

DOCKET REPORTS
FOR
CALENDAR YEAR 1975

COMPILED BY THE
JUDICIAL COUNCIL
COMMONWEALTH OF KENTUCKY



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Kentucky Judicial Council

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FOR

CALENDAR YEAR 1975

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JUDICIAL COUNCIL
COMMONWEALTH OF KENTUCKY

CHIEF JUSTICE SCOTT REED, CHAIRMAN

NCJRS

JUN 24 1976

ACQUISITION

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Howard E. Trent, Jr., Secretary, ex officio,
Director, Administrative Office of the Courts
235 Capitol Building
Frankfort, Kentucky 40601



ADMINISTRATIVE OFFICE OF THE COURTS
COMMONWEALTH OF KENTUCKY
CHAMBERS, STATE CAPITOL, FRANKFORT

HOWARD E. TRENT, JR.
DIRECTOR

May 1, 1976

Chief Justice Scott Reed
The Capitol
Frankfort, Kentucky 40601

Dear Mr. Chief Justice:

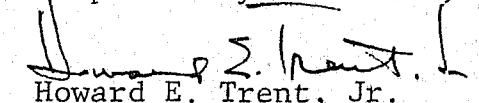
Statistical tables indicating caseload trends of the former Court of Appeals over the past fifteen years, along with docket reports reflecting the 1975 calendar year caseloads of the circuit courts as certified by the 120 circuit clerks, are submitted herein. Judicial listings accompanying the docket reports identify the circuit judges currently responsible for the business of the 55 judicial districts existing at the close of 1975.

Since under the Judicial Article, effective January 1, 1976, the former Court of Appeals of Kentucky became the Supreme Court of Kentucky, and the 55 former judicial districts became the 55 judicial circuits, this constitutes a final statistical report as to the 85-year-old two-tiered state court system.

Hopefully under the implementing legislation recently enacted by the 1976 General Assembly the new fourteen-member Court of Appeals, the intermediate appellate tier created by the Article, can soon be operational so as to facilitate an early reduction in appellate backlogs, followed by an orderly transition to the system of limited jurisdiction District Courts in January 1978.

In view of the relationship of the new unified court structure to goals of improvement in the administration of justice as represented by the expeditious disposition of causes, the text of the Article which delineates the form of that new structure is included as an appendix to this report.

Respectfully submitted,


Howard E. Trent, Jr.

Secretary ex officio, Judicial Council
Administrative Director of the Courts

HET:msr

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THE APPELLATE COURT

The appellate districts for the former Court of Appeals on January 1, 1976, became the initial Supreme Court Districts, and the Judges of the Court of Appeals representing those districts, as of January 1, 1976, became the Justices of the Supreme Court, as follows:

CHIEF JUSTICE

SCOTT REED ----- Lexington
Fifth Supreme Court District

JUSTICES

BOYCE G. CLAYTON ----- Benton
First Supreme Court District

JOHN S. PALMORE ----- Owensboro
Second Supreme Court District

PLEAS JONES ----- Williamsburg
Third Supreme Court District

MARVIN J. STERNBERG ----- Louisville
Fourth Supreme Court District

ROBERT O. LUKOWSKY ----- Ft. Mitchell
Sixth Supreme Court District

JAMES B. STEPHENSON ----- Pikeville
Seventh Supreme Court District

COURT OF APPEALS OF KENTUCKY

MATTERS DOCKETED, CALENDAR YEARS 1961-1975

<u>YEAR</u>	<u>APPEALS AND ORIGINAL ACTIONS</u>	<u>MOTIONS FOR APPEAL</u>	<u>ACTIONS FOR IN- JUNCTIVE RELIEF</u>	<u>PETITIONS FOR REHEARING</u>	<u>GRAND TOTALS</u>
1961	551	65	5	145	666
1962	596	64	22	108	790
1963	594	49	10	153	806
1964	743	65	16	144	963
1965	803	77	11	168	1059
1966	804	71	16	146	1037
1967	787	56	19	179	1041
1968	780	50	13	174	1017
1969	903	45	12	175	1135
1970	1086	43	24	158	1311
1971	1063	35	15	122	1235
1972	1104	31	9	128	1267
1973	1116	28	16	147	1307
1974	1090	30	22	190	1332
1975	1173	26	26	185	1410*

* Of the appeals docketed in 1975, 29.30% were appeals in criminal cases (308 out of 1051).

