

Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING AMENDMENTS TO THE LOCAL RULES OF PRACTICE FOR THE 56TH JUDICIAL CIRCUIT, CALDWELL, LIVINGSTON, LYON, AND TRIGG, CIRCUIT COURTS

Upon recommendation of the Chief Judge of the 56th Judicial Circuit, Caldwell, Livingston, Lyon, and Trigg Circuit Courts, and being otherwise sufficiently advised,

The attached Order Amending Local Rules for the 56th Circuit Courts is hereby approved, effective January 1, 2026, and until further order of this Court.

Entered this 2nd day of December 2025.


CHIEF JUSTICE



**RULES OF
COURT PRACTICE
AND PROCEDURE
FOR THE 56TH JUDICIAL CIRCUIT
AND DISTRICT**

EFFECTIVE JANUARY 1, 2026

**COMMONWEALTH OF KENTUCKY
CALDWELL – LIVINGSTON – LYON
AND TRIGG COUNTIES**

RULES OF PRACTICE AND PROCEDURE AND
FAMILY LAW RULES
FOR THE 56TH JUDICIAL CIRCUIT
AND
FOR THE 56TH JUDICIAL DISTRICT

COMMONWEALTH OF KENTUCKY
CALDWELL, LIVINGSTON, LYON AND TRIGG COUNTIES

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RULES OF PRACTICE OF THE 56th JUDICIAL CIRCUIT & DISTRICT

RULE 1. INTRODUCTION/ADMINISTRATIVE PROCEDURE

RULE 101. INTRODUCTION/PREFACE.

Pursuant to the mandate of the Kentucky Supreme Court, these rules are applicable to Caldwell, Livingston, Lyon, and Trigg Circuit Courts making up the 56th Judicial Circuit. These rules are also applicable in the District Courts of this Circuit as shown in Rule 11 below.

RULE 102. EFFECTIVE DATE.

These rules will become effective upon their approval by the Chief Justice of the Kentucky Supreme Court.

RULE 103. CITATION.

These rules may be cited as “Rules of the 56th Judicial Circuit” or abbreviated “LR.”

RULE 104. WAIVER.

Applicability of these rules may be waived by a presiding judge when good cause is shown.

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

RULE 201. CASE ASSIGNMENT, TRIAL TERMS, MOTION HOURS, AND SCHEDULING IN CIRCUIT COURT.

(1) Effective January 2, 2023, KRS 23A.040 was amended such that the 56th Judicial Circuit has two divisions of circuit court, Division I (Judge Redd) and Division II (Judge White). To incorporate the newly created Division II, it was previously ordered that:

All cases filed prior to and after January 1, 2023 are to be assigned with odd numbered cases going to Division I and even numbered cases going to Division II.

This Order, dated October 24, 2022, was approved by the Kentucky Supreme Court and remains in effect. Exceptions are included in Rule 203 below.

(2) Organization of the Circuit Court.

(a) The Judges of each of the Divisions shall hear cases in both the Criminal Branch and the Civil Branch of the Court. The cases in the Criminal Branch and the cases in the Civil Branch of the Court shall be divided between the two divisions as nearly equally as possible as hereinafter provided by these Rules.

- (b) Each Judge of a Division may preside and hear and determine any case or question in the other Division when the Judge of that Division is sick or absent from the county, or is not available.
 - (c) After a case has been assigned to a Division, the Judge thereof may for any reason transfer it to the other Division. Upon such transfer being made, the Clerk will make a proper endorsement upon the Rule Docket and the record.
 - (d) When two or more actions have been filed that may as a matter of right or may, in the discretion of the Court, be consolidated and such actions are pending in different Divisions of the Court, any party to any of the actions may have any of the actions transferred to that Division of the Court in which the first of these actions was filed. The Judge of the Court may order such transfers to be made without a motion by any of the parties.
- (3) The 56th Judicial Circuit has continuous Court sessions. However, Grand Juries will be impaneled, and Court terms will be annually as follows, unless altered by Court Order:
- (a) Caldwell County – First Wednesday in January
 - (b) Livingston County – Second Monday in September
 - (c) Lyon County – Second Monday in May
 - (d) Trigg County – Second Monday in July
 - (e) Trial months for Caldwell County in Division I are January, February, & September.
 - (f) Trial months for Caldwell County in Division II are March, April, & October.
 - (g) Trial months for Livingston County Division I are March, April, & October.
 - (h) Trial months for Livingston County in Division II are May, June, & November.
 - (i) Trial months for Lyon County in Division I are May, June, & November.
 - (j) Trial months for Lyon County in Division II are July, August, & December.
 - (k) Trial months for Trigg County in Division I are July, August, & December.
 - (l) Trial months for Trigg County in Division II are January, February, & September.
 - (m) The Court may schedule trials in other months so as to expedite the trying of cases.

RULE 202. STACKING OF CASES FOR TRIAL OR HEARING.

When a case is scheduled for trial or an evidentiary hearing on a day certain on which another case has been previously set, all attorneys shall assume that their case will be tried. The

cases will be tried in the order set. The Court will normally allow a case to be continued if the trial or hearing having immediate priority before it is not settled within three business days before the scheduled trial date. "Business days" means Monday through Friday, excluding holidays. The attorneys shall have the responsibility of ascertaining the status of cases which have priority over their case. Any case that is stacked but not tried shall be noticed by the Plaintiff's attorney (or the Movant's attorney) for rescheduling at the next available Motion Day in that county. It is the purpose of this provision to maximize the chances of a trial or evidentiary hearing date actually being utilized without causing undue hardship upon the attorneys and their clients.

RULE 203. MOTION DAYS.

(1) Except for legal holidays, Motion Days, herein "Rule Days," shall be heard by the Circuit Court according to the following schedule, unless otherwise ordered by the Court:

- (a) Caldwell County – first Tuesday of the month
- (b) Livingston County – second Tuesday of the month
- (c) Lyon County – first Monday of the month
- (d) Trigg County – second Wednesday of the month

(2) Unless otherwise ordered by the Court, Rule Days shall follow the following format:

(a) Time

DIVISION I	9:00 a.m.	Criminal
	1:00 p.m.	Civil
DIVISION II	9:00 a.m.	Civil
	1:00 p.m.	Criminal

(b) Family and district courtrooms shall be utilized for civil matters.

(c) Child Support Enforcement/Collection Day in each county shall be on Rule Days at 9:30 a.m. and all child support cases, regardless of odd or even numbering, shall assigned to Division II.

(d) Uncontested adoptions, motions in contested adoptions, and motions in termination of parental rights cases shall be heard at 8:30 a.m. on Rule Days or at other terms scheduled through the judge's office. These matters in Caldwell and Trigg Counties shall be assigned to Division I. These matters in Livingston and Lyon Counties shall be assigned to Division II.

(e) Cases arising from the Kentucky State Penitentiary shall be heard the first Friday of each month in Lyon Circuit Courtroom II, at the Kentucky State Penitentiary. All of these cases shall be assigned to Division I, regardless of odd or even numbering, but may be reassigned to Division II for trial purposes.

(f) Should a scheduled Rule Day fall upon a legal holiday, then the regularly scheduled Rule Day will occur the same day of the week immediately following the original schedule, if not already occupied by another regularly scheduled Rule Day. Attorneys should always check with the clerk regarding rescheduling of Rule Days.

RULE 204. MOTION PRACTICE.

(1) Deadline for filing motions.

The Clerk in each county shall keep a motion docket in which there shall be docketed all motions filed with that Clerk, not later than 4:00 p.m. at least seven (7) calendar days before the scheduled Rule Day. (For example, a motion in Lyon County must be filed by 4:00 p.m. on the Monday immediately before the first Monday of the month, the regularly scheduled Rule Day.) Except in extraordinary circumstances and by prior approval of the Court, motions filed within seven (7) calendar days before a scheduled Rule Day shall be heard on the next month's Rule Day and the Clerk shall place it on the next month's Rule Day docket, and counsel will be so informed by the Clerk.

