

Supreme Court of Kentucky

ORDER

IN RE: APPROVAL OF AMENDED RULES OF DISTRICT COURT PRACTICE AND PROCEDURE FOR THE 25TH JUDICIAL DISTRICT, CLARK AND MADISON COUNTIES

Upon the recommendation of the District Court Judges of the 25th Judicial District, Clark and Madison counties, and being otherwise sufficiently advised,

The Amended Rules of District Court Practice and Procedure for the 25th District, Clark and Madison 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 16th day of September 2022.


CHIEF JUSTICE JOHN D. MINTON, JR.

**COMMONWEALTH OF KENTUCKY
25TH JUDICIAL DISTRICT**

**2022 AMENDED
RULES OF DISTRICT COURT
PRACTICE AND PROCEDURE**

PREAMBLE

The following Rules of Practice and Procedure are adopted to promote and facilitate the fair and efficient administration of justice in the Courts of the 25th Judicial District. These rules are designed to inform the public as to how the court system operates, to assist the practitioner in the presentation of cases, and to generally enhance the dignity of and respect for the local court system. The overriding purpose of these rules is to provide for the fair, prompt, and consistent administration of justice in the local court system.

I. GENERAL PROVISIONS

101. COURTS OF THE 25TH JUDICIAL DISTRICT

(a) There are two (2) District Courts in the 25th Judicial District: Clark District Court and Madison District Court. Clark District Court holds sessions at 17 Cleveland Avenue, the Governor James Clark Judicial Center, Second Floor, Winchester, Kentucky. Madison District Court holds sessions in the Madison Hall of Justice, 351 West Main Street, Richmond, Kentucky.

(b) Sessions of Court are per Order entered and recorded in the District Court Clerk's Office.

(c) Time or courtroom for a particular session of District Court is subject to temporary or permanent change without notice should circumstances require.

(d) The 25th Judicial District has three (3) divisions in District Court. The divisions shall be designated Division I (One), Division II (Two), and Division III (Three) with each division assigned to one (1) judge.

(e) These Local Rules of Practice for the 25th Judicial District Courts are intended to provide a compendium of uniform procedures for the convenience of litigants, the bench, and the bar. They are intended to supplement the Kentucky Rules of Civil Procedure and Kentucky Rules of Criminal Procedure and shall be construed to be consistent with those Rules.

102. COURT SESSIONS

The divisions specified above contain separate sessions. All matters within the jurisdiction of District Court, pursuant to KRS 24A *et al.* and the concurrent jurisdiction of District Court and Family Court as found in KRS 23A.100 including, but not limited to, appointments as a special judge, can utilize telephonic and video technology to conduct all proceedings or portions thereof remotely at the discretion of the presiding judge. Regardless of format, all matters shall be scheduled on the dates and times designated in the court schedule relative to each division.

II. CRIMINAL PRACTICE

200. JURY TRIAL WAIVERS

Defendants shall have the right to a jury trial in all criminal prosecutions, including prosecutions for violations of traffic laws, in the District Court. A defendant may request a jury trial at any time prior to the time his or her case is called for trial. Any waiver of a defendant's right to a jury trial shall be in writing. Once a defendant asserts his or her right to a jury trial, the request may not be withdrawn over the objection of the Commonwealth and permission of the Court.

201. MOTIONS

(a) To facilitate the preparation of motion dockets, all motions must be in writing and shall be filed and served not later than forty-eight (48) hours prior to the scheduled hearing, excluding Saturdays, Sundays, and holidays if service is made in person. If copies to opposing counsel and the Court are served by mail, said motion must be filed not later than five (5) days prior to the day of the scheduled hearing. Counsel may set motions to be heard on the regular hearing docket of the respective Court or in the case of lengthy motions, scheduling same with the Court.

(b) In matters docketed for trial by jury, all dispositive motions, discovery issues, motions to continue, and foreseeable evidentiary motions shall be scheduled to be heard on the date of the pretrial conference unless another hearing date has been assigned by the Court. Such matters will not be heard on the date of trial except for good cause shown or as provided by the Rules of Civil or Criminal Procedure.

