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For Immediate Release

Chief Justice Minton commends Legislative, Executive branches for working with Judicial Branch for good of Kentucky in State of the Judiciary Address

FRANKFORT, Ky., Sept. 23, 2016 – Chief Justice John D. Minton Jr. said today that Kentuckians benefit when the three branches of state government work together. His comment was part of the annual State of the Judiciary address before the General Assembly’s Interim Joint Committee on Judiciary at the Capitol Annex in Frankfort. The full address can be found [here](#).

“Leading our state court system is an incredible honor and one that I take very seriously,” Chief Justice Minton said. “After eight years in this role, one of the lessons I’ve learned is that nothing great is accomplished in a vacuum. We rarely perform our best when operating in silos.

“The real achievements come when we work together, an often messy process that forces us to find solutions in the midst of different experiences, perspectives and priorities. That struggle is rewarded when we can produce the best results for our fellow Kentuckians. With that in mind, I want to take a look at what happens when all three branches are partners in good government.”

He thanked the House, Senate and Gov. Matt Bevin for supporting a viable Judicial Branch budget for fiscal years 2017 and 2018. “After a tense budget session that went down to the wire, we ended up with the court system’s healthiest budget in the last 10 years and I am very grateful for your support. Our final budget was a win-win for the commonwealth as the court system received sufficient funding to continue operations at nearly current levels and avoid the mass layoffs and program cuts that would have occurred under earlier versions of our budget bill.”

Implementing New Legislation

He said the Judicial Branch is an essential partner with the Legislative and Executive branches when it comes to implementing important legislation. “I appreciate our judges, circuit court clerks and court employees for their willingness to move quickly and decisively when new

legislation changes our laws.” He gave the recent examples below:

House Bill 40 – Felony Expungement. “The AOC put in countless hours to implement House Bill 40 and was ready to offer resources to those applying for a felony expungement when the bill went into effect,” he said. “We worked with the Governor’s Office, the Kentucky State Police, the Kentucky Justice & Public Safety Cabinet and other criminal justice partners to prepare for the transition.”

The AOC has received requests for 8,400 criminal record reports for expungement since the law was effective July 15, 2016. That number is nearly double the number of expungements requested at this time last year.

Senate Bill 200 – Juvenile Justice Reform. He reported that mounting evidence shows juvenile justice reform is working as intended as more cases involving youth are being handled out of court through successful diversion or dismissal. The Family Accountability, Intervention, and Response Teams work with court designated workers to identify service gaps, coordinate access to services for juveniles and families, and determine the appropriate terms for diversion. As the AOC moves from initial implementation to more advanced stages of reform, progress is being made in other critical areas such as these:

- The AOC is making it a priority to address the needs of minorities, who are over-represented in the juvenile justice system.
- The CDW Program is using the GAIN-Q3 assessment tool to more quickly and accurately identify the needs of youth in diversion programs.
- In October, the Supreme Court will adopt the final version of the new Juvenile Court Rules of Procedure and Practice, which provide consistent statewide rules to govern juvenile justice cases.

Senate Bill 133 – Ignition Interlock Devices. The Judicial Branch has also been instrumental in implementing Senate Bill 133. The bill was designed to reduce drunken driving by using ignition interlock devices to prevent a car from starting if the driver’s breath alcohol tests over the limit. “We continue to work with the Transportation Cabinet on ways to improve the ignition interlock process, which involves multiple contacts among Department of Transportation staff, judges and circuit court clerks.”

House Bill 8 – Dating Violence Protection. The AOC has also helped enact House Bill 8, which went into effect Jan. 1, 2016, and extends civil protection to victims of dating violence, sexual assault and stalking. “We revised the legal forms and protective order forms in our domestic violence series and worked with the Kentucky State Police to integrate these changes into their LINK system,” said Chief Justice Minton. “We’re seeing a modest but steady number of filings at roughly 70 cases statewide each month.”

Judicial Redistricting

Chief Justice Minton also gave an update on laying the groundwork to align boundaries for circuit and district jurisdictions based on current judicial caseloads. “We started the process by asking all circuit, family and district judges to take part in what was likely the first Judicial Time Study in Kentucky,” he said. “Judges used an online program to log how they spent their time handling cases and taking care of judicial duties outside of court.”

In February 2016, he presented the results of the time study, site visits with judges and other research to the legislature. That information will be used as the basis for a comprehensive judicial redistricting plan, which he will present to the General Assembly in 2017. “No matter how painful this process and no matter what the end result turns out to be, I can assure you that the redistricting plan we ultimately propose will be solidly rooted in objective research and reflect the input of key stakeholders from throughout the commonwealth.”

New Court Technology

Chief Justice Minton said the Judicial Branch is making impressive progress to adopt technology that will improve customer service and court operations. He thanked the legislators for giving the court system approval in 2013 to issue bonds for new technology. “With the funding issue resolved, we could focus on the policy changes, programming and hardware required for eFiling and an overhaul of our obsolete case management system,” he said.

As of October 2015, Kentucky had made eFiling available in all 120 counties. “eFiling gives Kentucky attorneys the option to file criminal and civil court documents online. This was an enormous step toward our goal of a paperless court system. eFiling is only one component of the larger KYeCourts initiative.”

Improving Judicial Salaries

He also asked the legislature to keep in sight the need to improve salaries for Kentucky judges, who are among the lowest paid in the country and last among judges in the surrounding states.

“Since 2007, Kentucky judges have received only two years of 1 percent raises and two years of \$400 raises,” he said. “It’s been a decade since our judges have received any real boost in compensation and new judges coming on the bench are facing low salaries and recent reductions in pension benefits. Our low salaries provide little incentive for the best and brightest attorneys to leave lucrative law practices to mount expensive campaigns for judicial office. The longer we postpone action, the more difficult it will be to catch up on lost wages and avoid diminishing the quality of the Kentucky judiciary.”

Fight Against Drug Epidemic

And finally, Chief Justice Minton declared the court system’s commitment to partner with the legislature, law enforcement, treatment providers and other agencies who are instrumental in combating the opioid-addiction epidemic and the alarming spread of heroin use across the commonwealth. “The Judicial Branch stands ready and able to help in any way we can to address

a crisis that I consider to be ‘code red.’”

He said he attended the Regional Judicial Opioid Initiative in August 2016 as part of judicial and multidisciplinary teams from Kentucky, Ohio, Illinois, Indiana, Michigan, Pennsylvania, Tennessee, Virginia and West Virginia. “The goal of the summit was to create a framework for a year-long process that will bring a coordinated approach to state and federal policymakers who are confronting this problem in our region.”

Background

The chief justice is the administrative head of the state court system and is responsible for overseeing its operation. [Chief Justice Minton](#) was elected to the Supreme Court in 2006. His fellow justices elected him to serve a third four-year term as chief justice in 2016.

In July 2016, Chief Justice Minton was elected by his fellow chief justices to serve a one-year term as [president](#) of the Conference of Chief Justices and chair of the [National Center for State Courts](#) Board of Directors. Chief Justice Minton is the first chief justice from Kentucky to hold this post in nearly 25 years. In addition, the [White House](#) announced in July 2016 that President Barack Obama had nominated Chief Justice Minton to serve on the board of directors of the [State Justice Institute](#), a federal nonprofit corporation that awards grants to improve the quality of justice in state courts. Chief Justice Minton must next be confirmed by the U.S. Senate.

The [AOC](#) is the operations arm for the state court system. The AOC supports the activities of nearly 3,300 Kentucky Court of Justice employees and 404 elected justices, judges and circuit court clerks. The AOC also executes the Judicial Branch budget.

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