



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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22-ORD-034

February 23, 2022

In re: Chad Heath/Administrative Office of the Courts

Summary: The Open Records Act (“the Act”) does not apply to records of the Administrative Office of the Courts (“AOC”).

Open Records Decision

On January 19, 2022, Chad Heath (“Appellant”) requested that AOC provide a copy of the “public official bonds” for two judges of the Hardin District Court. AOC responded by asserting that it was not the custodian of the requested records. 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, AOC, which is an agency of the Kentucky Court of Justice, 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 within 30 days from the date of this decision. 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 proceedings. The Attorney General will accept notice of the complaint e-mailed to OAGAppeals@ky.gov.

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/s/ James M. Herrick

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Assistant Attorney General

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Enclosure

Distributed to:

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