(2) Motion Service.

Each motion shall be served on opposing counsel and party not represented by counsel and entitled to notice. "Service" shall be by the methods defined in CR 5.02. In the event of e-filing, counsel shall comply with the methods defined in CR 5.02(2).

(3) No Testimony Heard.

Ordinarily, other than summary "show cause" testimony, no testimony will be heard on Rule Day. Any civil hearing requiring the taking of testimony should be scheduled with the Court for a separate date (and the scheduling may be done on Rule Day).

(4) Brief Statement of Motion.

There shall be filed with each motion a brief statement of the grounds for it, with citations of authorities relied upon, which may be set forth in the body of the motion or separate memorandum. The response to any motion shall be in similar form and shall be filed with the

Clerk at least two (2) days prior to the scheduled hearing date and properly served upon opposing counsel, or party not represented by counsel and entitled to notice.

(5) Tendered Order.

Every motion or supporting memorandum or memorandum in opposition thereto shall be accompanied by a tendered separate proposed order granting the requested relief or denying the motion, as the case may be.

(6) Attorney Absence.

In the event that a motion is properly noticed and an attorney is absent at the time scheduled for the hearing on the motion, without giving appropriate notice to opposing counsel or the Court of such absence, the Court may rule on the motion even in the absence of such attorney and may consider the attorney's absence as a concession to the other party's position and an order may be entered against the non-appearing attorney's position. However, the Court may consider a properly filed response, memorandum, or affidavit in lieu of an attorney's presence.

(7) Continued Motions.

An attorney who will be unable to be present at the time set for a motion shall immediately contact the moving attorney and attempt to establish a mutually agreeable date and time for the hearing of the motion. Should this prove unsuccessful, an attorney or self-represented party desiring the continuance shall immediately file a motion for a continuance in writing, stating the reasons for the continuance, and shall serve a copy upon the opposing counsel. If no hearing can be scheduled prior to the date the motion was originally set for hearing, the motion will be automatically continued until an agreed hearing date is scheduled or until the next regularly scheduled motion hour, whichever occurs first.

(8) Virtual Attendance.

Attorneys and Parties wishing to appear remotely for any civil or criminal matter shall obtain leave from the Court to appear remotely no later than three (3) working days prior to said hearing. Said leave shall not be unreasonably withheld.

For hearings on all substantive and/or dispositive Motions, especially those requiring testimony and/or the entry of exhibits into the record, all attorneys and parties attending shall endeavor to appear in-person except for good cause shown.

Attorneys appearing remotely shall strictly comply with L.R. 207 (2) or they will not be heard by the Court.

No party or attorney appearing via Zoom shall use cellphones or record the Zoom meeting without leave of court.

(9) Motions for Default Judgment.

Motions for Default Judgment for failure of a party to appear need not be noticed for a specific hearing date and the moving attorney need not appear in person. Should the Court determine that a hearing is helpful or necessary under CR 55.01, a hearing date will be assigned. All motions for Default Judgment shall comply with CR 55.01 and shall be accompanied by an appropriate certificate or verification that:

- (a) no papers have been served on Plaintiff's counsel by the Defendant in default;
- (b) the date of service and type of service upon the Defendant(s);
- (c) the balance due on the obligation; and
- (d) a statement that to counsel's knowledge, no defaulting Defendant is currently a member of the Armed Services or under any legal disability.

In addition, the moving attorney will ask the Circuit Clerk to forward the file to the Court for review and action.

(10) Motions Under CR 78(2).

A movant may bring a motion under the provisions of CR 78(2) which provides for the determination of motions without oral hearings upon brief written statements of reasons in support and opposition. The movant, in the Notice, Certificate of Service, or elsewhere in the motion, shall state that the motion is made under CR 78(2) and shall direct the opposing attorney's attention to the fact that under this local rule, the motion may be granted routinely by the Court ten (10) days after filing, unless an objection is received or a response filed. Should the party opposing the motion filed under this Rule wish to have an oral hearing on the question, that party may so state in their response and shall proceed to set the motion for a Rule Day at a given time or at such other time as may be scheduled with the Court and opposing attorneys.

Motions, other than for Default Judgments, shall be filed under CR 78(2) or specifically noticed for a scheduled Rule Day or arranged date. Motions which are not in compliance with one of these provisions may be considered defective and void.

A motion to set a case for trial shall not be brought under CR 78(2).

The Court may, at its discretion, schedule a hearing for any motion filed under CR 78(2).

Time is computed pursuant to CR 6.01 with an additional 3 days added when service is by mail, pursuant to CR 6.05.

(11) Post-Judgment Motions.

(a) Unless prior approval is given by the Court upon good cause shown, all motions to alter, amend, reconsider or vacate will be decided on the record without benefit of a hearing.

(b) Motions for post-judgment relief, including family cases, shall be served upon the opposing party, in addition to any other required service.

(12) Motion to Withdraw From Representation.

A motion to withdraw as attorney shall be served on the client, in addition to any other required service. In the order accompanying the motion, counsel should also include a paragraph that the circuit clerk need not send the withdrawing attorney a copy of any additional filings after entry of the order of withdrawal. In withdrawing from representation of a client, counsel shall comply with SCR 3.130-1.16 (KRPC 1.16) on Declining or Terminating Representation. A lawyer has not withdrawn from representing a client until an Order authorizing withdrawal has been signed and entered. Even after a matter has been concluded (such as a dissolution of marriage), best practice is for an attorney to file a Motion to Withdraw with Notice to the client and a tendered Order.

RULE 205. DISCOVERY.

(1) Motions For Discovery Orders.

Counsel in civil cases shall have the duty to make a good faith effort to resolve by agreement among themselves any disputes which arise in the course of discovery. No motions pertaining to discovery shall be made to the Court unless there is appended to such motion or contained within it a certificate of counsel that he/she has conferred or corresponded with opposing counsel, that they are unable to reconcile their differences, and that counsel has otherwise exhausted reasonable extrajudicial means in an effort to resolve discovery differences.

(2) Depositions.

(a) Before noticing any deposition as required in the Kentucky Rules of Civil Procedure, counsel wishing to schedule any deposition shall first attempt to schedule an agreed date with opposing counsel of record. Counsel shall certify in the Notice that this

requirement has been complied with or that attempts to schedule have been unsuccessful and shall state the reason why.

(b) Upon appropriate motion of a party or by agreement, a deposition may be recorded and used in accordance with law.

(3) Discovery Requests.

(a) In propounding discovery requests, the requesting party will attempt to furnish the responding party with an electronic copy to facilitate answers without substantial retyping by any responding party to comply with LR 205(3)(b) below.

(b) In answering written interrogatories or discovery requests served on a party, each interrogatory or request shall be restated, followed by the answer and shall be subscribed and sworn by a party.

(c) Discovery material will be filed and/or served in compliance with CR 5.06.

(d) Answers and compliance with discovery requests need not be filed with the Court. Instead, a Notice of Service under the applicable Civil Rule shall be filed in the record.

(e) Originals of depositions need not be filed with the Court. If not filed, the attorney who noticed the taking of the deposition shall be the custodian of the record as set out in CR 5.06. If testimony from the deposition is referred to in any motion before the Court, then a transcript or condensed transcript may be filed with the motion in lieu of the original.

RULE 206. PRETRIAL CONFERENCES.

(1) Civil Cases.

(a) Pretrial conferences will be scheduled as a matter of course in all jury actions and upon the motion of either party or upon the Court's own motion, or as required as a case management conference pursuant to FRPP 2(6)(b). At the pretrial conference or upon a motion to set trial, the Court shall also enter an Order establishing a trial date along with discovery deadlines, dates for witness and exhibit lists, and deadlines regarding expert witnesses.

