

Supreme Court of Kentucky

ORDER CORRECTING

2013-14

Supreme Court Order 2013-14, entered October 22, 2013, is hereby corrected to delete the sixth word in line 9 of CR 23.05(6)(b), "the", which is a typographical error.

ENTERED: March 6 2014.


CHIEF JUSTICE

Supreme Court of Kentucky

CR 23.05(6) Disposition of Residual Funds

(6) Disposition of Residual Funds

(a) "Residual Funds" are funds that remain after the payment of all approved class member claims, expenses, litigation costs, attorneys' fees, and other court-approved disbursements to implement the relief granted. Nothing in this rule is intended to limit the parties to a class action from agreeing to, or the trial court from approving, a settlement that does not create residual funds.

(b) Any order entering a judgment or approving a proposed compromise of a class action certified under this rule that establishes a process for identifying and compensating members of the class shall provide for the disbursement of residual funds. In matters where the claims process has been exhausted and residual funds remain, not less than twenty-five percent (25%) of the residual funds shall be disbursed to the Civil Rule 23 Account maintained by the Kentucky IOLTA Fund Board of Trustees pursuant to Supreme Court Rule 3.830(20). Such funds are to be allocated to the Kentucky Civil Legal Aid Organizations based upon the current poverty formula established by the Legal Services Corporation to support activities and programs that promote access to the civil justice system for low-income residents of Kentucky.