

JEFFERSON CIRCUIT COURT  
DIVISION FOUR (4)

GENERAL ORDER OF MAY 27, 2020  
REGARDING MOTION HOUR PROCEDURES  
DURING PANDEMIC PROTOCOL

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On May 15, 2020, the Supreme Court of Kentucky entered Amended Order 2020-39 which addresses procedures for the Court of Justice beginning Monday, June 1. In response to said Order, and in an effort to clarify this Court's docket and motion hour procedures under said directives, the Court enters the following General Order:

1. This Order is limited to the court schedule and procedures for Division Four (4) of Jefferson Circuit Court. *It does not apply to any other division. **Please refer to [jeffersoncircuitcourt.com](http://jeffersoncircuitcourt.com) for additional guidance.***

2. The Supreme Court has directed that "Courts shall resume hearing civil and criminal matters using available telephonic and video technology to conduct all proceedings remotely." If you believe "that a matter requires in-person attendance" you must provide the Court with the basis for that belief and the Court will determine if an exception will be made.

3. In compliance with said Amended Order, this Court's motion hours are reinstated beginning June 1 at 10:00 a.m., EDT. It shall be conducted via telephonic conference. For criminal cases, counsel and any out of custody Defendant are to call 1-848-777-1212 and enter Conference ID Number 7675632. For civil cases, only counsel and pro se individuals are to call in. Please follow the prompts to

join the conference. You will not be announced. There are likely to be other parties with causes to be heard on the line at the same time so please set your phone on mute while waiting for your case to be called.

4. In-custody criminal defendants will not be brought over for motion hour. A limited number of telephonic or video hearings on motions in criminal cases can be conducted remotely as well and can include the participation of an in-custody defendant from Metro Corrections if the defendant will accept same and waive his right to a personal appearance.

5. When filing a motion, the moving party shall: *a) prepare a pleading supporting the motion in detail -- as though it will be decided “on the pleadings”; b) state the time and method the motion is to be considered; and c) include on the pleading the phone number\* and e-mail address of all counsel and pro se litigants, if known.*

6. If a hearing is to be set, the Court’s administrative assistant, JuNelle Anderson will coordinate scheduling same. Contact information for Division Four is posted at [jeffersoncircuitcourt.com](http://jeffersoncircuitcourt.com).

7. Counsel should continue to consider both the feasibility and the necessity of a remote hearing before filing a motion seeking a hearing during this period. If there are unrepresented litigants for example, it may be difficult to conduct a remote hearing. At a minimum, counsel should confer with opposing counsel to see if the matter can be resolved by agreement. Counsel must understand that the Court of Justice is essentially trying to provide all prior judicial

services with the exception, for now, of petit jury trials. Correspondingly, counsel should expect (as the Court will) that cases will proceed; using remote technology where necessary.

8. The procedures set forth above are limited to the time frame set forth in Kentucky Supreme Court Amended Order 2020-39. However, if the Supreme Court extends the effective date of that Order, this Order is hereby comparably extended. If the Supreme Court modifies its restrictions, this Court will enter subsequent orders providing guidance to parties, attorneys, and litigants.

5/27/2020

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CHARLES L. CUNNINGHAM, JR.  
JUDGE, DIVISION FOUR

[ \*This refers to counsel's work phone. If counsel wishes to be contacted telephonically for a hearing at their personal/mobile number, and do not wish to place that number in a public pleading, the Court needs to be provided that number privately in advance of the hearing.]