

Supreme Court of Kentucky

ORDER

**IN RE: ORDER APPROVING THE RULES OF COURT PRACTICE AND
PROCEDURE FOR THE 54TH JUDICIAL CIRCUIT, FAMILY
COURT DIVISION, BOONE AND GALLATIN COUNTIES**

Upon recommendation of the Judges of the 54th Judicial Circuit, and
being otherwise sufficiently advised,

The Rules of Court Practice and Procedure for the 54th Judicial Circuit,
Family Court Division, Boone and Gallatin counties, 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 16th day of September 2025.


CHIEF JUSTICE

RULES OF COURT
FOR BOONE/GALLATIN FAMILY COURT
54th JUDICIAL CIRCUIT
DIVISION II and DIVISION IV

RULE 1: INTRODUCTION / ADMINISTRATIVE PROCEDURES

1.01 Introduction.

These are the Rules of Practice of the Family Courts for Boone and Gallatin Counties (54th Judicial Circuit), Division II and Division IV. These Rules supplement the Kentucky Rules of Civil Procedure, the Kentucky Rules of Criminal Procedure, the Family Court Rules of Procedure and Practice (FCRPP), the Juvenile Court Rules of Procedure and Practice (JCRPP), and the Rules of the Supreme Court.

1.02 These rules shall be effective 30 days after Supreme Court approval.

1.03 These rules shall be cited as "B/GFCR" for Boone/Gallatin Family Court Rules.

1.04 Jurisdiction and Assignment of Cases.

A. As a division of Circuit Court with general jurisdiction pursuant to Section 112(6) of the Constitution of Kentucky, a Family Court division of Circuit Court shall have jurisdiction in those matters authorized by KRS 23A.100.

B. A public offense petition shall not be amended to a status petition, and a status offense petition shall not be amended to a public offense petition per the Kentucky Juvenile Court Rules of Procedure and Practice (JCRPP) 2(G). Status offense petitions shall be filed and heard in Family Court subject to the following:

Pending public offense case. If a public offense case involving the child is pending in District Court at any time a status offense case is pending, the clerk shall assign the status offense case to the District Court division presiding over the pending public offense case. The transfer of a pending status offense case shall occur pursuant to JCRPP 2(D)(1)(b).

1.05 Appeal from Family Court Matters.

All appeals from Family Court matters shall proceed by the Kentucky Rules of Civil Procedure to the Kentucky Court of Appeals.

1.06 Holidays

Family Court shall adhere to the list of court holidays previously set out by the Administrative Office of the Courts (AOC), unless otherwise addressed by the Chief Circuit Court Judge.

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

2.01 Scheduling

A. Boone/Gallatin Family Court, Division II Case Schedule.

Division II cases are generally scheduled as follows:

Monday:	9:00 a.m. - 9:15 a.m.	Adoptions
	9:15 a.m. - 10:30 a.m.	Domestic Violence Order (DVO) Hearings and Interpersonal Protective Order (IPO) Hearings
	10:30 a.m.- 1:00 p.m.	Case Management Conferences (CMCs)/Uncontested Final Hearings/Default

In-person or by Zoom: Zoom requests must be made at least one week in advance of hearing, agreed upon by all parties, and approved by the judge.

1:00 p.m. - 4:00 p.m.	Motion Docket - <i>Motions 30 minutes or less</i>
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Tuesday:	8:30 a.m. - 8:45 a.m.	Juvenile Status Cases
	8:45 a.m. - 10:15 a.m.	Arraignments/Temporary Removal Hearings
	10:15 a.m. - 12:00 p.m.	Pretrials/Dispositions/Reviews
	1:00 p.m. - 4:00 p.m.	Motions/ Permanent Custody/Adjudication Hearings

All Motions and Permanent Custody Hearings must be scheduled through the judge's office.

Wednesday:	9:00 a.m. - 9:15 a.m.	Adoptions
	9:15 a.m. - 10:30 a.m.	DVO/IPO Hearings
	10:30 a.m. - 4:00 p.m.	CMC/Domestic Cases

Child Support Hearings brought by the Child Support Office will be heard every 4th Wednesday starting at 1:00 p.m.

