

CHAPTER 120**(HB 163)**

AN ACT relating to access to justice programs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 27A.630 is amended to read as follows:

- (1) Upon receipt of notice of designation of an agency by the circuit clerk, there shall be added to the filing fee in all civil actions filed in Circuit Court the sum of ~~ten~~ **twenty** dollars ~~(\$10)~~ **(\$20)**, and to all civil actions filed in District Court, the sum of ~~five~~ **ten** dollars ~~(\$5)~~ **(\$10)**. No fee shall be charged for actions filed in neglect and dependency cases ~~or in the small claims division of District Court~~. This fee shall be designated as the Access to Justice Fee, and shall be charged at the time of filing of the first papers in the action.
- (2) All fees collected pursuant to subsection (1) of this section during each month shall be placed in the general fund of the State Treasury, and appropriated in accordance with subsection (3) of this section. The clerks shall make a full report with the payment and receive a receipt for all payments.
- (3) Fees collected shall be distributed monthly to the designated agencies on a pro rata basis, utilizing an allocation formula that distributes funds for each judicial district served, according to the proportion of the number of residents of that judicial district whose incomes are less than the official United States federal poverty guidelines, based on latest published United States census data, as a percentage of the total number of these residents in the Commonwealth of Kentucky. These funds shall be used by the designated agency to carry out the duties prescribed in KRS 27A.610.
- (4) All unused or uncommitted funds received by a designated agency during its fiscal year shall be returned by the designated agency to the State Treasury, to be redistributed in the following calendar quarter to operating designated agencies in accordance with administrative regulations promulgated by the Administrative Office of the Courts.
- (5) ***Notwithstanding the provisions of subsections (1) to (4) of this section, an amount not to exceed two hundred thousand dollars (\$200,000) from the fee imposed under subsection (1) of this section shall be appropriated to organizations that specialize in providing legal representation and services to children.***

Approved March 18, 2003