

24A.310 Removal of action to District or Circuit Court -- Transfer of action to small claims division.

- (1) An action shall be removed from the small claims division to the regular docket of District or Circuit Court as appropriate whenever the defendant's counterclaim exceeds the jurisdictional limit of the division or the District Court.
- (2) An action shall be removed from the division to the District Court if a party defendant would otherwise have a right to a jury trial and gives notice to the division requesting a jury trial as provided in KRS 24A.320(2).
- (3) An action may be removed from the division to the District Court if the judge, in his discretion, deems the action too complex for the simplified procedure of the division.
- (4) An action originally filed in the District or Circuit Courts may be transferred to the small claims division on motion of the defendant if the claim is within the jurisdictional limit of, and otherwise could have been brought originally in, the division, unless the plaintiff demands a jury trial. No action transferred to the division shall be counted in the maximum number of claims that the plaintiff may bring under KRS 24A.250(1).

History: Created 1976 (1st Extra. Sess.) Ky. Acts ch. 9. sec. 13.