COURT OF APPEALS OF KENTUCKY

MATTERS DISPOSED OF, CALENDAR YEARS 1961-1975

<u>YEAR</u>	<u>DISPOSED OF BY OPINION</u>	<u>DISPOSED OF BY ORDER</u>	<u>RULINGS ON PETITIONS FOR REHEARING</u>	<u>GRAND TOTALS</u>
1961	441	52	131	624
1962	378	58	116	552
1963	526	68	143	737
1964	617	84	166	867
1965	626	166	147	939
1966	597	127	160	884
1967	639	136	155	930
1968	604	216	161	981
1969	618	240	171	1029
1970	627	379	128	1134
1971	586	393	118	1097
1972	619	353	116	1088
1973	677	466	134	1277
1974	860	323	179	1362
1975	857	293	180	1330

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION*	ATTYS.**	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
1ST													
Judge Bondurant	Ballard	8,276	6	346	75	146	275	57	34	37	54	70	0
(John C.)	Carlisle	5,354	2	194	69	42	221	66	5	9	62	57	0
(Effective 1/5/76)	Fulton	10,183	13	99	135	143	91	47	32	28	51	184	1
	Hickman	6,264	2	123	103	58	168	26	9	6	29	144	1
TOTALS		30,077	23	762	382	389	755	196	80	80	196	455	2
2ND													
Judge Emery, II - Div. I													
(Lloyd C.) (Effective 1/5/76)													
Judge Price - Div. II	McCracken	58,281	83	2,219	1,089	865	2,443	271	186	159	298	161	0
(J. Brandon)													
3RD													
Judge White, Jr.	Christian	56,224	47	556	792	771	577	116	196	199	113	143	0
(Stephen P.)	Lyon ***	5,562	4	126	74	37	163	60	28	28	60	30	6
	Trigg ***	8,620	6	99	100	83	116	26	18	21	23	15	1
TOTALS		70,406	57	781	966	891	856	202	242	248	196	188	7
4TH													
Judge Spain	Caldwell ***	13,179	11	87	164	111	140	193	43	27	209	65	0
(Thomas B.)	Hopkins	38,167	43	3,066	716	383	3,399	330	89	99	320	141	2
TOTALS		51,346	54	3,153	880	494	3,539	523	132	126	529	206	2
* Population figures shown are the supplemented 1970 Census figures recognized as a standard for legislative purposes by the Legislative Research Commission.													
** The number and location of attorneys are based upon the resident membership list of the Kentucky Bar Association effective January 23, 1976.													
*** 56TH Judicial Circuit, consisting of Caldwell, Livingston, Lyon and Trigg Counties, was created effective March 15, 1976, by Committee substitute for House Bill 150 of the 1976 Kentucky General Assembly; judge to be appointed.													

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
5TH													
Judge Wathen	Crittenden	8,493	4	185	134	71	248	43	12	21	34	38	1
(Will Tom)	Union	15,882	11	420	276	323	373	49	59	75	33	67	0
(Effective 1/5/76)	Webster	13,282	9	488	262	149	601	36	12	12	36	44	0
TOTALS		37,657	24	1,093	672	543	1,222	128	83	108	103	149	1
6TH													
Judge Griffin - Div. I													
(Henry M.)													
Judge Short - Div. II	Daviess	79,486	110	1,111	1,371	1,302	1,180	240	309	297	252	426	0
(Robert M.)													
7TH													
Judge Fuqua	Logan	21,793	12	629	329	266	692	267	199	67	399	198	2
(William G.)	Todd	10,823	5	169	127	95	201	163	29	17	175	98	0
TOTALS		32,616	17	798	456	361	893	430	228	84	574	296	2
8TH													
Judge Allender - Div. I													
(William E.) (Effective 1/5/76)													
Judge Francis - Div. II	Warren	57,432	88	903	1,520	1,418	1,005	391	624	783	232	463	1
(J. David) (Effective 1/5/76)													
9TH													
Judge Holbert - Div. I													
(J. Howard)													
Judge Hatcher - Div. II	Hardin	78,421	39	3,056	1,291	1,068	3,279	94	152	138	108	247	25
(James T.)													

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
10TH Judge Richardson (Charles R.)	Hart	13,980	12	284	244	241	287	46	23	38	31	132	0
	Larue	10,672	10	395	131	372	154	30	10	31	9	37	0
	Nelson	23,477	15	588	261	375	474	32	61	63	30	59	0
	TOTALS	48,129	37	1,267	636	988	915	108	94	132	70	228	0
11TH Judge Spragens (Robert M.)	Green	10,350	10	110	127	119	118	14	10	19	5	84	0
	Marion	16,714	11	121	192	143	170	9	34	36	7	165	1
	Taylor	17,138	16	297	280	363	214	21	32	30	23	39	2
	Washington	10,728	6	62	88	43	107	14	5	13	6	102	3
	TOTALS	54,930	43	590	687	668	609	58	81	98	41	390	6
12TH Judge Williamson (George F.)	Henry	10,910	16	121	146	156	111	8	153	75	86	56	0
	Oldham	14,687	22	201	310	270	241	33	130	126	37	152	1
	Trimble	5,349	2	72	58	77	53	2	24	3	23	80	1
	TOTALS	30,946	40	394	514	503	405	43	307	204	146	288	2
13TH Judge Cox (Henry C.)	Garrard	9,457	9	68	146	112	102	17	21	19	19	63	2
	Jessamine	17,430	10	708	322	171	859	68	44	52	60	64	0
	Lincoln	16,663	10	517	218	184	551	168	61	38	191	79	0
	TOTALS	43,550	29	1,293	686	467	1,512	253	126	109	270	206	2

