

Supreme Court of Kentucky


ORDER

**IN RE: ORDER APPROVING THE LOCAL RULES OF PRACTICE FOR
THE 16th JUDICIAL CIRCUIT, KENTON FAMILY COURT**

Upon recommendation of the Judges of the 16th Judicial Circuit, Kenton County Family Court, and being otherwise sufficiently advised,

The Local Rules of practice for the Kenton County Family Court are hereby approved, effective January 1, 2026, and until further order of this Court.

Entered this 17th day of December 2025.


CHIEF JUSTICE

**KENTON FAMILY COURT
LOCAL RULES OF PRACTICE
16th JUDICIAL CIRCUIT**

RULE 1. INTRODUCTION AND ADMINISTRATIVE PROCEDURE

101. Introduction

101.01 These are the Kenton County Family Court Local Rules of Practice. These Rules supplement the Kentucky Rules of Civil Procedure (CR), the Kentucky Rules of Criminal Procedure (RCr), and the Kentucky Family Court Rules of Procedure and Practice (FCRPP). If these Rules conflict with any other rule, statute, or other law of the United States and/or the Commonwealth of Kentucky, and/or Order of the Kentucky Supreme Court, at any time legally adopted, then, any such statute, law, rule, or order shall always prevail.

101.02 These Rules shall be cited as the Kenton Family Court Local Rules of Practice (KFCLRP).

102. Effective Date

These rules are adopted pursuant to the authority granted by SCR 1.040(3) of the Rules of the Supreme Court and shall apply with full force and effect to all actions.

These rules are effective January 1, 2026 and replace the prior most recent rules (as approved by the Supreme Court of Kentucky on April 11, 2012) and any prior Amendments, General Orders, or Temporary Orders not specifically incorporated by reference herein.

103. Interpreter Services in Court

103.01 Pursuant to Supreme Court Order, each county shall appoint a contact person(s) to be responsible for communicating the need for interpreter services to the Administrative Office of the Courts (AOC) Office of Language Access. The contact person for Kenton Family Court is the Judicial Support Specialist (JSS)/Administrative Assistant for each corresponding division.

103.02 Attorneys or pro se litigants shall contact the JSS/Administrative Assistant for the corresponding division by email at least seven (7) days before the hearing to request an interpreter.

104. Virtual Court Participation

Persons with business before the Court may be permitted by the Court to attend certain Court sessions remotely by using the Court's virtual meeting platform. Persons incarcerated at the time of their first appearance or arraignment shall attend such proceedings virtually, unless otherwise ordered by the Court. In all other proceedings, absent a superseding order by the

Supreme Court of Kentucky (or the Chief Circuit Court Judge), virtual attendance may be authorized only under the following conditions:

a. The person seeking virtual attendance shall request the Court's express permission no less than five (5) business days prior to the scheduled Court event according to the following procedure and practices:

1. The request shall be by Motion and Affidavit, or, by Agreed Order tendered to and approved by the Court;
2. The person(s) attending virtually must keep audio output ("microphone") on "mute" until specifically recognized by the Court, and when recognized, should unmute the microphone and acknowledge attendance; and
3. The person(s) attending virtually shall ensure they are identified on the virtual platform by their first and last name.

b. Attorneys and pro se litigants are responsible to ensure they, their client, or witness has the appropriate technology and ability to participate virtually.

c. The Court reserves the right to schedule any matter or docket for a virtual proceeding at its discretion with notice to parties and counsel.

105. Family Court Divisions and Assignment of Cases

105.01 Divisions

The Kenton Family Court shall consist of three numbered divisions, namely: Second Division, Fifth Division, and Sixth Division.

105.02 Assignment of Judges

Cases shall be assigned, as provided by these Rules, to the divisions of the Kenton Family Court in a manner designed to:

- a. Facilitate the Family Court purpose of One Family, One Judge, One Court;
- b. Efficiently, fairly, and judiciously distribute the workload among the Judges; and
- c. Ensure a fair and impartial assignment process.

The Family Court, with the Chief Circuit Judge, shall establish and maintain a written case assignment policy that directs the procedure of distribution of cases among the divisions. The written policy shall be updated as necessary to reflect changes in judicial resources, caseload volumes, and administrative needs, ensuring continued adherence to the principles set forth in this Rule.

105.03 Assignment of Cases with Prior Contact

At the time of filing of a complaint, petition, or other initiating pleading, the Circuit Clerk shall review the Court's records to determine whether the parties involved have had any prior contact with the Kenton Family Court.

If no contact is revealed, the case shall be assigned to a division of the Kenton Family Court by random assignment and scheduled for further proceedings in accordance with these Rules.

However, if prior contact is revealed, the case shall be assigned to the same division of the Kenton Family Court wherein the case exhibiting prior contact was assigned. If a party (or parties) had prior contact in multiple divisions, the Circuit Clerk shall assign the case to the division which has most recently entered an order concerning the family. The Kenton Circuit Clerk shall then notify each of those divisions where the party (or parties) had prior contact. Prior contact does not include the entry of Emergency Protective Orders or Emergency Custody Orders.

