

Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING THE RULES OF COURT PRACTICE AND PROCEDURE FOR THE 55TH JUDICIAL DISTRICT COURT, BULLITT COUNTY

Upon recommendation of the Judges of the 55th Judicial District, and being otherwise sufficiently advised,

The Rules of Court Practice and Procedure for the 55th Judicial District Court, Bullitt County, are hereby approved. This order shall be effective as of the date of this Order, and shall remain in effect until further orders of this court.

Entered this the 1st day of April 2015.


CHIEF JUSTICE JOHN D. MINTON, JR.

**RULES OF PRACTICE
BULLITT DISTRICT COURT
SHEPHERDSVILLE, KENTUCKY**

1. CITATION OF RULES:

These rules may be cited as “RBDC” or Rules of the Bullitt District Court.

2. JUDGES

District Court shall be presided over by Judge Rebecca Ward, Division I, and Judge Jennifer Porter, Division II, and their successors in office.

3. JURY TRIAL PERIODS

Jury trials shall be conducted each Wednesday and other days as assigned by the Judges.

4. MOTION DAYS AND MOTION PRACTICE

(The following applies to all motions in either civil or criminal matters, except those permitted by law to be heard ex-parte.)

(a) Motion hour for civil matters shall be held each Friday morning at 11:15 a.m.

(b) Motion hour for criminal matters shall be held each Monday in Division I at 1:30 p.m. and on Friday at 9:30 a.m., and each Tuesday, Wednesday, Thursday in Division II at 9:30 a.m., or as otherwise set by the Court upon proper motion.

(c) The Clerk shall keep a motion docket in which there shall be docketed in the order filed all motions filed with the Clerk not later than 48 hours preceding the next civil or criminal motion day. Motions not meeting requirements will be sent back, with the exception of bond motions. As a general guideline, the court may establish a schedule for the court docket as follows:

MONDAYS:	1:30 p.m.	Arraignments and Motions - Division I; Division II, 2 nd , 4 th Mondays
	2:15 p.m.	Probate, Division I
	2:30 p.m.	Hearings set by the Court only
	6 :30 p.m.	Division I, 1 st , 3 rd , 5 th Mondays-Night Court
TUESDAYS:	9:30 a.m.	Arraignments and Motions- Division II
	10:00 a.m.	Trials set by the Court only, including jury Trials in Division I
	10:15 a.m.	Probate
	1:30 p.m.	Trials set by the Court only.
WEDNESDAYS:	9:30 a.m.	Arraignments and Motions- Division II
	9:30 a.m.	Jury Trials or other hearings set by the Courts only.
	10:15 a.m.	Probate
THURSDAYS:	9:30 a.m.	Arraignments and Motions- Division II
	10:00 a.m.	Juvenile, Trials set by the Court only.
	10:15 a.m.	Probate
	10:30 a.m.	Child Support Court- Division I
	11:00 a.m.	Trials set by the Court only.
	1:30 p.m.	Pre-Trials and Trials, Division I
2:30 p.m.	Preliminary Hearings	
FRIDAYS:	9:30 a.m.	Arraignments and Motions- Division I
	10:00 a.m.	Show Cause, Division I - 2 nd , 4 th Fridays Division II - 1 st , 3 rd , 5 th Fridays
	10:15 a.m.	Probate
	11:00 a.m.	Trials/Jury Trials set by the Court only.
	11:15 a.m.	Civil Docket

(d) If a party is properly noticed for a motion, and is absent from the hearing of the motion without just cause, the Court may rule on such motion in the absence of the party.

5. ASSIGNMENT OF CIVIL ACTIONS FOR TRIAL

(a) The Clerk shall at all times maintain a trial calendar of jury and non-jury trials. Motions to set a case for trial will be governed by the provisions of these Rules and the rules of Civil Procedures.

6. PROCEDURES IN CRIMINAL CASES

(a) If it appears after inquiry and examination that a defendant is not financially able to employ an attorney and is otherwise eligible for the appointment of counsel to represent him, the court shall appoint the Office of Public Advocate as his counsel, subject to existing law and the regulations of that agency.

(b) In the event a defendant shall insist upon representing himself without counsel, the defendant shall be brought before the Court and be examined by the Court concerning his understanding of the proceeding and possible consequences to him in the proceedings, his right to the assistance of counsel, and all other relevant matters. If the Court is convinced that defendant is aware of his rights and has waived them knowingly, voluntarily, and intelligently, the court shall permit him to proceed without counsel and relieve any counsel previously appointed.

7. UNCONTESTED CASES:

Uncontested cases shall include any agreed matter, default judgments and agreed orders or judgment. A case will be considered settled upon the filing of an agreed order and no hearing will be required on same.

8. CONTESTED MATTER:

A case is considered contested when either of the parties requests a hearing before the District Judge. Any testimony received in a contested matter shall be recorded electronically and preserved as a part of the Court record in said proceedings.

9. JURY SELECTION:

This court hereby adopts the procedures set forth in the "Administrative Procedures of the Court of Justice: part II, Jury Selection and Management, Section 5.

10. ENTRY OF ORDERS OR JUDGMENTS AND SERVICE:

The Order or Judgment, when signed by the Judge, shall be delivered to the clerk for entry. Notice of entry of the Order of Judgment shall be made by the Clerk in accordance with CR 77.04.

11. TRIAL BRIEFS AND INSTRUCTIONS:

The parties upon directions of the Judge shall submit such a trial brief and such instruction as they expect to offer in a trial, but additional instructions may be offered at the trial at the close of the evidence, to conform to the proof or in the interest of justice, as provided by CR 51.

12. DISMISSAL OF ACTION AND FAILURE TO PROSECUTE

When any action has remained on the Civil Docket for one (1) year without any step being taken which indicates an intention to prosecute said action, the Court, on motion of any party, or on the Court's own motion after notice to the parties, shall upon a hearing dismiss the action for lack of prosecution unless good cause is shown.

13. EFFECTIVE DATES

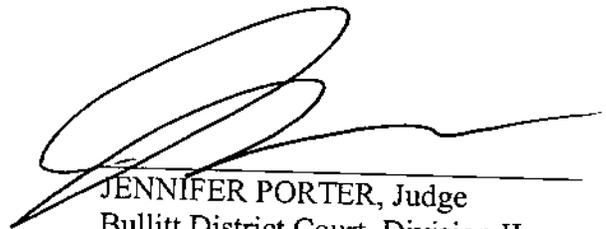
These rules are adopted pursuant to the authority granted by SCR 1.040 (3) (a), and they shall apply with full force and effect to all actions pending after their date of their promulgation by order of the Judge of the Bullitt District Court and approval by the Supreme Court of Kentucky.

All previous rules of this Court not consistent herewith are abolished.

Dated this 12th day of March, 2015.



REBECCA WARD, Judge
Bullitt District Court, Division I



JENNIFER PORTER, Judge
Bullitt District Court, Division II