Supreme Court of Kentucky

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2026 State of the Judiciary Address

A Kentucky Achievement: 50 Years of Unified Justice

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Chairman Storm, Chairman Elliott, and other esteemed members of the Judiciary Committee and distinguished guests:

Good morning! And thank you for the opportunity to speak to you again this year about the state of the judiciary. I also want to thank my fellow justices, judges, circuit court clerks and court employees for joining both in person and via KET.

The timing of our gathering today is particularly fitting. Yesterday marked the 51st anniversary of a vote that transformed Kentucky's courts and created a unified court system that remains a model for the nation.

On Nov. 4, 1975, Kentuckians approved a constitutional amendment which launched our unified court system. The first changes took affect just weeks later, in January 1976.

The state of Kentucky's judiciary is strong because of the men and women who serve it. But sustaining that core strength requires us to confront real pressures on staffing, compensation, facilities and technology.

But truly, Kentucky's unified court system is an achievement we can all be proud of. Its structure and innovations are the envy of many states. And I'm grateful for the opportunity to show you what that fifty-year-old investment means for the people of the Commonwealth today.

When the new District Court opened statewide in 1978, just finding places for it to operate was not always easy. In Barbourville, after local officials denied the court space in the courthouse, it met in a tent beside a used car lot.

That tent is a memorable part of our history. It reminds us that creating a court system meant attending to some very practical needs. In 1978, the General Assembly passed the Court Facilities Act, establishing a partnership between the state and counties to provide court facilities. That partnership remains part of how we support court operations today.

When we mark this anniversary, we recognize the people who made that work possible, from the legislators and voters who set it in motion to those serving in our courts today. Which leads me to introduce two people whom many of you already know, who have taken on new responsibilities at the Administrative Office of the Courts.

You may recognize a familiar face in our new AOC director, Jason McGinnis. Jason joined the AOC as human resources director in 2013 and became deputy director in 2018. He has worked closely with our judges, clerks and employees across Kentucky, and he brings deep institutional knowledge and experience to his new role.

Our new deputy director, Margaret Ivie, is another familiar face. She joined the AOC's Office of General Counsel in 2018 and became general counsel in 2024. She knows our courts well and she also has broad institutional knowledge. I have great confidence in her judgment.

Jason and Margaret work alongside AOC employees who support our courts across Kentucky. I am very grateful to have these two seasoned professionals lead the AOC.

Let's talk budget…

Due to the budget shortfall following the enactment of the Judicial Branch budget in April, it was necessary for us to conduct a comprehensive review of operations, staffing, and support services. We could no longer reach into the restricted fund to make up the difference as had been done in the past. That review identified the need to refocus our limited resources on our front line workers and core court support functions and to improve efficiencies across the branch.

The resulting reorganization affected the three departments within the Office of Statewide Programs (OSP): Family & Juvenile Services, Pretrial Services and Specialty Courts. Personnel shifts were completed and effective on August 1. We have streamlined leadership, while ensuring that front-line resources and staff remain the focus of the three departments. Most of the eliminated positions were management positions.

At the outset of the reorganization, we eliminated 170 tenured and non-tenured positions. I also directed several new positions be established, many of which were frontline workers. Thanks to the efforts of AOC management and HR, many opportunities for placement and competitive appointments for vacant or newly created positions were made available to many of those impacted by the reorganization. With retirements and other voluntary exits from KCOJ, ultimately 11 employees were separated under the reorganization. We are now operating within our appropriation, but doing so has required difficult decisions. Post reorganization we now operate with 86 fewer positions. I certainly am aware of the significant change this was to our branch and the individuals we trust to do the important work we all do.

There are some positives to come from all this, however. As a result of this critical work, our Judicial Branch's general fund budget is now structurally balanced for the first time since 2010. That means we expect to cover our budgeted

expenses within the amount you appropriated, without relying on savings from vacant positions, one-time funds or other temporary measures, like dipping into our restricted funds.

Additionally, our budget staff and LRC budget staff have met several times and are working collectively to ensure that your staff and our staff understand our budget needs fully. We believe these conversations have helped clear the way to have our budget structurally balanced, not just this cycle, but forward as well.

And, to cap off the positive financial news....just this week we announced that the Judicial Branch has received a positive audit report, that is an unmodified opinion, the highest level of assurance an auditor can provide on the Fiscal Year 2026 financial statement. The independent audit was completed by Dean Dorton and is available for viewing on our court webpage.

