COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-471

October 22, 2026

In re: James Harrison/Circuit Court Clerk Conduct Commission

Summary: The Open Records Act ("the Act") does not apply to records of the Circuit Court Clerk Conduct Commission ("the Commission").

Open Records Decision

On July 2, 2026, inmate James Harrison ("the Appellant") submitted a request to the Commission seeking a copy of its regulations and a complaint he had submitted to it on March 16, 2026. The Commission responded to his request on July 28, 2026. The Appellant then submitted an additional request on the next day, stating that the Commission's response was not complete. After receiving no further response from the Commission, the Appellant initiated this appeal.

Although KRS 61.880(2) charges the Office 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 Commission was created by the Supreme Court of Kentucky and is governed by the Administrative Procedures of the Court of Justice, Part XVI. The Commission is therefore part of the judicial branch. Because the Act does not apply to judicial branch records, the Commission was not required to respond to either of the Appellant's requests. *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:

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