105.04 Transfer of Cases

After a case has been assigned to a division of Kenton Family Court, the Judge thereof may transfer the case by written order when:

- a. The Judge has recused;
- b. Upon agreement of the transferring Judge and receiving Judge to comply with the principles outlined in KFCLRP 105.02 or KFCLRP 105.03; or
- c. Upon other circumstance as the Court deems sufficient. The Clerk shall file the order of transfer in the record and serve a copy upon all parties of record. Upon such transfer being made, the Clerk will make a proper endorsement upon the docket and the record.

105.05 Consolidation of Cases

When two (2) or more cases have been filed, the Court may consolidate the cases. In such a situation, the cases will be consolidated to fulfill the "One Family, One Judge, One Court" purpose of Family Court.

105.06 Judicial Authority Across Divisions

The Judge of any division of the Kenton Family Court may preside over and determine any case or question in any other division of the Kenton Family Court, and sign any order or judgment submitted for entry in any other division of the Kenton Family Court, when a Judge of that division is absent from the county or is otherwise unavailable.

106. Orders

106.01 Preparation and Endorsement

a. When a ruling is made or opinion rendered, an Order or Judgment in conformity therewith shall be prepared by the movant or as directed by the Court and signed by counsel for all parties as "Have Seen" that the Order or Judgment is in conformity to the ruling or opinion. Such Orders shall be tendered to the Court within seven (7) days following the date of the hearing or trial, or as otherwise directed by the Court.

b. Should counsel or party decline or fail to respond to a request to endorse the Order "Have Seen," counsel who prepared it shall file the Order with the Court, together with a certification that it was tendered to counsel who declined or failed to respond to a request to make the endorsement and the date of such tender. The Court shall enter the Order after the expiration of five (5) days (Saturday, Sunday and legal holidays excluded) from the time it was filed, unless counsel who declined or failed to respond to a request to make the endorsement shall have filed written exceptions to it and set such exceptions for hearing before the Court at its next scheduled Motion Docket.

c. In the event counsel disagree on whether a Proposed Order is in conformity with the Judge's ruling, counsel shall:

1. Notify each other of the disparity;
2. Within five (5) business days of notice, counsel shall review the video/audio record of the hearing; and
3. If still in disagreement, counsel shall tender a joint cover letter to the Judge with both Proposed Orders attached thereto for review and entry by the Court. The cover letter shall reference the video/audio citation to the Judge's ruling.

106.02 Show Cause Orders

a. To procure a show cause order, a motion supported by a sufficient affidavit showing that applicant is entitled to the order shall be filed.

b. After this motion and affidavit are filed, a Show Cause Order setting a hearing date may be issued ex parte. The responding party shall appear on the date noticed for hearing, but may be entitled to a continuance if served less than seven (7) days from the date noticed.

c. No Order shall come for a hearing unless it has been served on the person named in the Order by an Officer authorized to serve a summons. The Order shall contain a short statement of the grounds for its issuance and the following statement:

**"IF YOU FAIL TO APPEAR AT THE HEARING,
AN ORDER FOR YOUR ARREST WILL ISSUE."**

d. All motions seeking issuance of a Show Cause Order shall contain a certification that the movant attempted to resolve the issue with the other party prior to filing of the motion.

106.03 Agreed Orders

When submitting an Agreed Order where one or more of the parties is pro se, the pro se party's signature(s) must be notarized.

107. Exhibit Retention and Disposal

107.01 The Clerk shall take immediate custody of all exhibits introduced and retain same until disposed of pursuant to other sections in this Rule.

107.02 Exhibits introduced during any proceeding shall be picked up within thirty (30) days after the time for appeal has expired. If counsel does not pick up the exhibits within that time, the Clerk shall dispose of the exhibits pursuant to the Court of Justice Records Retention Schedule of AOC or as ordered by the Court.

107.03 Exhibits that are too bulky to be included with the transcript on appeal shall be retained by the Clerk until the appeal is final, after which they shall be disposed of in accordance with KFCLRP 107.02.

107.04 Notwithstanding any provision to the contrary, the parties, with the Court's approval, may agree for an exhibit or exhibits to be returned to a party or other entity and to be retained by the party or other entity pursuant to the agreement of the parties.

107.05 Custody evaluations shall be kept confidential by sealing the report within the case file.

108. Retention of Audio and Digital Recordings

Video/audio/digital recordings from Kenton Family Court proceedings shall be retained by the Clerk in the manner consistent with the Court of Justice Records Retention Schedule.

109. Default Judgment

109.01 In all cases of default, all applicable requirements in CR 55 and FCRPP 3(2) shall apply.

109.02 Whether the party in default has appeared or not in the action, a Motion for Default Judgment shall be noticed for a hearing, and the party in default shall be given notice.

110. Legal Briefs and Memoranda

Legal briefs or memoranda shall be filed of record pursuant to the Administrative Rules of Practice and Procedure for the Kentucky Court of Justice Electronic Filing, or successor documents, adopted by the Supreme Court of Kentucky.

111. Dismissal of Action for Failure to Prosecute

111.01 Pursuant to CR 77.02(2), when any action has remained on a docket for one (1) year without any step being taken indicating an intention to prosecute, the action may be dismissed for lack of prosecution on motion of either party or by the Court after notice is provided to the parties and counsel.

111.02 Proceedings in which a notice of collaborative law participation has been filed within the record shall remain open as indicating an intention to prosecute until such time either:

- a. The Court requests a status report on whether the process is ongoing or concluded; or
- b. Notice that the collaborative law process has concluded is filed within the record.

