

NEW LOCAL RULE RE ADMINISTRATIVE APPEALS

TITLE: Administrative appeals to the Fayette Circuit Court pursuant to KRS 13B.140.

- A. Upon the filing of the official record of the proceeding under review by the administrative agency in compliance with KRS 13B.140(3), the parties to the appeal shall have 20 days thereafter to submit proposed corrections or additions to the official record. Upon the filing of any corrections or additions or after the 20 days has lapsed, whichever occurs last, the Clerk of the Circuit Court shall notify the parties and the judge assigned to the division to which the appeal has been assigned that the record has been perfected.
- B. Upon notice by the Fayette Circuit Clerk that the administrative record on appeal has been perfected, the parties shall have 30 days thereafter to file any pleadings or request any hearing permitted by statute or case law.
- C. Sixty (60) days after any hearing is conducted or after the lapse of 30 days after the appeal record has been perfected, whichever occurs last, the appellant/petitioner shall file a brief or memorandum with citation to the administrative record and citation of authorities upon which relied, of no greater than 25 pages. Failure to file a brief or memorandum may be grounds for dismissal of the appeal.
- D. No later than sixty(60) days after the appellant/petitioner has filed a brief or memorandum, the appellee/respondent shall file a responsive brief or memorandum with citation to the administrative record and citation of authorities upon which relied, of no greater than 25 pages. Failure to file a responsive brief or memorandum may be grounds for granting the relief sought in the appeal.
- E. No later than 30 days after any responsive brief or memoranda has been filed, appellant/petitioner may file a reply brief or memorandum of no greater than 10 pages.
- F. Ten (10) days after any reply brief or memorandum has been filed, appellant/petitioner shall file a Notice of Submission with the Fayette Circuit Clerk with a copy served on the presiding judge.
- G. Upon the filing of the Notice of Submission, the administrative appeal shall be submitted to the presiding judge for a decision.