

Supreme Court of Kentucky

2023-09

AMENDED ORDER

IN RE: KENTUCKY COURT OF JUSTICE HIRING POLICY

Under Section 116 of the Kentucky Constitution and Supreme Court Rule 1.010, the Supreme Court hereby adopts the following amended hiring policy for the Kentucky Court of Justice:

A. Submission of Vacancy Requests

- (1) A vacancy is an unoccupied paid position within the KCOJ that the appointing authority intends to fill with a suitable candidate either immediately or within some length of time.
- (2) Vacancies must not be filled unless approved by the Administrative Office of the Courts (AOC) through the Vacancy Request Process. Vacancy requests must be submitted for consideration to COJVacancyRequests@kycourts.net.
- (3) A detailed justification of need must be included with a Vacancy Request.
- (4) A newly appointed or elected justice, judge or circuit court clerk who is establishing an initial complement is not subject to this Order.

B. Approval of Vacancy Requests

- (1) A request to fill a vacancy in a Circuit Court Clerk's office will be approved in accordance with the 2023 staffing guidelines.
 - a) A request to fill a general-fund vacancy in a Circuit Court Clerk's office will only be approved if the Circuit Court Clerk has no restricted-fund employees.
 - b) If the Circuit Court Clerk has an employee in a position that is funded by Master Commissioner (MC) restricted funds, the Circuit Court Clerk must move the MC restricted-fund employee with the most seniority, based on Court of Justice continuous years of service, to the general-fund vacancy.

- c) Positions funded by MC restricted funds may not be approved to fill due to reduction in those restricted funds.
- (2) Administrative Office of the Courts
- a) An AOC Program or Department requesting to fill a vacancy must list and prioritize all its vacancies on the Vacancy Request form.
 - b) An AOC Program or Department with a general-fund vacancy may move a restricted-fund employee with the most seniority, based on Court of Justice continuous years of service, to the general fund vacancy.
 - c) Positions funded by MC restricted funds may not be approved to fill due to reduction in those restricted funds.

C. Appeal from Denial of Request

Appeals from AOC's denial of any request made under this Order must be made to the Chief Justice, who will determine whether filling of the vacancy is necessary to the continuity of operations of the KCOJ.

This Order is effective May 1, 2023, and until further order of this Court.

Entered this 18th day of April 2023.

All sitting; all concur.


CHIEF JUSTICE