



Supreme Court of Kentucky

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2024 State of the Judiciary Address:
Changing to Meet the Future

Chief Justice of the Commonwealth Laurance B. VanMeter
Testimony Before the Interim Joint Committee on Judiciary
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Capitol Annex, Room 149, Frankfort

Chairman Westerfield, Chairman Elliott, Esteemed Members of the Judiciary Committee and Distinguished Guests:

Good morning. Today, I have the privilege of delivering my final State of the Judiciary address to this honorable committee. It comes at a time of great transition for our court system. In the coming years, the Judicial Branch will undergo significant changes with the goal of modernizing our court processes and improving access to justice for Kentucky citizens.

Transitions in leadership, technology, and policy can bring challenges, but they also provide opportunities to strengthen our commitment to justice. With thoughtful planning and collaboration, we are ready to embrace this moment of transformation and ensure that Kentucky's courts continue to serve the people with integrity.

LEADERSHIP TRANSITIONS

As we continue to evolve, we welcome a new chapter in leadership for the Judicial Branch. While she needs no introduction to this committee, I want to recognize Deputy Chief Justice Debra Hembree Lambert as our Chief Justice-elect. She will begin her four-year term on Jan. 6.

Chief Justice-elect Lambert is a dedicated and hard-working member of the judiciary with over 17 years of experience on the bench, having served as a Family Court judge, a Court of Appeals judge, and a Supreme Court justice. She is well respected for her leadership as deputy chief justice and chair of the Kentucky Judicial Commission on Mental Health. Her career is a testament to her commitment to justice.

Chief Justice-elect Lambert, with her wealth of experience and devotion to justice and the people of the commonwealth, will lead this branch with the same integrity and commitment that has defined her career. Kentucky's court system is in capable hands as we move forward during this period of change.

We also welcome a new director of the Administrative Office of the Courts. Chief Justice-elect Lambert recently chose a new director to lead the operational arm of the Judicial Branch. Zach Ramsey will begin his tenure as AOC Director in early December of this year. Mr. Ramsey brings to the branch a wealth of experience and knowledge from the private software sector and from state government. He will be a valuable addition to the Kentucky Court of Justice.

The role of the AOC director is integral to the judicial system's daily operations. The director oversees the branch's budget, nearly 3,300 employees throughout the state who execute the Judicial Branch's programs, and the support services the AOC provides to Kentucky's 412 elected justices, judges, and circuit court clerks. I am confident that Chief Justice-elect Lambert has chosen the right person to take on this important role.

TECHNOLOGY

Incoming leadership will be focused on the technological advancements that are already underway to help our judiciary adapt and thrive in the digital age.

The most significant advancement is the implementation of a new trial court case management system, or CMS. This project is the cornerstone of our efforts to transform Kentucky's judiciary into a fully digital world connected with all its partners by technology. It also represents a pivotal milestone in our move toward a fully electronic court record.

In 2022, the legislature gave the Judicial Branch a once-in-a-generation opportunity by allocating \$38 million from the American Rescue Plan Act to update its two-decade-old, in-house CMS. Recognizing the challenges of attracting, retaining, and compensating technical talent sufficient to maintain a legacy system, we pursued a vendor-provided solution.

After a competitive process, we selected Tyler Technologies as the vendor for our new CMS. The evaluation process included judges, circuit court clerks, and experts from the AOC. Tyler is the recognized leader in public-sector judicial software. It has a proven track record, servicing 21 other statewide court systems. In fact, Indiana, Illinois, Ohio, West Virginia, Virginia, and Tennessee all use Tyler software statewide or on a county-by-county basis.

Tyler also serves North Carolina statewide. North Carolina, like Kentucky, has a unified court system and faces similar challenges in providing court services that effectively meet the needs of both rural and urban communities. Tyler's experience in addressing these complexities makes it well-equipped to support Kentucky's courts.

The new CMS will run on a secure, cloud-based platform, offering stronger protection for sensitive data and greater accessibility to software upgrades.

The new CMS also heralds Kentucky's next evolution of electronic filing. It all began in December 2013 when we accepted the first eFiling through a pilot project in Franklin County. Fast forward to now, and electronic filing is mandatory for attorneys and judges in nearly all District, Circuit, and Family Court case types. With the adoption of Tyler's electronic filing system, Kentucky will be poised to begin its transition to an all-electronic court record.