(b) An attorney for each party who is fully familiar with the facts and who has the authority to settle the case or to agree to certain stipulations of facts shall attend a pretrial conference.

(2) Criminal Cases.

- (a) Unless otherwise ordered (for example, such as for persons incarcerated), all Defendants shall be arraigned in open Court on the Rule Day immediately following return of an indictment or information. Incarcerated persons shall be arraigned without unnecessary delay and as soon as practical after the indictment. Zoom arraignments are permitted.
- (b) The Defendant and his/her attorney shall be present at the arraignment. If the Defendant is not represented by an attorney and is found to be indigent, the Court shall appoint counsel to represent him/her at the arraignment. The attorney appearing for the Defendant at the arraignment shall represent the Defendant in all future stages of the proceeding unless otherwise ordered. An attorney shall not withdraw from representation after arraignment in a criminal proceeding without permission of the Court and compliance with SCR 3.130-1.16.
- (c) Upon return of an indictment by the Grand Jury, the Court shall establish a bond for the defendant in accordance with applicable law. If the indictment is on an identical charge that the defendant has been released on bond from District Court, a summons for the defendant to appear will generally be issued rather than a warrant of arrest. However, since the return of the indictment is a new proceeding in Circuit Court, this Court shall set bond in compliance with applicable law and shall not necessarily be bound by bond terms established in District Court.
- (d) At the arraignment, the case may be scheduled for a pretrial conference for the Rule Day following the next Rule Day after the arraignment (that is, approximately 60 days away). At the arraignment, an Order of Discovery and Pretrial Conference will normally be entered and the Commonwealth and defendant(s) shall comply with its terms.
- (e) Any post-judgment motion shall be filed under the ten (10) day rule, LR 204(10), unless noticed for the next regular Rule Day after filing of the Motion. Unless otherwise approved by the Court, motions for shock probation shall not be set for hearing.

RULE 207. COURTROOM DECORUM.

- (1) All attorneys and their clients who attend Rule Days shall remain outside the jury rail until their particular motion is called for hearing. When each motion is called for hearing, the attorneys shall proceed to the lecterns (or counsel table if lecterns are unavailable) and shall

argue the motion from their respective positions. During criminal rule days, the attorneys for the Commonwealth and for the Department of Public Advocacy may remain inside the well of the Court to expedite proceedings. The attorneys and parties shall not approach the bench without permission requested and granted. No food shall be permitted in the Courtroom. All settlement negotiations and plea bargaining will take place outside of the Courtroom itself or during periods when Court is in recess. Attorneys, if physically able, should stand when addressing the Court unless allowed to remain seated by permission of the Court.

(2) Attorneys should be properly and respectfully attired including, for male attorneys, coats and ties, and for female attorneys, attire at the same level of formality. This includes permitted Zoom appearances. Hats, unless required for religious or medical purposes, overcoats, raincoats, and umbrellas will be left outside the railing during hearings. No tennis shoes are permitted without leave of Court.

RULE 208. TRANSFER/CHANGE OF VENUE.

When venue is changed or a case transferred on motion of a private party, after entry of the Order, the party requesting the venue change or transfer must advance to the appropriate circuit clerk the postage costs for sending the record to the appropriate new circuit clerk. The record will be mailed upon receipt of payment by the appropriate clerk.

RULE 209. E-FILING AND FAXED COPIES OF PLEADINGS.

(1) Attorneys and parties shall comply with Kentucky Supreme Court Rules and Orders regarding e-filing.

(2) When necessary, facsimile copies and accompanying documentation will be received by the clerk and filed in the same manner as if they were originals received in the mail. In other words, they will be entered upon receipt. Upon receipt of the original, which is still necessary to file, the clerk will attach it to the fax copy already of record.

RULE 3. ADOPTIONS/TERMINATION OF PARENTAL RIGHTS

RULE 301. ADOPTIONS.

Adoptions, contested or uncontested, are to be scheduled with the Court on Motion, in compliance with FRCPP 30-34.

RULE 302. INVOLUNTARY TERMINATION OF PARENTAL RIGHTS.

FCRPP 32(1) requires a Petitioner to obtain a pretrial conference in involuntary termination cases “immediately upon the filing of any petition.” In order to facilitate that within the 56th Judicial Circuit, the following steps should be taken:

- (a) Counsel for Petitioner will contact the Court’s administrative assistant at (270) 388-5182 to inform the Court that a case in the interest of _____, a child, has been filed in the _____ Circuit Court.
- (b) The administrative assistant will then generate a simple scheduling Order for a pretrial conference so that it will be placed on the Court’s calendar and the Clerk’s calendar.
- (c) At that initial conference, if parties have been served and are represented, a bench trial date will be set to comply with the sixty (60) day timeframe as nearly as possible.
- (d) In order to allow time for service of process and entry of appearance by counsel, including Guardians Ad Litem, the initial pretrial conference would be set in the second month following the filing of the Petition. For example, if the Petition to terminate parental rights was filed during the month of March, then the pretrial conference would be scheduled during the May Rule Day in the appropriate county.
- (e) The specific dates and times for the pretrial conferences would be:
 - i. Caldwell County – regular rule day 8:30 a.m.
 - ii. Livingston County – regular rule day 9:00 a.m.
 - iii. Lyon County – regular rule day 9:00 a.m.
 - iv. Trigg County – regular rule day 8:30 a.m.

RULE 4. DOMESTIC VIOLENCE PROTOCOL AND 24 HOUR ACCESS POLICY

The Twenty-Four Hour Accessibility to Emergency Protective Orders and Local Joint Jurisdiction Domestic Violence Protocol for the 56th Judicial Circuit and District is incorporated by reference as Appendix 1 as if set out fully herein.

RULE 5. PATERNITY

There are currently no separate local rules on paternity cases in the 56th Judicial District. For uniform statewide rules of procedure see FCRPP 13.

RULE 6. DEPENDENCY, NEGLECT AND ABUSE

There are currently no separate local rules on DNA cases in the 56th Judicial District. For statewide uniform rules of procedure see FCRPP 15 through FCRPP 29.

RULE 7. DOMESTIC RELATIONS PRACTICE

RULE 701. DOMESTIC RELATIONS CASES.

“Domestic relations” cases are commonly referred to as “family law” cases and includes those enumerated in FCRPP 1(3).

RULE 702. UNCONTESTED MATTERS.

Uncontested hearings for dissolution of marriage, annulments, or legal separations, may be submitted for the next regular Rule Day or under LR 204(10) (10-day rule) with either a Notice of Submission or Motion to Submit so that the circuit clerk will calendar the case and bring it to the Court’s attention (Form 1 in Appendix 2 of these rules or similar document).

In order to comply with FCRPP 3(1) in dissolution actions an attachment to Motion to Submit with a checklist and certification must also be filed (Form 2 in Appendix 2 of these rules or other similar document).

No later than five (5) days prior to the trial, the parties shall file an AOC-239, Final Verified Disclosure Statement, in the record if property matters are in dispute at that trial; or the parties may file an affidavit that there are no changes in circumstances since the completion of the AOC-238, Preliminary Verified Disclosure Statement, if filed.

In appropriate cases, where there has been no change from the Preliminary Mandatory Disclosure Statement, AOC-238, the fact can be so certified by counsel or sworn or affirmed by a party and that document may be used as a substitute Final Verified Mandatory Case Disclosure.

RULE 703. DEFAULT CASES

In all default cases, the moving party will comply with FRCPP 3(2) in the Motion to Submit.

RULE 704. STATUS QUO ORDERS, FCRPP 2(5).

