

## Update on COVID-19 and Kentucky Courts

Latest news from Supreme Court and Administrative Office of the Courts

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### **Supreme Court provides new guidance on staffing, access to court facilities, jury trials, evictions**

FRANKFORT, Ky., July 27, 2020 — Today the Supreme Court entered two orders that provide further guidance on how the Judicial Branch can safely carry out court operations. These orders clarify requirements for court facilities and proceedings, address staffing concerns raised by circuit court clerks, and provide updates on the handling of jury trials and evictions.

“It’s been almost two months since the Supreme Court first reopened court facilities to in-person services,” Chief Justice of Kentucky John D. Minton Jr. said in an announcement to justices, judges, circuit court clerks and court personnel. “During that time, we’ve all gotten a crash course in what works and what doesn’t during a global emergency. We’ve received a significant amount of input from court employees and elected officials and through our Reopening Task Forces for Circuit, Family and District courts. This feedback has been integral to guiding our decisions on processes and procedures as we move forward.”

[Administrative Order 2020-55](#) replaces Administrative Orders 2020-43 and 2020-47, both dated May 29, 2020, in their entirety. The highlights are:

- Amends provisions on entrance to court facilities to allow additional access.
- Clarifies that judges are responsible for ensuring appropriate social distancing and proper use of facial coverings in their courtrooms.
- Limits the hours during which the Offices of Circuit Court Clerk may be open to the public to allow circuit court clerks sufficient time to prepare for court dockets and other proceedings.
- Requires an appointment for any in-person driver’s license services and mandates remote renewal for any driver’s license that expires between March 1-Sept. 30, 2020.
- Amends provisions on staffing at the local level to allow elected officials greater flexibility on in-person staffing based on certain factors, including the ability to maintain appropriate social distancing and divide staff into work teams.

- Clarifies that the health and safety requirements apply to committees, commissions, task forces, boards and other administrative bodies of the Supreme Court, Kentucky Court of Justice and Administrative Office of the Courts.

[Administrative Order 2020-56](#) replaces in its entirety Administrative Order 2020-44, dated May 29, 2020. The highlights are:

### **Jury Trials**

- Allows criminal jury trials to resume after Aug. 1, 2020, and civil jury trials to resume after Oct. 1, 2020, if the trial judge determines in his or her discretion, after considering local public health conditions and the Supreme Court's health and safety requirements, that it is advisable.
- Clarifies that jury trials and voir dire must be conducted at a court facility in the county unless otherwise authorized by the Supreme Court.
- Clarifies formats for petit juror orientation and voir dire.
- Requires a final pretrial conference to be conducted no more than three days prior to the date of the trial.
- Mandates the use of facial coverings during jury trials by parties, attorneys, witnesses, jurors and members of the public and the media.

### **Evictions**

- Allows all eviction actions to proceed effective Aug. 1, 2020, subject to the requirements of the federal CARES Act.
- Clarifies certain requirements for eviction actions that are subject to the CARES Act, including that landlords provide 30 days' notice to vacate prior to filing an action for eviction and the prohibition against charging any fees, penalties or other charges that accrued during the effective dates of the CARES Act.
- Requires all eviction filings to be accompanied by form AOC-1027 (Verification of Compliance with CARES Act) before they can be accepted by the circuit court clerk. Form AOC-1027 will be available on the court system's [Forms Library](#) before Aug. 1.

### **Night Court**

- Suspends night traffic court in Jefferson County until further notice.

### **Administrative Office of the Courts**

The [Administrative Office of the Courts](#) in Frankfort is the operations arm of the state court system. The AOC supports the activities of nearly 3,400 court system employees and 406 elected justices, judges and circuit court clerks. As the fiscal agent for the court system, the AOC executes the Judicial Branch budget.

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