112. Confidential or Privileged Information

“Confidential or privileged documents” shall include any information defined by KRE 506 (counselor-client privilege) or KRE 507 (psychotherapist-patient privilege), and private information that is protected by the federal HIPAA guidelines, including any information regarding medical care or payment history. In any such case, the parties shall comply with the following procedures:

- a. Except with the prior written consent of the Court, no privileged or confidential information shall be shown to, discussed with, or otherwise disclosed to any third party by any party or counsel for any purpose.
- b. “Third Party” includes any person other than the following:
 1. The counsel of record;
 2. Paralegals, associates, and clerical staff of counsel; and
 3. Expert witnesses engaged by the party.
- c. All parties to whom privileged or confidential information is disclosed are enjoined from using the same for any purpose other than the preparation for trial in this action.
- d. All privileged or confidential information described herein shall be designated as “confidential/privileged information” on the face of the document or item. If any privileged or

confidential information is be filed with the Court, it shall be placed in an envelope marked "Confidential/Privileged" and sealed.

e. All parties are prohibited from copying any item containing privileged or confidential information without prior consent of the Court. It is the responsibility of each party and counsel to maintain privileged or confidential information in a secure and appropriate place and to restrict access to such material to persons permitted under this Rule.

f. This Rule shall continue in full force and effect after the completion of any case before the Kenton Family Court. The Court shall retain jurisdiction of this matter for all purposes relating to the provisions of this rule after the completion of the case and until such time as the parties have certified to the Court that they have fully complied with the provisions of this rule.

g. All Children's Advocacy Center (CAC) interview recordings shall be destroyed at the conclusion of the relevant case or as soon thereafter as possible.

RULE 2. DOCKET SCHEDULES AND MOTION PRACTICE

201. Courts' Schedules

201.01 Second Division:

- a. Status Offenses: Wednesday at 8:30 a.m.
- b. Dependency, Neglect and Abuse: Monday at 8:30 a.m. (Temporary Removal Hearings), Thursday at 8:30 a.m. (Temporary Removal Hearings) and Friday at 8:30 a.m. (Adjudications, Dispositions, and Reviews).
- c. Domestic Violence: Monday at 11:00 a.m.
- d. Motion Docket: First and Third Tuesday of each month at 1:00 p.m.,
deadline for filing is no later than 4:00 p.m. on the Wednesday prior to the noticed motion docket.
- e. Paternity and Child Support Enforcement pursued by the Kenton County Child Support Office: Wednesday at 1:00 p.m.
- f. Pro Se/Uncontested Divorce Docket: Contact the Court.

201.02 Fifth Division:

- a. Status Offenses: Thursday at 8:30 a.m.
- b. Dependency, Neglect and Abuse: Monday at 1:00 p.m. (Temporary Removal Hearings) and Thursday (Temporary Removal Hearings, Adjudications, Dispositions, and Reviews).
- c. Domestic Violence: Monday at 10:00 a.m.
- d. Motion Docket: Tuesday at 10:30 a.m.; deadline for filing is no later than

- 4:00 p.m. on the Tuesday prior to the noticed motion docket.
- e. Paternity and Child Support Enforcement pursued by the Kenton County Child Support Office: Wednesday at 1:00 p.m.
 - f. Pro Se/Uncontested Divorce Docket: Tuesday at 9:00 a.m.

201.03 Sixth Division:

- a. Status Offenses: Tuesdays at 8:30 a.m.
- b. Dependency, Neglect and Abuse: Tuesdays at 8:30 a.m. (Temporary Removal Hearings, Adjudications, Dispositions, and Reviews) and Thursdays at 8:30 a.m. (Temporary Removal Hearings).
- c. Domestic Violence: Monday at 9:00 a.m.
- d. Motion Docket: Thursday at 9:00 a.m.; the deadline for filing is no later than 4:00 p.m. on the Friday prior to the noticed motion docket.
- e. Paternity and Child Support Enforcement pursued by the Kenton County Child Support Office: Wednesday at 1:00 p.m.
- f. Pro Se/Uncontested Divorce Docket: Thursday at 9:00 a.m.

201.04 Changes may occur in docket dates and times at the discretion of the Court. The motion docket schedule for each division may be obtained from the Kenton Circuit Clerk's Office – Family Division.

202. Form and Notice of Motion

202.01 Form of Motion

Unless a rule allows otherwise, all motions to be heard shall be noticed for a motion docket, and proper notice pursuant to CR 5.02 given to all parties and counsel. The notice of the motion shall specify the date, time, and place for the hearing. If the matter is scheduled for a Court's virtual docket, or otherwise permitted by the Court to be heard virtually, then the virtual meeting platform ID (e.g. Zoom link) shall be included in the hearing notice.

202.02 Required Identifying Information

All practicing attorneys and pro se litigants shall include the following information in all pleadings, motions, and other papers:

- a. A signature line at the bottom of all pleadings shall always include the attorney's or pro se litigant's name, whom they represent, their physical address, their mailing address, if different, phone number, and e-mail address. Except as set forth in statute or rule where personal identifying information may be redacted, in which case a redacted pleading shall be filed under seal.

