

**KENTUCKY BAR ASSOCIATION
KENTUCKY RULES OF CIVIL PROCEDURE**

**COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS AND
ORDERS**

CR 5.05 Filing

(1) All papers after the complaint required to be served upon a party shall be filed with the court either before service or within a reasonable time thereafter.

(2) The filing of pleadings and other papers with the court as required by these rules shall be made by filing them with the clerk of the court, except that the judge may permit the papers to be filed with him, in which event he shall note thereon the filing date and forthwith transmit them to the office of the clerk.

(3) The clerk shall endorse upon every pleading and other paper filed with him in an action the date of its filing. Such endorsement shall constitute the filing of the pleading or other paper and no order of court shall be required.

(4) If accompanied by a motion for leave to proceed in forma pauperis and a supporting affidavit, and made in good faith, any matter to be filed under these rules, including appeals, shall be considered filed on the date it is tendered. If the motion to proceed in forma pauperis is overruled, the moving party shall then have ten days to pay any required fees or costs or to appeal the decision. If the moving party fails to pay the required fees or costs, or to seek review, the matter shall be treated as though not timely filed. The time for certifying the record on appeal under CR 73.08 shall run from the date the motion to proceed in forma pauperis is granted.

HISTORY: Amended by Order 88-4, eff. 7-14-88; prior amendment eff. 1-1-86; adopted eff. 7-1-53