Thursday: On the first and third Thursdays of the month, Family Court cases for Gallatin County, Division II, shall be heard in Warsaw, KY. The schedule for Gallatin County, Division II, shall be as follows:

9:00 a.m. - 9:30 a.m.	DVO/IPO hearings, adoptions, and termination of parental rights (TPR) hearings
9:30 a.m. - 10:00 a.m.	Juvenile status offense cases and arraignments for dependency, neglect, and abuse (DNA) cases
10:00 a.m. - 10:30 a.m.	Pre-trials, dispositional hearings, and reviews for DNA cases
10:30 a.m. - 11:30 a.m.	Adjudication hearings for DNA cases
11:30 a.m. - 4:00 p.m.	Domestic cases

*Please note you must contact the **judge's office** to schedule a hearing on this docket and docket dates are subject to change.*

On the second, fourth and fifth Thursdays of the month, Boone County Family Court Division II shall be held in Boone County as follows:

9:00 a.m. - 4:00 p.m.	Domestic cases
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Friday: 9:00 a.m. - 4:00 p.m. Domestic cases

** Any cases requesting a hearing time longer than thirty minutes will first need to be set for a CMC by contacting the judge's office. Parties may be excused from appearing at a CMC if all parties are represented and all parties agree.*

*** All matters **MUST** be scheduled through the judge's office. If you fail to schedule through the judge's office and/or your hearing date is not confirmed by the judge's office, it will be removed from the docket. Your hearing date will not be confirmed until a motion or notice is filed with the clerk.*

**** Motions to Withdraw may be set at the convenience of the Court. Motions to appoint Warning Order Attorneys may be set at the convenience of the Court if accompanied by an affidavit and proposed order.*

***** Unless there is an **emergency**, an appearance by Zoom must be requested through the judge's office at least one week in advance of the hearing, agreed*

upon by all parties, and approved by the judge. The judge generally requires parties, counsel, and witnesses to be present in person for hearings, trials, arraignments, adjudication hearings, and domestic violence hearings.

B. Boone/Gallatin Family Court, Division IV Case Schedule

Division IV cases are generally scheduled as follows:

Monday:	9:00 a.m. - 9:15 a.m.	Adoptions
	9:15 a.m. - 11:00 a.m.	DVO/IPO hearings
	11:00 a.m. - 4:00 p.m.	Domestic cases and TPRs
Tuesday:	9:00 a.m. - 4:00 p.m.	Domestic cases and TPRs
Wednesday:	On the second and fourth Wednesdays of the month, Division IV shall hold Court in Gallatin County as follows:	
	9:00 a.m. - 9:30 a.m.	DVO/IPO hearings, adoptions, paternity, child support, and child support reviews
	9:30 a.m. - 10:00 a.m.	Juvenile status offense cases and arraignments for DNA cases
	10:00 a.m. - 10:30 a.m.	Pre-trials, dispositional hearings, and reviews for DNA cases
	10:30 a.m. - 11:30 a.m.	Adjudication hearings and motions for DNA cases.
	11:30 a.m. - 4:00 p.m.	Domestic cases and TPRs
	On the first Wednesday of the month, Family Court, Division IV shall be held in Boone County and the schedule shall be as follows:	
	9:00 a.m. - 9:15 a.m.	Adoptions
	9:15 a.m. - 11:00 a.m.	DVO/IPO hearings
	11:00 a.m. - 3:00 p.m.	Child support hearings brought by the Boone County Child Support Office
	On the third and fifth Wednesdays of the month, the Family Court Division IV schedule shall be as follows:	

	9:00 a.m. -	9:15 a.m.	Adoptions
	9:15 a.m. -	11:00 a.m.	DVO/IPO hearings
	11:00 a.m. -	4:00 p.m.	Domestic cases and TPRs
Thursday:	8:45 a.m. -	9:00 a.m.	Juvenile status offense cases.
	9:00 a.m. -	10:00 a.m.	Dispositional reviews for DNA cases
	10:00 a.m. -	10:45 a.m.	Pre-trials and dispositional hearings for DNA cases
	10:45 a.m. -	12:15 p.m.	Arraignments and temporary removal hearings for DNA cases
	1:00 p.m. -	4:00 p.m.	Adjudication hearings and motions for DNA cases
Friday:	9:00 a.m. -	12:00 p.m.	Zoom/Motion docket (30 min. hearings or less).
	1:00 p.m. -	3:00 p.m.	Domestic hearings and TPRs

*** Any cases requesting a hearing time longer than two hours will first need to be set for a CMC by contacting the judge's office. Parties may be excused from appearing at a CMC if all parties are represented by counsel.*

*** All matters -- except Thursday DNA cases, DVO/IPOs, and cases involving the Child Support Office -- must be scheduled through the judge's office. If you fail to schedule through the judge's office and/or your hearing date is not confirmed by the judge's office, it will be removed from the docket.*

**** Motions to Withdraw and Motions to Appoint Warning Order Attorneys, if accompanied by the required affidavit, may be set at the convenience of the Court.*

2.02 Obtaining Motion Dates and Deadline for Serving and Filing Motions.

- A. All contested domestic relations motions and hearings designated to be heard in the **Boone County Family Court** shall be set for hearing by telephoning the office of the Family Court Judge. The motion shall be filed with the Boone Circuit Clerk with a notice of hearing containing the date, time, and place at which it shall be heard. All notices of hearings shall include the length of time reserved for the hearing so that the opposing party can schedule additional time if needed.

