

403.670 Authority of court in case of noncompliance.

- (1) If an agreement fails to meet the requirements of KRS 403.644, or a lawyer fails to comply with KRS 403.660 or 403.662, a court may nonetheless find that the parties intended to enter into a collaborative law participation agreement if they:
 - (a) Signed a record indicating an intention to enter into a collaborative law participation agreement; and
 - (b) Reasonably believed they were participating in a collaborative law process.
- (2) If a court makes the findings specified in subsection (1) of this section, and the interests of justice require, the court may:
 - (a) Enforce an agreement evidenced by a record resulting from the process in which the parties participated;
 - (b) Apply the disqualification provisions of KRS 403.650, 403.652, and 403.654; and
 - (c) Apply a privilege under KRS 403.664.

Effective: July 15, 2024

History: Created 2024 Ky. Acts ch. 62, sec. 16, effective July 15, 2024.