FCRPP 2(5) provides that a Status Quo Order may be issued at the initial hearing. However, in the 56th Judicial Circuit, if the initial court appearance may not occur for thirty (30) days or more after the initial filing of an action for Dissolution of Marriage, upon Motion Requesting Entry of the AOC 237, a Status Quo Order, may be filed with the Petition. The Motion must state that the Respondent has ten days to file an objection to entry of said Order. The clerk shall include a copy of the Motion for service with the Summons and Petition. If no objection is filed within ten (10) days of service of the Summons, Petition and Motion, the Status Quo Order will be entered by the Court. If a Status Quo Order is not requested by the Petitioner,

the Respondent may also seek a Status Quo Order at the initial court appearance or may file a motion as directed in this rule. However, the Respondent must provide notice of the motion upon the Petitioner without assistance of the clerk. A copy of AOC-237 Status Quo Order as used in the 56th Judicial Circuit is shown as Appendix 3.

RULE 705. CASE MANAGEMENT CONFERENCE.

(1) The Case Management Conference (CMC) referred to in FCRPP 2(6)(b) and 40 will be scheduled upon filing of a Notice as follows:

- (a) Caldwell County on the regular Rule Day at 9:00 a.m. in Division II and 1:00 p.m. in Division I.
- (b) Livingston County on the regular Rule Day at 9:00 a.m. in Division II and 1:00 p.m. in Division I.
- (c) Lyon County on the regular Rule Day on the regular Rule Day at 9:00 a.m. in Division II and 1:00 p.m. in Division I.
- (d) Trigg County on the regular Rule Day on the regular Rule Day at 9:00 a.m. in Division II and 1:00 p.m. in Division I.

(2) The Notice of Case Management Conference may be joined with a Motion to Set for Bench Trial (final evidentiary hearing).

(3) Since FCRPP 2(6)(b)(2) and 40 allow the Court to waive personal attendance of the parties at the CMC, the Court will routinely waive the personal appearance of the parties if requested by counsel.

RULE 706. TIME-SHARING/VISITATION.

The Visitation Guidelines of the 56th Judicial Circuit will continue to be used as a model as authorized by FCRPP 8(1)(b).

The Court has two sets of Visitation Guidelines. The first are the Guidelines for Visitation/Time-Sharing/Traditional, effective February 1, 2009 (Appendix 4) – are incorporated by reference as if set out in full. The second set of guidelines, General Order, Shared Custody Parenting Time, effective December 13, 2019, (Appendix 5) – are incorporated by reference as if set out in full – provide a standard set of time-sharing guidelines for instances in which the 2009 Guidelines may not apply.

These are a model and serve only as a basic guideline for the parties and parties are encouraged to reach an agreement upon time-sharing/visitation that is in the best interests of their child. These Guidelines are not a default schedule for the parties or the Court when the parties

are unable to reach an agreement, unless the Court otherwise so orders. The Court will continue to determine visitation on a case-by-case basis where there is no agreement between the parties.

RULE 707. MEDIATION.

Mediations shall be ordered consistent with the requirements in FCRPP 39.

RULE 708. FAMILY COUNSELING OR EDUCATION.

Consistent with FCRPP 6(4), where there are minor children in any dissolution or custody proceeding, the Court may order the parents or custodians and children to participate in a Parent's Education Clinic and the children in a suitable education class. If ordered to attend the Parent Education Clinic, proof of attendance must be submitted with the Motion to Submit referred to above.

RULE 709. CONTEMPT PRACTICE.

- (1) The preferred procedure in securing a rule for contempt is as follows:
 - (a) A motion shall be filed, asking for the rule, supported by a sufficient affidavit or verification of the motion showing the applicant is entitled to the relief. A tendered order shall also be submitted.
 - (b) When the motion and affidavit are filed, a rule will generally be issued ex parte by the Judge. The rule will recite that it is returnable before the Court at a day and time certain for the other party to appear and show cause why he/she should not be held in contempt.
 - (c) The rule shall not come on for a hearing sooner than seven (7) days from the date the rule is issued and served, unless otherwise ordered; no rule shall come on for a hearing at all unless it has been served on the person alleged to be in contempt, in the manner provided for service of pleadings and other documents under CR 5.02, unless otherwise ordered. Where the opposing party is still represented by counsel, service will be made on counsel and on the party.
 - (d) Incarceration resulting from a finding of contempt shall be imposed only after a hearing with the Defendant having a right to counsel, at which time the Court shall permit additional evidence and may give any party found in contempt an opportunity to purge himself/herself of such contempt.
 - (e) An alternate method on a contempt motion would be by simple motion and notice to opposing counsel and opposing party noticed for a day certain.

RULE 8. STATUS OFFENSES

There are no local rules relating to status offenses.

RULE 9. MISCELLANEOUS

RULE 901. PROTECTION OF PERSONAL IDENTIFIERS.

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 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 the 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 or protection matters attendant to the case, or a person authorized to view the copy by specific orders of the court. As used in this section, “personal identifier” means a Social Security number or tax-payer identification number, date of birth, or financial account number.

RULE 902. EXTRAORDINARY SERVICE COSTS.

Pursuant to CR 3.02(3), the following additional costs are assessed in cases requiring extraordinary services by the circuit court clerk:

A fee of \$50.00 in civil cases in each instance in which the number of items filed surpasses 50 in number or a multiple thereof (the 51st item, 101st item, etc.) to be collected from the Plaintiff following entry of the judgment or final order and reimbursed to the paying party as a recoverable court cost pursuant to CR 54.04. Post-judgment documents are excluded from the computation.

A fee of \$100.00 per day for each day of a civil jury trial in excess of four (4) days, to be collected from the party requesting the jury trial following entry of the judgment or final order and reimbursed to the paying party as a recoverable court cost pursuant to CR 54.04.

RULE 903. ENFORCEMENT OF RULES.

These rules may be enforced by the Court's contempt power, and including levy of a fine against the party and/or attorney failing to comply. Any attorney who fails to pay the assessed fine, which has not been appealed or on which the appeal process has been completed, may be prohibited from practicing before the 56th Judicial Circuit Court until payment in full of such fine.

RULE 10. MASTER COMMISSIONER PRACTICE

RULE 1001. REFERENCES TO MASTER COMMISSIONER.

Reference of cases shall be made to the Master Commissioner as provided by the Administrative Procedures of the Court of Justice (AP) Part IV, the Rules of Civil Procedure, by the Kentucky Revised Statutes, by these Rules, or by Court Order in individual cases.

RULE 1002. ORDERS OF SALE.

- (1) Orders for the sale of property shall contain:
 - (a) a complete caption setting forth the names of all parties to be bound by the judicial sale. Abbreviations such as “etc.” or “et al” shall not be used;
 - (b) a legal description of the property sought to be sold, together with the source of title of the present owner or owners;
 - (c) the address of the property sought to be sold or, if it is true, a recitation of the fact that the property has no address, and any number(s) assigned to the property by the tax assessor such as the property identification number;
 - (d) the dollar amount of the judgment on a day certain, together with the daily amount of accruing interest and contract rate of interest (if the order of sale is for the purpose of enforcing a judgment for money);
 - (e) the names of all parties who are in default; and
 - (f) a statement that a party has certified that all entities having an interest in the property including any entities holding a mortgage or lien against the property have been named in the action.
- (2) Orders of sale may contain:
 - (a) special conditions of sale, for example, property to be sold on site; specific combinations of property containing multiple tracts; special advertising in addition to advertising required by statute;
 - (b) a directive that the Master Commissioner execute releases of mortgages and liens foreclosed and extinguished by reason of the judicial sale. If the order of sale contains such directive, it shall also contain the book and page number where each lien to be released is recorded; and
 - (c) a directive that the Master Commissioner pay all outstanding ad valorem taxes assessed against the property, provided that such directive also identifies the person or persons in

whose name the property has been taxed, the year in which the tax is due, and the tax bill number.