All motions pursuant to B/GFCR Rule 2, except emergency or ex-parte motions or motions with other timeframes under the FCRPP or appropriate statute, shall be filed and clocked with the Boone Circuit Clerk's Office no later than 4:00 p.m. at least seven (7) days in advance of the hearing.

All motions filed less than seven (7) days in advance may be denied as procedurally deficient or continued to a date more than seven (7) days after the filing of the motion absent agreement by the parties, authorization by FCRPP or statute, or good cause shown.

Pursuant to CR § 6.05, the parties shall allow three (3) additional days for the opponent to act on any motion served by the U.S. mail or electronic service.

- B. All motions for emergency hearings and ex-parte motions shall be submitted for the judge's review with attached affidavit(s) and a proposed order. A courtesy copy must be sent to the judges' office upon filing. If the judge grants a motion for an emergency hearing, an expedited hearing date will be given. If the judge grants an ex-parte motion, the ex-parte order will be signed, and a hearing date given.
- C. For **Division IV**, all contested domestic relations motions and hearings designated to be heard before the **Gallatin County Family Court** shall be set for hearing by telephoning the Gallatin County Clerk's Office. For **Division II**, all contested domestic relations motions and hearings designated to be heard before the **Gallatin County Family Court** shall be set for hearing by telephoning the judge's office to arrange a date. The motion shall be filed with the Gallatin Circuit Clerk with a notice of hearing containing the date, time, and place where it shall be heard. All notices of hearings shall include the length of time reserved for the hearing so that the opposing party can schedule additional time if needed.

All motions pursuant to B/GFCR Rule 2, except emergency or ex-parte motions or motions with other timeframes under the FCRPP or appropriate statute, shall be filed and clocked with the Gallatin Circuit Clerk's Office, and notice served upon the opposing party(ies), no later than 4:30 p.m. at least seven (7) days in advance of the hearing.

All motions filed less than seven (7) days in advance may be denied as procedurally deficient or continued to a date more than seven (7) days after the filing of the motion absent agreement by the parties, authorization by FCRPP or statute, or good cause shown.

Pursuant to CR § 6.05, the parties shall allow three (3) additional days for the opponent to act on any motion served by the U.S. mail or electronic service.

- D. All Boone County juvenile matters (status offense cases and dependency, neglect and abuse cases), civil domestic violence matters, and interpersonal protective matters shall be filed with the Clerk of Boone County and shall

contain a notice of hearing specifying on what date they will be heard. Said date shall be given by the Boone County Clerk's Office.

- E. All Gallatin County juvenile matters (status offense cases and dependency, neglect, and abuse cases), civil domestic violence matters, and interpersonal protective matters shall be filed with the Clerk of Gallatin County and shall contain a notice of hearing specifying on what date they will be heard. Said date will be given by the Gallatin County Clerk's Office.
- F. All motions to establish paternity and/or child support in Boone County Family Court shall be set for hearing by telephoning the office of the Family Court Judge or the Boone County Child Support office. The motion shall be filed with the Clerk of Boone County and shall contain a notice of hearing specifying on what date it will be heard. All notices of hearings shall include the length of time reserved for the hearing so that the opposing party can schedule additional time if needed.

All motions pursuant to B/GFCR Rule 2, except emergency or ex-parte motions or motions with other timeframes under the FCRPP or appropriate statute, shall be filed and clocked with the Boone/Gallatin Circuit Clerk's Office, and notice served upon the opposing party(ies), no later than 4:00 p.m. at least seven (7) days in advance of the hearing.

All motions filed less than seven (7) days in advance may be denied as procedurally deficient or continued to a date more than seven (7) days after the filing of the motion absent agreement by the parties, authorization by FCRPP or statute, or good cause shown.

Pursuant to CR 6.05, the parties shall allow three (3) additional days for the opponent to act on any motion served by the U.S. mail or electronic service.

- G. All motions to establish paternity and/or child support in Gallatin County Family Court shall be set for hearing by telephoning the Gallatin County Clerk's Office. The motion shall be filed with the Clerk of Gallatin County and shall contain a notice of hearing specifying on what date it will be heard. All notice of hearings shall include the length of time reserved for the hearing so that the opposing party can schedule additional time if needed.

All motions pursuant to B/GFCR Rule 2, except emergency or ex-parte motions or motions with other timeframes under the FCRPP or appropriate statute, shall be filed and clocked with the Gallatin Circuit Clerk's Office, and notice served upon the opposing party(ies), no later than 4:30 p.m. at least seven (7) days in advance of the hearing.

