

**TWENTY-FOUR HOUR ACCESSIBILITY TO EMERGENCY
PROTECTIVE ORDERS AND JOINT LOCAL JURISDICTION
DOMESTIC/INTERPERSONAL VIOLENCE PROTOCOL
FIRST JUDICIAL CIRCUIT AND FIRST JUDICIAL DISTRICT
(BALLARD, CARLISLE, FULTON AND HICKMAN COUNTIES)**

Pursuant to KRS 403.735, and in compliance with Family Court Rules of Procedure and Practice (FCRPP) Section IV, this domestic and interpersonal violence protocol is established to ensure twenty-four hour accessibility to emergency protective orders and to establish written procedures for domestic or interpersonal violence matters in which there may be joint jurisdiction between the Circuit and District Courts.

I. Uniform Protocol for Processing Cases

- A. Circuit Court clerks shall process domestic and interpersonal violence cases in accordance with the procedures set forth in the "Domestic and Interpersonal Violence Proceedings" section of 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 and interpersonal violence matters may be reassigned from the District Court division to the Circuit Court when there is a dissolution/custody proceeding pending.
- D. No jurisdiction shall adopt a blanket "no drop" policy. Domestic and interpersonal violence cases are civil matters within the purview of CR 41.01.
- E. Domestic and interpersonal violence cases shall be reassigned or transferred to another circuit under the following circumstances:

When a dissolution of marriage action is pending or has been filed in another Circuit.

Consistent with FCRPP 12, when the local domestic and interpersonal violence protocol requires that a case be transferred to another circuit due to a pending dissolution or custody matter, an emergency protective order shall continue and the summons shall be reissued by the initiating Court, pursuant to KRS 403.740(4), for a period not to exceed fourteen days if service has not been made on the adverse party by the date of 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 and interpersonal violence petitions and administer oaths to petitioner **during regular business hours:**

First Circuit Commonwealth's Attorney, Michael Stacy
Ballard County Attorney, Bethany Denton
Carlisle County Attorney, Michael Hogancamp
Fulton County Attorney, Amanda Major
Hickman County Attorney, Jason Batts

Or the Clerks of the Ballard, Carlisle, Fulton or Hickman Circuit Court.

Or any assistant Commonwealth's Attorney, Assistant County Attorney, Deputy Clerk of the Circuit Courts, or other persons within such offices authorized to take petitions or administer oaths therefor.

B. The following agencies and officers are authorized to take domestic or interpersonal violence petitions and administer oaths to petitioner **after regular business hours, weekends and holidays:**

First Circuit Commonwealth's Attorney, Mike Stacy
Ballard County Attorney, Bethany Denton
Carlisle County Attorney, Michael Hogancamp
Fulton County Attorney, Amanda Major
Hickman County Attorney, Jason Batts

Any assistant Commonwealth's Attorney, Assistant County Attorney, County Jailer in the First District, deputy jailer, Chiefs of police in Bardwell, Barlow, Clinton, Fulton, Hickman, La Center and Wickliffe, Kentucky, or any sworn officers within the above, or any officer of the Kentucky State Police serving the First Judicial Circuit and District.

C. Upon receipt of a petition **during regular business hours, the authorized agency/officer shall present the petition via the Kentucky eWarrants System, unless it is not operable, and in that event present by personal delivery upon notice by text message or telephone call, as noted below, to:**

First Judicial District Judge Mark S. Medlin (notice via **text message**);

Or, if the District Judge is not available, to First Judicial Circuit Judge Timothy A. Langford (notice via **telephone call** to his office).

All petitions filed for warrant on the Kentucky eWarrants System which are not opened and addressed promptly by the District Court will be "BLASTED" to all District and Circuit Judges in the Commonwealth of Kentucky for prompt review and consideration, who by virtue of the protocol and the eWarrant are authorized to rule on the petition.

D. Upon receipt of a petition **after** regular business hours, the authorized agency/officer shall present the petition to:

First Judicial District Judge Mark S. Medlin

Or, if the District Judge is not available, to First Judicial Circuit Judge Timothy A. Langford.

All petitions filed for warrant on the Kentucky eWarrants System which are not opened and addressed promptly by the District Court will be "BLASTED" to all District and Circuit Judges in the Commonwealth of Kentucky for prompt review and consideration, who by virtue of the protocol and the eWarrant are authorized to rule on the petition.

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, in which case the eWarrants System will issue a "BLAST" text message and/or email to all District and Circuit Judges in the Commonwealth of Kentucky for prompt review and consideration, who by virtue of the protocol and the eWarrant are authorized to rule on the petition.

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

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|--------------------------|---|
| Ballard District Court: | 2 nd and 4 th Wednesdays, 9:00 a.m. |
| Carlisle District Court: | 2 nd and 4 th Mondays, 11:00 a.m. |
| Fulton District Court: | 1 st and 3 rd Wednesdays, 9:00 a.m. |
| Hickman District Court: | 1 st and 3 rd Mondays, 9:00 a.m. |

In Circuit Court:

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| Ballard: | 1 st and 3 rd Fridays, 9:30 a.m. |
| Carlisle: | 1 st and 3 rd Thursdays, 1:30 p.m. |
| Fulton: | 2 nd and 4 th Thursdays, 9:30 a.m. |
| Hickman: | 1 st and 3 rd Thursdays, 9:30 a.m. |

III. Contempt Proceedings

A. Pursuant to KRS 403.760, civil and criminal proceedings for the same single violation of a protective order shall be mutually exclusive.

B. Petitioners seeking to initiate contempt proceedings should contact:

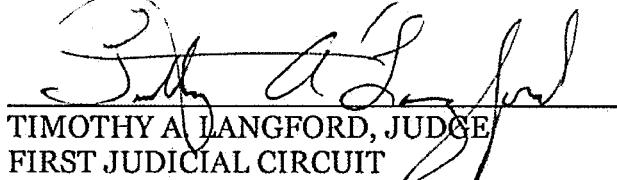
The County Attorney and or the Circuit Court Clerk of the County in which the matter is pending to request that contempt proceedings be placed on the Court's next available docket.

Civil contempt proceedings shall be heard by the Court that entered the initial Domestic or Interpersonal Violence Order (either Circuit or District) and shall be scheduled if possible, at the same time as original EPO or IPO hearings, as noted hereinabove. The movant shall serve and notify the non-moving party as required by the Rules of Civil Procedure, namely CR 5; and rules of local practice for obtaining a contempt order shall be followed.

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

All general orders, forms, policies and procedures approved by the Supreme Court and published by the Administrative Office of the Courts (AOC) relating to domestic or interpersonal violence are incorporated by reference.

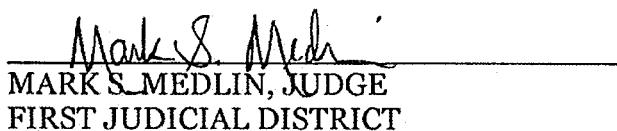
The above protocol is adopted by all judges in the First Judicial Circuit and First Judicial District.



TIMOTHY A. LANGFORD, JUDGE
FIRST JUDICIAL CIRCUIT

January 4, 2023

DATE



MARK S. MEDLIN, JUDGE
FIRST JUDICIAL DISTRICT

January 5, 2023

DATE