- b. A certification of service shall include the names of all parties (including current

counsel and pro se litigants) and the method of service (e.g. via mail, email, or electronic via eFiling, as appropriate) and the identifying information used for service (e.g. if by mail, the complete address, or if the rule permits by email, then the complete email address).

202.03 Ex Parte Motions

All ex parte motions for injunctive relief shall comply with CR 65. All other motions shall be noticed for hearing on a motion docket or hearing date as directed by the Court, unless a rule, statute, or court order provides otherwise.

203. Deadlines for Serving and Filing Motions

203.01 The Motion filing deadline for each division can be found on the Court Schedule above, unless the Court has given leave to file the motion at another time.

203.02 SECOND DIVISION AND SIXTH DIVISION: Pre-rulings are Second and Sixth Division's initial ruling to a Motion. The Court may issue various pre-rulings including: grant or deny the Motion, or set the Motion "To be called," or "To be called to schedule" at the Motion Docket time. Motion Docket pre-rulings will be emailed by the Court's Staff Attorney to the list of registered attorneys. Attorneys shall forward the Motion Docket pre-rulings to pro se litigants.

Only those attorneys and pro se litigants who received a pre-ruling on their Motion of "To be called" or "To be called to schedule" need appear at the Motion Docket. In cases being called for a Case Management Conference ("CMC"), pursuant to FCRPP 40, both parties and their counsel shall attend the CMC, unless otherwise ordered by the Court.

Attorneys and pro se litigants who wish to object to the pre-ruling(s) shall file said objection at least twenty-four (24) hours before the Motion Docket start time. If an objection is filed to the pre-ruling, the Court will call the matter at the next regularly scheduled Motion Docket.

203.03 FIFTH DIVISION does not issue pre-rulings. Fifth Division's Motion Docket shall be in-person unless otherwise directed by the Court. Counsel and all parties shall be present and ready to proceed on the Motion unless excused by the Court in writing.

Counsel shall confer with opposing counsel and any pro se litigants regarding availability prior to noticing a Motion for Motion Docket.

All Motions shall be filed no later than 4:00 p.m. on the Tuesday prior to the noticed Motion Docket. Responses shall be filed no later than 12:00 p.m. (noon) on the Friday prior to the noticed Motion Docket and a courtesy copy emailed to the Court's Staff Attorney.

Where appropriate, and if all parties are represented by counsel, cases which are adequately pled to allow for ruling without additional testimony may be ruled upon by the Court

and counsel and parties are excused from attending Motion Docket. Orders regarding such rulings shall be entered by 4:00 p.m. on Friday prior to the noticed Motion Docket.

204. Motions to Compel Discovery

Before filing any motion to compel discovery pursuant to CR 37, the movant shall make a good faith effort to resolve the discovery dispute with opposing counsel or the pro se party, including written communication specifically identifying the discovery requests at issue and the alleged deficiency in the responses or objections. The responding party shall be afforded no less than seven (7) days to supplement or cure any alleged deficiency, unless a shorter time is necessitated by Court deadlines. Any motion to compel shall include a certificate of compliance certifying satisfaction of the good faith requirement and shall attach copies of the relevant discovery requests, responses, and written communications. The motion shall set forth with specificity each discovery request at issue and the alleged deficiency in each response, including how the response fails to comply with CR 26 through CR 36. Failure to comply with this Rule may result in denial of the motion without prejudice.

205. Registration of Attorneys

The Court's Staff Attorney for each division shall maintain a list of attorneys registered to practice in Kenton Family Court who shall be included on email distribution of pre-rulings. All attorneys seeking to practice before Kenton Family Court are responsible to register and update their e-mail address with the Court's Staff Attorney for each division.

RULE 3. ADOPTIONS

301. General Provisions

301.01 A final hearing shall be scheduled upon a motion to set and certification of readiness.

301.02 The petitioner shall have prepared and tendered Findings of Fact and Conclusions of Law; Judgment of Adoption; Motion to Approve Fees; and Order to Approve Fees prior to the final hearing, unless directed by the Court.

301.03 A Guardian ad Litem ("GAL") shall be appointed for the child in all actions for Termination of Parental Rights and/or Adoption, even when not required by statute.

301.04 Termination of Parental Rights and/or Adoption matters are entitled to priority from the Court and counsel.

RULE 4. DOMESTIC VIOLENCE, PROTECTIVE ORDER (Emergency Protective Order - EPO and Temporary Interpersonal Protective Order - TIPO) PROTOCOL AND 24-HOUR ACCESS POLICY

401. General Provisions

Protective order cases shall be conducted according to the local Kenton County Protective Order Protocol. See Appendix A of the KFCLRP.

402. Guardian ad Litem Appointment

402.01 The Court shall appoint a GAL for any unrepresented minor respondent or petitioner, or on behalf of a minor who is alleged to be a victim of domestic violence and abuse.

402.02 The Court shall set and periodically update a list of attorneys to be appointed. Appointed attorneys are required to participate in periodic training focused on preparing attorneys to serve as GALs and have previous experience in this area of practice.

402.03 The Court may direct the Clerk to appoint a GAL in sequential order from the attorney roster when the Court orders the appointment of a GAL. If a GAL has previously represented the party in any legal matter, the GAL will be appointed to continue representing the child in subsequent proceedings, including the domestic violence case, regardless of the position in the current appointment sequence.

