



Supreme Court of Kentucky

State Capitol, Room 231
700 Capitol Avenue
Frankfort, Kentucky 40601

John D. Minton, Jr.
Chief Justice of Kentucky

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October 15, 2020

Honorable Anne Haynie
Chief District Judge
Jefferson District Court
Louis D. Brandeis Hall of Justice
Louisville, KY 40202

Re: Criminal Case Backlog

Dear Judge Haynie:

The COVID-19 pandemic has been a challenge unlike any faced by the court system in the modern era. It has forced us to rethink the way we work, to learn and adopt new technologies, and to be flexible during an evolving situation. I appreciate the efforts that you and the entire Jefferson District Court term have made to strike a delicate balance between providing access to justice while ensuring the health and safety of individuals in our justice centers.

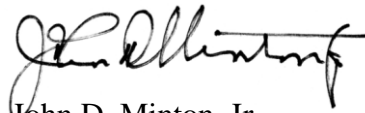
But at a time when courts across the Commonwealth have successfully adapted to conducting remote civil and criminal dockets, I was very concerned to learn that Jefferson District Court's criminal dockets have only been held in-person. This inflexibility and unwillingness to acclimate to the changing environment created by the pandemic has resulted in a shocking backlog in your criminal cases, with nearly 22,000 criminal cases awaiting a hearing. This backlog did not pre-exist the pandemic and no other county, even adjusting for size, has anything remotely approaching it. That means in just over seven months, inaction by the Jefferson District Court has resulted in an inexcusable delay for thousands of citizens. This is concerning and, quite frankly, unacceptable. I recognize that other justice partners, including particularly the county attorney and defense counsel, are involved in keeping a remote docket moving, and I do not know if some of those partners have resisted participating in remote dockets. But the responsibility for keeping the judicial system running at an acceptable pace ultimately falls on us, the judiciary. Jefferson District Court judges are well within their authority to order that all counsel in criminal matters participate remotely, just as occurs every day in district courts across the Commonwealth.

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As the pandemic inevitably continues throughout the fall and winter, I am confident this backlog will grow if it is not addressed immediately. Given the abundant judicial and technology resources available in Jefferson County, I am directing you to develop a plan for remotely conducting additional criminal dockets to supplement the existing in-person dockets. The purpose of these remote dockets will be to address the criminal backlog in a timely manner to ensure that every individual with a pending criminal matter in Jefferson District Court has prompt access to justice. Your plan should be submitted to me, with a copy to Deputy Chief Justice Hughes, no later than October 30.

As we all know, inordinate court delays deny justice to the accused and the victim and undermine public trust and confidence in the courts. I expect and appreciate the cooperation of our judges and criminal justice partners in addressing this untenable situation. Please feel free to contact me with any questions.

Very truly yours,



John D. Minton, Jr.

cc: Deputy Chief Justice Lisabeth T. Hughes
Jefferson District Court Term
David Nicholson, Jefferson County Circuit Court Clerk
Mike O'Connell, Jefferson County Attorney
Leo Smith, Louisville Metro Public Defender
Laurie K. Dudgeon, AOC Director
Carla Kreitman, Jefferson County Court Administrator
Kelsey Doren, Jefferson County District Court Administrator