

Office of the Attorney General Victim Assistance Program

The Office of Victims Advocacy sends notice to victims and, if requested, law enforcement officials when a conviction is appealed. We send letters about the appeal, the name of the attorney handling the case for the Commonwealth, the date and location of oral arguments, and the decision of the court. If anyone wishes not to be contacted by our office, we will certainly respect his or her wishes.

The Office of Victims Advocacy has a toll-free telephone number that anyone may use to inquire about a case. If you have any questions, please call 1-800-372-2551.

Crime Victims Compensation Board

The Crime Victims Compensation Board may reimburse innocent victims of crime for medical and/or psychological expenses, loss of income, and funeral expenses. The Board does not reimburse the value of stolen property. For more information, contact the board at:

Crime Victims Compensation Board

130 Brighton Park Boulevard
Frankfort, KY 40601
502-573-2290 or 1-800-469-2120.

Victim Impact Statements Kentucky Parole Board

Crime victims may also submit a written Victim Impact Statement to the Kentucky Parole Board for consideration prior to making a decision on the release of the prisoner. Victims of Class A, B, or C felonies may meet with the Board and comment about the case. The Office of Victims Advocacy can assist in this application or for further information contact the board at:

Kentucky Parole Board

275 East Main Street
P.O. Box 2400
Frankfort, KY 40602
502-564-3620 or 1-800-221-5991

Resources

Cabinet for Health and Family Services

Office of the Ombudsman

1-800-372-2973 or
502-564-5497

Crime Victims Compensation Board

1-800-469-2120 or
502-573-2290

Kentucky Association of Sexual Assault Programs

1-866-375-2727 or
502-226-2704

Kentucky Crime Victim Information Line

Office of Victims Advocacy Office of the Attorney General

1-800-372-2551 or
502-696-5312

Kentucky Coalition Against Domestic Violence

502-209-5382

Kentucky MADD

502-871-4210

Kentucky Parole Board

1-800-221-5991 or
502-564-3620

Office of Criminal Appeals Office of the Attorney General

502-696-5342

Prevent Child Abuse Kentucky

1-800-244-5373 or
859-225-8879

Victim Information and Notification Everyday (VINE)

1-800-511-1670 or
502-564-5061



Criminal Appeals

“In all cases, civil and criminal, there shall be allowed as a matter of right at least one appeal to another court.”

Constitution of the Commonwealth of Kentucky



We are here to support you.
You are not alone.

Andy Beshear
ATTORNEY GENERAL

The Office of the Attorney General does not discriminate on the basis of protected classes: race, color, religion, sex, national origin, sexual orientation, gender identity, ancestry, age, disability, veteran status, or genetic information in employment or in the provision of services and provides upon request, reasonable accommodation necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities.

A message from Attorney General Andy Beshear

Dear Families,

As the Attorney General, I believe my office has a tremendous responsibility to protect and advocate for our families and victims.



To help assist you through the criminal appeals process, I have enclosed information that provides an overview of the process, along with resources and contact information to help answer your questions. Also know that the attorneys in the Criminal Appeals Division are ready to assist you and the Office of Victims Advocacy staff is here to support you.

If you need any additional assistance call my office directly at 502-696-5300. I am here to serve you.

Sincerely,

Andy Beshear
Kentucky Attorney General

Appellate Court

A person convicted of a crime may appeal the conviction, claiming the trial proceedings did not comply with the law. A higher court reviews the claimed legal error(s) in the original trial based on the record that was made during the trial. The appellate courts do not receive new or additional evidence or testimony. They determine if there was sufficient evidence and/or if the trial was conducted properly. The judges who serve on both the Supreme Court and the Court of Appeals are elected by popular vote in seven districts across the state. Judges serve for a term of eight years.

The Appellate Process

After a conviction, the trial court schedules a sentencing hearing. If the defendant wishes to appeal the conviction, he or she must file a Notice of Appeal within 30 days of sentencing. The record of the original trial is prepared and certified. Then the defendant has 60 days to prepare his or her brief, or statement of arguments, as to why the conviction should be reversed or dismissed.

The Office of Criminal Appeals in the Office of the Attorney General is responsible for representing the Commonwealth in all criminal appeals. When the defendant's brief is received, the Commonwealth has 60 days to respond to defense arguments. Both sides may be granted extensions of time to prepare their briefs. The appellate court reviews these written arguments. The court may schedule an oral argument in the case, but oral arguments are not heard in every case. This hearing is limited to a 15-minute presentation by each party where attorneys present their views of the case. There will be no new evidence or testimony at this hearing. These hearings are open to the public, and crime victims or interested parties may attend. You can now watch a live stream of oral arguments being presented to the Kentucky Supreme Court. If you would like to watch an oral argument via the internet, please go to <http://courts.ky.gov/courts/supreme> and click on "Supreme Court-LIVE"

Usually the court issues a decision several months after an oral argument. If the conviction is upheld or affirmed, the defendant may ask for further review of the case. If the conviction is set aside or reversed, the appellate court may order that a new trial be held, or dismiss some or all of the charges. The "losing side" may ask the court to reconsider its decision or appeal that decision to a higher court.

Kentucky Court of Appeals

The Court of Appeals is composed of 14 judges, one of whom is elected by the others as the chief judge. A panel of three judges reviews the criminal cases from the Circuit Courts. These hearings are usually held in Frankfort, but the court may schedule hearings in different locations across the state.

Kentucky Supreme Court

The Kentucky Supreme Court is composed of seven justices, one of whom is elected by the others as the chief justice. When a defendant is sentenced by the circuit court to 20 years or more, life imprisonment or death, any appeal on that judgment is taken directly to the Supreme Court, bypassing the Court of Appeals. Additionally, the Supreme Court may also review decisions of the Court of Appeals.

Steps of the Criminal Appellate Process



Victim Information and Notification Everyday (VINE)

The VINE system provides, upon request, information on the status, location, parole eligibility, housing location, and release of an inmate, including juvenile violent offenders, from state correctional facilities, local and regional jails, and juvenile detention centers. For more information call 1-800-511-1670.