

LIST OF UPDATES TO CIRCUIT CLERK'S MANUAL

IMPORTANT INFORMATION!!

PLEASE COPY THIS LETTER AND DISTRIBUTE TO EACH DEPUTY IN YOUR OFFICE.

THIS LETTER SERVES AS AN "INDEX" TO THE UPDATED SECTIONS OF THE MANUAL. THIS LETTER DOES NOT INCLUDE THE UPDATE IN ITS ENTIRETY; THEREFORE, IT IS VERY IMPORTANT AND NECESSARY THAT YOU AND YOUR EMPLOYEES GO TO EACH SECTION OF THE MANUAL NOTED IN THIS LETTER AND REVIEW CHANGES OR MODIFICATIONS AS WELL AS ANY NEW SECTIONS ADDED. IF YOU HAVE QUESTIONS OR NEED FURTHER EXPLANATION OF THE UPDATES, PLEASE DO NOT HESITATE TO CALL THE OFFICE OF GENERAL COUNSEL AT THE AOC.

TO: Circuit Court Clerks
FROM: Sara Boswell Dent, Deputy General Counsel
DATE: February 29, 2004

1. **THROUGHOUT THE MANUAL** *KRS 416.620(4)* has been replaced with *KRS 453.010* with respect to collection of fees for filing a complaint or petition.

The following sections have been updated:

2. **CIRCUIT CRIMINAL CASES** - includes current address for Department of Corrections.
3. **ADDITIONAL COSTS FOR EXTRAORDINARY SERVICES** - corrected cite reference.
4. **RECORDS DESTRUCTION OR TRANSFER** - updated entire section to include current information and directions for the destruction of records, transfer and/ or retrieval of records from Archives.
5. **WARNING ORDER: HOW TO FILE A CIVIL ACTION** - Subsection, *Warning Order Service* and **DISSOLUTION OF MARRIAGE** - Subsection *Warning Order Service* added directive that summons is not to be issued when a warning order attorney is appointed.
6. **WRIT OF PROHIBITION/WRIT OF MANDAMUS** - rewritten to include that "other party" in addition to the District Judge, may be directed to or not to perform an act.

7. **FEES AND COSTS** - Subsection, *Appeals* corrected the fee for an appeal/cross appeal to Court of Appeals to show the court facilities fee, if applicable, is only collected on a civil appeal. It does not apply and is not collected on a criminal appeal.
8. **APPEALS TO SUPREME COURT/COURT OF APPEALS** - Subsection, *Supplemental Record* - added directive that in addition to the trial or appellate court ordering a record supplemented, the parties may stipulate that a record be supplemented.
9. **DISABILITY PROCEEDINGS** - Subsection, *Appointment of Guardian/Conservator* - clarified the directive for notice of entry of the Order Of Appointment and distribution of copies.
10. **THE JURY** - Subsection, *Selection Documents* - added jury strike sheets to the list of selection documents that are confidential.
11. **CASE NUMBERING AND COLOR CODING** - Under File Label Color Code, changed the color "buff" to "tan" for file labels used for circuit civil cases.
12. **BAIL BONDS** - Subsection, *Surety Charged With Contempt* - has been deleted. Follow the directives of the court's order when an individual is found in civil or criminal contempt.
13. **TERMINATION OF PARENTAL RIGHTS** - Subsections, *Voluntary Termination and Involuntary Termination* - gives new instruction to use AOC Form DNA-10, Order Appointing Guardian Ad Litem when an appointment of a guardian ad litem is made.
14. **APPEALS TO CIRCUIT COURT** - Subsection, *Motion for Discretionary Review* - added directive to retain the district court record in circuit court until such time as the 30 day period for the filing of a motion for discretionary review has expired.
15. **CITATIONS** - Subsection, *Prepayable Fine Chart; Speeding Prepayables and Other Prepayables* have been revised to conform to UOR tables used by enforcement officers.
17. **COURT SECURITY INCIDENT REPORT** – AOC Form PT-50, Court of Justice Incident Report previously mailed to John Conley, Commander, Court Security Services is to be mailed to:

Pretrial Services
Administrative Office of the Courts
100 Millcreek Park
Frankfort, Kentucky 40601

Fax (502) 573-0327

18. **CONSOLIDATED CASES** – clarified instruction on consolidation of cases to direct pleadings filed on and after the Order of Consolidation entered are filed/entered under the case number and placed in case file designated by the Order of Consolidation or if not specified, in the most recently filed case.
19. **EXPUNGEMENT OF MISDEMEANOR/VIOLATION CONVICTIONS;**
EXPUNGEMENT OF DISMISSED OR ACQUITTAL CASES – clarified language when circuit criminal charge is expunged, the clerk is to expunge underlying district court.