(3) Orders of sale shall not contain:

- (a) specific dates on which the sale is to be conducted; or
- (b) designations of the auctioneer or appraisers to be used by the Master Commissioner, provided, however, if a party knows of any reason that an auctioneer or appraiser should be disqualified to serve in a particular case, such disqualification may be made a part of the order of sale.

RULE 1003. JUDICIAL SALES.

- (1) The Master Commissioner will normally try to coordinate the sale date with the attorneys of record before scheduling the sale. Immediately following a sale, the Master Commissioner shall make his/her report to the Court which shall be noticed by the Clerk and shall lie over in accordance with CR 53.06. If a bond is required of the purchaser, the bond shall be filed along with the Commissioner's Report of Sale. Unless the Court otherwise directs in the Order of Sale, no bond shall be required of a purchasing creditor seeking to enforce its mortgage or lien on the property.
- (2) The Master Commissioner shall normally prepare the following documents in connection with any judicial sale: sale notice for advertising and posting; Commissioner's Report of Sale; Commissioner's Bill of Costs; Order of Confirmation; Order of Distribution; and Commissioner's Deed. When the facts of a particular case render it necessary or desirable that a party prepare any of these documents, that party or attorney shall coordinate the preparation with the Master Commissioner. All motions concerning any matter referred to the Master Commissioner shall be served on the Master Commissioner as if he/she were a party who had appeared in the action. When property is purchased by a person not a party to the action, all subsequent motions and reports concerning confirmation of the sale (including any objections to the Commissioners Report) shall be served on the purchaser in accordance with CR 5.02.

RULE 1004. FEES.

In order to be consistent within the 56th Judicial Circuit and to allow bidders at judicial sales more certainty for predicting actual Master Commissioner fees and costs, the Court will

follow the Administrative Procedures of the AOC, Part IV for allowance of Master Commissioner fees.

RULE 11. DISTRICT COURT.

The 56th Judicial Circuit has no separate family court division. Rules 4, 5, 6 and 8 above on Domestic Violence; Paternity; Dependency, Neglect, and Abuse; and Status Offenses, respectively, therefore apply in the 56th Judicial District Courts.

Practice in the District Courts shall follow these same local rules where the rules would ordinarily apply, with the exception that any matters or motions presented to the clerk after noon on the preceding business day will not be added to the next day's docket.

Motion and rule days and times in District Court are as follows:

Caldwell County

Mondays:	Criminal	8:30 a.m.	(Division II)
	Juvenile	10:30 a.m.	(Division II)
Wednesdays:	Civil	1:00 p.m.	(Division I)

Livingston County

Tuesdays:	Civil	1:00 p.m.	(Division II)
Thursdays:	Criminal	9:00 a.m.	(Division I)
	Juvenile	11:00 a.m.	(Division I)

Lyon County

Mondays:	Civil	1:00 p.m.	(Division I)
Wednesdays:	Criminal	8:30 a.m.	(Division II)
	Juvenile	10:30 a.m.	(Division II)

Trigg County

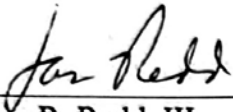
Tuesdays:	Criminal	8:30 a.m.	(Division I)
	Juvenile	11:00 a.m.	(Division I)
	Confidential Matters	12:30 p.m.	(Division II)
Thursdays:	Criminal	1:00 p.m.	(Division II)
	Uncontested Probate	1:30 p.m.	(Division II)
	All Other Matters	2:00 p.m.	(Division II)

(Including all those requiring a hearing)

RULE 12: ARTIFICIAL INTELLIGENCE – USE OF AI TO CREATE COURT SUBMISSIONS

Lawyers and *pro se* litigants who use technology like ChatGPT, Google Bard, Bing AI Chat, or other generative artificial intelligence services to prepare documents that the parties file in the record in this case are cautioned that generative AI technologies sometimes may produce factually or legally inaccurate content. The Court does not prohibit the use of AI, but to comply with Rule 11 of the Rules of Civil Procedure and other applicable legal and ethical standards, attorneys and *pro se* litigants must review and verify computer-generated content to ensure that is accurate and complies with all such governing standards.

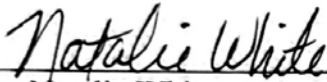
APPROVED:



Hon. James R. Redd, III

12/1/25

Date



Hon. Natalie White

12/1/25

Date



Hon. Brandon Knoth

12/1/2025

Date



Hon. Matt Schalk

12/1/25

Date

APPENDIX 1: DOMESTIC VIOLENCE PROTOCOL & 24 HOUR ACCESS POLICY

Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION DOMESTIC VIOLENCE PROTOCOL FOR THE 56TH JUDICIAL CIRCUIT AND DISTRICT, CALDWELL, LIVINGSTON, LYON, AND TRIGG COUNTIES

Upon the recommendation of the judges of the 56th Judicial Circuit and District, Caldwell, Livingston, Lyon, and Trigg counties, and being otherwise sufficiently advised,

The Twenty-Four Hour Accessibility to Protective Orders and Local Joint Jurisdiction Protocol Domestic Violence Protocol for the 56th Judicial Circuit and District is 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 13th day of March 2023.


CHIEF JUSTICE

APPENDIX 1:
COMMONWEALTH OF KENTUCKY
56TH JUDICIAL CIRCUIT AND DISTRICT
LIVINGSTON, LYON, CALDWELL AND TRIGG COUNTIES
TWENTY-FOUR HOUR ACCESSIBILITY TO EMERGENCY
PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION
DOMESTIC VIOLENCE PROTOCOL

Pursuant to KRS 403.725 and KRS 456.030, and in compliance with Section IV of the Kentucky Family Court Rules of Procedure and Practice (FCRPP), this local protective order protocol is established to ensure 24-hour accessibility to emergency protective orders (EPOs) and temporary interpersonal protective orders (TIPOs) (collectively, "orders of protection") and to establish written procedures for matters in which there may be joint jurisdiction between the circuit/family and district courts.

I. Effective Date

- A. This protocol is effective upon written approval of the Supreme Court of Kentucky.

II. Uniform Protocol for Processing Cases

- A. All petitions requested, completed, and signed by persons 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. Circuit court clerks shall process domestic violence cases in accordance with the procedures set forth in the "Domestic Violence and Interpersonal Protective Orders" section of the Kentucky Circuit Court Clerk's Manual.
- C. 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.
- D. Domestic violence matters may be reassigned from the district court division to circuit court when there is a dissolution/custody proceeding pending.
- E. No jurisdiction shall adopt a blanket "no-drop" policy. Domestic violence cases are civil matters within the purview of CR 41.01.

- F. Domestic violence cases shall be reassigned or transferred to another circuit under the following circumstances:
1. If it is discovered a pending dissolution or custody matter is pending in the 56th Circuit Court, the District Court will transfer the case to Circuit Court if either party requests, otherwise the District Court shall hear the case.
 2. If it is discovered there is a pending dissolution or custody matter in another district, 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 it necessary for the protection of the petitioner. Thereafter, reissuance of the summons shall occur as needed in the court of transfer.
- G. 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 should be reviewed within an hour of presentation to a judge or trial commissioner unless impossible due to no judge or trial commissioner being available.

III. Twenty-four Hour Accessibility

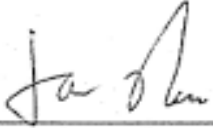
- A. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner **during** regular business hours:
1. All circuit court clerks, 8 a.m. - 4 p.m.
 2. All law enforcement, 8 a.m. - 4 p.m.
- B. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner **after** regular business hours and weekends:
1. All law enforcement.
- C. Upon receipt of a petition **during** regular business hours, the authorized agency/officer shall present the petition to the following:
1. District judges
 2. Trial commissioners

- D. Upon receipt of a petition **after** regular business hours, the authorized agency/officer shall present the petition to:
1. District judges
 2. Trial commissioners
- 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:
1. Livingston - Tuesday, 1:00 p.m.
 2. Lyon - Monday, 1:00 p.m.
 3. Trigg - Thursday, 1:00 p.m.
 4. Caldwell - Wednesday, 1:00 p.m.