402.04 Persons appointed as GAL shall be entitled to a reasonable fee. The Court shall publish a Schedule of Fees, including hourly billing and other non-statutory billing information and practices annually, which shall be posted in the Kenton Circuit Clerk – Family Division office.

RULE 5. PATERNITY

501. General Provisions

501.01 The Court shall not consider custody and/or parenting time within a paternity case. A separate CI action must be filed for custody and/or parenting time orders.

RULE 6. DEPENDENCY, NEGLECT AND ABUSE

601. General Provisions

601.01 Please refer to FCRPP 15 through 29.

601.02 Pretrial Conference

Prior to adjudication, a pretrial conference may be set upon request.

602. Guardian ad Litem and Appointed Counsel

602.01 The Court shall appoint attorneys to represent parents and children in Dependency, Neglect and Abuse actions in accordance with the rules, statutes and law including FCRPP 35 through 38 and KRS 199, 620 and 625, to facilitate consistent, high-quality advocacy and representation of all parties.

602.02 Each Family Court Division shall maintain a rosters for appointed counsel.

602.03 Each Judge may, in their sole discretion, impose sanctions, including removal from the appointment roster, on any attorney who fails to fulfill their duties including facilitating consistent, high-quality advocacy and representation of parties.

603. Court Review

Any party may request the Court to conduct a review hearing at any time. The party requesting the review shall provide a motion with a clear statement of why a review hearing is necessary and attach any affidavits deemed appropriate. The movant shall be responsible to certify notice of the motion was served on all necessary parties or their counsel. The Court, upon review of the motion, may set a review hearing upon reasonable notice to all parties or their counsel.

RULE 7. DOMESTIC RELATIONS PRACTICE

701. Child Support

701.01 Child Support Orders

- a. See FCRPP 9.
- b. Per FCRPP 9, an order directing the payment of child support shall be on form AOC-152.
- c. All AOC-152 Child Support Orders must also state the division of uncovered medical/dental/optical expenses. See below regarding payment of uncovered medical expenses.
- d. All AOC-152 Child Support Orders must also state an amount to be paid toward any current or future arrearage.
- e. All Child Support Orders which are a deviation from the Child Support Guidelines shall state the amount of and the specific basis for the deviation and shall include a completed child support worksheet with the correct Guidelines amount and said child support worksheet shall be signed by both parties.
- f. All Child Support Orders and deviations shall be based upon the current child

support statutes and worksheets.

701.02 Uncovered Expenses

The parties shall obey the following procedure for division of uncovered expenses as ordered by the Court.

a. The party that incurs the uncovered court ordered expense shall notify the other party within thirty (30) days in writing with supporting documentation of the amount that the other party owes. The party that owes the uncovered expense must pay the balance in full within thirty (30) days of receipt of the request for payment or, in writing, challenge the expense within the thirty (30) day period. This may be referred to as the "30/30 Rule."

702. Uncontested Dissolution Proceedings

702.01 Where the parties reach an agreement on all issues and file a Settlement Agreement/Separation Agreement with both parties' signatures notarized, a Decree of Dissolution may be obtained without a hearing by filing a motion or agreed order to submit for decree of dissolution of marriage with all the information and attachments identified in FCRPP 2(1), FCRPP 3(1)(a), and herein.

702.02 Form of Testimony

a. Testimony in an uncontested dissolution proceeding may be taken by oral testimony before the Court or by deposition upon written questions. It is the obligation of each attorney or pro se litigant to ascertain the procedure used by each division of the Kenton Family Court to finalize uncontested divorces.

b. Attorneys or pro se litigants appearing at the final hearing shall prepare the Findings of Fact and Conclusions of Law and a Decree of Dissolution to be tendered to the Court prior to testimony being taken.

703. Contested Dissolution Proceedings

703.01 Form of Testimony

A contested hearing is one in which the parties have not agreed upon the division of property, debts, custody, support or any one of the elements necessary to dissolve the marriage, and the taking of evidence to permit the Court to render a determination is necessary. Testimony in a contested dissolution proceeding shall be heard orally by the Court, except the testimony of any non-party witness, by agreement between the parties or with leave of court, may be taken by deposition and introduced at the hearing in lieu of the deponent's oral testimony. The deposition shall have been filed in the record not less than twenty-four (24) hours in advance of trial.

703.02 Obtaining a Trial Date

A party seeking a contested trial date shall file a Motion for Trial on the Court's Motion Docket. The trial date shall not be continued except as ordered for good cause shown on the record.

703.03 Notice of Settlement or Request for Continuance

Upon settlement of any case or request for a continuance where a trial or hearing has been scheduled, counsel shall promptly notify the Clerk and Court in writing by submission of a proposed Order identifying the scheduled trial or hearing date and removing the matter from the Court's calendar. Such notification of settlement is a certification by counsel that all issues have been resolved. If no written notification of settlement or request for continuance is received, the parties and counsel will be expected to appear at the hearing unless otherwise ordered by the Court. Failure to notify the Court or appear at the scheduled hearing may result in a Show Cause Order being issued and a finding of contempt and sanctions.

