



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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22-ORD-140

June 28, 2022

In re: Spencer Stone/Jefferson County Family Court

Summary: The Open Records Act (“the Act”) does not apply to records of the Jefferson County Family Court (“the Court”).

Open Records Decision

On April 23, 2022, Spencer Stone (“Appellant”) submitted a request to the Court for copies of all family court judges’ schedules and calendars from 2020 through 2022. After receiving no response, the Appellant initiated this appeal.

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). Because the Act does not apply to court records, the Court was not required to respond to the request.¹ 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.

¹ The Jefferson Circuit Clerk’s Office submitted a response to this appeal stating that certain records had been provided to the Appellant, and the Appellant submitted a reply alleging that they were not the correct records. It is unnecessary to address this dispute because the Act does not apply to court records.

Daniel Cameron
Attorney General

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

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Enclosure

Distributed to:

Mr. Spencer Stone
David L. Nicholson, Clerk
Kevin J. Smalley, Chief Deputy Clerk