All motions filed less than seven (7) days in advance may be denied as procedurally deficient or continued to a date more than seven (7) days after the filing of the motion absent agreement by the parties, authorization by FCRPP or statute, or good cause shown.

Pursuant to CR 6.05, the parties shall allow three (3) additional days for the opponent to act on any motion served by the U.S. mail or electronic service.

RULE 3: ADOPTION / TERMINATION OF PARENTAL RIGHTS

There are no local rules governing cases involving adoption and termination of parental rights.

RULE 4: DOMESTIC VIOLENCE AND INTERPERSONAL PROTECTIVE ORDERS PROTOCOL AND 24 HOUR ACCESS POLICY

The Twenty-Four Hour Accessibility to Protective Orders and Local Joint Jurisdiction Protocol for the 54th Judicial Circuit and District is incorporated by reference herein as if set out fully and is attached as Appendix A.

RULE 5: PATERNITY

See FCRPP 13 for uniform statewide rules.

RULE 6: DEPENDENCY, NEGLECT, AND ABUSE

6.01 Introduction/Scope and Applicability.

These rules, and the provisions of FCRPP 15 through 29, shall govern dependency, neglect and abuse (DNA) actions as defined by the Kentucky Unified Juvenile Code, KRS Ch. 600 through 645.

6.02 Procedures for Emergency Custody Orders.

- A. During normal working hours (8:00 a.m. to 4:00 p.m. in Boone County and 8:30 a.m. to 4:30 p.m. in Gallatin County), Monday through Friday, excluding holidays, persons seeking an Emergency Custody Order (ECO) shall come to the Circuit Clerk's office to fill out the official AOC form AOC-DNA-2.1 (Emergency Custody Order Affidavit). The affidavit shall then be submitted to an on-call Family Court Judge or an on-call District Judge if a Family Court Judge is not available.
- B. After working hours, affidavits for emergency custody shall be requested through the Cabinet for Health and Family Services (CHFS) and submitted to the Family Court Judge on call or the District Court Judge on call if a Family Court Judge is not available.
- C. *See also* FCRPP 18 for uniform statewide rules regarding emergency custody orders.

6.03 Procedures for DNA Petitions (without ECO).

- A. Persons seeking to file a petition for DNA shall come to the Circuit Clerk's office to fill out the official AOC form AOC-DNA-1 (Juvenile Dependency/Neglect or Abuse Petition).

- B. Pursuant to FCRPP 19 the petition for DNA shall be on the AOC-DNA-1 form provided by the Administrative Office of the Courts (AOC). The petition shall be filed with the Family Court Clerk's office.

RULE 7: DOMESTIC RELATIONS PRACTICE

- 7.01** It shall be the policy of this court to encourage the parties to cause the least disruption of the child(ren)'s lives so long as it remains consistent with the best interests of the child(ren).

Absent a conflicting trial/hearing order, the parties shall exchange exhibits and witness lists at least 72 hours in advance of the hearing. Failure to so exchange may result in the continuance of the matter to a later date or the exclusion of untimely exchanged evidence at the discretion of the judge.

7.02 Temporary Child Custody

- A. The parties are encouraged to agree to a custody arrangement that will cause the least amount of disruption to the child(ren) pending final hearing and maximize time with both parents.
- B. Pursuant to KRS 403.280(2), there shall be a rebuttable presumption that joint custody and equal parenting time are in the child(ren)'s best interests.
- C. Motions for temporary child custody shall be set and heard pursuant to the FCRPP 6 and these rules.

7.03 Disputed Child Custody and/or Parenting Time.

- A. The Court encourages the parties to reach an agreement regarding custody and parenting time that is in the best interest of the child(ren).
- B. If custody and/or parenting time is in dispute, and the parties are unable to resolve the conflict, a party may move for a hearing or other appropriate action to facilitate resolution of the conflict. Parties may move for, or the Court may order, one or more of the actions listed in FCRPP 6(2). In requesting one of those actions, counsel for a party shall present the facts of the case which support the requested action.
- C. A Sample Holiday Parenting Schedule is provided for use of the parties as Appendix B.