IV. Contempt Proceedings

- A. Pursuant to KRS 403.736 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. 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:
1. Circuit clerk - Mon - Fri, 8 a.m. to 4 p.m.
 2. All law enforcement - after office hours
- C. No Petitioner may be held in contempt for failure to appear at a domestic violence hearing or prosecute a criminal violation of a protective order.

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



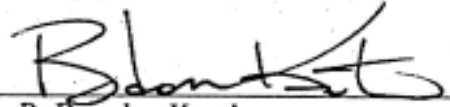
Hon. James Redd, III

3/7/23
Date



Hon. Natalie White

3/7/23
Date



Hon. R. Brandon Knoth

3/8/2023
Date



Hon. Matt Schalk

3/8/23
Date

APPENDIX 2: FORM 1 & FORM 2

FORM 1

COMMONWEALTH OF KENTUCKY

CIRCUIT COURT
CIVIL ACTION NO. ____-CI-_____

PETITIONER

v.

MOTION TO SUBMIT

RESPONDENT.

☐ Comes now the Petitioner and moves the Court to please take notice that this case is ready to be submitted to the Circuit Judge for entry of a Final Decree.

NOTICE

This Motion to Submit is brought under LR 204(10) (CR 78(2)) and will be decided by the judge without any oral hearing ten (10) days after filing, unless an opposing party files an objection or a request for an oral hearing.

The undersigned certifies that the information contained on the attachment is true and correct.

Dated this ____ day of _____, 20____.

Signature of Attorney

CERTIFICATE OF SERVICE:

I certify that a true copy of the foregoing has been served by regular mail, postage prepaid, to the following:

Name_____

Address_____

City/State/Zip_____

On this ____ day of _____, 20____.

Mailing party or attorney

FORM 2

ATTACHMENT TO MOTION TO SUBMIT

Checklist and Certification

The undersigned provides the following information in compliance with FCRPP 3(1) and certifies that the information is true and correct under penalty of perjury:

- A. The parties were married on _____, and separated on _____.
- B. The Petition for Dissolution was filed _____.
- C. The Respondent was served on or filed an entry of appearance and waiver on _____.
- D. The Preliminary Verified Disclosure Statement AOC-238 was filed with the Clerk on _____. The Final Verified Mandatory Case Disclosure AOC-239 or affidavit has been filed with this Motion to Submit pursuant to FRCPP 3(3)(b); or has been waived pursuant to LR 702.
- E. The parties do/do not (circle one) have minor children of this marriage. If they do and the parties are ordered to attend divorce education/parenting class/kids time class,, then copies of certificates of completion of the class as required by LR 708 were filed in the record on _____ or are attached with this Motion to Submit.
- F. The Separation Agreement/Property Settlement Agreement, if any, acknowledging the agreement between the parties was filed in the record on _____ or is attached with this Motion to Submit.
- G. The written Deposition or Affidavit, executed under oath, by either party setting forth the testimony required at a hearing as required by KRS 403.025(irretrievable breakdown and residency) as well as confirmation that the parties have lived apart for in excess of sixty (60) days and that there has been no material change in circumstances of the parties since the filing of this action or since taking any proof in this action, was filed in the record on _____ or is attached with this Motion to Submit.
- H. If there are minor children, sixty (60) days have elapsed from the date of service of summons, the appointment of a Warning Order Attorney, or the filing of the entry of appearance or responsive pleading by Respondent, whichever occurred first (KRS 403.044).

- I. The written waiver of the right to a hearing executed by both parties was filed with the Clerk on _____ or is attached with this Motion to Submit.
- J. If either party has requested restoration to a former name, that request is in writing and was filed in the record or is attached with this Motion to Submit.
- K. If there are minor children of this marriage, a Child Support Worksheet and a Uniform Child Support Order (AOC- 152) are submitted with this Motion to Submit.
- L. A proposed Findings of Fact, Conclusions of Law, and Decree of Dissolution of Marriage is submitted with this Motion to Submit.
- M. Default cases where the Respondent has been properly served but failed to appear, pursuant to FRCPP 3(2) and: (a) no answer or pleading has been received by the moving party or counsel; (b) the Respondent was personally served more than twenty days before this Motion to Submit or, if served through a warning order attorney, the warning order attorney has filed his report and more than fifty days have elapsed since the appointment of the warning order attorney; (c) a copy of this Motion to Submit has been served on the Respondent at his/her last known address and the Respondent is not on active military duty.

DATED this ____ day of _____, 20 ____.

ATTORNEY FOR PETITIONER/RESPONDENT

APPENDIX 3: STATUS QUO ORDER

AOC-237 may be located at <https://kycourts.gov/Legal-Forms/Legal%20Forms/237.pdf>

AOC-237 Doc. Code: OSQ Rev. 1-11 Page 1 of 1 Commonwealth of Kentucky Court of Justice www.courts.ky.gov FCRPP 2	 STATUS QUO ORDER	Case No. _____ Court _____ County _____ Division _____
--	--	---

IN RE THE MARRIAGE OF:

_____ PETITIONER

and

_____ RESPONDENT

IT IS HEREBY ORDERED:

Except as shall be necessary to pay reasonable living expenses, neither party shall sell, encumber, gift, bequeath or in any manner transfer, convey or dissipate any property, cash, stocks or other assets currently in their possession or control of another person, company, legal entity or family member without an order of the Court or an agreed order signed by both parties or their attorneys.

Neither party shall cancel any health, life, automobile, casualty or disability insurance currently covering themselves or a family member or change the named beneficiaries on such policies prior to receiving permission of the court to do so or filing an agreed order signed by both parties or their attorneys.

Other Orders: _____

_____, 2_____
Date

Judge

Distribution: Court File
Petitioner/Attorney for Petitioner
Respondent/Attorney for Respondent

Print

Reset Form

APPENDIX 4: GUIDELINES FOR VISITATION / TIME-SHARING / TRADITIONAL

COMMONWEALTH OF KENTUCKY

56TH JUDICIAL CIRCUIT

GUIDELINES FOR VISITATION/TIME-SHARING

Effective February 1, 2009

Absent serious endangerment, it is in the best interest of all children to have a healthy relationship with both their mother and father. When parents divorce and no longer live in the same home, it is necessary to establish a schedule which affords both parents an opportunity to nurture and cultivate their relationships with the children. The preferred option is for the parents through communication with each other and concern for their own children's best interest to establish an arrangement that maximizes the benefit to the children. If the parties are unable to agree, the following Guidelines provide a basic minimum structure for reasonable visitation in all cases other than joint custody with equal time-sharing.

The Court encourages all parents to consider all parenting and custodial options in order to arrive at the best interests for their children and in order to minimize the trauma of divorce for those children.

In these Guidelines, the word "children" includes the singular, child. The term "custodial parent" includes the "sole custodian" in whose home the children reside as well as the "primary residential parent" in joint custody/shared custody situations (other than joint custody with equal time-sharing). The "non-custodial parent" is the other parent.

1. The non-custodial parent will be allowed to exercise visitation on alternate weekends from Friday evenings at 6:00 p.m. to Monday mornings at 8:00 a.m. and Thursday evenings following the weekend visit from 5:30 p.m. to 7:30 p.m. The non-custodial parent shall return the children to the custodial parent, school, or daycare at the above times, persons or places or such other times, persons or places as the parties may agree.

