

GUIDELINES FOR PROCEDURE

All Attorneys initiating and/or participating in actions referred to the Master Commissioner are expected to be familiar with the following:

- Rules of Practice and Procedure of the 30th Judicial Circuit, Jefferson Circuit Court; Rule 5, Commissioner Practice. Effective January 1, 2022.
- Rules of Administrative Procedure, Part IV – Master Commissioners of the Circuit Court, as amended by Order 2021-33 of the Supreme Court of Kentucky. Effective September 20, 2021.
- Supreme Court of Kentucky Order 2022-59, Mandatory Electronic Filing for Attorneys and Master Commissioners. Effective January 1, 2023.

JUDGMENT CREDIT AVAILABLE FOR BIDDING AT SALE:

A Plaintiff/party with judgment credit cannot overbid the existing judgment amount without filing (with a courtesy copy emailed to the Commissioner's office) one of the following **PRIOR TO THE SALE**:

- 1) An Amended Amount to Be Raised **for additional interest only**; OR
- 2) A Motion for Supplemental Judgment for **amounts pled/reserved in the action (including interest) but not awarded in the Judgment**, together with an Amended Amount to Be Raised. All affidavits and evidence in support must be filed with the motion, and the requested judgment credit increase is accepted subject to post-sale review and recommendation.

If the Plaintiff/party with judgment credit cannot file as directed above prior to the sale, then they **must deliver a check for the overbid amount to the sale table**. Funds must be tendered in person since funds to complete the sale bid cannot be paid via bank wire.

JUNIOR LIENHOLDER BIDDING AT SALE:

A junior lienholder can bid up to its judgment credit or it can tender funds at sale to cover its sale bid. However, the junior lienholder must also tender funds at sale to cover the claim of the senior lienholder. The Commissioner must be able to satisfy the senior lienholder from funds paid in at sale by a successful junior lienholder.