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SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
14TH Judge Smith (Robert Hall)	Bourbon	18,476	16	606	197	147	656	80	67	43	104	34	0
	Scott	17,948	22	1,275	295	170	1,400	144	61	60	145	45	12
	Woodford	14,434	27	696	246	182	760	40	57	31	66	35	0
	TOTALS	50,858	65	2,577	738	499	2,816	264	185	134	315	114	12
15TH Judge Ford (James R.)	Carroll	8,523	7	161	176	137	200	27	53	44	36	38	1
	Grant	9,999	12	447	152	111	488	76	209	10	275	33	0
	Owen	7,470	7	276	115	107	284	51	11	28	34	39	1
	TOTALS	25,992	26	884	443	355	972	154	273	82	345	110	2
16TH Judge Stubbs - Div. I (M. T.) Judge Dunn - Div. II (William R.) Judge Goodenough - Div. III (Daniel J.) Judge Gilliece - Div. IV (James J.)	Kenton	129,440	153	2,266	2,017	1,796	2,487	320	422	386	356	999	0
17TH Judge Diskin - Div. I (John) Judge Schnorr - Div. II (Thomas F.)	Campbell	88,561	91	687	1,114	752	1,049	98	192	155	135	250	19

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SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
18TH Judge Lair (John P.)	Harrison	14,158	21	229	166	159	236	18	22	23	17	84	0
	Nicholas	6,508	6	10	65	71	4	14	7	11	10	27	0
	Pendleton	9,949	4	116	117	61	172	10	15	23	2	35	0
	Robertson	2,163	2	24	19	9	34	2	5	5	2	14	0
	TOTALS	32,778	33	379	367	300	446	44	49	62	31	160	0
19TH Judge Hinton (Richard L.) (Effective 10/6/75)	Bracken	7,227	3	42	87	72	57	3	8	6	5	23	5
	Fleming	11,366	7	76	131	142	65	7	17	11	13	41	12
	Mason	17,273	17	116	263	241	138	19	21	22	18	85	28
	TOTALS	35,866	27	234	481	455	260	29	46	39	36	149	45
20TH Judge Sammons (Oscar)	Greenup	33,192	20	1,391	526	519	1,398	26	79	85	20	126	12
	Lewis	12,355	8	127	129	89	167	23	24	33	14	67	0
	TOTALS	45,547	28	1,518	655	608	1,565	49	103	118	34	193	12
21ST Judge Lane (Caswell P.)	Bath	9,235	5	134	91	99	126	10	18	17	11	34	0
	Menifee	4,050	1	109	46	89	66	23	5	15	13	28	0
	Montgomery	15,364	17	448	248	447	249	63	54	46	71	150	0
	Rowan	17,010	14	291	324	223	392	33	62	55	40	90	0
	TOTALS	45,659	37	982	709	858	833	129	139	133	135	302	0

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SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
22ND	Fayette	174,323	566	2,934	3,759	3,699	2,994	147	657	688	116	542	0
Judge Park, Jr. - Div. I (James)	Judge Angelucci - Div. III (Armand)			Judge Tackett - Div. V (Charles)				Judge Barker - Div. VI (George E.)					
Judge Meade - Div. II (N. Mitchell)	Judge Grant - Div. IV (L. T.)												
23RD Judge Jackson (Edward) (Effective 1/5/76)	Estill	12,752	9	107	140	65	182	29	34	39	24	52	0
	Lee	6,587	4	179	135	89	225	16	31	18	29	29	0
	Owsley	5,023	2	49	85	35	99	31	43	48	26	39	0
	TOTALS	24,362	15	335	360	189	506	76	108	105	79	120	0
24TH Judge Hazelrigg (W. B.) (Effective 1/5/76)	Johnson	17,539	21	1,700	416	235	1,881	228	99	72	255	95	7
	Lawrence	10,726	12	981*	258	286	953	43	58	26	75	50	1
	Martin	9,377	10	583	306	319	570	55	56	42	69	61	1
	TOTALS	37,642	43	3,264	980	840	3,404	326	213	140	399	206	9
25TH Judge Chenault (James S.)	Clark	24,090	25	474	427	388	513	90	66	64	92	80	5
	Madison	42,730	50	747	598	449	896	139	146	200	85	202	2
	TOTALS	66,820	75	1,221	1,025	837	1,409	229	212	264	177	282	7
26TH Judge Brock (James C.)	Harlan	37,370	28	504	677	502	679	133	95	96	132	218	21
* Reflects adjustment from 1974 total as certified by present clerk.													

