadlines set forth therein.
8. In the event the trial is rescheduled, this Trial Order remains in effect and in all scheduling requirements contained herein shall be applicable to the rescheduled date.

SO ORDERED this ____ day of _____, _____.

_____
JUDGE