



HELPFUL REMINDERS FROM THE CIRCUIT COURT CLERK

BOOKKEEPING DIVISION:

- Bond assignment form completed properly
- Notarized statement and identification of 3rd party picking up bond assignment check

JUVENILE DIVISION:

- E-filing of Motions and Orders in Juvenile cases where there is more than one child, you must file in each case separately.
- Private Emergency Custody Orders are processed up to 12:00 p.m. the same day, due to the time required to present to the county attorney and then to the judge—per family court judges. Private Emergency Custody Orders may be filed after 12:00 p.m. but will be processed the following business day.
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MENTAL HEALTH DIVISION:

- Guardian Petitions should be completed in person, so the clerk can review for accuracy. E-filing of Petitions is not permitted at this time.
- The Order to Examine (as part of the Guardianship Petition) should be completed by the Petitioner and provide complete physician addresses. The clerk is prohibited from recommending any physician and does not have a list of physicians.
- Guardianship court occurs two (2) times per month and each District Judge rotate months. Any motions filed should not be set for any judge unless you have received a special date/time from that specific judge.

DISTRICT CRIMINAL DIVISION:

- All Motions and Orders must have correct case numbers, or they may be rejected. The clerk cannot correct any part of a pleading.
- All Motions and Orders shall have a complete distribution list (ie. If defendant is in custody, that jail should be part of the distribution list)
- Warrants that been served upon the defendant, even in other counties for a Fayette County case cannot be recalled.

DISTRICT COURT SERVICES DIVISION:

Petitions for Expungements (with a guilty plea) must have three (3) forms completed before an expungement can be processed:

1. AOC Petition for Expungement form
2. KSP background check form
3. Administrative Office of the Courts background check form

DISTRICT CIVIL DIVISION:

- The name and case number on Documents/Motions must match or the Document/Motion shall be rejected.
- E-filing-check for the best descriptive document and motion code, not just miscellaneous or motion-other for all
- Any Documents or Orders filed requiring a Judge's signature must be submitted as a Tendered Document.
- When e-filing a forcible detainer please utilize the filer to clerk section for any notes, such as not being available for certain dates and state the number of filings to be expected. (You will receive first available date open)
- Forcible Detainer mandatory e-filing 06/01/2023, please TENDER judgement with complaint.
- Please note FCSO is only option available for service when e-filing. If you would like to choose a constable select "Return To Filer" and you will be able to print or email copies to the constable of your choice. (It will be the filer's responsibility to communicate with constables for service)

DISTRICT PROBATE DIVISION:

- The attorney or petitioner must file the will and name change with the County Clerk
- E-filing-check for the best descriptive document and motion code, not just miscellaneous or motion-other for all (ex: waiver of surety, waiver of formal settlement, limited power of attorney, oath, motion for extension of time, motion to sell real estate)
- Submit orders and bonds as tendered documents
- Input full addresses for parties
- Don't put the same person in as multiple party types (ex: petitioner, applicant, custodial parent, and guardian, just put them in as 1 party type)
- Don't e-file the notice of duty (contact info sheet), the image will be available on courtnet.

CIRCUIT CRIMINAL DIVISION:

- The name and case number on Documents/Motions must match or the Document/Motion will be rejected.
- Only 1 defendant and case number with trailer if available per Motion.
- Do not file Motions with Confidential information attached or it may be rejected.
- Any Documents or Orders filed requiring a Judge's signature must be submitted as a Tendered Document.
- Do not duplicate Document/Motions/Orders in the e-file envelope.
- All Motions should be submitted noticing it with a Date and Time if he/she would like to be heard or the Motions should be submitted noticing it to be heard at the convenience of the court.
- Please try and find the actual Motion Type rather than filing Motion-Other, Motion-Other should be the last option.

CIRCUIT CIVIL DIVISION:

- Amended Complaints in civil matters must be filed after the Order is entered pursuant to e-filing rules contained in Supreme Court Order In Re ADMINISTRATIVE RULES OF PRACTICE AND PROCEDURE FOR THE KENTUCKY COURT OF JUSTICE ELECTRONIC FILING PILOT PROJECT (5)(a).
- Orders to file Amended Complaints should not contain the language “*the Amended Complaint is accepted and shall be filed into the record and the clerk shall issue summons.*”
- Attorneys shall not print off Scanned Images of Summons to re-attempt service as we do not have a place to insert a serve date on the previous failed service attempt. Attorneys should have summons re-issued to avoid confusion and to accurately reflect sequence of events in the court record.
- Please contact the AOC help desk at 1-502-573-2350 if you have trouble uploading documents in a Dissolution of Marriage case. The clerk has no technical ability to assist with uploading documents.

DOMESTIC VIOLENCE DIVISION:

- E-filing of Motions and Orders in Domestic Violence cases where there are multiple trailer numbers or companion cases, the attorney must file in each case and/or trailer number by submitting separate envelopes
- Information contained in Agreed Orders are not entered into LINK system until amendments are completed on the AOC form. Law enforcement officers only review information in LINK. If the information in the LINK system is not accurate, it could result in the Petitioner not having a protective order or a respondent subject to arrest for violating a protective order.
- Proposed orders must be submitted in the e-file system as a tendered document. The e-filing Local Rule – If parties enter an Agreed Order in the Domestic Violence case, or in any other civil matter, that amends the terms of, or dismisses, an existing EPO/TIPO/DVO/IPO, counsel shall file the Agreed order in all relevant cases including the Domestic Violence case and tender a new Order on the appropriate AOC DVO Order form reflecting the agreed upon terms to be signed by the court. The e-filing system does not accept “Agreed Orders” in Domestic

Violence cases, therefore parties shall submit those as “Other/Order”. *If amendments or dismissals are not submitted on the AOC form, it will delay amending and/or dismissing Emergency Protective Orders, Temporary Interpersonal Protective Orders, Domestic Violence Order. Although it is not a clerk responsibility, he/she will let judicial staff know about the Agreed Order to Amend and/or Dismiss a protective order. The AOC forms can be located on the Kentucky Court of Justice website.*

- All Domestic Violence cases must have a disposition. Even though Emergency Protective Orders and Temporary Interpersonal Protective Orders have an expiration date, we must have a disposition, so it is properly disposed out of LINK/NCIC. If by agreed order, counsel have agreed to let an emergency order expire after 6 months, we must have a final disposition after the expiration date.
- By statute, the address of a petitioner and any minor children is confidential. We are not permitted to give out the petitioner’s address to counsel representing a respondent. If the attorney does not know the petitioner’s address to send notification of motions or orders, the clerk will send documents to the petitioner.
- Warrants that have been served upon a respondent cannot be recalled.

CIRCUIT APPEALS DIVISION:

Supreme Court Rules regarding Appeals

(1) The notice of appeal shall: (a) specify the party or parties taking the appeal; (b) identify, including specifying the date of, the judgment, order, or part thereof appealed from; and (c) contain a certificate that a copy of the notice has been served upon counsel for all parties to the proceedings from which the appeal is taken, or, if a party is unrepresented, upon the party at the party’s last known address.

(2) The notice of appeal should also: (a) attach a copy of the judgement or order appealed from to the notice of appeal; (b) identify the court to which the appeal is taken; (c) specify all parties to the proceedings from which the appeal is taken, other than the appellant, and counsel representing them; and (d) specify the date of entry of and attach a copy of any orders on post-trial motions under CR 50.02, CR 52.02, or CR 59 that tolled the running of time for filing the appeal.