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SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
27TH Judge Helton, Jr. (Robert H.)	Knox Laurel	23,689	18	976	453	278	1,151	148	85	69	164	79	3
		27,386	31	1,236	564	336	1,464	186	118	90	214	70	3
		TOTALS	49	2,212	1,017	614	2,615	334	203	159	378	149	6
28TH Judge Wicker (Phillip K.) (Effective 1/5/76)	Pulaski Rockcastle	35,234	30	655	489	266	878	162	164	175	151	123	0
		12,305	5	230	197	161	266	92	63	97	58	63	1
		TOTALS	35	885	686	427	1,144	254	227	272	209	186	1
29TH Judge Carter, Jr. (James C.)	Adair	13,037	9	387	154	54	487	41	53	52	42	39	0
	Casey	12,930	7	180	255	38	397	114	432	137	409	39	0
	Cumberland	6,850	3	106	75	63	118	58	27	46	39	49	13
	Monroe	11,642	8	214	108	54	268	122	48	35	135	43	0
	TOTALS	44,459	27	887	592	209	1,270	335	560	270	625	170	13
(Pursuant to KRS 24.180 the Jefferson Circuit has a Chancery Branch, a Common Pleas Branch and a Criminal Branch; the docket report for Jefferson therefore reflects a summary for each Branch.)													
30TH	Jefferson	695,055	1,810										
Chancery Branch	TOTALS			5,530	7,737	6,194	7,073					1530	0
Judge Boyce Martin - Div. I Judge Richard C. Oldham - Div. II (Effective 1/5/76) Judge Charles H. Anderson - Div. III (Effective 1/5/76) Judge Richard A. Revell - Div. IV Judge Earl O'Bannon, Jr. - Div. V (Effective 1/5/76) Judge Jack E. Mudd - Div. VI													

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SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
30TH (continued)	Jefferson												
Common Pleas Branch	TOTALS			3,590	8,188*	7,518	4,260					1768	19
Judge Michael O. McDonald - Div. I Judge Henry Hopson - Div. II Judge Charles M. Leibson - Div. III (Effective 1/5/76) Judge George B. Ryan - Div. IV Judge Raymond C. Stephenson - Div. V Judge Curtis G. Witten - Div. VI (Effective 1/5/76) Judge Thomas A. Ballantine, Jr. - Div. VII													
Criminal Branch	TOTALS							854	2,525	3,095	284	698	10
Judge S. Rush Nicholson - Div. I Judge John P. Hayes - Div. II Judge George H. Kunzman - Div. III													
GRAND TOTALS				9,120	15,925	13,712	11,333	854	2,525	3,095	284	3996	29
31ST Judge Conley (Hollie)	Floyd	35,889	39	2,750	822	466	3,106	66	120	122	64	175	6
32ND Judge Fanning - Div. I (William E.) Judge Sinnette - Div. II (Charles S.)	Boyd	52,376	98	617	799	902	514	85	199	192	92	297	0
* Includes 749 Mental Inquest Petitions handled by the Common Pleas Branch.													

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SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
33RD Judge Manis (Calvin N.) (Effective 1/5/76)	Perry	26,259	33	324	439	404	359	70	57	86	41	265	5
34TH Judge Johnson, Jr. (J. B.)	McCreary Whitley	12,548	6	349	190	171	368	256	91	112	235	60	2
		24,145	27	1,282	452	355	1,379	370	218	111	477	93	3
TOTALS		36,693	33	1,631	642	526	1,747	626	309	223	712	153	5
35TH Judge Anderson - Div. I (Reed) Judge Venters - Div. II (E. N.)	Pike	61,059	66	1,722	1,536	1,239	2,019	467	107	230	344	608	0
36TH Judge Cornett (John Chris) (Effective 1/5/76)	Knott Magoffin	14,698	11	303	290	168	425	50	59	102	7	52	0
		10,443	5	428	257	147	538	29	45	43	31	89	4
TOTALS		25,141	16	731	547	315	963	79	104	145	38	141	4
37TH Judge Walter (Ralph N.)	Carter Elliott Morgan	19,850	14	238	288	248	278	52	62	65	49	74	2
		5,933	3	121	85	52	154	27	9	19	17	46	1
		10,019	6	121	142	56	207	36	15	28	23	49	0
TOTALS		35,802	23	480	515	356	639	115	86	112	89	169	3

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
38TH Judge Martin, Sr. (Earl F.)	Butler Edmonson Hancock Ohio	9,723	6	183	170	94	259	69	46	30	85	32	2
		8,751	3	301	183	152	332	70	31	33	68	45	1
		7,080	4	51	72	47	76	16	7	7	16	40	1
		18,790	13	260	322	244	338	118	36	39	115	79	18
TOTALS		44,344	26	795	747	537	1,005	273	120	109	284	196	22
39TH Judge Graham (J. Douglas)	Breathitt Powell Wolfe	14,221	10	642	219	311	550	62	63	92	33	53	2
		7,704	8	485	163	74	574	60	46	55	51	38	0
		5,669	3	181	101	42	240	44	31	47	28	36	0
TOTALS		27,594	21	1,308	483	427	1,364	166	140	194	112	127	2
40TH Judge Wilson (Leonard E.) (Effective 1/5/76)	Clinton Russell Wayne	8,174	5	148	129	100	177	52	35	21	66	47	0
		10,542	10	181	154	103	232	110	130	151	89	62	3
		14,268	8	147	176	142	181	117	56	46	127	47	2
TOTALS		32,984	23	476	459	345	590	279	221	218	282	156	5
41ST Judge Bishop (Clay M.)	Clay Jackson Leslie	18,481	15	463	334	152	645	196	468	415	249	163	1
		10,005	3	325	114	48	391	89	77	63	103	48	14
		11,623	8	398	201	153	446	145	98	69	174	74	14
TOTALS		40,109	26	1,186	649	353	1,482	430	643	547	526	285	29

