



COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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25-ORD-215

August 8, 2025

In re: Charles-Michael Zoeller/Henry Circuit Court Clerk

Summary: The Open Records Act (“the Act”) does not apply to records of the Henry Circuit Court Clerk (“the Clerk”).

Open Records Decision

On July 8, 2025, Charles-Michael Zoeller (“Appellant”) submitted a request to the Clerk for “the complete Docket” with “annotations and all notes” for several specific dates. In response, the Clerk explained that the Act does not apply to it but advised that it does not possess records responsive to his request. 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). Because the Act does not apply to court records, the Clerk, who is purportedly the custodian of the requested records, was not required to respond to the request. *See* 98-ORD-6. Accordingly, the Office dismisses the appeal.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under 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 emailed to OAGAppeals@ky.gov.

Russell Coleman
Attorney General

/s/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

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Distributed to:

Charles-Michael Zoeller
Jennifer Rankin, Henry County Circuit Court Clerk