

LIST OF UPDATES TO THE CIRCUIT CLERK'S MANUAL

TO: Circuit Court Clerks  
FROM: Marc Theriault, AOC General Counsel  
DATE: July 12, 2012

IMPORTANT INFORMATION!!

PLEASE COPY THIS MEMO 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 MEMO AND REVIEW THE CHANGES/MODIFICATIONS. PLEASE DIRECT ANY QUESTIONS REGARDING THESE UPDATES TO THE DEPARTMENT OF LEGAL SERVICES AT AOC.

3. **APPEALS TO SUPREME COURT/COURT OF APPEALS CHAPTER:**

Under "Designation of Record", paragraph 14, document code "OST" has been corrected to read "DOR."

4. **DISSOLUTION OF MARRIAGE CHAPTER:**

- Under the VS 300 Form section, the following information has been added:

As of January 1, 2013 the forms shall be available on the Cabinet for Health Services, Office of Vital Statistics website (<http://chfs.ky.gov/dph/vital/>) as a downloadable document that can be completed electronically and printed.

- Under "Filing Fee" section 3.a., "ten days" has been corrected to read "thirty days" that a moving party has to pay filing fees or appeal the denial of an in forma pauperis motion.

5. **EXPUNGMENT OF DISMISSED OR ACQUITTED CASES; EXPUNGEMENT OF JUVENILE RECORD; EXPUNGEMENT OF MISDEMEANOR AND VIOLATION CONVICTIONS; MOTION TO SET ASIDE/VOID CONVICTION CHAPTERS:**

References to “tape” and “log” have been made plural.

6. **FORCIBLE ENTRY AND DETAINER CHAPTER:**

Under Appeals, 10.a. “Note” has been revised to read:

Note: Do not accept filing fee without rent deposit per AOC Form 216 or a motion to proceed in forma pauperis.

7. **HOW TO FILE A CIVIL ACTION/CIVIL ACTIONS CHAPTER:**

- The title of this chapter has been renamed to “Civil Actions.”
- Under Judgment/Order, section 15, a new subsection “g” has been added to read:

If the judgment or order dissolves a business entity (statutory trust, cooperative association, corporation, limited liability corporation, limited liability partnership) send a certified copy to the:

Secretary of State  
700 Capital Avenue  
P.O. Box 718  
Frankfort, KY 40602

8. **PATERNITY CHAPTER:**

Under “Return of Service”, section 7, the word “requested” has been changed to “received.”

9. **PROBATE CHAPTER:**

- Reference to new form AOC-860, Affidavit for Probate Fee Exemption, has been added along with instructions for filing.
- The address for the Department of Revenue has been changed.
- Under “Petition to Dispense”, under section h., the requirement to send a copy of the petition and order to dispense to the Department of Revenue has been removed.

**10. MULTIPLE CHAPTERS AFFECTED:**

Throughout the manual, the terms “mental retardation” or “mentally retarded” or abbreviations that use the letters “MR” to signify mental retardation or mentally retarded; to read “intellectual disability,” “intellectual disabilities,” “individual with an intellectual disability,” “individuals with an intellectual disability,” “individual with a serious intellectual disability,” or “individuals with a serious intellectual disability” in order to comply with 2012 HB 485.

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