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
42ND													
Judge Lassiter	Calloway	27,692	19	835	317	483	669	44	56	68	32	64	2
(James M.)	Livingston*	7,596	6	315	136	89	362	40	18	41	17	29	0
	Marshall	20,381	16	657	339	698	298	55	50	66	39	96	0
	TOTALS	55,669	41	1,807	792	1,270	1,329	139	124	175	88	189	2
43RD													
Judge Walden	Barren	28,677	29	1,473	488	345	1,616	195	101	165	131	187	0
(Cass R.)	Metcalf	8,177	6	547	128	87	588	18	31	19	30	121	1
	TOTALS	36,854	35	2,020	616	432	2,204	213	132	184	161	308	1
44TH													
Judge Helton	Bell	31,121	29	348	473	303	518	219	135	51	303	111	2
(Farmer H.) (Effective 1/5/76)													
45TH													
Judge Paxton	Muhlenberg	27,537	19	445	424	373	496	49	72	82	39	129	16
(B. R.)	McLean	9,062	3	51	119	80	90	11	9	6	14	67	5
(Effective 1/5/76)	TOTALS	36,599	22	496	543	453	586	60	81	88	53	196	21
46TH													
Judge Goff	Breckinridge	14,789	10	1,041	191	95	1,137	54	64	49	69	100	25
(Kenneth H.)	Grayson	16,445	9	2,160	277	148	2,289	46	78	78	46	43	10
(Effective 8/15/75)	Meade	18,796	6	564	184	138	610	42	61	81	22	47	13
	TOTALS	50,030	25	3,765	652	381	4,036	142	203	208	137	190	48
* See footnote *** p. 4.													

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL				CRIMINAL				COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING
47TH Judge Hogg (F. Byrd)	Letcher	23,165	14	341	417	172	586	30	63	64	29	84	0
		TOTALS	17	516	423	299	640	144	110	111	143	146	0
48TH Judge Meigs, II - Div. I (Henry) Judge Williams - Div. II (Squire)	Franklin	34,481	161	2,008	761	566	2,203	33	99	93	39	282	0
		12,598	7	159	194	150	203	83	53	50	86	66	0
		13,054	10	357	229	149	437	61	57	61	57	80	0
49TH Judge Goad (Frank R.)	Allen Simpson	12,598	7	159	194	150	203	83	53	50	86	66	0
		13,054	10	357	229	149	437	61	57	61	57	80	0
		TOTALS	17	516	423	299	640	144	110	111	143	146	0
50TH Judge Pennington (Henry V.)	Boyle Mercer	21,090	25	251	400	346	305	44	115	107	52	227	4
		15,960	19	298	286	300	284	57	84	94	47	149	1
		TOTALS	44	549	686	646	589	101	199	201	99	376	5
51ST Judge Melton (Carl D.)	Henderson	36,031	42	506	834	809	531	61	120	135	46	230	2
		TOTALS	42	506	834	809	531	61	120	135	46	230	2
52ND Judge Boaz (Seth T.)	Graves	30,939	25	1,448	430	199	1,679	93	99	61	131	151	36
		TOTALS	25	1,448	430	199	1,679	93	99	61	131	151	36
53RD Judge Saunders (Harold Y.)	Anderson Shelby Spencer	9,358	9	70	110	116	64	14	20	24	10	27	0
		18,999	29	183	344	331	196	17	132	71	78	203	4
		5,488	4	52	83	65	70	3	8	6	5	90	0
		TOTALS	42	305	537	512	330	34	160	101	93	320	4

SUMMARY OF JUDICIAL CIRCUIT DOCKETS, CALENDAR YEAR 1975

CIRCUIT(S) AND JUDGE(S)	COUNTY(S)	POPULATION	ATTYS.	CIVIL					CRIMINAL					COURT DAYS	
				PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	PENDING JAN. 1	DOCKETED DURING YEAR	DISPOSED OF DURING YEAR	PENDING DEC. 31	TOTAL COURT DAYS	SPECIAL JUDGE SITTING		
54TH Judge Neace (Samuel)	Boone	32,812	27	668	690	531	827	65	56	68	53	52	0		
	Gallatin	4,134	4	68	70	46	92	7	11	9	9	27	0		
	TOTALS	36,946	31	736	760	577	919	72	67	77	62	79	0		
55TH Judge Sanders (Charles V.)	Bullitt	26,090	16	454	446	351	549	116	66	117	65	165	6		
GRAND TOTALS District 1 through District 55		3,219,345	4,700	75,628	58,703	49,449	84,882	10,825	12,617	12,608	10,834	17,248	434		

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APPENDIX

Acts of the 1974 General Assembly, Chapter 84 (S.B. 183)

