

ACTS OF THE GENERAL ASSEMBLY of the COMMONWEALTH OF KENTUCKY

2001 REGULAR SESSION

Chapters 1 to 165



Passed at the Regular Session of the General Assembly, which was begun in the City of Frankfort, Kentucky, on Tuesday, the second of January, 2001, and ended Thursday, the twenty-second of March, 2001.

LEGISLATIVE RESEARCH COMMISSION
Frankfort, Kentucky

CHAPTER 163

(SB 58)

AN ACT proposing an amendment to Section 112 of the Constitution of Kentucky, relating to family courts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. It is proposed that Section 112 of the Constitution of Kentucky be amended to read as follows:

(1) Circuit Court shall be held in each county.

(2) The Circuit Court districts existing on the effective date of this amendment to the Constitution shall continue under the name "Judicial Circuits," the General Assembly having power upon certification of the necessity therefor by the Supreme Court to reduce, increase or rearrange the judicial districts. A judicial circuit composed of more than one county shall be as compact in form as possible and of contiguous counties. No county shall be divided in creating a judicial circuit.

(3) The number of circuit judges in each district existing on the effective date of this amendment shall continue, the General Assembly having power upon certification of the necessity therefor by the Supreme Court, to change the number of circuit judges in any judicial circuit.

(4) In a judicial circuit having only one judge, he shall be the chief judge. In judicial circuits having two or more judges, they shall select biennially a chief judge, and if they fail to do so within a reasonable time, the Supreme Court shall designate the chief judge. The chief judge shall exercise such authority and perform such duties in the administration of his judicial circuit as may be prescribed by the Supreme Court. The Supreme Court may provide by rules for administration of judicial circuits by regions designated by it.

(5) The Circuit Court shall have original jurisdiction of all justiciable causes not vested in some other court. It shall have such appellate jurisdiction as may be provided by law.

(6) *The Supreme Court may designate one or more divisions of Circuit Court within a judicial circuit as a family court division. A Circuit Court division so designated shall retain the general jurisdiction of the Circuit Court and shall have additional jurisdiction as may be provided by the General Assembly.*

Section 2. It is further proposed as a part of this amendment and as a transitional provision for the purposes of this amendment, that:

District judges elected for the term beginning on the first Monday in January of 2003, who possess the qualifications of a Circuit Judge and who are assigned by the Chief Justice to serve as family court judges on or before the commencement of the term, shall on that date become Circuit Judges with terms of office coinciding with the terms of Circuit Judges generally, and another numbered division or divisions of that judicial circuit shall be created. When a District Judge becomes a Circuit Judge pursuant to this provision, that District Judgeship shall be abolished and there shall be no vacancy to fill. The General Assembly, upon the ratification of this amendment, shall enact legislation to implement the provisions of this amendment in a manner consistent with the Supreme Court's adjustment of any Circuit Court division as a family court division.

Section 3. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution and under KRS 118.415.

Governor's signature not required.