Now let me update you on the recent work of our branch...

As you know, in June of 2025, everyone moved out of the Capitol so that extensive renovations could be completed. Our temporary facility doesn't have a court room that can accommodate all seven of us, so we are currently traveling during some court weeks. We have traveled to Centre College in Danville; Western Kentucky University in Bowling Green; University of the Cumberlands in Williamsburg; the University of Louisville Law School; the University of Kentucky Law School; Ashland, Kentucky where we heard cases in the

magnificent Paramount Theater; Campbellsville University in Campbellsville; and most recently, Northern Kentucky University Law School. Traveling outside Frankfort hasn't been easy, but we have enjoyed being able to engage at planned events with the students and others who attend. We are especially pleased when we see high school and middle school students in the audience. The Court is currently working on travel arrangements for the 2027 calendar year and might bring the Supreme Court to an area close to some of you. If so, come join us on what I've dubbed the "Have Gavel, Will Travel" tour.

Since late summer I have been holding listening sessions for judges and clerks across the state, these are roughly aligned with the bar association regional trainings. We discuss our budget, of course, but also whatever effects the court system including facilities, office supplies, printers and, most of all, we share regret that we had to cut positions, limit trainings and eliminate felony mediation. We are searching for ideas as to how to cover felony mediation as judges, prosecutors, defense counsel and victims alike all attest to its value. We have learned a lot during these discussions and I think we have resolved a few issues, big and small, along the way.

One topic we always bring up during these sessions is the upcoming Judicial Workload Study. Statutorily, we must engage in a judicial workload study every 8 years. Judges need to be prepared to participate in this study so that we obtain the

most accurate data possible. The results of the study will be available to the general assembly during the 2028 session so that considerations can be made regarding adding judicial seats. November 2030 is a "mega cycle" for elections - all, local races, including most judicial and all prosecutorial and circuit clerk elections will be on the ballot.

Of course, we also discuss salaries at these regional meetings and lament that we all are having difficulties hiring and keeping staff attorneys and almost all of us talk about losing staff frequently to the other branches and the private sector. The reality is that we struggle to recruit and retain the people needed to do our vital work.

Last year, we provided the General Assembly the results of a compensation study we obtained through the National Center for State Courts. While no remedial action was taken at that time, we welcome the General Assembly's additional compensation study through Evergreen Solutions and look forward to working with you on the findings. Your investment in this compensation study tells us that you want to be advised of the compensation needs of our 3,300 plus employees. Our study from the Fall of 2025, showed that 99% of studied non-elected positions are paid under market benchmarks. As an example, on average, judicial branch Staff Attorneys are paid 25% below the comparison market and many other critical positions are paid 15% or more below the market. Securing funding to correct

these salary disparities is critical to the retention of judicial branch talent. In the 2028 session, we will again ask you to provide sufficient funding for salary improvements that will permit us to recruit and retain qualified employees.

NCSC data also shows that Kentucky's circuit and district judge salaries rank 49th in the nation and lag bordering states by 10-15%. Contrast that to 20 years ago, when Kentucky judges' salaries were ranked 20th in the nation. From 2009 to 2017, Kentucky judges' salaries were kept unchanged, while in that same time the rest of the nation increased judicial salaries by an average of 24%.

Moving on to our efforts to implement SB 170…

Senator Storm and Senator Carroll, we are in the process of selecting counties to begin the implementation of SB 170, Supporting Opportunities for Accountability and Restoration or SOAR. I will be reaching out to judges, county attorneys, and school representatives in the near future to gauge interest for site selection.

Some of you know, for six years while I served as a family court judge, I volunteered in four local middle schools, conducting a truancy prevention program. It remains among the most rewarding work of my judicial career. Because of that experience, we have been working with educators to develop a curriculum for Judges to use for truancy prevention for some time. Our program is called "Choices Matter." I am personally committed to work hard to make this

effort a successful pilot, as the law envisions. But because we were not funded to staff the SOAR program, I am unsure how sustainable it will be long term. However, I pledge our best efforts to get it up and underway, even without additional staff or resources.

Connecting court involved people with the right services is also an important part of our work with adults. Through Specialty Courts and Pretrial Services, our Office of Statewide Programs helps eligible participants access treatment for mental health and substance use needs.

