

# Supreme Court of Kentucky

2025-29

## EMERGENCY ORDER

**In Re:       Emergency Order, Hardin 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 Hardin County Justice Center, located at 120 E. Dixie Avenue in Elizabethtown, Kentucky, sustained significant damage from floodwaters disrupting essential court functions.

Floodwaters backed up into the basement level of the Justice Center where the Hardin County Circuit Court Clerk’s file storage room is located, causing significant damage to those records of the Kentucky Court of Justice held by the Hardin County Circuit Court Clerk.

On April 8, 2025, the Administrative Office of the Courts contracted with ServPro to assess the damage and remove the files. ServPro, with the approval of the Administrative Office of the Courts, contracted with a third-party vendor to begin the process of drying the files and determining which files could be restored. Due to the extensive damage sustained by the Hardin County Circuit Court Clerk’s file storage room, 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 Chief Justice and the Supreme Court having the authority to promulgate rules and issue orders regarding the records of the Kentucky Court of Justice, it is HEREBY ORDERED as follows:


The Hardin County Circuit Court Clerk is authorized to relocate files to any third-party vendor approved by the Administrative Office of the Courts to perform drying and remediation, destruction, or storage of files damaged both during and after the April 2025 flooding. In consultation with the Administrative Office of the Courts and the Kentucky Court of Justice Records Officer, the Hardin County Circuit Court Clerk may authorize any third-party 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, once returned to the custody of the Hardin County Circuit Court Clerk, records unable to be stored at the temporary courthouse location in Hardin County may be stored by any vendor as contracted by the Administrative Office of the Courts.

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

Entered this 20th day of June 2025.

All sitting. All concur.

  
CHIEF JUSTICE