7.04 Obtaining a Decree of Dissolution Without a Final Hearing. FCRPP 3(1).

- A. If the parties reach an agreement on all issues and seek the entry of a decree without a hearing per FCRPP 3(1), either party may file a Motion to Submit or an Agreed Order to Submit that contains the following information and attachments:
1. A notarized separation agreement settling all issues between the parties;

2. A written deposition executed under oath by either party setting forth testimony required at a hearing and including the following:
 - a. Whether either party has minor children from another relationship and, if so, the initials and birth years for those children.
 - b. Each party's monthly gross income or earning capacity.
 3. A notarized statement signed by both parties affirming that the parties have exchanged their preliminary verified disclosure statements (AOC-238) and have either filed their final verified disclosure statements (AOC-239) or that they waive such filing.
 4. A notarized waiver of the right to a hearing executed by the Respondent.
 5. A verified written request for restoration of a former name, if so desired. Alternatively, this request may be recited in the requesting party's written deposition or the parties' separation agreement.
 6. *Pro se* litigants using the AOC self-help kiosks to generate their divorce documents must also submit a supplemental Joint Affidavit available at the local circuit clerk's office. See Appendix C.
- B.** A decree shall not be final until the original is signed by the court and entered by the clerk.

RULE 8: STATUS OFFENSES

There are currently no local rules pertaining to Status Offense cases. *See* JCRPP 4 through 9 for uniform statewide rules.

RULE 9: MISCELLANEOUS

9.01 Personal Identifier Protection

All pleadings must comply with the requirements of KRS Chapters 205, 403, 405, and 407 by providing the personal identifying information required in those chapters. However, where personal identifiers are required by statute or contained in other documents or exhibits filed with the Court, parties shall comply with CR 7.03 and KRS 403.135. When referring to minor children in custody, parenting time, and child support actions, only the child's initials shall be disclosed, unless filing in a confidential case.

9.02 Orders Tendered at the Court's Direction

Orders tendered at the Court's direction shall include a signature line for the opposing counsel or *pro se* party to indicate their acknowledgement that the tendered order is consistent with the Court's order. If the opposing counsel or *pro se* party refuses or otherwise fails to sign the order, the submitting counsel may

include a statement regarding the effort made to obtain a signature and the refusal or failure to sign. The Court in its discretion may accept the submitting counsel's statement as sufficient for entry of the order.

RULE 10: COURT-APPOINTED COUNSEL, GUARDIANS AD LITEM, AND WARNING ORDER ATTORNEYS

10.1 Qualifications for Court-Appointed Counsel, Guardians as Litem, and Warning Order Attorneys

A. Qualifications of Guardians ad Litem and Court-Appointed Counsel in Actions Filed under KRS Chapters 199, 620, and 625.

To be appointed as Guardian ad Litem (GAL) or Court-Appointed Counsel (CAC) in any action filed under KRS Chapters 199, 620, and 625, any licensed attorney in good standing with the Kentucky Bar Association who satisfies the requirements of FCRPP 35 through 38 may request to serve by providing proof of the initial and on-going training required by FCRPP 37. GALs and CACs shall follow the standards set forth in FCRPP 35 through 38 and FCRPP Appendix D "Statewide Standards of Expected Conduct for Court-Appointed Counsel." Each judge shall keep a list of approved court-appointed attorneys pursuant to FCRPP 36(1). The judge, for good cause, shall have the ability to remove an attorney from the list.

B. Qualifications of Guardians ad Litem and Court-Appointed Counsel in Actions Not Filed under KRS Chapters 199, 620, and 625.

To be appointed as Guardian ad Litem for a child, an adult prisoner, or a person of unsound mind in actions other than those filed under KRS Chapters 199, 620, and 625, including but not limited to dissolution and custody actions, any licensed attorney in good standing with the Kentucky Bar Association may apply by submitting their resume with a cover letter. The judge shall then determine if the attorney shall be appointed to be on the list of GALs. The judge, for good cause, shall have the ability to remove an attorney from the list.

C. Qualifications for Warning Order Attorneys.

To be appointed as a warning order attorney (WOA), any licensed attorney in good standing with the Kentucky Bar Association may contact the Boone and Gallatin Clerk's Office and ask to be added to the list. WOAs appointed by the Court shall use due diligence to locate the person they are appointed to notify. Failure to do so may result in their removal from the list.

10.2 Attorneys Fees

A. Guardians ad Litem and Court Appointed Counsel Fees in Dependency, Neglect, and Abuse Cases.

1. Any Guardian ad Litem (GAL) or Court Appointed Counsel (CAC) appointed in a dependency, neglect, and abuse case seeking payment shall complete form FINGAL-1 provided by the Finance and Administration Cabinet and submit it for the judge's approval.
2. Upon approval by the judge, the clerk will mail a copy of the FINGAL-1 form to the Finance and Administration Cabinet, Division of Fiscal Management; 500 Mero Street, Fifth Floor; Frankfort, Kentucky 40622.

B. Warning Order Attorney Fees in Dependency Neglect, and Abuse Cases.

Any warning order attorney (WOA) appointed in a dependency, neglect, and abuse case seeking payment shall prepare a motion for attorney's fees with an attached order and submit it for the judge's approval. Motions for compensation shall include the following information:

1. The hours of service rendered with a brief description of the services rendered;
2. The reasonableness of the fee requested; and
3. That the action or proceedings have been concluded.

