COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-478

October 27, 2026

In re: Howard Froelicher/Campbell Circuit Clerk's Office

Summary: The Open Records Act ("the Act") does not apply to the Campbell Circuit Clerk's Office (the "Clerk").

Open Records Decision

On August 24, 2026, Howard Froelicher ("the Appellant") submitted a request to the Clerk for records related to several court cases in which he is involved. On September 30, 2026, the Appellant initiated this appeal, having claimed that he had yet to receive a response from the Clerk.[1]

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 was not required to honor the Appellant's 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.

[1] On appeal, the Clerk states that the requested records are court records but that it responded and provided records to the Appellant.

Russell Coleman
Attorney General

/s/ Zachary M. Zimmerer
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Distributed to:

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