We will go live with the new electronic filing system in select counties next fall, with statewide implementation to begin thereafter. The CMS will go live in select counties in late summer 2026 with statewide implementation beginning in 2027.

Although the transition to the new CMS and electronic filing system is a significant leap forward for Kentucky, we know it will come with challenges. Such a large organizational change needs careful planning and coordination at every level.

The American Rescue Plan Act money has been wisely used for this transformation and will be applied to finance these new systems for several years to come. However, as with all cloud-based software services, these enhancements will require an ongoing financial commitment in the years ahead to support and sustain them. Nonetheless, our selection of Tyler's cloud-based software service is consistent with our commitment to being fiscally responsible. The cost would have been the same whether we chose an on-premises or cloud-based service. By selecting the cloud, we are investing in a more secure, scalable, and future-proof solution that will serve Kentucky for many years to come.

The resources required to maintain, archive or destroy a paper record are substantial. The new systems will allow us to begin the transition to an all-electronic record, decreasing the strain on our resources, increasing access to the courts statewide, and making implementation of new laws like expanded automatic expungement possible in prospective cases.

JUROR COMPENSATION

Ensuring our court system is efficient and modern also means prioritizing fair compensation for jurors. Although juror compensation is not funded through the Judicial Branch budget, it is essential to assure jury pools accurately reflect our communities. We applaud the General Assembly's request for a Juror Compensation Study to be presented later this year.

I would note that a significant finding in this study is the dramatic loss of buying power in Kentucky's juror compensation. Juror compensation has remained at \$12.50 per day for nearly a half century. Today, to match the purchasing power of \$12.50 in 1978, juror compensation would need to be increased to \$70. This gap highlights the urgent need for reform.

PROBATE

Just as we seek to improve juror compensation, we must also consider reform of our probate laws to better meet the needs of our citizens and practitioners. Current statutes governing the disposition of property and the appointment of personal representatives are outdated and do not reflect modern practices.

While the judiciary aims to update procedural requirements in probate proceedings, these efforts require collaboration with the legislature, the bar, and practitioners. Together, we can create a more efficient and accessible probate framework.

In the interim, we are implementing several immediate measures to assist courts, practitioners, and self-represented litigants. A workgroup is reviewing the AOC's legal forms to improve the efficiency of resolving probate matters under existing law. We are also updating court processes for circuit court clerks, eFiling instructions for practitioners, and a legal self-help guide for self-represented litigants.

These actions demonstrate our commitment to enhancing efficiency and accessibility in our courts while exploring long-term options for modernizing probate law and practice.

STATEWIDE PROGRAMS

Let me share updates on key programs that support our children and families and address mental health to ensure Kentucky continues to thrive well into the future. These programs are a reflection of your initiatives and support, and we continue to be thankful for your innovative approaches to serving our communities.

The Citizen Foster Care Review Board provides findings and recommendations to judges for every child reviewed. We have 173 boards across all 120 counties. In 2023, 725 volunteers conducted over 20,000 reviews for nearly 12,000 children in foster care. As part of 2018's House Bill 1, the boards now host public forums. These public forums let the community voice concerns about foster care and identify barriers to child safety and well-being.

Additionally, court designated workers, by statute, are required to process all complaints filed against children under the age of 18. In fiscal year 2024, court designated workers processed almost 17,000 juvenile complaints, a slight decrease from those processed in the prior year.

Moving on to our mental health initiatives, funding was appropriated this biennium to expand mental health courts to 10 additional sites. These new locations cover the counties of Bourbon, Christian, Clark, Floyd, Franklin, Harlan, Hopkins, McCracken, Perry, Pulaski, Scott and Woodford. That brings the total number of AOC-supported mental health courts to 15. The new sites are expected to begin rendering services to target populations in early 2025.

To support these mental health courts, behavioral health liaisons will provide critical guidance and navigation services for justice-involved individuals facing mental health, substance use, and developmental challenges. The liaisons serve as key connections between the court system and community partners to improve access to necessary treatment and support services.

