

# MEMO

## ***RE: Civil Case Management for Jefferson Circuit Court Division 11***

***April 30, 2020***

During these unprecedented and confusing times, it is understandable that practitioners have concerns about how to continue to effectively litigate their pending cases. The purpose of this memo is to provide guidance for handling pending cases in Division 11. **Please note that each Division has its own protocols for handling matters and that this memo only pertains to matters pending in Division 11.**

### **MOTION PRACTICE AND ORAL ARGUMENTS**

- 1) Per directives from Chief Justice Minton and the Kentucky Supreme Court, this Court will **not** be convening Motion Hour until after May 31, 2020.
- 2) Notwithstanding the above, in the interim, this Court encourages counsel to continue to actively litigate all pending cases and this Court will entertain any motions.
- 3) Motions shall continue to be filed and noticed in accordance with local rules. The Civil rules governing response times shall continue to be enforced.
- 4) The proponent of any motion **shall** be given leave from this Court to file a *Reply* brief within 10 days of receipt of the opposing sides *Response* pleading.
- 5) Whether or not a reply brief is filed, the proponent of a Motion shall file an AOC 280 submission form once the Motion is ripe for ruling.
- 6) Unless an oral argument is specifically requested, upon receipt of the AOC 280 form, this Court will take the Motion under submission and will endeavor to issue a prompt ruling upon it.
- 7) If it is believed that a motion cannot be addressed by review of the written pleadings and that oral argument is necessary, this Court will give due consideration to any such request. To request oral argument, Counsel for the parties shall contact the Court's secretary via email to request a date to be heard. ([AshleyABrown@kycourts.net](mailto:AshleyABrown@kycourts.net))
- 8) Pursuant to the directive from the Kentucky Supreme Court, all arguments shall be conducted either telephonically or via skype until further notice.
- 9) If the parties do not receive a ruling within 60 days of submission, they are encouraged to contact the Court via the above referenced email to advise that the matter is under submission and awaiting ruling.
- 10) If a Motion is unopposed, the parties shall submit an Agreed Order to the Court for review.

### **PRE-TRIAL CONFERENCES AND TRIAL DATES**

- 1) Any matter currently scheduled for Trial by Jury prior to July 1 shall be converted to a pre-trial conference.
- 2) Unless the parties believe that prejudice will be incurred if a matter is not heard as currently scheduled, any matter currently scheduled to be heard before May 31, 2020 shall be rescheduled for a date/time afterwards.

The point of contact for all inquiries shall be the Court's Administrative Assistant, Ashley Brown, and all inquiries shall be conveyed via **email** at [AshleyABrown@kycourts.net](mailto:AshleyABrown@kycourts.net).

It is my personal pledge to continue to work diligently to provide guidance on all pending matters. Ms. Brown and the staff from the Circuit Clerk's Office are putting in extraordinary work to attempt to navigate these uncharted waters and to keep the administration of justice afloat. Your patience with us during these times is sincerely appreciated and we all look forward to seeing you in person in Division 11 in the near future.

All the best and stay safe and well,

Judge Brian C. Edwards