Supreme Court of Kentucky

2020-62

AMENDED ORDER

Re: Jefferson County Eviction Diversion Pilot Project

The impact of evictions on both tenants and landlords during the COVID-19 emergency has been recognized by state and federal authorities through the suspension of eviction proceedings. As those restrictions are lifted, it is anticipated that courts will experience a large influx of eviction case filings due to increased unemployment and financial losses resulting from the pandemic. In preparation for this influx of eviction proceedings, funding has been secured through Louisville Metro Government and a number of community organizations to provide rental assistance.

The Supreme Court recognizes the far-reaching societal impacts of evictions on both tenants and landlords, including homelessness, financial instability, food and health care insecurity, and foreclosures. To mitigate these effects and streamline court processes, the Supreme Court, under Section 116 of the Kentucky Constitution and SCR 1.010, authorizes the Jefferson County Eviction Diversion Pilot Project. The following shall apply to evictions from residential premises in which nonpayment of rent is alleged:

1. Each eviction case shall be scheduled for a particular date and time, which shall be documented on the Eviction Notice (AOC-215);

2. The summons must be accompanied by written information about the availability of rental assistance through local funding agencies;

3. At the initial hearing noticed by the summons, the parties must be verbally informed that local funding agencies may be able to assist tenants with payment for some or all of the rent that is owed and assist landlords with recouping missed or late rent payments. Parties should also be informed that a judgment is not necessary to receive assistance.

4. Following the initial hearing, all eviction proceedings shall be held in abeyance for fourteen days and rescheduled for the next available court date unless the landlord dismisses the complaint, with or without prejudice; a tenant who was properly served under KRS 383.210 or KRS 383.540 fails to appear; or the parties reach an agreement and file an AOC-218, Forcible Detainer Settlement Agreement, before the fourteen days expire.

5. A request for a jury trial must be made within fourteen days of the initial hearing.

6. To the extent possible, the court should require remote participation in eviction proceedings. If a party cannot appear remotely, in-person proceedings must be held in accordance with Administrative Order 2020-55.

7. This Order shall apply to all eviction proceedings in Jefferson District Court effective August 24, 2020, and until further Order of this Court.

Entered this 21st day of August 2020.

CHIEF JUSTICE

All sitting; all concur.