

On May 15, the Supreme Court announced the court system's reopening plan, which provides guidance on how the Judicial Branch will gradually expand court services starting June 1. As a follow-up to the initial order, the Supreme Court released six orders today that offer further direction to the courts and the public about court operations on June 1.

"As the Judicial Branch carefully expands court services, we want to proceed with the utmost care," Chief Justice of Kentucky John D. Minton Jr. said. "I appreciate the patience of the legal community, the public, and court officials and personnel as we work to ensure that greater access to the courts and public safety go hand in hand."

The six orders entered today are described below.

### **Health and Safety Requirements for the Expansion of Operations**

[Administrative Order 2020-43](#), dated May 29, 2020, replaces in its entirety Administrative Order 2020-39, dated May 15, 2020. This order updates the Health and Safety Requirements for the Expansion of Operations. It is effective June 1, 2020, and the highlights are below:

- Clarifies that remote proceedings should be scheduled through the judge's office.
- Clarifies that individuals who are exhibiting symptoms of COVID, are in quarantine, or have been diagnosed with COVID must be allowed to participate remotely.
- Expands entrance to court facilities to individuals seeking orders under KRS 222.430 et seq. (Casey's law) and involuntary commitments under KRS Chapter 202A and KRS Chapter 645; individuals attending judicial sales; attorneys or parties to a case who need access to a physical case file and have scheduled an appointment with the local Office of Circuit Court Clerk; and, after June 15, 2020, other individuals who need access to a physical case file and have scheduled an appointment with the local Office of Circuit Court Clerk.
- Allows for resumption of limited driver's licenses services as of June 1, 2020, as provided in Kentucky Transportation Cabinet Order 2020-215.
- Encourages collaboration between clerks and judges to ensure there is sufficient staffing to cover in-person dockets.
- Clarifies that facial coverings are required for attorneys and that facial coverings must be worn in any location where court proceedings are being held.
- Clarifies the process for submitting local protocols.
- Provides an email address where concerns regarding application or implementation of the Order may be submitted.

### **Expansion of Court Proceedings**

[Administrative Order 2020-44](#), dated May 29, 2020, replaces in its entirety Administrative Order 2020-40, dated May 19, 2020. This order updates the Expansion of Court Proceedings, which

previously only addressed the postponement of jury trials and grand juries. The order is effective June 1, 2020, and the highlights are below:

- Adds new sections for Civil Matters, Family Matters, and Criminal Matters, with specific guidance on evictions, judicial sales, child support, show cause dockets, and bench warrants.
- Clarifies that eviction proceedings that are not subject to state or federal moratoriums and are not related to non-payment of rent for residential properties may be filed as of June 1, with the required [Verification of Compliance form](#).
- Allows judicial sales to proceed as of June 1, subject to the health and safety requirements in Administrative Order 2020-43.
- Gives priority in child support matters to cases that are determining paternity; cases establishing initial child support obligations; cases that are being reopened; and cases in which the obligee's only financial support is income from employment or unemployment benefits, maintenance support, non-public benefits, or child support. All other child support cases are continued until after October 1, 2020.
- Suspends all show cause dockets for payment of fines and court costs until November 1, 2020.
- Clarifies that judges should continue to issue summonses in lieu of bench warrants, unless the judge has good cause to believe a defendant will not appear voluntarily upon a summons or notice to appear.

#### **Emergency Release Schedule Order**

[Administrative Order 2020-45](#), dated May 29, 2020, replaces in its entirety Administrative Order 2020-27, dated April 23, 2020. This order revises the Emergency Release Schedule for Pretrial Defendants and Emergency Pretrial Drug Testing Standards. It has been extended until further order of the court and the highlights are below:

- Deletes the failure to appear and contempt provisions that were in the previous order.
- Permits pretrial drug testing providers to resume urine drug testing, subject to the Healthy at Work requirements for similar businesses.

#### **Custody and Parenting Time Order, Flexible Staffing Guidelines for Court Clerks Order, Special Emergency Directed Leave Order**

The only change to these three orders is that the effective dates have been extended until further order of the court. There are no other substantive changes.

- Amended Parenting Time Order: [Administrative Order 2020-46](#), dated May 29, 2020, replaces in its entirety Administrative Order 2020-32, dated May 5, 2020.

- Amended Flexible Staffing Order: [Administrative Order 2020-47](#), dated May 29, 2020, replaces in its entirety Administrative Order 2020-23, dated April 14, 2020.
- Amended Special Directed Emergency Leave Order: [Administrative Order 2020-48](#), dated May 29, 2020, replaces in its entirety Administrative Order 2020-24, dated April 14, 2020.