C. Guardian ad Litem or Friend of the Court Fees in Dissolution and Custody Cases.

1. When a GAL for a child or an FOC is appointed in a dissolution of marriage or custody case under KRS Chapter 403, unless otherwise directed by the Court, an Order Appointing a Guardian ad Litem or Order Appointing a Friend of the Court shall be prepared by the judge's office specifying each parties' percentage of financial responsibility. The fee awarded at the conclusion of the case shall be determined based on the following:
 - a. The character of the litigation;
 - b. The rights in controversy;
 - c. The nature, duration, and extent of the services;
 - d. The responsibility, industry, diligence, and accomplishment of the guardian;
 - e. The general methods of evaluating attorney fees; and
 - f. The allowance for services, if any, in the Court of Appeals.
2. The GAL or FOC shall collect their fees from the parties according to the Order Appointing a Guardian ad Litem or Order Appointing a Friend of the Court.

D. *Warning Order Attorney Fees in Dissolution and Custody Cases.*

The petitioner in a dissolution or custody case shall pay the WOA a fee set by the Court. Any WOA seeking payment in excess of the current fee set by the Court, shall prepare a motion for attorney's fees with an attached order and submit it for the judge's approval. Motions for excess compensation shall include the following information:

1. The hours of service rendered with a brief description of the services rendered;
2. The reasonableness of the fee requested; and
3. That the action or proceedings have been concluded.

E. *Warning Order Attorney Fees in Cases Where the Cabinet for Health and Family Services is the Petitioner.*

When a WOA is appointed pursuant to CR 4.07 in paternity or child support actions, at the disposition of the case and in accordance with Rule 10.2(D), the WOA shall prepare a motion for attorney's fees. A tendered order shall accompany the motion and said order shall leave a blank for the judge to fill in the awarded fee.

F. *Guardian ad Litem and Warning Order Attorney Fees in Termination of Parental Rights Cases.*

1. In voluntary termination of parental rights cases where the Cabinet for Health and Family Services is made custodian of the child, the GAL shall submit form FINGAL-1 as described in Rule 10.2(A).
2. In involuntary termination of parental rights cases where the Cabinet for Health and Family Services is the proposed custodian of the child, the GAL shall submit form FINGAL-1 as described in Rule 10.2(A).
3. In all other adoption or termination of parental rights cases where a GAL is requested by the petitioner or otherwise required by statute, the petitioner shall be responsible for paying for any GAL or WOA fees.
4. Upon receipt of the GAL or WOA report; entry of an order awarding fees; and payment of the fees by the party(ies); the clerk shall issue payment of the awarded fee.

G. *Guardians ad Litem Fees in Domestic Violence Order Cases and Interpersonal Protective Order Cases.*

1. Any Guardian ad Litem (GAL) seeking payment for appointed representation in either a DVO or IPO case to represent a minor respondent or to represent a minor who is an alleged victim of dating violence and abuse, stalking, sexual assault, or stalking shall complete

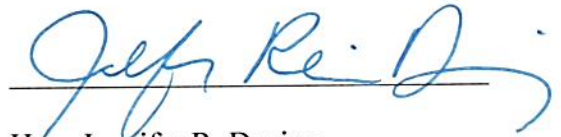
form FINGAL-1 provided by the Finance and Administration Cabinet and submit it for the judge's approval.

2. Upon approval by the judge, the clerk will mail a copy of the FINGAL-1 form to the Finance and Administration Cabinet, Division of Fiscal Management; 500 Mero Street, Fifth Floor; Frankfort, Kentucky 40622.

Proposed this the 4 day of September, 2025.



Hon. Kendra L. McCardle
Family Court Judge
Division II



Hon. Jennifer R. Dusing
Family Court Judge
Division IV



Hon. James R. Schrand
Chief Circuit Judge
Division III



Hon. Richard Brueggemann
Circuit Judge
Division I



Hon. Jeffrey S. Smith
District Judge
Division I



Hon. Marcia Thomas
District Judge
Division II

APPENDIX A
TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL
JOINT JURISDICTION PROTOCOL
54th JUDICIAL CIRCUIT AND DISTRICT
BOONE & GALLATIN COUNTIES

Pursuant to KRS 403.735 and KRS 456.030, and in compliance with Family Court Rules of Procedure and Practice (FCRPP) Section IV, this local domestic violence 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 joint jurisdiction between the Circuit/Family and District Courts.