202. COPIES TO COURT

Counsel shall mail, e-mail, or hand-deliver a copy of each written motion to the Court when the original is filed with the District Court Clerk's Office in order to allow the Court to review the motion and supporting memoranda or affidavits prior to the hearing. Failure to comply with this Rule may result in the Court issuing a continuance.

203. GUILTY PLEAS (JURY TRIALS)

When a defendant's case has been scheduled for a trial by jury, all reasonable efforts should be made to prevent unnecessary delay of the trial and inconvenience to the jury. Attorneys and defendants are to use their best efforts toward settlement and should exhaust completely all efforts toward settlement no later than 3:00 p.m. the last business day prior to the trial date in order to

permit the Court to schedule the entry of a defendant's guilty plea or the Commonwealth's Motion to Dismiss and to notify the jury.

204. PRETRIAL CONFERENCES (JURY TRIALS)

(a) Pretrial conferences will be held as a matter of course in all criminal and traffic cases in which a defendant has requested a trial by jury.

(b) The Court may set a status conference following the first arraignment. If a plea arrangement cannot be reached at the status conference and a defendant waives his or her right to a trial by jury in writing, a date for a bench trial will be set.

(c) If a defendant wishes to exercise his or her right to a trial by jury, a pretrial conference will be scheduled. At the pretrial conference, all motions, stipulations, and proposed jury instructions shall be presented to the Court in addition to any other matters required to be heard at the pretrial conference pursuant to DPR 202. Unless good cause is shown, no case will be assigned more than one (1) pretrial conference. All parties and fact witnesses are required to be present at the pretrial conference. Parties are to be prepared to discuss the anticipated length of trial, evidentiary issues, legal issues, and to hear motions at the pretrial conference.

205. CONTINUANCES

In all matters, continuances will be granted only for good cause shown.

206. TRIAL DATE (JURY TRIALS)

Every effort shall be made by the Court and counsel to promote efficiency, to maintain decorum and to avoid inconvenience to the jury panel. All counsel, defendants, and witnesses shall be present at 8:30 a.m. on the date of trial. Counsel, defendants, and witnesses for cases

which are not anticipated to be heard first shall nevertheless report and remain available for trial throughout the day. Unless otherwise directed by the Court, counsel and defendants of the case selected as the first trial of the day shall be seated at the counsel table at 9:00 a.m. to announce ready for trial.

207. DISMISSALS FOR FAILURE TO PROSECUTE

Pursuant to RCr 13.03, at least once each year, the Court shall review all pending criminal actions on its dockets. Notice shall be given to each attorney of record of every case in which no pretrial step has been taken within the last year that the case will be dismissed in thirty (30) days for want of prosecution except for good cause shown. The Court shall enter an Order dismissing without prejudice each case in which no answer or an insufficient answer to the notice is made. This Rule shall not apply to cases where the trial Court has issued an arrest warrant or Frankfort Notice based on a defendant's failure to appear in the case.

208. SEARCH WARRANTS

Copies of all search warrants and supporting affidavits shall be filed in the District Court Clerk's Office pursuant to RCr 13.10. An executed copy shall be filed by the executing officer in the District Court Clerk's Office within forty-eight (48) hours of execution. If an arrest results therefrom, the above papers shall be placed in the case jacket of the defendant. Supporting affidavits shall be sworn to before the Circuit Judge, District Judge, or the Circuit Clerk in the absence of all judges, or before a person properly authorized by Order of this Court. All supporting affidavits and search warrants shall be reviewed by an attorney for the Commonwealth prior to the submission to the Court. Search warrants and supporting affidavits may be submitted to the Court electronically to the appropriate division's @kycourts.net email address. Judge Charles W. Hardin,

Division I at charleshardin@kycourts.net; Judge Robert V. Jennings, Division II at robertjennings@kycourts.net; and Judge Earl-Ray Neal, Division III at erneal@kycourts.net. All search warrant submissions shall be in PDF format. All search warrant submissions submitted to the Court in person shall be in triplicate.

209. SUBPOENAS

All subpoenas to be served by the Sheriff should be delivered to the Sheriff's Office at least ten (10) days prior to the trial date. Motions for continuances due to the absence of witnesses may be denied, unless it is certified that this Rule was complied with, or good cause shown.