704. Custody, Parenting Time, and Support

704.01 Parenting Time

Pursuant to FCRPP 8, when considering the best interests of the child(ren) in parenting time orders, the Court may consider Appendix C of the FCRPP and or the Kenton Family Court Holiday/Vacation Parenting Schedule, unless otherwise agreed to by the parties or ordered by the Court. The Kenton Family Court Holiday/Vacation Parenting Schedule is set forth in Appendix B of the KFCRLP.

RULE 8. APPOINTED COUNSEL AND COMPENSATION

801. Appointed Counsel

801.01 Each Family Court Division shall maintain multiple rosters for appointed counsel, including:

- a. Roster for Dependency, Neglect, and Abuse ("DNA") and Termination of Parental Rights ("TPR") cases for GAL's for children, appointed counsel for parents, de facto custodians, and for persons exercising custodial control ("PECC").
- b. Roster for Warning Order Attorneys (WOAs).
- c. Roster for non-DNA cases for GALs for children.
- d. Roster for non-DNA cases for Friend of Court (FOC) for children.
- e. Roster for non-DNA cases for GALs for adult parties who are currently

incarcerated or of unsound mind pursuant to CR 17.

f. Roster for indigent parents in private adoption cases where the petitioner is seeking the adoption be granted without consent of one or both parents.

g. Roster for Domestic Violence cases for GALs.

801.02 Qualified attorneys who wish to apply for inclusion on a roster shall contact the Court's JSS for further direction. Each Judge shall make the rosters available to the public upon request.

801.03 All appointed counsel in both DNA cases and non-DNA cases shall comply with FCRPP 35 through 38, as applicable to the appointment. Pursuant to FCRPP 36, attorneys may be removed from the rosters.

801.04 The Court shall retain authority over the appointment of GALs, WOAs, and other appointed counsel. The Court may authorize the Clerk to make such appointments from the Court's Appointed Counsel Roster(s) in accordance with procedures established by the Court.

802. Compensation of Appointed Counsel

802.01 The DNA roster for GALs for children, appointed counsel for parents, de facto custodians, and PECC's shall be paid pursuant to KRS 620.100.

802.02 Persons appointed in non-DNA cases as a GAL, WOA, and other appointed counsel shall be entitled to a reasonable fee. An Order to Proceed In Forma Pauperis does not waive the fee.

802.03 The Court is responsible for approving GAL's fees for individuals appointed in DNA cases (KRS 620.100), for cases in which a voluntary TPR occurs (KRS 625.041), in cases in which an involuntary TPR is sought (KRS 625.080), in cases of adoption (KRS 199.470), and in cases of domestic violence and interpersonal violence (KRS 403.727).

802.04. Motions for compensation by appointed counsel shall be accompanied by an affidavit detailing:

- a. The statutory basis for appointment;
- b. The hours of service rendered with a brief description of the services rendered and reasonableness of the fee requested; and
- c. Where the appointment is made under KRS Chapters 620, 625 and KRS 403.727, a signed FINGAL-1 shall also be submitted.

802.05 Upon rendering the Warning Order Report as required by CR 4.07, the WOA shall be entitled to a reasonable fee, as authorized by the Kentucky Civil Rules, and shall be taxed as costs in the proceeding.

802.06 The Court shall publish a Schedule of Fees, including hourly billing and other non-statutory billing information and practices annually which shall be posted in the Kenton Circuit Clerk – Family Division office.

RULE 9. MEDIATION

901. Staff Mediation

900.01 The Court may establish mediation services available, without charge, by trained Family Court staff personnel for financially disadvantaged parties or as otherwise referred by the Court.

900.02 The Court has exclusive authority to refer parties to staff mediation, either sua sponte or by motion. To determine if parties qualify for staff mediation, parties or their counsel shall file a Motion for Mediation to the Court's Motion Docket. Parties and counsel shall not contact staff mediators without a prior order to initiate staff mediation.

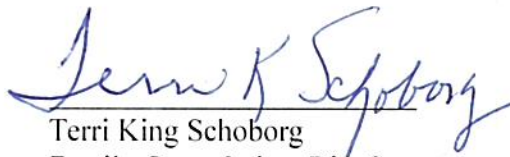
900.03 Staff mediators shall not communicate to the Court regarding any settlement efforts. Staff mediators may not perform mediations for matters which are assigned to the division of the Kenton Family Court who serves as their appointing authority.

RULE 10. MODIFICATION OF RULES

1001. Modification

The provisions of the foregoing Rules are subject to modification, repeal, or alteration upon concurrence of all Judges on the Kenton Family Court and approval by the Chief Justice of the Kentucky Supreme Court.

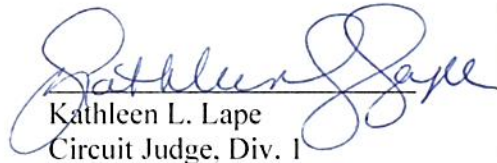
APPROVED this the _____ day of _____, 20_____.




