

**403.666 Waiver and preclusion of privilege.**

- (1) A privilege under KRS 403.664 may be waived in a record or orally during a proceeding if it is expressly waived by all parties and, in the case of the privilege of a nonparty participant, it is also expressly waived by the nonparty participant.
- (2) A person that makes a disclosure or representation about a collaborative law communication which prejudices another person in a proceeding may not assert a privilege under KRS 403.664, but this preclusion applies only to the extent necessary for the person prejudiced to respond to the disclosure or representation.

**Effective:** July 15, 2024

**History:** Created 2024 Ky. Acts ch. 62, sec. 14, effective July 15, 2024.