

# Supreme Court of Kentucky

2023-33

ORDER

## **In Re: Mandatory Electronic Entry of Orders**

In 2013, the Supreme Court approved the first Electronic Filing Pilot Project. The pilot project eventually expanded statewide and, since October 2015, electronic filing (eFiling) has been available in every county of the Commonwealth.<sup>1</sup> Circuit court clerks are processing between 120,000 and 140,000 eFiling submittals every month, and over 5.6 million eFiling submittals have been processed since the program's inception.

To facilitate the eventual goal of an electronic case record, in July 2022 the Supreme Court began ordering mandatory eFiling of eligible documents for attorneys in certain case types.<sup>2</sup> While the Supreme Court has continued to add to the list of case types in which eFiling is mandatory for attorneys,<sup>3</sup> it has also strongly encouraged judges to electronically enter their orders into the record, either on their own or with the assistance of trained judicial support staff. The use of electronic entry for orders (eOrders) furthers the creation of an electronic case record and ensures parties are promptly notified of judges' decisions.

In light of the increasing number of case types in which attorneys are required to eFile and the steady increase in judges who are trained in and embracing the use of eOrders, the Court has determined it is appropriate to move forward with mandatory use of eOrders in specific case types. The Court recognizes that more time is needed to ensure judges and their judicial support

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<sup>1</sup> See Administrative Order 2022-65, Administrative Rules of Practice and Procedure, Electronic Filing in the Kentucky Court of Justice.

<sup>2</sup> See Administrative Orders 2022-22, 2022-45, 2022-51, 2023-04, 2023-11, and 2023-21, *In re: Mandatory Electronic Filing in Selected Case Types in the Circuit and District Courts of the Commonwealth*. A list of all Mandatory eFiling Administrative Orders entered by the Supreme Court can be found here: <https://ehelp.kycourts.net/rules-for-e-filing/>.

<sup>3</sup> See Appendix A for a list of mandatory eFiling case types as of September 1, 2023.

staff have sufficient training and necessary equipment to enable the entry of eOrders.

Accordingly, under Section 116 of the Kentucky Constitution and Supreme Court Rule 1.010, the Supreme Court hereby ORDERS as follows:

Effective March 1, 2024, all district, circuit, and family court judges shall electronically enter orders in all case types in which eFiling is mandatory for attorneys.

In addition to the case types in which eFiling is mandatory for attorneys, the following AOC forms shall be entered electronically:

1. Notice of Firearm Prohibitions, Form AOC-031;
2. Order Granting/Denying Petition/Motion for Removal of Firearm Prohibitions, Form AOC-033;
3. Judgment and Order for 60-Day or 360-Day Involuntary Hospitalization or Involuntary Admission, Form AOC-730; and
4. Disability Judgment, Form AOC-785.

Because of technical limitations, eOrders are not required in the following circumstances:

1. Orders/documents filed under seal;
2. Docket or calendar orders;
3. Domestic violence orders;
4. Emergency custody orders; and
5. Specialty Court documents.

This Order does not apply to domestic relations commissioners, trial commissioners, or retired judges who have been appointed as special judges under Section 110(5)(b) of the Kentucky Constitution.

Entered this 21st day of September 2023.

All sitting; all concur.

  
CHIEF JUSTICE

## **Appendix A**

### **Mandatory eFiling case types as of September 1, 2023**

1. Real Property – Foreclosure
2. Consumer – Credit card debt collection
3. Tort—Automobile
4. Tort—Intentional
5. Tort—Malpractice—Medical
6. Tort—Malpractice—Other
7. Tort—Premises Liability
8. Tort—Product Liability
9. Tort—Property Damage
10. Tort—Slander/Libel/Defamation
11. Tort—Other
12. Consumer—Seller Consumer Goods
13. Consumer—Seller Consumer Services
14. Consumer—Buyer Consumer Goods
15. Consumer—Buyer Consumer Services
16. Consumer—Fraud
17. Consumer—Other
18. Business/Commercial—Business Tort
19. Business/Commercial—Statutory Action
20. Business/Commercial—Contract Dispute
21. Business/Commercial—Other
22. Real Property—Abandoned and Blighted Property Conservatorship
23. Real Property—Property Rights
24. Real Property—Forcible Detailer—Eviction
25. Real Property—Other
26. Employment—Employment Discrimination
27. Employment—Other
28. Domestic Relations—Dissolution/Divorce with Children
29. Domestic Relations—Dissolution/Divorce without Children

30. Domestic Relations—Paternity
31. Domestic Relations—Custody
32. Domestic Relations—Child Support IV-D<sup>4</sup>
33. Domestic Relations—Child Support Private, Non-IV-D
34. Domestic Relations—URESAs/UIFSAs
35. Domestic Relations—Visitation/Parenting Time
36. Domestic Relations—Voluntary Termination of Parental Rights
37. Domestic Relations—Involuntary Termination of Parental Rights
38. Domestic Relations—Adoption

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<sup>4</sup> Under Administrative Order 2023-28, the deadline for mandatory eFiling in Child Support IV-D cases is delayed six months, until February 1, 2024.