

Supreme Court of Kentucky

IN RE:
RULES OF CIVIL PROCEDURE (CR)
RULES OF CRIMINAL PROCEDURE (Rcr)
RULES OF THE SUPREME COURT (SCR)
ADMINISTRATIVE PROCEDURES OF THE COURT OF JUSTICE (AP)

2000-2

ORDER CORRECTING

The 2000-1 rules' amendments are hereby amended by correcting the Rules of Civil Procedure to read as follows:

CR 53.08

All domestic relations commissioners shall be limited in their total personal compensation derived from fees to not more than \$48,000 per annum, unless approved by the Chief Justice, and all master commissioners shall be limited in their total personal compensation derived from fees to not more than \$48,000 per annum, unless approved by the Chief Justice. Where the master commissioner also serves as the domestic relations commissioner the total personal compensation shall not exceed \$72,000 per annum unless a higher amount is approved by the Chief Justice. Fees in excess of the personal compensation of the commissioner and office expenses and salaries shall be remitted as provided in Rule 53.09, however, anticipated three (3) months expenses may be retained.

CR 76.12(2)(b)

(2) Time for filing.

(b) Criminal cases. The times in which briefs are required to be filed in criminal cases shall be the same as in civil cases, except as follows:

(i) If counsel for the appellant is the Public Advocate of the Commonwealth or the Attorney General of the Commonwealth, the appellant's brief shall be filed within 60 days after the date on which the record on appeal was received by the clerk of the

appellate court (notice of which shall be sent); and

(ii) If counsel for the appellant is someone other than the Public Advocate of the Commonwealth or the Attorney General of the Commonwealth, the appellee's brief shall be filed within 60 days after the date on which the appellant's brief was filed or within 60 days after the date on which the record on appeal was received by the clerk of the appellate court, whichever is the later.

CR 76.12(4)(d)(i), (ii), (iii), (iv)

(4) Form and Content.

(d) Organization and contents--Appellee's brief. The organization and contents of the appellee's brief shall be as follows:

(i) A "STATEMENT CONCERNING ORAL ARGUMENT" responsive to appellant's statement indicating why appellee believes that oral argument would or would not assist the Court in deciding the issues presented.

(ii) A "COUNTERSTATEMENT OF POINTS AND AUTHORITIES" similar to the statement required of the appellant by paragraph (4)(c)(iii) of this Rule.

(iii) A "COUNTERSTATEMENT OF THE CASE" stating whether the appellee accepts the appellant's Statement of the Case and, if not, setting forth the matters the appellee considers essential to a fair and adequate statement of the case in accordance with the requirements of paragraph (4)(c)(iv) of this Rule.

(iv) An "ARGUMENT" conforming to the appellee's Statement of Points and Authorities and to the requirements of paragraph (4)(c)(v) of this Rule with reference to record-references and citations of authority.

CR 76.20(2)(c)

(2) Time for Motion.

(c) The failure of a party to file a Motion for Discretionary Review within the time specified in this Rule, or as extended by a previous order, shall result in a dismissal of the Motion for Discretionary Review.

CR 98(5)(b)

(5) Further Provisions.

(b) Effect of Rule on Practice in Court of Appeals. Nothing in this rule shall be construed to supersede the provisions of CR 76.03.

OFFICIAL FORM 25

FORM 25 COVER OF BRIEF TO BE FILED IN THE SUPREME COURT OF
KENTUCKY - MATTER OF RIGHT APPEAL

Commonwealth of Kentucky
Supreme Court of Kentucky
2000-SC-00XXXX-MR

John Doe

Appellant

v. Appeal from the Jefferson Circuit Court
Action No. 98-CI-00XXX

William Smith

Appellee

Brief for Appellee, William Smith

Submitted by:

Richard Roe
100 Jefferson St.
Louisville, KY 40202

Certificate required by CR 76.12(6)

The undersigned does hereby certify that copies of this brief were served upon the following named individuals by (specify method of service) on (date): Named Trial Court Judge, Courthouse address, Louisville, Ky. 40202; Named Opposing Counsel, 200 Jefferson St., Louisville, Ky. 40202. The undersigned does also certify that the record on appeal has been returned to the Jefferson Circuit Court Clerk on or before this date.

Signature with typed name

ENTERED: February 21, 2001.



CHIEF JUSTICE