

Supreme Court of Kentucky

2023-04

ORDER

IN RE: MANDATORY ELECTRONIC FILING IN SELECTED CASE TYPES IN THE CIRCUIT AND DISTRICT COURTS OF THE COMMONWEALTH

Pursuant to Section 116 of the Kentucky Constitution and the Administrative Rules of Practice and Procedure for the Kentucky Court of Justice Electronic Filing (2022-65, “eFiling Rules”), effective March 15, 2023, all eligible documents, including document(s) initiating the action, shall be electronically filed by an attorney in the following case types in the circuit and district courts:

1. Business/Commercial – Business Tort
2. Business/Commercial – Statutory Action
3. Business/Commercial – Contract Dispute
4. Business/Commercial – Other

In the event of a technical failure, Section 18 of the eFiling Rules shall apply. For the purposes of this order, “eligible documents” means those documents for which an action in eFiling is configured and available to the filer. If a document is not eligible for eFiling, it may be conventionally filed.

Effective April 1, 2023, the Circuit Clerk shall reject and return any conventionally filed document that is eligible for eFiling in these case types, except that, attorneys who have not obtained certification to electronically file in the KY eCourts eFiling application and are unable to do so in time to comply

with a jurisdictional deadline shall be permitted to file an eligible document(s) if accompanied by AOC Form 108, Affidavit of Necessity (Mandatory eFiling).

Judges, commissioners, and other court personnel are strongly encouraged to electronically file orders, notices, and other documents in all case types considering system availability and limitations.

This order supplements Administrative Order 2022-22, Administrative Order 2022-45, and Administrative Order 2022-51 regarding Mandatory Electronic Filing in Selected Case Types in the Circuit and District Court of the Commonwealth and shall be effective March 15, 2023.

Entered this 13th day of February 2023.

All sitting. All concur.


CHIEF JUSTICE