



## Supreme Court of Kentucky

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**John D. Minton, Jr.**  
Chief Justice of Kentucky

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*For Immediate Release*

### **Chief Justice Minton says Judicial Branch is shaping the courts to meet needs of today's society in 2018 State of the Judiciary address**

FRANKFORT, Ky., Nov. 2, 2018 – Chief Justice of Kentucky John D. Minton Jr. gave the legislature an update today on how the Judicial Branch is improving court operations to meet the needs of the people they serve.

“I’m grateful when the legislature invites us to the table to tackle issues such as penal code and juvenile justice reform, enlists our help as it enacts new legislation, and provides adequate funding for court programs,” he said. “We’re stronger when we work together and the people of the commonwealth reap the benefits of our collaboration. That spirit of cooperation serves us well as we tap into the expertise of others to help us adapt to the changing legal and societal landscape.”



Law School Dean Colin Crawford (left) poses with Chief Justice John D. Minton Jr. after the State of the Judiciary address at the Louis D. Brandeis School of Law at the University of Louisville.

These comments were part of the annual State of the Judiciary address before the General Assembly’s Interim Joint Committee on Judiciary at the Louis D. Brandeis School of Law at the University of Louisville. The full address can be found [here](#).

#### **Civil Justice Reform Initiative**

Chief Justice Minton began by warning of a potential crisis in the country’s civil justice system due to the cost, delay and complexity of litigation. “If we fail to change the way we operate, we run the risk of becoming obsolete – a risk that the legal profession must work to avoid,” he said.

He is addressing those concerns by forming a Civil Justice Reform Commission, comprised of lawyers, judges and legislators, to recommend changes to the civil justice system. The commission's first recommendation is to develop a business courts pilot project that would hear complex commercial cases and business disputes to free up regular dockets and give these cases the attention they need.

### **Court Efficiency Committee**

"Our efforts on civil justice reform go hand in hand with our work to improve court efficiency" he said. He has created a Court Efficiency Committee of judges and circuit court clerks to look closely at court processes to see where to streamline operations.

### **Judicial Redistricting**

Chief Justice Minton said the judicial redistricting bill passed this year will provide relief to three Family Courts in jurisdictions with the heaviest workloads, easing the burden on the existing Family Court judges in Lincoln, Pulaski and Rockcastle; Boone and Gallatin; and Bullitt counties. To allow for the creation of these new positions, the bill eliminated two District Court judgeships and one Circuit Court judgeship.

### **Pretrial Justice Reform**

He said the Kentucky Court of Justice is answering the growing call for pretrial justice reform by taking part in the [Pretrial Justice Institute's 3DaysCount campaign](#), a national initiative to make pretrial justice safer, fairer and more effective by reducing the number of people in jail without sacrificing public safety. The program is based on the premise that even three days in jail can leave many people less likely to appear in court and more likely to commit new crimes because of the stress incarceration places on jobs, housing and family connections.

Kentucky's participation in 3DaysCount came about from the court system's Pretrial Bail Practices Committee, a group of 14 circuit and district judges who are evaluating the current risk assessment tool and recommending ways to improve pretrial practices and court rules.

### **Pretrial Assisted Re-Entry & Treatment Services Program**

Another pretrial innovation is a new pilot project in Jefferson County that's bringing a case management, service-oriented approach to the Monitored Conditional Release Program for defendants in Circuit Court.

"PARTS stands for the Pretrial Assisted Re-Entry & Treatment Services Program and will reduce the burgeoning jail population by allowing certain defendants to be released pending trial," Chief Justice Minton said. "Once released, defendants typically need help with substance use disorder and obtaining employment, housing and health insurance. Our goal is to give defendants the tools to become successful, productive members of society while ensuring they return to court and avoid future criminal activity."

He said he appreciates the circuit judges, commonwealth's attorney, public defender, Louisville Metro Department of Corrections and local treatment providers who are partnering with the court system on this important program.

### **Open Family Court Pilot Project**

He also reported on the Open Family Court Pilot Project, which is opening some child protection cases to the public for the first time under a four-year program.

