

TWENTY-FOUR-HOUR ACCESSIBILITY TO PROTECTIVE ORDERS
AND LOCAL JOINT JURISDICTION PROTOCOL
15th JUDICIAL CIRCUIT AND DISTRICT

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

I. UNIFORM PROTOCOL FOR HANDLING CASES

A. All petitions requested, completed, and signed by persons seeking protection under KRS Chapters 403 or 456 shall be made on form AOC-275.1 and shall be accepted and filed with the Court.

B. All protective order cases shall be processed consistent with the Kentucky Circuit Court Clerk's Manual.

C. All cases shall 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.

D. "No drop" policies which place limitations on a petitioner's right to modify or withdraw a petition for a protective order are not permitted.

E. Any orders directing or prohibiting any other actions that the Court believes will be of assistance in eliminating future acts of domestic violence and abuse, dating violence and abuse, stalking, or sexual assault shall not order the petitioner to take any affirmative action.

F. Cases may be reassigned within the judicial circuit and pursuant to FCRPP 12, a case may be transferred to another circuit if there is a pending dissolution or custody matter. If reassignment or transfer occurs, the issuing judge shall reissue a summons until the matter is heard by the receiving judge.

G. The Court shall review a petition for a protective order immediately upon its filing. Petitioners shall not be sent away or left waiting for extended periods of time. Petitions should be reviewed within an hour of presentation to a judge unless it is impossible due to no judge being available.

II. TWENTY-FOUR HOUR ACCESSIBILITY

A. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioners during regular business hours:

- The Circuit Court Clerk's Office in each county.
- The Kentucky State Police.
- The Sherriff's Office in each county.
- The Police Departments in each county.

B. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioners after regular business hours and weekends:

- Any Judge.

- The Kentucky State Police.
- The Sheriff's Office in each county.
- The Police Departments in each county.

C. Upon receipt of a petition during or after regular business hours, the authorized agency or officer shall present the petition to the Family Court judge if available. If the Family Court judge is unavailable, then the authorized agency or officer shall present it to any other available judge.

III. ASSIGNMENT OF CASES

A. Jurisdiction over petitions filed under KRS Chapters 403 or 456 is concurrent between the Circuit, Family, and District Courts.

B. The judge reviewing a petition for an order of protection shall indicate in the "Court Action" section of the petition whether the resulting action is a domestic violence action under KRS Chapter 403 or an interpersonal protective order action under KRS Chapter 456.

C. The Circuit Court Clerk of each county shall assign interpersonal protective order cases to the Family Court (Circuit Court Division II).

D. The schedule for hearings on protective orders is as follows:

Family Court Schedule:

Carroll County:	Thursday	11:00 a.m.
Grant County:	Wednesday	11:00 a.m.
Owen County:	Monday	10:00 a.m.

Cases assigned to Circuit Court Division I shall be heard during regularly scheduled Circuit Motion Days at the time for Civil cases (see LR 201, 302(2)).

IV. CONTEMPT PROCEEDINGS

A. Civil and criminal proceedings for violation of a protective order for the same violation of a protective order shall be mutually exclusive. Once a criminal or contempt proceeding has been initiated, the other shall not be undertaken regardless of the outcome of the original proceeding.

B. Petitioners seeking to initiate contempt proceedings should contact the Circuit Court Clerk's Office in each county, as follows:

CARROLL COUNTY 802 Clay Street Carrollton, KY 41008 (502) 732-4305	GRANT COUNTY 224 South Main Street Williamstown, KY 41097 (859) 824-4467	OWEN COUNTY 401 South Main Street P.O. Box 473 Owenton, KY 40359 (502) 484-2232
--	--	--

Petitioners may also contact the county attorney's office in each county, as follows:

CARROLL COUNTY

115 Fifth Street
P.O. Box 246
Carrollton, KY 41008
(502) 732-7009

GRANT COUNTY

101 North Main Street
Williamstown, KY 41097
(859) 823-5091

OWEN COUNTY

100 North Thomas Street
Owenton, KY 40359
(502) 484-4545

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

The undersigned hereby acknowledge that all general orders, forms, policies, and procedures relating to domestic violence within the judicial circuit are incorporated by reference.

The above protocol is adopted by all judicial officers in the Circuit:

/s/Elizabeth A. Chandler

Elizabeth A. Chandler
District Court, Division I

/s/Thomas M. Funk

Thomas M. Funk
District Court, Division II

/s/ R. Leslie Knight

R. Leslie Knight
Circuit Court, Division I

/s/Casey Cheesman

Casey Cheesman
Circuit Court, Division II (Family Court)