

Supreme Court of Kentucky

2025-33

EMERGENCY ORDER

**In Re: Emergency Order, Franklin County Circuit and District Courts
– Authorization for Relocation of Records, Destruction of
Records Damaged Beyond Repair**

Over the course of several days, beginning April 5, 2025, extensive and historic flooding occurred in several Kentucky counties, prompting the Governor of the Commonwealth of Kentucky to declare a State of Emergency and the President of the United States to declare a major disaster area for purposes of federal financial aid. The Franklin County Courthouse, located at 222 St. Clair Street, Frankfort, Kentucky 40601, sustained significant damage from floodwaters disrupting essential court functions. Due to these conditions, Chief Circuit Judge Thomas Wingate actually and legally closed the courthouse, Monday, April 7, 2025, through Friday, April 18, 2025. Further, a substantial amount of court records in the custody of the Franklin County Circuit Court Clerk's office were damaged.

On or about April 8, 2025, the Administrative Office of the Courts contracted with a vendor to assess the damage and remove the court records. Due to the extensive damage sustained by the Franklin County Circuit Court Clerk's office, extraordinary circumstances exist requiring immediate adoption of this Emergency Order. This Emergency Order does not abridge, enlarge, or modify the substantive rights of any litigant.

Accordingly, under Section 110(5)(b) of the Kentucky Constitution, and KRS 26A.200-220, the Supreme Court having the authority to promulgate

rules regarding the records of the Kentucky Court of Justice and the Chief Justice having authority to issue orders enforcing said rules, it is HEREBY ORDERED as follows:

The Franklin County Circuit Court Clerk is authorized to remove court records from the Franklin County Courthouse and transfer the court records to any vendor approved by the Administrative Office of the Courts to perform drying and remediation, destruction, or storage of files damaged as a result of the April 2025 flooding.

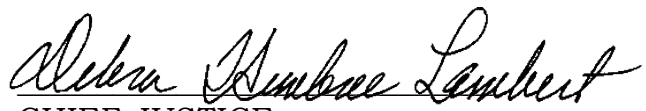
In consultation with the Administrative Office of the Courts and the Kentucky Court of Justice Records Officer, the Franklin County Circuit Court Clerk may authorize any vendor to perform drying, cleaning, remediation and destruction of documents consistent with the Kentucky Court of Justice Records Retention Schedule (1978-Present), unless a deviation from the Schedule is deemed necessary and appropriate.

Additionally, any court records of which the Franklin County Circuit Court Clerk is the custodian, may be stored in the Franklin County Courthouse or if space does not permit, at any other secure location in Franklin County as may be contracted by the Administrative Office of the Courts.

This Emergency Order is effective immediately and until further Order of the Court.

All sitting. All concur.

Entered this 20th day of August 2025.


CHIEF JUSTICE