

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY**

GENERAL ORDER NO. 2015-06

**IN RE: CASE ASSIGNMENT AND REASSIGNMENT OF CASES DUE TO
 RECUSALS**

By unanimous agreement of the Judges of this Court and pursuant to Local Rule 40.1(a) and LCrR 50.1(a), all cases filed as of this date shall be assigned, or reassigned due to recusal, as follows:

CIVIL CASE ASSIGNMENTS AND RECUSALS

Pursuant to LR 3.2 and LCrR 18.2, cases are assigned to individual jury divisions, each of which contains an electronic deck of case assignment cards. These case assignment cards, in turn, contain the name(s) of the Judge or Judges who draw cases from that division.

Not all Judges draw cases from all divisions. In those jury divisions where more than one Judge draws cases, the cards making up the deck shall be electronically shuffled so that the sequence will be entirely by chance and the cards shall be concealed so that the name of the District Judge will not be known until the card is drawn.

The goal of this general order is to provide a system for randomly assigning the District's civil caseload among the Judges in a manner that ensures an approximately equal distribution of newly filed civil cases to each of the active judges, and a percentage to whichever of the senior judges elects to take a lower distribution.

Towards this end, all civil and miscellaneous case assignments shall be randomly drawn as follows¹:

LOUISVILLE CIVIL CASES

All Active and Senior Judges shall be randomly assigned cases from the Louisville division. In order to equalize the distribution of civil cases filed in the district to the Judges of the Court, of which Senior Judge Charles R. Simpson II shall receive approximately 50%, the number of cards each Judge has in the Louisville division's deck will vary based upon the number of cases assigned to each Judge from the other divisions, if any.

¹ This General Order does not address the assignment of cases in which a plaintiff seeks review pursuant to 42 U.S.C. § 405(g) of a decision by the Commissioner of Social Security or death penalty cases as these case types are assigned pursuant to separate general orders.

Should the assigned Judge recuse in a case, it shall be reassigned by random draw to another Judge.

BOWLING GREEN CIVIL CASES

District Judge Stivers = 100%

Should Judge Stivers recuse in a case, it shall be reassigned to Judge McKinley.

OWENSBORO CIVIL CASES

Chief Judge McKinley = 100%

Should Judge McKinley recuse in a case, it shall be reassigned to Judge Stivers.

PADUCAH CIVIL CASES

District Judge Stivers = 25%

Senior Judge Russell = 75%

Should Judge Stivers recuse in a case, it shall be reassigned to Judge Russell. Should Judge Russell recuse in a case, it shall be reassigned to Judge Stivers.

CRIMINAL CASE ASSIGNMENTS AND RECUSALS

Criminal case assignments shall be randomly drawn in the following percentages:

LOUISVILLE CRIMINAL CASES

Chief Judge McKinley = 17%

District Judge Hale = 38%

District Judge Stivers = 6%

Senior Judge Simpson = 22%

Senior Judge Russell = 17%

Should the assigned Judge recuse in a case, it shall be reassigned by random draw to another Judge.

BOWLING GREEN CRIMINAL CASES

District Judge Stivers = 100%

Should District Judge Stivers recuse in a case, it shall be reassigned to Chief Judge McKinley.

OWENSBORO CRIMINAL CASES

Chief Judge McKinley = 100%

Should Chief Judge McKinley recuse in a case, it shall be reassigned to District Judge Stivers.

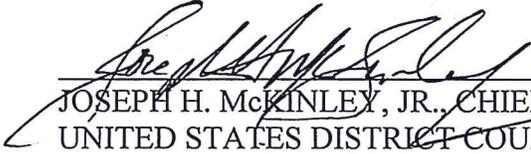
PADUCAH CRIMINAL CASES

Senior Judge Russell = 100%

Should Senior Judge Russell recuse in a case, it shall be reassigned to District Judge Stivers.

Should the recusal process outlined in this Order be exhausted, the Chief Judge will determine reassignment. This General Order supersedes and vacates General Order 2015-03.

IT IS SO ORDERED this 2nd day of August, 2015.



JOSEPH H. MCKINLEY, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT

