

# Supreme Court of Kentucky

2022-05

## AMENDED ORDER

### IN RE: CERTIFICATION OF NECESSITY FOR THE CREATION AND ELIMINATION OF CERTAIN JUDGESHIPS AND LIMITED REARRANGEMENT OF JUDICIAL CIRCUITS AND DISTRICTS

Under Sections 112(2) and 113(2) of the Kentucky Constitution, the Supreme Court of Kentucky may certify to the General Assembly of the Commonwealth of Kentucky the need to “reduce, increase or rearrange” the judicial circuits and districts. And under Sections 112(3) and 113(3) of the Kentucky Constitution, the Supreme Court may further certify the number of judges needed in each circuit or district.

With these constitutional requirements in mind, the Supreme Court certifies to the General Assembly of the Commonwealth of Kentucky the need to add and eliminate certain judgeships and rearrange circuit and district judicial boundaries as follows:

#### **A. Creation of Circuit Court Divisions**

1. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 27th Judicial Circuit, Knox and Laurel Circuit Courts. Under Section 112(6) of the Kentucky Constitution, the Supreme Court hereby designates any additional circuit court

division created pursuant to this Certification of Necessity as a family court division.

2. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 14th Judicial Circuit, Bourbon, Scott and Woodford Circuit Courts. Under Section 112(6) of the Kentucky Constitution, the Supreme Court hereby designates any additional circuit court division created pursuant to this Certification of Necessity as a family court division.

3. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 56th Judicial Circuit, Caldwell, Livingston, Lyon and Trigg Circuit Courts.

4. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 6th Judicial Circuit, Daviess Circuit Court. Under Section 112(6) of the Kentucky Constitution, the Supreme Court hereby designates any additional circuit court division created pursuant to this Certification of Necessity as a family court division.

5. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 16th Judicial

Circuit, Kenton Circuit Court. Under Section 112(6) of the Kentucky Constitution, the Supreme Court hereby designates any additional circuit court division created pursuant to this Certification of Necessity as a family court division.

6. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 8th Judicial Circuit, Warren Circuit Court.

7. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 25th Judicial Circuit, Clark and Madison Circuit Courts.

8. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 3rd Judicial Circuit, Christian Circuit Court. Under Section 112(6) of the Kentucky Constitution, the Supreme Court hereby designates any additional circuit court division created pursuant to this Certification of Necessity as a family court division.

9. Under Section 112(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need for one additional circuit court division in the 15th Judicial Circuit, Carroll, Grant and Owen counties. Under Section 112(6) of the

Kentucky Constitution, the Supreme Court hereby designates any additional circuit court division created pursuant to this Certification of Necessity as a family court division.

**B. Elimination of District Court Divisions and Limited Rearrangement of Circuit and District Judicial Boundaries**

1. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the 31st Judicial District, Floyd District Court.

2. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the 41st Judicial District, Clay, Jackson and Leslie District Courts.

3. Under Sections 113(2) and (3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to combine the 42nd Judicial District, Calloway District Court, with the 58th Judicial District, Marshall District Court, to create a newly constituted 42nd Judicial District consisting of Calloway and Marshall District Courts.<sup>1</sup> The Supreme Court further certifies the need to eliminate one district court division from the newly constituted 42nd Judicial District, Calloway and Marshall District Courts.

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<sup>1</sup> The 42nd Judicial Circuit currently consists of Calloway and Marshall Counties.

4. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the 4th Judicial District, Hopkins District Court.

5. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the 51st Judicial District, Henderson District Court.

6. a. Under Sections 112(2) and 113(2) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to move Edmonson County from the 38th Judicial Circuit and District, Butler, Edmonson, Hancock and Ohio Counties, to the 8th Judicial Circuit and District, Warren County.

b. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the newly constituted 38th Judicial District as established under Section B(6)(a), Butler, Hancock and Ohio District Courts.

7. a. Under Section 113(2) and 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to remove Clinton County from the 40th Judicial District, Clinton, Russell and Wayne District Courts, and

renumber the remaining counties, Russell and Wayne, as the 57th Judicial District.<sup>2</sup>

b. Under Section 113(2) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to add Clinton County to the 60th Judicial District, Cumberland and Monroe Counties, and renumber the newly combined counties, Clinton, Cumberland and Monroe Counties, as the 40th Judicial District.<sup>3</sup>

c. Under Section 113(3) of the Kentucky Constitution, the Supreme Court further certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division from the newly constituted 57th Judicial District as established under Section B(7)(a), Russell and Wayne District Courts.

8. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the 30th Judicial District, Jefferson District Court.

9. Under Section 113(3) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky the need to eliminate one district court division in the 15th Judicial District, Carroll, Grant and Owen District court.

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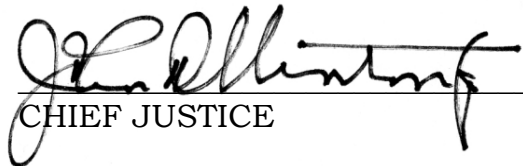
<sup>2</sup> The 57th Judicial Circuit currently consists of Russell and Wayne Counties.

<sup>3</sup> The 40th Judicial Circuit currently consists of Clinton, Cumberland and Monroe Counties.

10. Under Section 113(2) of the Kentucky Constitution, the Supreme Court of Kentucky certifies to the General Assembly of the Commonwealth of Kentucky that if the changes certified in Sections B(3) and B(7) of this Order are adopted, the current 57th Judicial District, Nelson County, shall be renumbered as the 58th Judicial District. If the change certified in Section B(7) is adopted but the change certified in Section B(3) is not adopted, then the current 57th Judicial District, Nelson County, shall be renumbered as the 59th Judicial District.

This Order supersedes the Certifications of Necessity in Administrative Orders 2021-47, 2020-80, 2020-81, 2020-82, 2020-83, and 2020-84; and the Certification of Necessity entered by the Supreme Court on February 23, 2017.

Entered this 21st day of January 2022.

  
CHIEF JUSTICE

All sitting; Minton, C.J.; Conley, Hughes, Keller, Nickell, and VanMeter, JJ., concur. Lambert, J., concurs in part and dissents in part with respect to Sections B(2) and B(7).