210. VICTIM NOTICE/RIGHTS

To comply with and facilitate the "Marsy's Law" Constitutional Amendment, the following provisions are adopted:

(a) As defined in KRS 421.500, "victim" means an individual directly and proximately harmed as a result of:

1. The commission of a crime classified as a felony; a misdemeanor involving threatened or actual physical injury, harassment, or restraint; a misdemeanor involving a child or incompetent person; or a misdemeanor involving a sexual offense or a trespass; or
2. Conduct which, if committed by an adult, would be classified as a felony or a misdemeanor described in subparagraph 1 of this paragraph.

(b) If the victim is a minor, incapacitated, or deceased, "victim" also means one (1) or more of the victim's spouse, parents, siblings, children, or other lawful representatives which shall

be designated by the Court unless the person is the defendant or a person the Court finds would not act in the best interests of the victim.

(c) Except for notices to victims that the Clerk of the Court is statutorily required to provide and upon request of the victim, the County Attorney shall be responsible for notifying victims of all District Court proceedings, including pretrial conferences. Nothing in this rule shall prohibit notice being given by defense counsel.

(d) If a victim requested notice and provided the County Attorney with a current address and phone number prior to the proceeding but did not receive notice of the proceeding, then the victim may file a written statement in the Court record.

(e) If a victim is present at a hearing and wishes to be heard, the County Attorney shall endeavor to notify the parties and the Court prior to the hearing.

(f) Upon request of a victim, the District Court Clerk's Office in Madison County cases, and the County Attorney in Clark County Cases, shall certify to the Department of Revenue any unpaid restitution debt. The certification shall be routinely made upon discharge of probation and entry of a civil judgment for unpaid restitution.

(g) Victims have the right to assert their rights and, if violated, to seek enforcement of such rights. To ensure notice to others, enforcement requests must be submitted in writing, filed in the court record, and detail what right(s) was violated and when and how the violation occurred.

211. NOTICE TO COMMONWEALTH ATTORNEY AND COUNTY ATTORNEY

In all cases bound to the Grand Jury in which a bond motion is requested in District Court, notice of the motion shall be certified by moving counsel as sent to the Office of the Commonwealth Attorney and the County Attorney.

III. JUVENILE DIVISION

300. PROCEEDINGS

All proceedings in the Juvenile Division shall be conducted pursuant to the Unified Juvenile Code, KRS Chapter 600 to 645, as amended.

301. MOTIONS

(a) Motions should be filed and served as set out in DPR 201 but shall be scheduled during regular sessions of the Juvenile Division. To facilitate the preparation of motion dockets and preparation by the Court, all motions must be in writing and shall be filed and served not later than forty-eight (48) hours prior to the scheduled hearing, excluding Saturdays, Sundays, and holidays, if service is made in person. If copies to opposing counsel and the Court are served by mail, said motion must be filed not later than five (5) days prior to the day of the scheduled hearing. Copies of all motions shall be served to the Court in the manner prescribed in DPR 202. Counsel may set motions to be heard on the regular hearing docket of the Juvenile Court or in the case of lengthy motions, scheduling same with the Court.

(b) In matters set for adjudication, all dispositive motions, discovery issues, motions to continue and foreseeable evidentiary motions shall be scheduled to be heard on date of the pretrial conference unless another hearing date has been assigned by the Court. Such matters will not be

heard on the date of adjudication except for good cause shown or as provided by statute or procedural rule.

302. VICTIM NOTICE/RIGHTS IN JUVENILE CASES

To comply with and facilitate the “Marsy’s Law” Constitutional Amendment, the following provisions are adopted:

(a) As defined in KRS 421.500, “victim” means an individual directly and proximately harmed as a result of:

1. The commission of a crime classified as a felony; a misdemeanor involving threatened or actual physical injury, harassment, or restraint; a misdemeanor involving a child or incompetent person; or a misdemeanor involving a sexual offense or a trespass; or

2. Conduct which, if committed by an adult, would be classified as a felony or a misdemeanor described in subparagraph 1 of this paragraph.

