

**COMMONWEALTH OF KENTUCKY
JEFFERSON CIRCUIT COURT
30TH JUDICIAL CIRCUIT**

ORDER

Jefferson Circuit Court notes that the mortgage foreclosure crisis and current economic downturn are resulting in a large increase in the number of foreclosure cases that have been and are likely to be filed in Jefferson Circuit Court. This increase requires the expenditure of substantial court resources and has dire consequences for the homeowner, neighborhood, and larger community.

Kentucky Rules of Civil Procedure (CR 16) give the court the authority to implement case management programs or provisions that will assist the court and litigants in simplifying issues and “other matters as may aid the disposition of the action.” JRP 1303 allows the court at any time on its own motion or on the motion of any party to refer a case for alternative dispute resolution.

Pursuant to the authority cited above, this court hereby adopts and implements the Residential Foreclosure Conciliation Program. The program will provide early court intervention in foreclosure cases involving residential owner-occupied property by referring eligible cases for a conciliation conference. The conciliation conference will be held before a Master Commissioner and will occur before the sale of the property in question. The purpose of the conference will be to explore the possibility of settlement before a court-ordered sale of the property.

The court will issue a Notice in every case filed after the effective date of this order advising the Defendant of the eligibility requirements, the date of the Conciliation Conference, and the affirmative actions the Defendant must take to preserve that conciliation date. Once the

Defendant takes the necessary actions, he or she shall file a Certificate of Compliance with the Court at least two weeks prior to the conciliation date. For all cases in which such a certificate has been filed, the Plaintiff must participate in the Conciliation Conference before a sale can be held.

So ordered this 30th day of March, 2009.

Judge James Shake, Division 2

Judge McKay Chauvin, Division 8

Judge Susan Gibson, Division 12

Judge Frederic Cowan, Division 13