

LIST OF UPDATES TO CIRCUIT CLERK'S MANUAL

TO: Circuit Court Clerks  
FROM: Kelly Stephens, Deputy General Counsel  
DATE: June 8, 2011

**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. IT 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 SET OUT IN THIS LETTER AND REVIEW THE CHANGES/MODIFICATIONS. PLEASE DIRECT ANY QUESTIONS REGARDING THESE UPDATES TO THE DEPARTMENT OF LEGAL SERVICES AT AOC.

**BAIL BONDS:**

A new section has been added due to provisions of HB 463 regarding bail credits. This section shall read:

- 1.) Upon receipt from the jailer of AOC 365.2 (Notice of Bail Credit), apply the "FILED" stamp; add the date and your initials. Complete a document screen using document code "NBC".
- 2.) Refer to the KYCourts User Manual for updating the bail bond information.

**CITATIONS:**

A new section has been added due to provisions of HB 463 regarding credit for time served for non-payment of fines.

14. A defendant sentenced to jail for failure to pay fines shall receive credit against fines and costs for each day spent in jail at the following rates:
  - a. \$50 per day if no community service is performed
  - b. \$100 per day if eight (8) hours of community service is performed
  - c. 1/8 of \$100 for each hour worked.

The jailer is responsible for tracking the amount of credit the defendant has earned.

15. Upon receipt from the jailer of AOC 426 (Notice of Jail Credit), apply the "FILED" stamp, add the date and your initials. File on a document screen using document code "NJC". Enter the amount credited in the "Jail Credit Amount" box.

#### **DEFERRED PROSECUTION:**

A new chapter has been added to address the new deferred prosecution program put into place by HB 463. It only applies to 1<sup>st</sup> and 2<sup>nd</sup> offenses of Possession of Controlled Substance 1<sup>st</sup>, class D felony.

#### **FEES AND COSTS:**

Effective June 8, 2011 the below link will direct users to the Circuit Court Clerk Accounting Manual. This will allow for information relating to fees and costs associated with the operation of Circuit Court Clerk offices to be more accurately maintained. [Accounting Manual](#).

#### **FIREARM PROHIBITIONS CHAPTER:**

A new chapter has been added to address the new Firearm Prohibitions requirements in HB 308.

#### **SMALL CLAIMS CHAPTER:**

Changes have been made throughout this chapter to update the new jurisdiction limits of \$2,500 for small claims and \$5,000 for district civil cases. Also included are instructions for new forms AOC 191 Motion for Satisfaction of Judgment (Small Claims) and AOC 191.1 Order Entry of Satisfaction of Judgment (Small Claims).

#### **UNIFORM GUARDIANSHIP AND PROTECTIVE PROCEEDINGS ACT:**

A new chapter has been added to address procedures created by the new Uniform Adult Guardianship and Protective Proceedings Act in HB 164.

#### **GENERAL MAINTENANCE:**

A general review of the manual revealed some items that needed to either be renumbered and/or grammatically corrected. Formatting changes and navigational enhancements have been made throughout.

Please feel free to contact me if you have any questions.

Kelly Stephens,  
Deputy General Counsel