I. Uniform Protocol for Processing Cases

- A. All petitions requested, completed, and signed by person seeking protection under KRS Chapter 403 or KRS Chapter 456 shall be made on form AOC-275.1, and shall be accepted and filed with the court. KRS 403.725, KRS 456.030.
- B. All protective order cases shall be processed consistent with the rules and procedures set forth in 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. Pursuant to KRS 403.740 and KRS 456.060, any orders for relief issued directing or prohibiting any other actions that the court believes shall 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.
- E. 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 re-issue a summons until the matter may be heard by the receiving judge.
- F. The Court shall review a petition for a protective order immediately upon its filing. KRS 403.730, KRS 456.040. Petitioners shall not be sent away or left waiting for extended periods of time. Petitions shall be reviewed within an hour of presentation to a judge unless 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 petitioner **during regular business hours**: Circuit or District Court Clerks, local law enforcement officers, the County Attorney's Office or the Commonwealth Attorney's Office, and regional rape crisis centers or domestic violence shelters.
- B. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioner **after regular business hours and weekends**: local law enforcement officers, the County Attorney's Office or the Commonwealth Attorney's Office, and 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 Family Court Judge. If the Family Court Judge is unavailable, then it shall be taken to the District Court Judge or Circuit Court Judge.
- D. Upon receipt of a petition **after regular business hours**, the authorized agency/officer shall present the petition to the Family Court Judge on call. If the Family Court Judge is unavailable, then it shall be taken to the District Court Judge who is on call. If the District Court Judge is unavailable, it shall then be taken to the Circuit Court Judge.

III. **Assignment of Cases**

- A. Pursuant to KRS 403.725 and KRS 456.030, jurisdiction over petitions filed under this chapter is concurrent between District, Circuit, and Family Court.
- 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 schedule for hearings on protective orders is as follows:
 - 1. In Boone County for Family Court, Division II, the hearings shall be scheduled on Mondays and Wednesdays at 9:15 a.m. In Gallatin County for Family Court, Division II, the hearings shall be scheduled on the first and third Thursdays of the month at 9:00 a.m. In certain circumstances when the Family Court Judge is not available to hear cases in Gallatin County, the hearings shall be scheduled on a date and at a time when the Gallatin County District Judge is available;
 - 2. In Boone County for Family Court, Division IV, the hearings shall be scheduled on Mondays and the first, third, and fifth Wednesdays of the month at 9:15 a.m. In Gallatin County Family Court, Division IV, the hearings shall be scheduled on the second and fourth Wednesdays of the month at 9:00 a.m. In certain circumstances when the Family Court Judge is not available to hear cases in Gallatin County, the

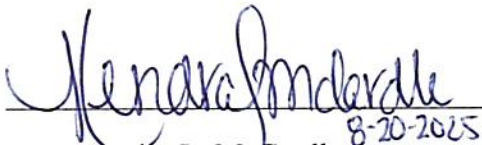
hearings shall be scheduled on a date and at a time when the Gallatin County District Judge is available.

- D. Cases may be reassigned or transferred between courts if it is determined that there are other actions pending or circumstances indicate that review by the other court is proper. KRS 403.725, KRS 456.030. If reassignment or transfer occurs, the issuing judge shall re-issue a summons for a time when the matter may be heard by the receiving judge.

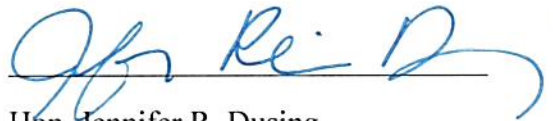
IV. Contempt Proceedings

- A. Pursuant to KRS 403.763 and KRS 456.180, civil and criminal proceedings 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 shall contact: Family Court Clerks at Boone or Gallatin counties, local law enforcement, or the County Attorney's Office.
- C. No petitioner may be held in contempt for failing to appear at a domestic violence or interpersonal protective order hearing or for failing to prosecute a civil or criminal violation of a protective order.

The above protocol is adopted by all judges in the circuit/district.

A handwritten signature in blue ink, reading "Kendra L. McCardle", with the date "8-20-2025" written below it.

Hon. Kendra L. McCardle
Family Court Judge
Division II

A handwritten signature in blue ink, reading "Jennifer R. Dusing".

Hon. Jennifer R. Dusing
Family Court Judge
Division IV

A handwritten signature in blue ink, reading "James R. Schrand".

Hon. James R. Schrand
Chief Circuit Judge
Division III

A handwritten signature in blue ink, reading "Richard Brueggemann".

Hon. Richard Brueggemann
Circuit Judge
Division I

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Smith', written over a horizontal line.

Hon. Jeffrey S. Smith
District Judge
Division I

A handwritten signature in blue ink, appearing to read 'Marcia Thomas', written over a horizontal line.