(b) If the victim is a minor, incapacitated, or deceased, “victim” also means one (1) or more of the victim’s spouse, parents, siblings, children, or other lawful representatives which shall be designated by the Court unless the person is the defendant or a person the Court finds would not act in the best interests of the victim.

(c) Except for notices to victims that the Clerk of the Court is statutorily required to provide and upon request of the victim, the County Attorney shall be responsible for notifying victims of all District Court proceedings, including pretrial conferences. Nothing in this rule shall prohibit notice being given by defense counsel.

(d) If a victim requested notice and provided the County Attorney with a current address and phone number prior to the proceeding but did not receive notice of the proceeding, then the victim may file a written statement in the Court record.

(e) If a victim is present at a hearing and wishes to be heard, the County Attorney shall endeavor to notify the parties and the Court prior to the hearing.

(f) Upon request of a victim, the District Court Clerk's Office in Madison County cases, and the County Attorney in Clark County Cases, shall certify to the Department of Revenue any unpaid restitution debt. The certification shall be routinely made upon discharge of probation and entry of a civil judgment for unpaid restitution.

(g) Victims have the right to assert their rights and, if violated, to seek enforcement of such rights. To ensure notice to others, enforcement requests must be submitted in writing, filed in the court record, and detail what right(s) was violated and when and how the violation occurred.

IV. CIVIL PRACTICE

400. TIMES FOR MOTIONS

(a) Motions shall be scheduled for the days and times indicated on the Court schedule. The District Court Clerk's Office shall maintain a civil motion docket and shall docket each motion in the order that it is filed. Counsel should contact the District Court Clerk's Office to obtain a date for a hearing. The Court assumes that each hearing will take no longer than fifteen (15) minutes. The Court requests counsel to obtain a special day and time from the Court to hear motions that will last longer than fifteen (15) minutes.

(b) The District Court Clerk's Office shall not schedule more than fifty (50) cases per motion docket. Any motion filed after the limitation has been met shall be administratively continued over by the District Court Clerk's Office . In the event of an administrative continuance, the District Court Clerk's Office is responsible for notifying counsel and the parties of the new date and time.

401. SERVICE OF MOTIONS

Motions should be in writing, except motions made orally during trial. Service of motions shall be pursuant to DPR 201.

402. MOTIONS UNDER CR 78(2)

Motions may be made pursuant to CR 78(2), which provides for the determination of motions without oral hearings upon brief written statements of reasons in support and opposition of the motion. A proposed order shall accompany the motion. The movant shall state and give notice that the motion is made pursuant to CR 78(2) and shall direct the attention of the opposing attorney (or party if there is no attorney) to the fact that under this local rule, the motion may be granted routinely by the Court within ten (10) days after filing unless an objection is received, or a response filed. Should the party opposing the motion wish to have an oral hearing, they may so state in their response, and after contacting the District Court Clerk's Office as outlined above, shall proceed to set the motion for a civil motion docket.

403. CONTINUANCES

An attorney who will be unable to be present at the time set for a motion shall immediately contact the opposing attorney and attempt to establish a mutually agreeable time for the hearing. Continuances for motions may be granted upon agreement of parties and the notification of the

District Court Clerk's Office. Should this prove unsuccessful, the party desiring a continuance shall file a motion for continuance in writing. The Court will then consider the motion for continuance and determine whether to reschedule the hearing.

404. COPIES TO COURT

Counsel must mail, email, or hand-deliver a copy of each written motion (except Motions for Default Judgments) to the Court when the original is filed with the District Court Clerk's Office in order to allow the Court to review the motion and supporting memoranda or affidavits prior to the hearing. Failure to comply with this Rule may result in a continuance.

405. DEFAULT JUDGMENTS

A party seeking a default judgment shall first file a written motion and notice to a defendant(s) for such judgment. All such motions must be heard and scheduled on a civil motion docket. The judgment must also contain a statement by the attorney for the party seeking such a judgment conforming with the certificate required by CR 55.01. Court appearances by the attorney representing the party seeking judgment shall be mandatory.

406. PRETRIAL CONFERENCES (JURY TRIALS)

The Court will require the parties to meet to discuss and narrow the issues. Parties should be prepared to stipulate facts as to the admissibility of certain documents or other such evidence, to agree upon the issues to be tried, and to tender proposed jury instructions.

