

403.640 Definitions for KRS 403.640 to 403.670.

As used in KRS 403.640 to 403.670:

- (1) "Collaborative law communication" means a statement, whether verbal or nonverbal, that:
 - (a) Is made to conduct, participate in, continue, or reconvene a collaborative law process; and
 - (b) Occurs after the parties sign a collaborative law participation agreement and before the collaborative law process is concluded;
- (2) "Collaborative law participation agreement" means an agreement by persons to participate in a collaborative law process;
- (3) "Collaborative law process" means a procedure intended to resolve a collaborative matter without intervention by a court in which persons:
 - (a) Sign a collaborative law participation agreement; and
 - (b) Are represented by collaborative lawyers;
- (4) "Collaborative lawyer" means a lawyer who represents a party in a collaborative law process;
- (5) "Collaborative matter" means a dispute, transaction, claim, problem, or issue for resolution, including a dispute, claim, or issue in a proceeding, which is described in a collaborative law participation agreement and arises under the family or domestic relations law of this state, including:
 - (a) Marriage, divorce, dissolution, annulment, and property distribution;
 - (b) Child custody, visitation, and parenting time;
 - (c) Alimony, maintenance, and child support;
 - (d) Adoption;
 - (e) Parentage; and
 - (f) Premarital, marital, and post-marital agreements;
- (6) "Immediate family member" has the same meaning as in KRS 205.8451;
- (7) "Law firm" means:
 - (a) Lawyers who practice law together in a:
 1. Partnership;
 2. Professional corporation;
 3. Sole proprietorship;
 4. Limited liability company; or
 5. Association; and
 - (b) Lawyers employed in a:
 1. Legal services organization;
 2. Legal department of a corporation;
 3. Other organization; or
 4. Legal department of a:
 - a. Government;

- b. Governmental subdivision;
 - c. Agency; or
 - d. Instrumentality;
- (8) "Nonparty participant" means a person, other than a party and the party's collaborative lawyer, that participates in a collaborative law process;
- (9) "Party" means a person that signs a collaborative law participation agreement and whose consent is necessary to resolve a collaborative matter;
- (10) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity;
- (11) "Proceeding" means:
- (a) A judicial, administrative, arbitral, or other adjudicative process before a court, including related prehearing and post-hearing motions, conferences, and discovery; or
 - (b) A legislative hearing or similar process;
- (12) "Prospective party" means a person that discusses with a prospective collaborative lawyer the possibility of signing a collaborative law participation agreement;
- (13) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;
- (14) "Related to a collaborative matter" means involving the same parties, transaction or occurrence, nucleus of operative fact, dispute, claim, or issue as the collaborative matter; and
- (15) "Sign" means, with present intent to authenticate or adopt a record:
- (a) To execute or adopt a tangible symbol; or
 - (b) To attach to or logically associate with the record an electronic symbol, sound, or process.

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