AN ACT proposing an amendment to the Constitution of Kentucky relating to the Judicial Branch of Government.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. It is proposed that the present Constitution of Kentucky be amended by repealing present Sections 109 through 139, 141 and 143, and enacting in lieu thereof provisions to read, be numbered and be entitled as follows:

THE JUDICIAL DEPARTMENT

Section 109. *The judicial power; unified system; impeachment.* The judicial power of the Commonwealth shall be vested exclusively in one Court of Justice which shall be divided into a Supreme Court, a Court of Appeals, a trial court of general jurisdiction known as the Circuit Court and a trial court of limited jurisdiction known as the District Court. The court shall constitute a unified judicial system for operation and administration. The impeachment powers of the General Assembly shall remain inviolate.

The Supreme Court

Section 110. *Composition; jurisdiction; quorum; special justices; districts; Chief Justice.* (1) The Supreme Court shall consist of the Chief Justice of the Commonwealth and six Associate Justices.

(2)(a) The Supreme Court shall have appellate jurisdiction only, except it shall have the power to issue all writs necessary in aid of its appellate jurisdiction, or the complete determination of any cause, or as may be required to exercise control of the Court of Justice.

(b) Appeals from a judgment of the Circuit Court imposing a sentence of death or life imprisonment or imprisonment for twenty years or more shall be taken directly to the Supreme Court. In all other cases, criminal and civil, the Supreme Court shall exercise appellate jurisdiction as provided by its rules.

(3) A majority of the Justices of the Supreme Court shall constitute a quorum for the transaction of business. If as many as two Justices decline or are unable to sit in the trial of any cause, the Chief Justice shall certify that fact to the Governor, who shall appoint to try the particular cause a sufficient number of Justices to constitute a full court for the trial of the cause.

(4) The Court of Appeals districts existing on the effective date of this amendment to the Constitution shall constitute the initial Supreme Court districts. The General Assembly thereafter may redistrict the Commonwealth, by counties, into seven Supreme Court districts as nearly equal in population and as compact in form as possible. There shall be one Justice from each Supreme Court district.

(5)(a) The Justices of the Supreme Court shall elect one of their number to serve as Chief Justice for a term of four years.

(b) The Chief Justice of the Commonwealth shall be the executive head of the Court of Justice and he shall appoint such administrative assistants as he deems necessary. He shall assign temporarily any Justice or Judge of the Commonwealth, active or retired, to sit in any Court other than the Supreme Court when he deems such assignment necessary for the prompt disposition of causes. The Chief Justice shall submit the budget for the Court of Justice and perform all other necessary administrative functions relating to the court.

The Court of Appeals

Section 111. *Composition; jurisdiction; administration; panels.* (1) The Court of Appeals shall consist initially of fourteen judges, an equal number to be selected from each Supreme Court district. The number of judges thereafter shall be determined from time to time by the General Assembly upon certification of necessity by the Supreme Court.

(2) The Court of Appeals shall have appellate jurisdiction only, except that it may be authorized by rules of the Supreme Court to review directly decisions of administrative agencies of the Commonwealth, and it may issue all writs necessary in aid of its appellate jurisdiction, or the complete determination of any cause within its appellate jurisdiction. In all other cases, it shall exercise appellate jurisdiction as provided by law.

(3) The Judges of the Court of Appeals shall elect one of their number to serve as Chief Judge for a term of four years. The Chief Judge shall exercise such authority and perform such duties in the administration of the Court of Appeals as are prescribed in this section or as may be prescribed by the Supreme Court.

(4) The Court of Appeals shall divide itself into panels of not less than three judges. A panel may decide a cause by the concurring vote of a majority of its Judges. The Chief Judge shall make assignments of Judges to panels. The Court of Appeals shall prescribe the times and places in the Commonwealth at which each panel shall sit.

The Circuit Court

Section 112. *Location; circuits; composition; administration; jurisdiction.* (1) Circuit Court shall be held in each county.

(2) The Circuit Court Districts existing on the effective date of this amendment to the Constitution shall continue under the name 'Judicial Circuits,' the General Assembly having power upon certification of the necessity therefor by the Supreme Court to reduce, increase or rearrange the Judicial Districts. A Judicial Circuit composed of more than one county shall be as compact in form as possible and of contiguous counties. No county shall be divided in creating a Judicial Circuit.

(3) The number of Circuit Judges in each district existing on the effective date of this amendment shall continue, the General Assembly having power upon certification of the necessity therefor by the Supreme Court, to change the number of Circuit Judges in any Judicial Circuit.

(4) In a Judicial Circuit having only one Judge, he shall be the Chief Judge. In Judicial Circuits having two or more Judges, they shall select biennially a Chief Judge, and if they fail to do so within a reasonable time, the Supreme Court shall designate the Chief Judge. The Chief Judge shall exercise such authority and perform such duties in the administration of his Judicial Circuit as may be prescribed by the Supreme Court. The Supreme Court may provide by rules for administration of Judicial Circuits by regions designated by it.