Our Specialty Courts combine treatment with strong judicial oversight. Today, we serve more than 2,300 participants across Kentucky through Drug Court, Mental Health Court and Veterans Treatment Court. And I want to publicly thank all our judges across the Commonwealth who volunteer to do substantial additional work to support these specialty courts. And specialty courts do work! Of those who graduated in fiscal year 2023, nearly seventy five percent had no new felony or misdemeanor convictions in the three years after graduation.

Funding provided in 2024 has helped expand access to Mental Health Court. All 10 planned sites have been established, bringing the number of counties with these courts to 17. In March, the Supreme Court adopted statewide administrative procedures to guide their work. These courts give people with severe mental illness

access to treatment and coordinated services coupled with judicial oversight so as to reduce recidivism and to make our communities safer.

Through the Behavioral Health Conditional Dismissal Program, eligible defendants can access treatment. As of September, the program operates in 19 counties, with more than 2,700 participants since it began in 2023. Among those whose time in the program has ended, about two-thirds completed it successfully. Pretrial staff are studying longer-term outcomes, including whether participants commit new offenses, to better understand the program's impact and sustainability. With the reorganization in August, Pretrial Services divided its operations into regions, each with dedicated staff and leadership. Employees are being cross trained across all the department's responsibilities, from interviewing defendants to supervising people awaiting trial. This gives staff more flexibility to help where workloads are greatest.

The department is reviewing its procedures and strengthening training and oversight, including how staff provide information to judges making pretrial decisions. The goal is consistent service for courts and defendants wherever a case begins in Kentucky.

The work of specialty courts in Kentucky is vital to improving public safety.

Our courts have continued to adapt since unification. In 2022, the Supreme Court established the Kentucky Judicial Commission on Mental Health, and I

served as its first chair. It brings together judges, treatment providers, state agencies and community partners to address problems the courts cannot solve alone. When I became Chief, Deputy Chief Justice Bob Conley became chair of the Commission. The Commission operates with about 70 board members from various disciplines and through several work groups which focus on problem solving where mental health and the court intersect. Currently, over 400 people are actively working in various focus groups within the Commission. It is a dynamic group that observes, listens and crafts meaningful solutions in the critically important area of mental health.

The commission has finalized two legislative recommendations for 2027. One would improve crisis transportation options for people experiencing a mental health emergency. The other would allow children in out of home care who reach recommitment age to seek continued assistance from the Cabinet for Health and Family Services without a court order. Both grew from gaps identified by the people and agencies working with these issues.

I'm grateful to the commission members and partners whose experience helps us identify those gaps and develop proposals to address them.

And Chairman Elliott, thank you for inviting the commission to present findings from its statewide survey of Kentucky jails and jail services. You will hear those findings after this address. The University of Kentucky conducted the survey and

analyzed the results for the commission. We believe these results will give much insight into how our jails are functioning.

Our courts occupy more than 5.4 million square feet of office space, more than any other branch in Kentucky. Most of that space is in county-owned facilities. Some are free-standing judicial centers and some are mixed use facilities. Under Kentucky's state-county partnership, counties own the buildings while the Judicial Branch supports their construction, maintenance and operation. As you can imagine, this much real estate, comes with many needs!

In 2024, the General Assembly authorized a $47 million dollar fund for critical repairs and replacements. That designated support is helping us replace aging roofs, electrical systems and heating and cooling equipment so these buildings can continue serving their communities without interruption. So far, 446 projects have been authorized through that fund, with about $32 million committed. At least 34 involve major replacements, including roofs and heating and cooling systems.

Thank you for providing the funds to make these repairs possible. As these funds are committed, we will document the remaining needs and bring you a request for the next phase of the repairs. This is because many major building systems are nearing the end of their useful lives and the cycle continues…

Several of our construction and renovation projects are in counties represented on this committee, so many of you know these facilities and what they mean to your communities. New judicial centers opened this year in Oldham and Bath counties. Centers in Scott and Crittenden counties are expected to open in the first half of 2027. Construction is also underway in Barren, Butler, Clinton and Jessamine counties.

Other projects are in earlier stages. Judicial centers in Leslie and Graves counties are being designed. Projects the General Assembly authorized in 2024 for Caldwell, Clark, Greenup, Knox and Owsley counties are at various stages of acquiring and preparing sites.

You may remember the story I shared earlier about District Court holding hearings in a tent in Barbourville. That was in Knox County, where we're now preparing for a new free standing judicial center. Nearly five decades later, the work of providing a place for justice is constant and ongoing!

In August, we broke ground for a new Court of Appeals building in Frankfort. It is now in the construction bidding stage.

