

# Supreme Court of Kentucky

2015-03

## AMENDED ORDER

**IN RE: Amendment to Sections 5.06 and 5.07 of the Administrative Procedures of the Court of Justice, AP Part III, Personnel Policies**

Sections 5.06 and 5.07 of the Administrative Procedures of the Court of Justice, AP Part III, Personnel Policies, are hereby amended as follows:

### **SECTION 5.06 Closures for Inclement Weather**

- (1) Administrative Office of the Courts
  - (a) The AOC will make every effort to remain open during regular business hours.
  - (b) Any AOC employee who is unable to come to work, is delayed in arriving, or needs to leave early due to inclement weather shall use either annual or compensatory leave to fulfill his or her 37.5 hour business week requirement.
  - (c) The AOC Director may, after consulting with the Chief Justice, close AOC facilities if inclement weather prevents or limits access to AOC facilities.
  - (d) If the AOC Director closes AOC facilities due to inclement weather:
    - (i) Full-time employees will accrue inclement weather leave for a maximum of 7.5 hours, less any hours actually worked, for each day the AOC facility is closed.
    - (ii) Any employee who is on leave that was arranged prior to the inclement weather must use the leave as originally requested.
- (2) Courthouse Closures
  - (a) The Chief Circuit Judge, after conferring with the Chief District Judge and the Circuit Court Clerk(s), will decide whether the courthouses will be closed in the circuit.

- (b) If the Chief Circuit Judge closes the courthouse due to inclement weather:
  - (i) Full-time employees will accrue inclement weather leave for a maximum of 7.5 hours, less any hours actually worked, for each day the courthouse is closed.
  - (ii) Any employee who is on leave that was arranged prior to the inclement weather must use the leave as originally requested.
  - (iii) The Chief Circuit Judge must notify the AOC HR Department, in writing, of the date, time, location and reason for the closure. Failure to properly notify the HR Department will result in the loss of inclement weather leave for employees.
- (c) Nothing in this subsection shall preclude an individual Judge within a circuit from holding court in instances of inclement weather. If a court remains open in instances of inclement weather, the Circuit Court Clerk shall have the sole responsibility for providing court staff from his or her office.
- (d) If a courthouse is closed by the Chief Circuit Judge, AOC personnel whose work station is located in that circuit shall contact their appointing authority. Only the AOC Director or designee may grant inclement weather leave to an AOC employee due to closure of a courthouse.
- (e) Per KRS 61.160, KRS 30A.040, and CR 77.03, the Office of Circuit Court Clerk must be open five business days a week between Monday and Saturday, excluding legal holidays and courthouse closures.

#### **SECTION 5.07 Other Closures**

- (1) Administrative Office of the Courts
  - (a) The AOC will make every effort to remain open during regular business hours. The AOC Director may, after consultation with the Chief Justice, close AOC facilities if extraordinary circumstances prevent or limit access to AOC facilities.
  - (b) If the AOC Director closes AOC facilities due to extraordinary circumstances:

- (i) Full-time employees will accrue special leave for a maximum of 7.5 hours, less any hours actually worked, for each day the AOC facility is closed.
- (ii) Any employee who is on leave that was arranged prior to the closure must use the leave as originally requested.

(2) Courthouse Closures

- (a) The courts of the Commonwealth are considered open for business every day except as noted in the holiday schedule in Section 6.02. However, extraordinary circumstances may render use of court facilities impractical, thus necessitating that an office be closed.
- (b) The Chief Circuit Judge, after conferring with the Chief District Judge and the Circuit Court Clerk(s), will decide whether courthouses will be closed in the circuit.
- (c) If the Chief Circuit Judge closes the courthouse due to an extraordinary circumstance:
  - (i) Full-time employees will accrue special leave for a maximum of 7.5 hours, less any hours actually worked, for each day the courthouse is closed.
  - (ii) Any employee who is on leave that was arranged prior to the closure must use the leave as originally requested.
  - (iii) The Chief Circuit Judge must notify the AOC HR Department, in writing, of the date, time, location and reason for the closure. Failure to properly notify the HR Department will result in the loss of special leave for employees.
- (d) Nothing in this subsection shall preclude an individual Judge within a circuit from holding court in instances of extraordinary circumstances. If a court remains open, the Circuit Court Clerk shall have the sole responsibility for providing court staff from his or her office.
- (e) If a courthouse is closed by the Chief Circuit Judge, AOC personnel whose work station is located in that circuit shall contact their appointing authority. Only the AOC Director or designee may grant special leave to an AOC employee due to closure of an AOC office.

- (f) Per KRS 61.160, KRS 30A.040, and CR 77.03, the Office of Circuit Court Clerk must be open five business days a week between Monday and Saturday, excluding legal holidays and courthouse closures.

Entered this 16th day of January 2015.

  
CHIEF JUSTICE