Hon. Marcia Thomas
District Judge
Division II

APPENDIX B

SAMPLE HOLIDAY PARENTING SCHEDULE

Holiday	Even Years	Odd Years	TIME
New Year's Holiday	Petitioner	Respondent	December 31 at 6:00 pm to January 1 at 6:00 pm
Martin Luther King Day	Respondent	Petitioner	Sun. 6:00 pm to Mon. 6:00 pm
President's Day	Petitioner	Respondent	Sun. 6:00 pm to Mon. 6:00 pm
Easter	Respondent	Petitioner	Sat. noon to Sun. 6:00 pm
Memorial Day	Petitioner	Respondent	Sun. noon to Mon. 6:00 pm
Fourth of July	Respondent	Petitioner	July 4 at 9:00 am to July 5 at 9:00 am
Labor Day	Petitioner	Respondent	Sun. noon to Mon. 6:00 pm
Halloween	Respondent	Petitioner	5:00 pm to 8:30 pm
Thanksgiving morning	Petitioner	Respondent	Wed. 6:00 pm to Thurs. 4:00 pm
Thanksgiving Evening	Respondent	Petitioner	Thurs. 4:00 pm to Friday 6:00 pm
Christmas Eve	Petitioner	Respondent	December 23 at noon to December 24 at 9:00 pm
Christmas Day	Respondent	Petitioner	December 24 at 9:00 pm to December 26 at 6:00 pm
Child's Birthday	Petitioner	Respondent	School: 5:00 pm to 8:00 pm
			No school: 10:00 am to 8:00 pm
Mother's Day*	Mother	Mother	10:00 am to 6:00 pm
Father's Day*	Father	Father	10:00 am to 6:00 pm
* In the event the parents both wish to celebrate either Mother's Day or Father's Day, then Petitioner shall have even numbered years and Respondent shall have odd numbered years.			

Kwanzaa	Respondent	Petitioner	1 st night, 5:00 pm to 9:00 pm
Rosh Hashana Eve	Petitioner	Respondent	5:00 pm to 9:00 pm
Rosh Hashana Day	Respondent	Petitioner	9:00 am to 6:00 pm
Yom Kippur Eve	Petitioner	Respondent	5:00 pm to 9:00 pm
Yom Kippur Day	Respondent	Petitioner	9:00 am to 6:00 pm
Passover (1 st night)	Petitioner	Respondent	5:00 pm to 9:00 pm
Hanukkah (1 st night)	Respondent	Petitioner	6:00 pm to 8:00 pm

*** A party may only use holiday time when those holidays have been historically exercised by that party, unless otherwise ordered by the Court or agreed upon by the parties.*

APPENDIX C

COMMONWEALTH OF KENTUCKY
BOONE/GALLATIN FAMILY COURT
DIVISION _____
CASE NO: _____ - CI - _____

IN RE: THE MARRIAGE OF:

_____ (Spouse 1)

PETITIONER

AND

_____ (Spouse 2)

RESPONDENT

**JOINT AFFIDAVIT FOR COMPLIANCE WITH STATUTORY LAW AND FCRPP
FOR LITIGANTS USING THE AOC KIOSK**

We, the Parties in this uncontested divorce action, are over the age of eighteen (18) and not under any disability. In accordance with FCRPP 3(1)(a), we waive our right to appear before this Court for a final uncontested hearing for the dissolution of our marriage. In addition, we state that the following information is true and correct to the best of our knowledge:

1. Petitioner's monthly gross income or earning capacity is: _____.
2. Respondent's monthly gross income or earning capacity is: _____.
3. ☐ The parties have no minor children from other relationships.

OR

- ☐ The Petitioner has _____ (number) minor child(ren) from other relationships.
Children's initials: _____
Children's years of birth: _____

OR/AND

- ☐ The Respondent has _____ (number) minor child(ren) from other relationships.
Children's initials: _____
Children's years of birth: _____

4. There are no active protective orders between the parties.

OR

There is an active protective order between the parties in _____ (County) in Case Number _____, which is effective until _____ (date).

5. We affirm that we have exchanged our preliminary verified disclosure statements (AOC-238) and have either:

☐ Filed our final verified disclosure statements (AOC-239) on the following date:

_____.

OR

☐ We agree to waive the filing of final verified disclosure statements.

Petitioner's signature

Respondent's signature

Address: _____

Address: _____

COMMONWEALTH OF KENTUCKY
COUNTY OF _____

This Joint Affidavit was subscribed and sworn to before me this _____ day of _____, 20____, by _____, the Petitioner.

NOTARY PUBLIC

Commission #: _____

My Commission Expires: _____

COMMONWEALTH OF KENTUCKY
COUNTY OF _____

This Joint Affidavit was subscribed and sworn to before me this _____ day of _____, 20____, by _____, the Respondent.

NOTARY PUBLIC

Commission #: _____

My Commission Expires: _____