The General Assembly also authorized renovations this year for the Boyle County Courthouse and the Farmer Helton Judicial Center in Bell County. In Bell County, the project development board is in the process of selecting an architect.

Chairman Elliott, the Boyle County Courthouse is a familiar place in your district. We're working with local officials on a plan to keep court operations in the courthouse during roof and cupola repairs so as to avoid the cost of leasing temporary space.

Keeping our court facilities safe also requires clear and effective standards. Last November, the Supreme Court adopted Kentucky's first statewide court security rules. They establish a common foundation for security across our court facilities while allowing for local adjustments where appropriate.

Many of our court facilities still rely on security equipment installed in the early 2000s that is now obsolete. With limited funds, we're replacing those systems one facility at a time. We completed four upgrades last year and are working on two more this year.

Over the next year, we will develop a separate funding request to replace aging security equipment.

We must also regularly update the technology in our buildings. Our Office of Information & Technology Services is preparing for the transition from an in-house built e-filing system to a new, commercial electronic filing system in 2027. Jefferson and Fayette counties will be the first to use File & Serve, a platform from software provider Tyler Technologies. Other counties will follow in a statewide rollout plan.

In 2023, the General Assembly appropriated federal pandemic relief funds from the American Rescue Plan Act for this work. Those funds have been fully allocated ahead of the Dec. 31st deadline.

We're also upgrading the systems that record sound and video during court proceedings. Kentucky helped pioneer automated courtroom video recording through the AOC's work with Justice AV Solutions, or JAVS, a Louisville-based company. Together, they helped develop technology for Kentucky's courts that is now used in courtrooms around the world.

Here in Kentucky, we expect to complete the statewide upgrade to JAVS version 8.0 in 2027, improving the quality and reliability of our courtroom recordings which are our official record.

Keeping these systems reliable takes regular attention. As staff complete the current JAVS upgrades, they are evaluating the next version. They also review the other core systems our courts depend on and prioritize updates to keep them secure and reliable.

A few years ago, the Kentucky Supreme Court and the Kentucky Bar Association jointly invited the American Bar Association to review the structure, operations, and procedures of Kentucky's attorney discipline system. The ABA's report recommended sweeping reform to the way we investigate and resolve complaints of attorney misconduct.

I am pleased to announce that, after two years of diligent committee and task force work, the Supreme Court is poised to approve the most comprehensive attorney discipline reform in decades, to become effective on July 1st, 2027. The proposed new rules will bring the attorney discipline process under the auspices of an Attorney Discipline Oversight Commission appointed by the Supreme Court. Though they will still be physically housed at the KBA, Bar Counsel have been renamed Disciplinary Counsel and will now report to the Supreme Court, by and through the Commission.

Being mindful of recent high-profile stories of attorney theft and loss of client funds, the proposed rules facilitate quicker, more decisive action against attorneys' accused of criminal behavior where client funds are at risk. We have mandated greater transparency, both to the public and to the attorneys facing accusations. Processes have been streamlined, timelines have been tightened, and reporting and training requirements have been strengthened. The proposal also attempts to simplify and speed up license reinstatement in those cases where minor administrative issues are the only concern.

As laws and technology change, we must adapt our local rules to comply with federal ADA requirements for access. I recently directed all jurisdictions take a look at their local rules and submit rules in a modern and internet accessible

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format by February 1, 2027. Updating and making court procedures more accessible and to make them user friendly is overdue.

When Kentuckians voted to unify their courts in 1975, they could not have pictured every service or technology we've discussed today. But the General Assembly gave the people the opportunity to choose a system that could serve the whole Commonwealth. Court in Paducah could operate the same as court in Pineville. For 50 years, the Judicial Branch has built on that decision, finding new ways to meet the needs of people who must turn to our courts.

I'm grateful to the judges, circuit court clerks and court employees who make this system work every day. They successfully manage over 800,000 court filings annually! Each judge and clerk know how much care and effort it takes to serve the people who come through our doors, to our counties and benches. Thank you for that work and for the experience and judgment you bring to it.

And to the members of this committee, thank you for your attention today and for your support of Kentucky's courts. By making unification possible, the General Assembly of 1975 and the people of Kentucky made a lasting investment in justice. Our responsibility now is to sustain it—with qualified people, safe facilities and reliable technology. I look forward to working with you to ensure that every Kentuckian can depend on that system when it matters the most. Thank you, and I welcome your questions.