Terri King Schoborg
Family Court Judge, Div. 2



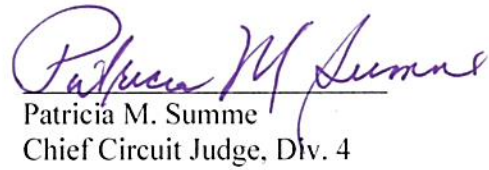
Thomas A. Rauf
Family Court Judge, Div. 6



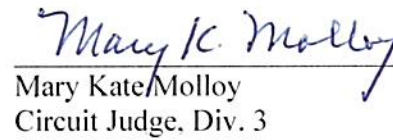
Kathleen L. Lape
Circuit Judge, Div. 1



Acena J. Beck
Family Court Judge, Div. 5



Patricia M. Summe
Chief Circuit Judge, Div. 4



Mary Kate Molloy
Circuit Judge, Div. 3

APPENDIX A

TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION PROTECTIVE ORDER PROTOCOL 16th JUDICIAL CIRCUIT AND DISTRICT KENTON COUNTY

Pursuant to KRS 403.715 to 403.785 and 456.010 to 456.180, and in compliance with FCRPP Section IV, this local Protective Order Protocol is established to ensure twenty-four (24) hour accessibility to emergency protective orders and temporary interpersonal protective orders and to establish written procedures for domestic violence and interpersonal violence matters in which there may be joint jurisdiction between the Circuit/Family and District Courts.

I. Uniform Protocol for Processing Cases

- A. All petitions requested, completed, and signed by persons seeking protection under KRS Chapter 403 or KRS Chapter 456 shall be made on form AOC-275.1, and shall be accepted and filed with the Court.
- B. Family/Circuit/District Court Clerks shall process domestic violence and interpersonal violence cases in accordance with the procedures set forth in the "Domestic Violence and Interpersonal Protective Orders" section of the Kentucky Circuit Court Clerk's Manual.
- C. All cases will be assigned a "D" case number with the appropriate trailer number within the case management system and may not be consolidated with any other case type.
- D. All domestic violence matters shall be assigned to one of the three (3) Family Court Divisions on a weekly rotating basis.
- E. No jurisdiction shall adopt a blanket "no-drop" policy. Domestic violence cases are civil matters within the purview of CR 41.01.
- F. Domestic violence cases may, in the discretion of the Family Court Judge, be reassigned or transferred to another circuit when it is determined that there is currently pending a dissolution or custody matter in that circuit. Consistent with FCRPP 12, when a case is transferred to another circuit due to a pending dissolution or custody matter, an emergency protective order shall continue and the summons shall be reissued by the initiating Court, pursuant to KRS 403.735, for a period not to exceed fourteen (14) days if service has not been made on the adverse party by the date of transfer, or as the Court determines is necessary for the protection of the petitioner. Thereafter, reissuance of the summons shall occur

as needed in the Court of transfer.

II. Twenty-Four Hour Accessibility

- A. The following agencies and officers are authorized to take domestic violence and interpersonal violence petitions and administer oaths to petitioners **during** regular business hours:

Any Clerk or Deputy Clerk from the Kenton Family/Circuit/District Clerk's office.

- B. The following agencies and officers are authorized to take domestic violence and interpersonal violence petitions and administer oaths to petitioner **after** regular business hours and weekends:

Any local police officer, local Sheriff's Deputy, or any Clerk or Deputy Clerk from the Kenton Family/Circuit/District Clerk's Office.

- C. Upon receipt of a domestic violence or interpersonal violence petition **during** regular business hours, the authorized agency/officer shall present the petition to the following:

The Clerk shall call the Family Court Judge's office that is on call for that week to determine if the Judge is available to review the petition, and if available, the petition shall be presented to that Judge immediately. If the Family Court Judge on call will not be available for more than one (1) hour, the Clerk shall present the petition to any available Kenton Family, Circuit, or District Judge.

- D. Upon receipt of a domestic violence or interpersonal violence petition **after** regular business hours, the authorized agency/officer shall present the petition to:

The Family Court Judge on call for that week. If the on-call Family Court Judge does not respond within one (1) hour, an email will be sent to all Kenton Family, Circuit, and District Judges and every hour thereafter until a Judge responds.

- E. Petitions will be reviewed within an hour of presentation to a Judge unless it is impossible due to the unavailability of a Judge.

- F. The schedule for domestic violence hearings is as follows:

Second Division: Monday at 11:00 a.m.
Fifth Division: Monday at 10:00 a.m.
Sixth Division: Monday at 9:00 a.m.

Other dates may be scheduled periodically by the Family Court as needed due to


holidays, large dockets, etc. These dates shall be noticed in advance by the Family Court Judicial Staff and shall be posted on the courthouse monitors.

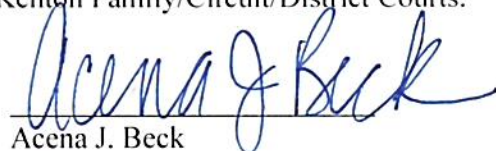
III. Contempt Proceedings


- A. Petitioners seeking to initiate contempt proceedings for violation of a protective order should contact the Kenton Circuit Clerk – Family Division’s office. The party wishing to file a contempt motion shall fill out the motion/affidavit located in the Kenton Circuit Clerk – Family Division’s office. This motion/affidavit will be presented to a Family Court Judge along with the file for review.
- B. No petitioner may be held in contempt for failing to appear at a domestic violence or interpersonal violence hearing or to prosecute a criminal violation of a protective order.

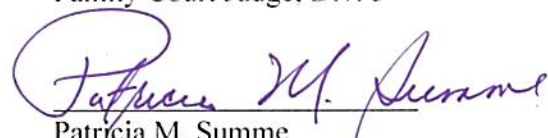
All general orders, forms, policies and procedures relating to domestic violence and interpersonal violence within the judicial circuit are attached to this protocol and incorporated by reference.