Additionally, the implementation of the Behavioral Health Conditional Dismissal Program, provided under 2022's Senate Bill 90, is underway in 11 counties and will expand to six more. We remain focused on identifying further opportunities to advance the General Assembly's Senate Bill 90 initiatives. While a detailed SB 90 presentation will follow my address, I want to briefly highlight a related effort.

In Johnson and Warren counties, our Mental Health Court initiatives have been integrated into SB 90 efforts. A grant from the Bureau of Justice Assistance supports Pretrial Services and Specialty Courts in identifying justice-involved individuals at the earliest possible stage and

guiding them to appropriate programs for accountability and treatment. This could include Mental Health Courts or the Behavioral Health Conditional Dismissal Program, depending on the individual's needs.

This approach aligns with the sequential intercept model, which maps the criminal justice system across five intercept points – from initial contact with law enforcement through reentry into society. By identifying and intervening with justice-involved individuals early on, we are advancing one of SB 90's primary goals of addressing behavioral health needs at critical points in the justice process.

KENTUCKY JUDICIAL COMMISSION ON MENTAL HEALTH

The Supreme Court remains committed to supporting the Kentucky Judicial Commission on Mental Health. The justices have added nine new members to drive systemic change for justice-involved individuals with mental health challenges, substance use disorders, and developmental disabilities.

This year's House Bill 385, known as Seth's Law, has set a transformative precedent by reducing outpatient competency evaluation wait times from 12 months to just 3 to 5 weeks, significantly improving competency and guardianship practices statewide.

We thank you for supporting this impactful legislation and are pleased to announce additional legislative recommendations from the Commission for the upcoming session. These include amending two laws (KRS 199.471 and KRS 625.090) to prevent adoption and termination decisions based solely on a parent's disability. The Commission wants these laws to mandate reasonable accommodations tailored to individual needs.

Earlier this year, the Commission partnered with the AOC to champion the Recovery-Oriented System of Care Summits, reaching over 1,050 court professionals and partners. Committed to statewide progress, the Commission is advancing change through 10 workgroups, with over 400 partners participating, and has introduced the nation's first system mapping model for child welfare, criminal justice, and juvenile justice at the local level.

COURT FACILITIES

I also want to extend my appreciation to the General Assembly for its recent budget allocation for the maintenance of county court facilities, which includes a \$53.5 million maintenance pool.

This funding will support a variety of projects associated with HVAC, roofs and electrical systems statewide. Additionally, it will fund significant county court projects such as the renovation of Jefferson County's Jury Assembly Room, the relocation of Jefferson County's data center, the renovation of Kenton County's Family Court area, and essential masonry repairs in Warren County. These improvements will enhance county court facilities across the state and ensure they continue to meet the demands of their local communities.

OPERATIONS

While we have made strides in securing raises and funding for specific judiciary projects or initiatives, rising operational costs are increasingly challenging.

The Judicial Branch has operated at a deficit since 2010, relying on vacancy credits and agency revenue to bridge the gap. However, these savings have diminished in recent years, compounded by inflation impacting the cost of essential goods and services.

We anticipate submitting a budget request in 2026 to address these challenges. Until then, with 90% of our operational budget dedicated to personnel expenses, we have implemented cost-saving measures to avoid any reduction in court services. This includes requiring vacant positions as of Nov. 1 to remain unfilled for 60 days, limiting out-of-state travel paid for by the General Fund, encouraging the use of Teams or Zoom in lieu of non-essential in-state travel and reverting operating budgets to last year's levels.

These initiatives are part of our commitment to fiscal responsibility in the short-term, ensuring that Kentucky's judiciary remains efficient and sustainable despite present budget constraints.

CONCLUSION

Moving ahead, it's important to remember that all these efforts – from new leadership to improved technology – are about building and maintaining the public's trust in our courts. After all, without that trust, we can't effectively resolve disputes and deliver equal justice for all.

With the continued support of the General Assembly, particularly this Committee, the bar and our many justice partners, we'll keep strengthening our courts and upholding the rule of law. Together, we're ensuring Kentucky's judicial system is ready for whatever the future brings.

Thank you for your dedication to these efforts and for your partnership.

As I prepare to retire from the bench, I leave with immense gratitude for the colleagues, partners and public servants who have made this journey so rewarding. I am confident that with your continued support, the future of Kentucky's courts is bright.

Thank you again. I'm happy to answer any questions you may have.

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