2. The children, and/or the custodial parent, have no duty to wait for the visiting parent for more than thirty (30) minutes past the start of the scheduled visitation time. A parent more than thirty (30) minutes late shall forfeit that visitation period. If either party is going to be more than thirty (30) minutes late, that party shall give reasonable notice to the other party. Reasonable or unreasonable failures to pick up or provide the children for visitation on time or give reasonable notice of tardiness will subject a party to sanctions by the Court.

3. For the purpose of visitation, the following six holidays shall be divided between the parents:

- | | |
|--------------------------|----------------------------|
| (1) President's Day | (2) Martin Luther King Day |
| (3) Easter | (4) July 4th |
| (5) Memorial Day Weekend | (6) Labor Day Weekend |

Other holidays of importance to the family shall also be divided between the parents.

In the odd-numbered years (e.g. 2009, 2011, etc.), the custodial parent shall have the children on the odd-numbered holidays (left column), and the non-custodial parent shall have visitation on the even-numbered holidays (right column). In the even-numbered years (e.g. 2010, 2012, etc.), the non-custodial parent shall have the children on the odd-numbered holidays and the custodial parent shall have visitation on the even-numbered holidays. Visitation shall be from 9:00 a.m. to 9:00 p.m. unless the children are in school that day in which case visitation shall be from 5:00 p.m. to 9:00 p.m.

4. Each year at Christmas the custodial parent shall have the children on Christmas Day and the non-custodial parent shall have the children from 1:00 p.m. to 9:00 p.m. on Christmas Eve. The non-custodial parent shall also have the children from December 26th until 2:00 p.m. on New Years Day, provided the children are returned to the custodial parent not less than 12 hours before they are to return to school.

5. On Mother's Day, the mother shall have the children and on Father's Day, the father shall have the children regardless of who was scheduled to have the children for that specific weekend. Visitation shall be from 9:00 a.m. to 9:00 p.m.

6. Summer: For children less than one (1) year old, the alternate weekends and alternate Thursday visitation shall continue during the months of June and July, and in addition, the non-custodial parent shall have three (3) days in June, which shall be added to that parent's first alternate weekend in June, and three (3) days in July, which shall be added to that parent's first alternate weekend in July.

For children one (1) and (2) years old, the non-custodial parent shall have visitation beginning on the first Saturday in June beginning at 8:00 a.m. and ending the following Saturday at 8:00 a.m.; on the third Saturday in June beginning at 8:00 a.m. and ending at 8:00 a.m. the following Saturday; on the first Saturday in July beginning at 8:00 a.m. and ending the following Saturday at 8:00 a.m.; on the third Saturday in July beginning at 8:00 a.m. and ending at 8:00 a.m. the following Saturday. The non-custodial parent shall not have alternate weekend visitation or alternate Thursday evening visitations during the months of June and July.

For children three (3) years and older, provided each child has his/her 3rd birthday before June 1st of the current year, the non-custodial parent shall have the following visitation: June 10th, beginning at 8:00 a.m. and ending June 26th at 8:00 p.m.; and July 10th beginning at 8:00 a.m. and ending July 26th at 8:00 p.m. The non-custodial parent shall not have alternate weekend visitation or alternate Thursday evening visitations during the months of June and July. The custodial parent shall not schedule camps or other activities during the non-custodial parent's periods of summer visitation, without the express written permission of the non-custodial parent. If the child's third (3rd) birthday is June 2 or later of the current year, then the visitation for children three (3) years and older shall not begin until the following year. This visitation shall take place each year until the child becomes eighteen (18) years of age.

7. A child will celebrate his/her birthday in the home of the custodial parent, unless it falls on a visitation day. In the event the non-custodial parent does not have the children on their birthday, an additional, non-scheduled visitation day shall be granted so that the non-custodial parent may celebrate the children's birthday, if desired.

8. In odd-numbered years, the non-custodial parent shall have the children who are enrolled in school for a week of any spring break from school which the children may have, provided the children are returned to the custodial parent not less than 24 hours before they are to resume school. Should Easter fall during a spring break when the children are with the custodial parent and it is the non-custodial parent's turn to have visitation with the children for Easter vacation, then an additional non-scheduled visitation day shall be granted to the non-custodial parent.

9. In odd-numbered years, the non-custodial parent will have the children for the Thanksgiving holiday. Visitation shall begin on the last day of school before Thanksgiving break at 5:00 p.m. until 7:30 p.m. Sunday evening following Thanksgiving. For children between the ages of six (6) months and one (1) year visitation shall begin at 9:00 a.m. Thanksgiving day and end at 7:00 p.m. Saturday. For children that are not yet enrolled in school, the non-custodial parent shall have visitation from 9:00 a.m. Thursday morning until 7:30 p.m. Sunday evening.

10. In even-numbered years, the non-custodial parent may have visitation during the fall break on the last day of school at 5:00 p.m. and ending at 7:30 p.m. on the evening before school starts at the end of fall break.

11. For children under the age of six (6) months, visitation shall be shorter in duration but more frequent, so as to encourage the bonding of both parents with the children.

12. Each party shall share equally in transportation and/or the cost of transportation for visitation.

13. Mail or Telephone Contacts: Both parties shall be allowed to contact the children freely by any and/or all available mail, e-mail, texting, cell phone and by telephone at reasonable times and frequencies.

14. Absent a prior written agreement between the parties, the residence of the children is not to be removed from the Commonwealth of Kentucky without first obtaining an Order from the Court.

15. Both parents agree to use their best efforts to exercise their visitations and scheduling with the best interests of their children in mind so that the children may participate in their school and extra-curricular activities.

16. Absent a court order to the contrary, the non-custodial parent shall have equal access to all school, medical, and psychological records, activities, programs, etc. The custodial parent shall use his/her best efforts to keep the non-custodial parent informed of all these activities.

APPENDIX 5: SHARED CUSTODY PARENTING TIME TERMS AND SCHEDULE

COMMONWEALTH OF KENTUCKY
56TH JUDICIAL CIRCUIT
CALDWELL, LIVINGSTON, LYON AND TRIGG COUNTIES

STANDARD SHARED CUSTODY PARENTING TIME TERMS AND SCHEDULE

Effective December 13, 2019

IN RE: SHARED CUSTODY PARENTING TIME

In light of the statutory presumption for joint custody with shared (equal) parenting time, parents may have agreed, or the Court may have ordered, equal parenting time.

In the absence of a specific written agreement and in the absence of a Court Order which has established a different schedule, the Court, in consulting with family law practitioners, believes that in the absence of those items and in situations where the Guidelines for Visitation/Time-Sharing which have been effective since February 1, 2009, are not already applicable, a standard time-sharing schedule should be in place for parents of children. The following Standard Shared Parenting Time Terms and Schedule shall be the standard schedule for parent who share the same amount of days with the child, otherwise known as equal parenting time.

IT IS ORDERED that the Attachment¹ provides for situations where there is no other guidance for joint custody and shared parenting time. The Attachment is incorporated by reference as if set out in full.

All until further Orders of the Court.

¹ Credit is given to Christian Family Court Judge Jason Fleming for the shared parenting time Attachment.