The above protocol is adopted by all Judges in the Kenton Family/Circuit/District Courts.

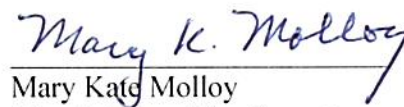

Terri King Schoborg
Family Court Judge, Div. 2

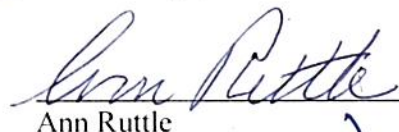

Acena J. Beck
Family Court Judge, Div. 5

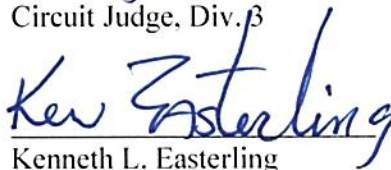

Thomas A. Rauf
Family Court Judge, Div. 6

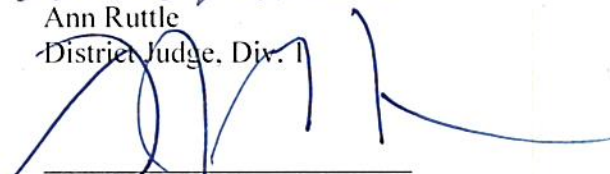

Patricia M. Summe
Chief Circuit Judge, Div. 4


Kathleen L. Lape
Circuit Judge, Div. 1


Mary Kate Molloy
Circuit Judge, Div. 3


Ann Ruttle
District Judge, Div. 1


Kenneth L. Easterling
District Judge, Div. 2


Douglas J. Grothaus
District Judge, Div. 3

APPENDIX B

KENTON HOLIDAY/VACATION PARENTING SCHEDULE

This Standard Holiday/Vacation Parenting Schedule shall be used as a guideline to form an agreement between the parties. It shall not be used as a default schedule; however, it should be used as a foundation for establishing an agreement between the parties.

HOLIDAYS	EVEN # YEARS	ODD # YEARS	AS AGREED, OR
New Year's Holiday*	Mother	Father	12/31, 6:00 p.m. - 1/1, 7:00 p.m.
Martin Luther King Jr. Day	Father	Mother	Sun., 6:00 p.m. - Mon., 7:00 p.m.
President's Day	Mother	Father	Sun., 6:00 p.m. - Mon., 7:00 p.m.
Easter	Father	Mother	Sat., Noon - Sun., 7:00 p.m.
Spring Break**	Father	Mother	6:00 p.m. the day school ends until, the earlier of (1) 6:00 p.m. the following Saturday or (2) 9:00 a.m. the day school begins.
Memorial Day	Mother	Father	Sun., Noon - Mon., 7:00 p.m.
Fourth of July	Father	Mother	7/4, 9:00 a.m. - 7/5 9:00 a.m.
Labor Day	Mother	Father	Sun., Noon - Mon., 7:00 p.m.
Fall Break**	Father	Mother	6:00 p.m. the day school ends until 9:00 a.m. the day school begins.
Halloween	Father	Mother	5:00 p.m. - 8:30 p.m.
Thanksgiving	Mother	Father	Weds., 6:00 p.m. - Fri., 7:00 p.m.
Christmas Eve	Father	Mother	12/23, Noon - 12/24, 10:00 p.m.
Christmas Day	Mother	Father	12/24, 10:00 p.m. - 12/26, 6:00 p.m.
Rosh Hashanah Eve	Mother	Father	5:00 p.m. - 9:30 p.m.
Rosh Hashanah Day	Father	Mother	9:00 a.m. - 7:00 p.m.
Yom Kippur Eve	Mother	Father	5:00 p.m. - 9:30 p.m.
Yom Kippur Day	Father	Mother	9:00 a.m. - 7:00 p.m.
Passover (1st night)	Mother	Father	5:00 p.m. - 9:30 p.m.
Hanukkah (1st night)	Father	Mother	6:00 p.m. - 8:30 p.m.
Mother's Day	Mother	Mother	10:00 a.m. - 7:00 p.m.
Father's Day	Father	Father	10:00 a.m. - 7:00 p.m.
Child's Birthday (school)	Father	Mother	5:30 p.m. - 8:30 p.m.
Child's Birthday (no school)	Father	Mother	10:00 a.m. - 8:30 p.m.

*New Year's Holiday is governed by the year in which New Year's Day falls. It is not governed by the year in which New Year's Eve falls.

**Fall Break or Spring Break, as allowed by the child(ren)'s school calendar.

Summer Break Vacation should be scheduled to allow the parent exercising parenting time a minimum of two non-consecutive weeks during the Summer Break. Summer Break Vacation when stacked with regular or Holiday parenting schedule shall not in total exceed ten (10) days of parenting time. Each parent should provide the time periods he or she desires to the other parent before the end of the school year, or at least sixty (60) days in advance of the requested time. If a child(ren) must attend summer school in order to pass to the next grade, summer parenting time should not prevent school time.

In the event of a conflict, the following is the order of precedence:

1. Holidays
2. Vacation
3. Regular parenting time