407. JURY TRIALS

(a) A party desiring a jury trial must demand so as provided in CR 38.02, and must pay the jury trial fee before, or at the time, of making the demand. Otherwise, the Court may consider any right thereto waived, and the trial, if any, may be heard by the Court.

(b) There shall be no right to a jury trial in civil actions in which the amount in controversy does not exceed two hundred and fifty dollars (\$250).

408. SETTLEMENTS (JURY TRIALS)

To give the Court an opportunity to notify the jury pool that service is not needed, all parties should notify the Court by 3:00 p.m. the business day prior to the trial date of a civil case of any settlement therein.

409. SUBPOENAS

All subpoenas to be served by the Sheriff should be delivered to the Sheriff's Office at least ten (10) days prior to the trial date. Motions for continuances due to the absence of witnesses may be denied, unless it is certified that this Rule was complied with, or good cause shown.

410. TRIAL DATE (JURY TRIALS)

Every effort shall be made by the Court and counsel to promote efficiency, to maintain decorum, and to avoid inconvenience to the jury panel. All counsel, parties, and witnesses shall be present at 8:30 a.m. on the date of trial. Counsel, parties, and witnesses for cases which are not anticipated to be heard first shall nevertheless report and remain available for trial throughout the day. Unless otherwise directed by the Court, counsel and parties of the case selected as the first trial of the day shall be seated at counsel table at 9:00 a.m. to announce that they are ready for trial.

411. SPECIAL BAILIFFS

Special bailiffs may be appointed upon the affidavit of the moving party pursuant to KRS 454.145.

412. SPECIAL BAILIFFS' COMPENSATION

Special bailiffs may be compensated for the same fees authorized and allowed to sheriffs for similar services.

V. PROBATE PRACTICE

500. PETITIONS FOR PROBATE

(a) To commence the probate of a decedent's estate, a petition for the appointment of a fiduciary, probate of a will, or similar initial pleading shall be filed in the Probate Division of the District Court Clerk's Office, and all required fees paid. The Court prefers that counsel refrain from using fill-in-the blank forms. Form AOC-830, Petition/Order to Dispense with Administration, and Form AOC-825, Fiduciary Bond, are exceptions to this preference.

(b) Whenever a party is requesting the probate of a will, the party shall file the original will with the Probate Division of the District Court Clerk's Office simultaneously with the petition seeking probate or similar initial pleading. The party shall pay at this time the fee charged by the County Clerk for the recording of wills. The Probate Division of the District Court Clerk's Office shall be responsible for collecting this fee and causing any will admitted to probate to be recorded with the County Clerk. Any party who has paid the fee for the recording of a will shall have his or her fee refunded in the event the will is not admitted to probate by the Court.

501. PROOF OF THE EXECUTION OF WILLS

No will offered for probate will be accepted unless proof is submitted to the Court regarding its due execution. This proof may be presented in the form of oral testimony, affidavit, deposition, or any other form deemed acceptable by the Court.

502. PROBATE DOCKET

(a) The Court shall consider probate cases after they have been placed on the Probate Docket by the Probate Division of the District Court Clerk's Office as indicated above. Petitions should be filed no later than five (5) days preceding court. If a hearing requiring more than fifteen (15) minutes is requested, counsel should contact the Court to obtain a day and time for such hearing, and notice shall be given thereafter. Walk-in probate petitions may be considered during the Probate Docket at the discretion of the presiding judge.

(b) In addition to the Probate Docket, counsel may submit uncontested probate matters directly to the Court to be considered at the convenience of the Court. Any petition requesting the appointment of a personal representative shall be accompanied by a sworn oath of office and fiduciary bond, with proper surety if required, of the person or persons seeking appointment. A matter submitted to the Court pursuant to this Rule shall be considered solely at the convenience of the Court. Any matter which counsel wishes to be heard at a time certain shall be placed on the Probate Docket. The Court retains discretion to require a matter submitted under this Rule to be placed on the Probate Docket and the Probate Division of the District Court Clerk's Office shall provide notice to the parties of such need and cause the matter to be placed on the Probate Docket.