For two months this spring, judges in three jurisdictions – Hopkins; Jefferson; and Harrison, Nicholas, Pendleton and Robertson – opened their Family Courts to the public and the media for observation and evaluation. The results from the first phase are inconclusive regarding the benefits of opening Family Court proceedings, but the Department of Family & Juvenile Services will continue to collect information and report back annually for the remaining three years of the project.

### **Juvenile Justice Reform**

Chief Justice Minton noted that four years into the implementation of juvenile justice reform, which passed as Senate Bill 200 in 2014, the Family Accountability, Intervention, and Response Teams continue to be effective in increasing the number of white young people avoiding formal court through diversion programs. However, the results are not as promising for minorities.

In response to the disproportionate and disparate outcomes for minority youth served by the juvenile justice system, the Department of Family & Juvenile Services has developed an agency model to reduce implicit bias and cultural collisions that may unintentionally contribute to disproportionate minority contact.

### **WINGS Program for Adult Guardianship**

Chief Justice Minton said that House Joint Resolution 33 passed in 2018 requested that the AOC and the Cabinet for Health and Family Services establish a WINGS Program. WINGS stands for Working Interdisciplinary Networks of Guardianship Stakeholders and is tasked with examining how adult guardianship is working for this fast-growing segment of the aging population.

WINGS brings together judges, the public and private bar, aging and disability networks, mental health agencies, advocacy groups, service providers and family members affected by guardianships. Their focus is to help the public navigate the complex system of services and laws that help aging parents and disabled children who will soon turn 18.

### **Court Technology**

Chief Justice Minton said the court system is adopting new technology to improve its customer service by opening up eFiling to the public for small claims cases, sending text notifications to remind defendants to show up for court dates and offering payment plans online in a pilot project in Jefferson County.

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

Chief Justice Minton said the Administrative Office of the Courts has contracted with Deloitte in response to the Kentucky Auditor of Public Accounts' recent audit of the AOC.

“We knew that we wanted to hire outside expertise to help shore up our internal controls in several areas and carry out the audit’s recommendations,” he said. “Deloitte has consulted on projects for the Kentucky Executive Branch and we’re excited to partner with them on this project.”

A team from Deloitte will be at the AOC for 12 weeks to develop an internal auditing function; document existing workflows related to travel reimbursements, inventory, county facility reimbursements and budget processes; and make recommendations about additional internal controls and technology related to the documented workflows.

“We want to use the audit as a catalyst for change by strengthening the AOC’s financial and administrative operations and providing more transparency to the public,” he said.

### **Court Facility Projects**

He said the AOC is working on several capital projects authorized by the legislature. These are an addition/renovation to courthouses in Henry and Oldham counties, new judicial centers in Bath and Nicholas counties, and the renovation of the lobby in the Jefferson County Hall of Justice.

Chief Justice Minton closed his remarks by noting that the hectic years as chief justice have contributed to his graying hair, but it’s been worth the sacrifice. “When I started this job 10 years ago, I could hardly have imagined the challenges we would face,” he said. “I’m grateful for the 404 justices, judges and circuit clerks and 3,800 court employees who have jumped on board when we have repeatedly called for change. Together we’re shaping the way the Judicial Branch meets the needs of today’s society and there is no more worthy goal.”

### **Background**

The chief justice is the administrative head of the state court system and is responsible for overseeing its operation. [Chief Justice Minton](#) was elected to the Supreme Court in 2006. His fellow justices elected him to serve a third four-year term as chief justice in 2016. He is a member of the board of directors for the [State Justice Institute](#), a federal nonprofit corporation that awards grants to improve the quality of justice in state courts. He is also a past president of the Conference of Chief Justices and past chair of the National Center for State Courts Board of Directors.

The AOC is the operations arm for the state court system. The AOC supports the activities of 404 elected justices, judges and circuit court clerks and nearly 3,800 Kentucky Court of Justice employees. The AOC also executes the Judicial Branch budget.

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