(5) The Circuit Court shall have original jurisdiction of all justiciable causes not vested in some other court. It shall have such appellate jurisdiction as may be provided by law.

The District Court

Section 113. *Location; districts; composition; administration; trial commissioners; jurisdiction.*

(1) District Court shall be held in each county.

(2) The Circuit Court Districts existing on the effective date of this amendment shall continue for District Court purposes under the name 'Judicial Districts,' the General Assembly having power upon certification of the necessity therefor by the Supreme Court to reduce, increase or rearrange the districts. A Judicial District composed of more than one county shall be as compact in form as possible and of contiguous counties. No county shall be divided in creating a Judicial District.

(3) Each Judicial District created by this amendment initially shall have at least one District Judge who shall serve as Chief Judge and there shall be such other District Judges as the General Assembly shall determine. The number of District Judges in each Judicial District thereafter shall be determined by the General Assembly upon certification of necessity therefor by the Supreme Court.

(4) In a Judicial District having only one Judge he shall be the Chief Judge. In those districts having two or more Judges they shall select biennially a Chief Judge and if they fail to do so within a reasonable time, the Supreme Court shall designate the Chief Judge. The Chief Judge shall exercise such authority and perform such duties in the administration of his district as may be prescribed by the Supreme Court.

(5) In any county in which no District Judge resides the Chief Judge of the district shall appoint a Trial Commissioner who shall be a resident of such county and who shall be an attorney if one is qualified and available. Other Trial Commissioners with like qualifications may be appointed by the Chief Judge in any Judicial District upon certification of the necessity therefor by the Supreme Court. All Trial Commissioners shall have power to perform such duties of the District Court as may be prescribed by the Supreme Court.

(6) The District Court shall be a court of limited jurisdiction and shall exercise original jurisdiction as may be provided by the General Assembly.

Clerks of Courts

Section 114. *Selection; removal.* (1) The Supreme Court shall appoint a clerk to serve as it shall determine.

(2) The Court of Appeals shall appoint a clerk to serve as it shall determine.

(3) The clerks of the Circuit Court shall be elected in the manner provided elsewhere in this Constitution. The clerks of the Circuit Court shall serve as the clerks of the District Court. The clerks of the Circuit Court shall be removable from office by the Supreme Court upon good cause shown.

Appellate Policy; Rule-Making Power

Section 115. *Right of appeal; procedure.* In all cases, civil and criminal, there shall be allowed as a matter of right at least one appeal to another court, except that the Commonwealth may not appeal from a judgment of acquittal in a criminal case, other than for the purpose of securing a certification of law, and the General Assembly may prescribe that there shall be no appeal from that portion of a judgment dissolving a marriage. Procedural rules shall provide for expeditious and inexpensive appeals. Appeals shall be upon the record and not by trial de novo.

Section 116. *Rules governing jurisdiction, personnel, procedure, Bar membership.* The Supreme Court shall have the power to prescribe rules governing its appellate jurisdiction, rules for the appointment of commissioners and other court personnel, and rules of practice and procedure for the Court of Justice. The Supreme Court shall, by rule, govern admission to the Bar and the discipline of members of the Bar.

Offices of Justices and Judges

Section 117. *Election.* Justices of the Supreme Court and Judges of the Court of Appeals, Circuit and District Court shall be elected from their respective districts or circuits on a nonpartisan basis as provided by law.

Section 118. *Vacancies.* (1) A vacancy in the office of a Justice of the Supreme Court, or of a Judge of the Court of Appeals, Circuit or District Court which under Section 152 of this Constitution is to be filled by appointment by the Governor shall be filled by the Governor from a list of three names presented to him by the appropriate Judicial Nominating Commission. If the Governor fails to make an appointment from the list within sixty days from the date it is presented to him, the appointment shall be made from the same list by the Chief Justice of the Supreme Court.

(2) There shall be one Judicial Nominating Commission for the Supreme Court and the Court of Appeals, one for each Judicial Circuit, and one for each Judicial District, except that a circuit and district having the same boundary shall have but one Judicial Nominating Commission. Each commission shall consist of seven members, one of whom shall be the Chief Justice of the Supreme Court, who shall be chairman. Two members of each commission shall be members of the Bar, who shall be elected by their fellow members. The other four members shall be appointed by the Governor from among persons not members of the Bar, and these four shall include at least two members of each of the two political parties of the Commonwealth having the largest number of voters. Members of a Judicial Circuit or Judicial District Nominating Commission must be residents of the circuit or district, respectively, and the lawyer members of the commission shall be elected by the members of the Bar residing in the circuit or district, respectively. The terms of office of members of Judicial Nominating Commissions shall be fixed by the General Assembly. No person shall be elected or appointed a member of a Judicial Nominating Commission who holds any other public office or any office in a political party or organization.

Section 119. *Terms of office.* Justices of the Supreme Court and Judges of the Court of Appeals and Circuit Court shall severally hold their offices for terms of eight years, and Judges of the District Court for terms of four years. All terms commence on the first Monday in January next succeeding the regular election for the office. No Justice or Judge may be deprived of his term of office by redistricting, or by a reduction in the number of Justices or Judges.