503. NOTICE AND WAIVER

Unless the person seeking appointment as a personal representative is named Executor in a will offered for probate, notice of the hearing on the appointment must be given to all heirs at law. This notice must be in writing. Notice may be by ordinary mail at least five (5) days before the hearing. Proof of service in the form of a copy of the mailed notices and a certificate of service shall be filed in the record with the petition requesting appointment. In lieu of such notice, the Court will accept a notarized waiver from each heir indicating that he or she does not desire to attend the hearing.

504. BOND AND SURETY

The personal representative shall be required to make a bond. The amount of this bond shall be the estimated value of the estate for which the fiduciary is entrusted; but the value of the real estate will be excluded unless the will grants the power of sale, or the fiduciary has petitioned the Court to sell the real estate. Surety will be excused where the will requests that surety not be required or, in the discretion of the Court, where it is deemed unnecessary for the protection of the estate or in instances where a notarized waiver of surety is executed by all parties in interest and filed. Trust companies may pledge their capital stock in the amount of the bond.

505. PETITIONS TO DISPENSE WITH ADMINISTRATION

When there are no probatable assets, or under the appropriate circumstances, the Court may order that administration of the estate be dispensed with. Such orders may be entered upon a petition requesting such relief filed.

506. SETTLEMENTS

All settlements must comply with statutory requirements and be sufficiently detailed to give the Court enough information to approve them. Informal Settlements may be submitted in accordance with KRS 395.605.

507. COMPENSATION

Any request for compensation made by a personal representative or an attorney for the estate must be clearly itemized in the Final Settlement for approval by the Court.

508. PUBLIC ADMINISTRATORS

Public Administrators will be appointed by the Court on a case-by-case basis as needed. The Clerk shall maintain a list of those local attorneys wishing to serve as Public Administrator. Any local attorney may submit his or her name to the list.

VI. UNLICENSED SCHOOLS, PROGRAMS, TRAINING, PROBATION, AND MISDEMEANOR DIVERSION PROGRAMS

600. GUIDELINES FOR THE USE OF UNLICENSED SCHOOLS, PROGRAMS, TRAINING, PROBATION, AND MISDEMEANOR DIVERSION PROGRAMS

(a) The 25th Judicial District Court rescinds all prior guidelines for the use of unlicensed schools, programs, training, probation, and misdemeanor diversion programs, and hereby Orders and adopts the Rules of the Supreme Court (SCR), Rule 9, *et al.*, and KRS 533.262.

(b) In addition to any Misdemeanor Diversion Program (MDP) operated by the Administrative Office of the Courts, the County Attorney in Clark County and Madison County may operate a MDP, which shall comply with the following parameters and procedures:

1. The County Attorney may not charge a fee for the MDP that has not been approved by the Chief Judge of the District Court;

2. The County Attorney must offer a sliding scale to a fee of zero to all participants in the MDPs. The ability of a participant to pay the fee shall be taken into consideration in determining the fee. The Federal Poverty Guidelines shall be used to determine a participant's ability to pay as provided in the Court of Justice Administrative Procedures (AP), Part XV;

3. Annually, the County Attorney shall submit to the Chief Judge of the District Court an itemized list of the income generated by the operation of the MDP. Said accounting shall list the total number of participants and the percentages which participants paid full cost, reduced cost, and no cost;

4. All participants must fill out a modified Affidavit of Indigency. This requirement may not be waived in any case and the modified Affidavit of Indigency must be kept by the County Attorney for inspection by the Chief District Judge.

5. There shall be no on docket review by the Court of a participant's compliance with the MDP. Mass orders of dismissal for successful participants shall be prepared by the County Attorney and submitted to the Court for signature and entry. The proposed orders shall include the name of the participant, the criminal charge(s), the date of completion, and the date fees are paid in full;

6. If in the opinion of the County Attorney a participant does not successfully complete the MDP, the County Attorney shall prepare, file, and serve upon the participant a "Notice of Intent to Prosecute." The matter shall then be re-docketed by the District Court Clerk's Office for judicial

review pursuant to RCr 8.04(4) for potential prosecution. In the event of revocation, the participant shall no longer be eligible for participation in the MDP within that case; and

7. Upon termination of the participant from a MDP and the failure of the County Attorney to file a Notice of Intent to Prosecute may result in dismissal of the matter pursuant to DPR 207.