ATTACHMENT

STANDARD SHARED CUSTODY PARENTING TIME TERMS AND SCHEDULE

1. These rules are applicable where parents have joint legal custody and equal or near-equal parenting time that is not subject to any specific order or specific written agreement between the parties.
2. Both parents have the right to send mail to the child² that the other parent shall not destroy, deface, open, or censor. The parent exercising parenting shall deliver all letters, packages and other material sent to the child by the other parent as soon as received and shall not interfere with their delivery in anyway, unless otherwise provided by law or court order.
3. Both parents have the right to receive notice and relevant information as soon as practicable but within twenty-four (24) hours of any event of hospitalization, major illness or death of the child. The parent exercising parenting time when such event occurs shall notify the other parent of the event and shall provide all relevant healthcare providers with the contact information for the other parent and, if required by the provider, shall authorize the provider to directly communicate with the other parent.
4. Both parents have the right to receive, directly from the child's school any educational records customarily made available to parents. Upon the request from one parent, the parent enrolling the child in school shall, as soon as available, provide to the other parent each academic year the name, address, telephone number, and other contact information for the school. In the case of a child who is being homeschooled, the parent providing the homeschooling shall advise the other parent of this fact along with the contact information of any sponsoring entity or other entity involved in the child's education, including access to any individual student records or grades available online. The school or homeschooling entity shall be responsible upon request, to provide to each parent records customarily made available to parents. The school may require a written request containing a current mailing address and the payment of reasonable costs of duplication. These include copies of the child's report cards, attendance records, names of teachers, class schedules, and standardized test scores.
5. Unless otherwise provided by law or separate Court order, both parents have the right to receive copies of the child's medical health or other treatment records directly from the physician or health care provider who provided treatment or health care. (The keeper of the records may require a written request containing a current mailing address and the payment of reasonable costs of duplication.) No person who receives the mailing address of a parent as a result of this requirement shall provide such address to the other parent or a third person.

² "Child" includes "children" when applicable.

6. Both parents have the right to be given at least forty-eight (48) hours notice, whenever possible, of all extra-curricular activities, and the opportunity to participate or observe them. These include the following: school activities, athletic activities, church activities and other activities where parental participation or observation would be appropriate.
7. Both parents have the right to receive from the other parent, in the event the other parent leaves the state with the minor child for more than two (2) days, a general itinerary including telephone numbers for use in the event of an emergency.
8. Both parents have the right to access and participation in education on the same basis that is provided to all parents. This includes the right of access to the child for lunch and other activities. However, participation or access must be reasonable and not interfere with day-to-day operations or with the child's educational performance.
9. Both Parties shall keep each other apprised of any change in residence or contact information and comply with the applicable Family Court Rules of Procedure and Practice on relocation.
10. The specifics of exchanging the child (time, place, etc.) will be determined by the agreement of the Parties. However, if the Parties cannot agree, then the Party ending his/her visit will drop the child off at the residence of the Party beginning his/her visit for each and every exchange. Neither Party is under any obligation to wait more than thirty (30) minutes at the exchanges. Either Party may use a third party to help facilitate the exchanges.
11. Regarding summer visitation, the summer shall be defined by the calendar for the school district the child attends. The weekly or other shared parenting time schedule shall continue during the summer. However, each Party is entitled to a two-week block of uninterrupted time with the child during the summer. The Parties shall, as soon as possible, provide each other notice of the two weeks they desire to have the child. If the dates conflict, the Petitioner's dates shall control in even years and the Respondent's dates shall control in odd years.
12. In odd-numbered years, the Petitioner shall be allowed to exercise parenting time during spring break, with the Respondent having even-numbered years. The spring break parenting time shall consist of the five (5) weekdays during which spring break is observed, plus that parent's regularly scheduled alternate weekend parenting time either at the beginning of or at the end of spring break.
13. In even-numbered years, the Petitioner shall be allowed to exercise parenting time during the fall break from school, with the Responding having odd-numbered years.
14. In odd-numbered years, the Petitioner shall be allowed to exercise parenting time during the Thanksgiving holiday, with the Respondent having even-numbered years. The Thanksgiving parenting time shall begin at 8:00 pm on the last day of school prior to

Thanksgiving Day for the school district the child attends and shall end upon the return of the child to school the Monday following Thanksgiving Day.

15. Christmas break shall be defined as 8:00 p.m. on the last day of school prior to Christmas Day to 8:00 p.m. on the day before school starts back in January. The Christmas break shall be divided into two parts, Part A and Part B. Part A shall be from 8:00 p.m. on the last day of school prior to Christmas Day at 3:00 p.m. Part B shall be from Christmas Day at 3:00 p.m. to 8:00 p.m. on the day before school starts back in January. The Petitioner shall have parenting time on Part A of the Christmas break in odd years and Part B of Christmas break in even years. The Respondent shall have parenting time for Part A of Christmas break in even years and Part B of Christmas break in odd years.
16. The child shall spend Mother's Day with his/her mother and Father's Day with his/her father. Mother's Day and Father's Day parenting time shall begin at 8:00 p.m. the day before Mother's Day or Father's Day and end at 8:00 p.m. on Mother's Day or Father's Day.
17. In odd-numbered years, the Petitioner shall have the child on Easter and July 4th, with the Respondent having even-numbered years. In odd-numbered years, the Respondent shall have the child on Memorial Day and Labor Day, with the Petitioner having even-numbered years. Parenting time shall be from 8:00 p.m. the day before the holiday until 8 p.m. the day of the holiday.
18. Each Party shall be given liberal telephonic visitation with the minor child as agreed to by the Parties when the child is with the other Party, but not less than that provided below. The Parties are encouraged, but not required, to use Skype, Facetime, or other video calling software for this visitation. Unless otherwise agreed by both Parties, each Party shall have telephonic visitation every Tuesday or Thursday and every Saturday in which he/she does not have the child at 6:00 PM of the child's local time. The visitation shall be at least 20 mins but no longer than 30 mins unless agreed by the Parties. If the child is unavailable at the appointed time, then the Party with the child shall have the child return the call as soon as possible within reason, when the child becomes available.
19. The Parties are encouraged to work together for the best interests of the child and are advised that the above schedule, including the holiday and telephonic visitation schedules, is just the minimum required. The Parties are free to agree, and encouraged, to more than the above scheduled visitation at their discretion and are urged to do so provided that the agreement is in writing.
20. The Court advises the Parties that any violations of court-order terms and/or scheduled may be addressed by the Court and may result in a suspension, restriction, or termination of the contact with the child, or utilization of the contempt powers of this Court, including but not limited to, up to a \$500 fine, up to 180 days in the County Jail, or both.

21. All Parties are restrained from discussing this litigation or adult issues directly with or in the presence of the child. Further, neither Party shall allow third parties to discuss this litigation with or in the presence of the child.
22. Both Parties are restrained from making derogatory comments about the other Party, members of the family, friends or significant others, either directly to or in the presence of the child. Neither Party shall allow third parties to make such derogatory comments.
23. All Parties are restrained from questioning the child for information regarding the other Party's lifestyle or choice of significant others. Further, neither Party shall condone third Parties to question the child for information regarding either Party.
24. Neither Party shall allow the child to view, hear or experience domestic violence when the child is in his or her possession. The Parties are advised that they will be held responsible for the actions of third parties.
25. The Parties shall communicate directly on issues regarding the child. Neither Party shall utilize the child for said communication.
26. Neither Party shall post derogatory comments about the other Party on the internet or allow third parties to do so. Neither Party shall allow the child to view pornography.
27. Neither Party shall use alcohol prior to or during transport of the child or any illegal drugs at least twenty-four (24) hours prior to or during the possession of the child. This restriction applies to third parties in the home of each Party as well. The Parties are advised that they will be held responsible for the actions of third parties while in the child's presence.
28. There shall be no threats or acts of abuse or harassment at any time by either Party.
29. Each Party will use the proper car seat and/or restraints required by law in transport of the child.

Artificial Intelligence – Use of AI to Create Court Submissions

Lawyers and *pro se* litigants who use technology like ChatGPT, Google Bard, Bing AI Chat, or other generative artificial intelligence services to prepare documents that the parties file in the record in this case are cautioned that generative AI technologies sometimes may produce factually or legally inaccurate content. The Court does not prohibit the use of AI, but to comply with Rule 11 of the Federal Rule of Civil Procedure and other applicable legal and ethical standards, attorneys and *pro se* litigants must review and verify computer-generated content to ensure that is accurate and complies with all such governing standards.