



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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20-ORD-167

October 26, 2020

In re: Mary A. Delaney/Jefferson County Circuit Court, Family Court Division

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

Open Records Decision

Mary A. Delaney (“Appellant”) submitted a request to the Court asking for a copy of the “case file and any additional documents relating thereto” for a specified case. Having received no response, 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 (Ky. 1978). Because the Act does not apply to court records, the Jefferson County Circuit Clerk, who is the custodian of the requested court records, was not required to respond to the request. *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. 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 proceeding.

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Daniel Cameron
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/s/ Michelle D. Harrison

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Assistant Attorney General

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Enclosure

Distributed to:

Mary A. Delaney
David L. Nicholson, Clerk