Section 120. *Compensation; expenses.* All Justices and Judges shall be paid adequate compensation which shall be fixed by the General Assembly. All compensation and necessary expenses of the Court of Justice shall be paid out of the State Treasury. The compensation of a Justice or Judge shall not be reduced during his term.

Section 121. *Retirement and removal.* Subject to rules of procedure to be established by the Supreme Court, and after notice and hearing, any Justice of the Supreme Court or Judge of the Court of Appeals, Circuit Court or District Court may be retired for disability or suspended without pay or removed for good cause by a commission composed of one Judge of the Court of Appeals, selected by that Court, one Circuit Judge and one District Judge selected by a majority vote of the Circuit Judges and District Judges, respectively, one member of the Bar appointed by its governing body, and two persons, not members of the Bench or Bar, appointed by the Governor. The commission shall be a State body whose members shall hold office for four-year terms. Its actions shall be subject to judicial review by the Supreme Court.

Section 122. *Eligibility.* To be eligible to serve as a Justice of the Supreme Court or a Judge of the Court of Appeals, Circuit Court or District Court a person must be a citizen of the United States, licensed to practice law in the Courts of this Commonwealth, and have been a resident of this Commonwealth and of the district from which he is elected for two years next preceding his taking office. In addition, to be eligible to serve as a Justice of the Supreme Court or Judge of the Court of Appeals or Circuit Court a person must have been a licensed attorney for at least eight years. No District Judge shall serve who has not been a licensed attorney for at least two years.

Section 123. *Prohibited activities.* During his term of office, no Justice of the Supreme Court or Judge of the Court of Appeals, Circuit Court or District Court shall engage in the practice of law, or run for elective office other than judicial office, or hold any office in a political party or organization.

Section 124. *Conflicting provisions.* Any remaining sections of the Constitution of Kentucky as it existed prior to the effective date of this amendment which are in conflict with the provisions of amended Sections 110 through 125 are repealed to the extent of the conflict, but such amended sections are not intended to repeal those parts of Sections 140 and 142 conferring nonjudicial powers and duties upon County Judges and Justices of the Peace. Nothing in such amended sections shall be construed to limit the powers otherwise granted by this Constitution to the County Judge as the chief executive, administrative and fiscal officer of the county, or to limit the powers otherwise granted by the Constitution to the Justices of the Peace or County Commissioners as executive, administrative and fiscal officers of a county, or of the Fiscal Court as a governing body of a county.

Section 2. It further is proposed as a part of this amendment and as a schedule of transitional provisions, for the purposes of this amendment, that:

1. The Judges of the Court of Appeals in office on the effective date of this amendment shall become Justices of the Supreme Court, for the duration of their terms, and the election of successors shall be in accordance with those terms.

2. The Circuit Judges in office on the effective date of this amendment shall be continued therein for the duration of their terms. The term of office of eight years provided in this amendment for Circuit Judges

Acts of the General Assembly

shall apply to the Circuit Judges elected at the election at which this amendment is adopted.

3. The term of office of Judges of the Court of Appeals created by this amendment shall be deemed to commence as of the first Monday in January, 1976. The vacancies existing on that date by virtue of no election having been held for the office in November, 1975 shall be filled in accordance with Section 152 of the present Constitution and Section 118 as created by this amendment.

4. The term of office of Judges of the District Court shall be deemed to commence as of the first Monday in January, 1978, and judges shall be elected at the regular election next preceding that date. The District Court shall be constituted and organized as of the first Monday in January, 1978.

5. The quarterly courts, county courts as judicial bodies, justices' courts and police courts in existence on the effective date of this amendment shall continue in existence until the first Monday in January, 1978. For that period those courts shall continue to be governed by the present Constitution and none of the provisions of this amendment shall apply to them, except that those courts shall be deemed a part of the unified judicial system and shall be subject to the general control and rule-making power of the Supreme Court. The terms of any police court judges which commence on the first Monday in January, 1976, shall be reduced to two years from that date.

6. The Clerk of the Court of Appeals elected at the election at which this amendment is adopted shall serve as Clerk of the Supreme Court for the term for which he was elected, subject to removal by the Supreme Court for good cause.

7. Until otherwise provided by law the statutes applicable to the present Court of Appeals and not inconsistent with this amendment shall apply to the Supreme Court.

8. All causes and proceedings pending in the present Court of Appeals on the effective date of this amendment are transferred to and shall be decided or otherwise disposed of by the Supreme Court.

9. All causes and proceedings pending in the quarterly courts, county courts as judicial bodies, justices' courts and police courts, on the first Monday in January, 1978, shall then be transferred to and decided by the Circuit Court or the District Court of the area, in accordance with the respective jurisdictions prescribed for the latter courts.

Section 3. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided for in Sections 256 and 257 of the Constitution of Kentucky and in KRS 119.420, and if so ratified, shall become effective on January 1, 1976.

Approved March 20, 1974

END