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### **Update for April 23, 2020**

Justices, Judges, Circuit Court Clerks and Kentucky Court of Justice Personnel:

### **Supreme Court amends emergency release schedule, clarifies that order applies only to new arrests**

The Supreme Court has issued amendments to its emergency release schedule, which clarifies that the order applies only to new arrests and does not apply to drug court violations, probation violations, any violations of conditions of release, persistent felony offender charges or escape charges.

[Administrative Order 2020-27](#), dated April 23, 2020, replaces in its entirety Administrative Order 2020-25, dated April 14, 2020. The order will remain in effect through May 31, 2020.

The Supreme Court originally issued the emergency release schedule and emergency pretrial drug testing standards April 14 to help protect the health and safety of our criminal justice partners and defendants housed in county jails. The emergency release schedule temporarily expands the current Administrative Release Program as follows:

- Defendants who are arrested for any nonviolent/nonsexual misdemeanor and/or Class D felony (including defendants arrested on an indictment warrant) and have not been assessed as a high risk for new criminal activity shall be released on recognizance.
- Defendants who are charged with any nonviolent/nonsexual Class D felony, are a high risk for failure to appear, or have previously failed to appear on any nonviolent/nonsexual misdemeanor or Class D felony shall be supervised by Pretrial Services.
- Defendants who are served with a warrant for nonpayment of court costs, fees or fines or with a warrant for failure to appear on a violation shall be cited and released and a show cause hearing shall be set after May 31, 2020.
- Defendants who are arrested for contempt of court on civil matters (excluding any violation of a protective order), nonpayment of child

support or nonpayment of restitution shall be released on recognizance and a show cause hearing shall be set after May 31, 2020.

- Defendants not released under this schedule or under the current Administrative Release Program shall be reviewed by a judge within 12 hours of their arrest.

The order also provided emergency pretrial drug testing standards to reduce the risk of exposure to COVID-19 for drug testing providers and defendants.

Thank you again for your hard work and support of social distancing. You can email your questions to [covid19@kycourts.net](mailto:covid19@kycourts.net) and find updates at [COVID-19 and the Courts](#).



John D. Minton, Jr.  
Chief Justice of Kentucky  
Capitol Building  
700 Capital Avenue, Room 231  
Frankfort, Kentucky 40601  
Telephone 502.564.4162