



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

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**22-ORD-128**

June 8, 2022

In re: WCPO-TV/Kentucky CASA Network, Inc.

**Summary:** The Open Records Act (“the Act”) does not apply to records of Kentucky CASA Network, Inc. (“the Network”).

***Open Records Decision***

On April 28, 2022, WCPO-TV (“Appellant”) requested that the Network provide a copy of “all CASA records since Jan. 1, 2021 relating to [a named individual] and/or the CASA chapter for Owen, Carroll, and Grant counties.” The Network denied the request on the grounds that neither the Network nor the local CASA program in question is subject to the Act. This appeal followed.

Although KRS 61.880(2) charges the Attorney General with the duty to resolve disputes regarding access to public records, the Act is not binding on the judicial branch. *Ex parte Farley*, 570 S.W.2d 617, 624 (Ky. 1978). The Court-Appointed Special Advocate (“CASA”) program, established under KRS 620.500 *et seq.*, is a judicial agency and therefore is not subject to the Act. *See* 06-ORD-173; 05-ORD-004. To oversee and assist the local CASA programs, KRS 620.530 establishes the CASA Association, which is a nonprofit corporation that provides assistance and support to the courts under KRS 620.537(2)(e) and receives support services from the Administrative Office of the Courts under KRS 620.540. The Kentucky CASA Network, Inc., is the official name of the CASA Association established under KRS 620.530.

In finding that the CASA program is a judicial agency, this Office has recognized “the pervasive role played by the courts with respect to [the CASA] program.” *See* 05-ORD-004. Under the statutory framework of KRS 620.500 *et seq.*, the Network is an integral part of the statewide CASA program, with similar attachments to the state court system, and thus acts as an arm of the judicial branch.

Because the Act does not apply to records of judicial agencies, the Network was not required to honor the Appellant's request. *See* 98-ORD-6 (copy attached). Accordingly, this Office dismisses the appeal.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Pursuant to KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint e-mailed to OAGAppeals@ky.gov.

**Daniel Cameron**  
**Attorney General**

s/James M. Herrick  
James M. Herrick  
Assistant Attorney General

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Enclosure

Distributed to:

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