

Supreme Court of Kentucky

2025-13

AMENDED EMERGENCY ORDER

**In Re: Emergency Order, Franklin Circuit and District Courts –
Authorization of Extension of Deadlines, Authorization of
Temporary Local Protocols, Approval of Relocation of Circuit
Court, District Court, and the Office of Circuit Court Clerk**

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, beginning on Monday, April 7, 2025, through April 11, 2025, for purposes of computation of time under Kentucky Revised Statute (KRS) 446.030, CR 6.01, and RCr 1.10.

Under Section 116 of the Kentucky Constitution, the Supreme Court has the authority to promulgate rules and issue orders of practice and procedure for the administration of justice in all civil and criminal actions, and for all proceedings in the courts of this Commonwealth. Further, under KRS 26A.100(1), the Supreme Court may authorize Circuit and District Court to

operate in convenient locations outside the county courthouse or other locations owned, leased, or controlled by the county.

These extraordinary circumstances require the adoption of this Emergency Order, which is intended to alleviate uncertainty and hardship caused by the Franklin County Courthouse's closure and does not abridge, enlarge, or modify the substantive rights of any litigant.

Accordingly, under Section 116 of the Kentucky Constitution and KRS 26A.110(1), and in consideration of the conditions now existing in Franklin County, Kentucky, it is HEREBY ORDERED as follows:

1. Effective immediately and until further order of this Court, the Franklin County Circuit Court and District Court is approved to be held temporarily at 669 Chamberlin Avenue, Frankfort, KY 40601, and the Franklin County Regional Jail, 400 Coffee Tree Rd., Frankfort, KY 40601.

2. Effective immediately and until further order of this Court, the Franklin County Circuit and District Courts will use available telephonic and video technology to conduct remote proceedings in matters as determined by the court in its discretion or, with the consent of all parties affected, in-person when parties agree to hear a matter in another county pursuant to CR 77.02(1).

3. Effective immediately and until further order of this Court, the office of the Franklin County Circuit Court Clerk is approved to relocate temporarily to 669 Chamberlin Avenue, Frankfort, Kentucky 40601, for the purposes of receiving court filings and conducting in-person services. The office

of the Franklin County Circuit Court Clerk will continue to receive mail at the Franklin County Courthouse, 222 St. Clair St., Frankfort, Kentucky 40601.

4. When by procedural statute or rule, or by notice given under a procedural statute or rule, or by order of court, and notwithstanding CR 6.02, an act is required or allowed to be done at or within a specified time, the deadline for which occurred between Monday, April 7, 2025, and Friday, April 11, 2025, or at some time shortly after the court re-opens, the presiding judge, sua sponte, or upon motion of a party, may extend or enlarge the deadline by an amount of time which is reasonable, appropriate, and necessary under the circumstances, unless the deadline is imposed by substantive law or required by the Constitution of the United States or the Kentucky Constitution.

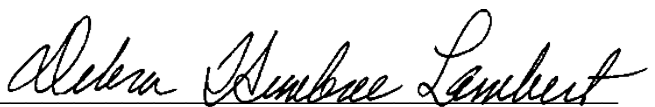
5. Effective immediately and until further Order of this Court, notwithstanding Supreme Court Rule (SCR) 1.040(3)(a), the Franklin County Circuit and District Courts are authorized to adopt temporary local protocols regarding court proceedings which shall operate in lieu of any conflicting local court rules during the period of temporary relocation authorized herein.

The extensions and enlargements of time referred to in this Emergency Order apply only to those cases venued in Franklin County.

This order is effective immediately upon entry.

Entered this 17th day of April 2025.

All sitting; all concur.


CHIEF JUSTICE