VII. MISCELLANEOUS PROVISIONS

700. CLERK'S AUTHORITY TO ACCEPT PROOF ON CERTAIN TRAFFIC RELATED OFFENSES

The District Court Clerk or Deputy Clerk may accept proof for the following offenses:

- (a) Failure to Notify Address Change to Department of Transportation under KRS 186.540;
- (b) Operating Vehicle with Expired Operator's License under KRS 186.410(2);
- (c) Failure to Produce an Insurance Card under KRS 304.39-117;
- (d) Registration Cases under KRS 186.170; and
- (e) No Operators License in Possession under KRS 186.510.

Once sufficient proof has been shown to the District Court Clerk or Deputy Clerk and such proof has been photocopied, file stamped, and placed in the file, said Clerk may mark the docket sheets as "DISMISSED WITHOUT PREJUDICE PROOF SHOWN" and submit it to the Court for signature.

701. DESIGNATION OF STATE HOLIDAYS

The Court will observe the Administrative Office of the Courts holiday schedule and no sessions will be held on these dates designated as state holidays. A yearly list of such holidays will be available in the District Court Clerk's Office upon request.

702. SCHEDULED SESSIONS

It shall be the Court's policy to begin each session on time. If attorneys or parties desire to confer with the County Attorney prior to court, they should arrange to arrive at court in a sufficient time to do so without delaying the commencement of court and without attempting to talk to the County Attorney after court has convened.

703. INTERVIEW BY PRETRIAL RELEASE OFFICER

The Court shall not, except for good cause, be requested to release any person that has been incarcerated until the Pretrial Release Office has interviewed that person. After this interview, the Pretrial Release Officer will make appropriate recommendations to the Court.

704. PREPARATION CERTIFICATE

All documents, motions and orders shall have a certificate stating the preparer's name, address, phone number, and place for signature in accordance with CR 11. All such documents must be signed by the preparer prior to consideration by the Court.

705. FACSIMILES AND EMAILS

Facsimiles or PDF emails of criminal, juvenile, emergency mental or domestic violence orders, or a photocopy thereof, shall serve for all purposes as an original of said documents. This Rule applies only to documents executed by the Court and not to papers filed by counsel of the

respective parties. Electronic filing of forms is encouraged and shall follow the rules of the Kentucky Supreme Court.

706. GENERAL TERMS OF AMENDMENT AND CHANGES

(a) The Court may have a General Term at which the Judges of the District shall preside and may at this General Term adopt amendments or changes to these Rules subject to the approval of the Chief Justice of the Supreme Court.

(b) These Rules have been adopted in compliance with SCR 1.040(3)(a) and any changes herein shall be made in accordance with said Rule.

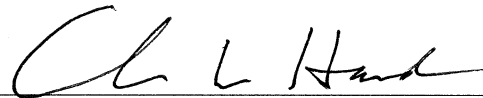
(c) IT IS HEREBY ORDERED that all previous Rules of Practice and Procedure of the 25th Judicial District Courts are hereby set aside and repealed.

(d) This Order promulgated and entered by the Chief Judge and the presiding Judges of the 25th Judicial District, and these rules shall be effective upon approval by the Kentucky Supreme Court on the date set forth on the Order approving.

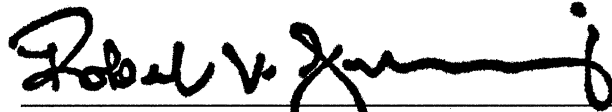
707. CITATION OF RULES

These rules may be cited as “DPR __#__” or District Court Practice and Procedure Rules, 25th Judicial District”.

Done this the 15th day of September, 2022.



JUDGE CHARLES W. HARDIN
25TH JUDICIAL DISTRICT
DIVISION I



JUDGE ROBERT V. JENNINGS
25TH JUDICIAL DISTRICT
DIVISION II



JUDGE EARL-RAY NEAL
CHIEF JUDGE
25TH JUDICIAL DISTRICT
DIVISION III