

31A.010 Master commissioners.

- (1) A master commissioner may be appointed for each county within a judicial circuit.
 - (a) In single-judge circuits the appointment shall be made by the Circuit Judge.
 - (b) In judicial circuits with more than one (1) judge the master commissioner shall be chosen by a majority of the judges and in the event of a tie the Chief Circuit Judge shall choose from those receiving the tie vote.
- (2) The master commissioner shall be governed by such rules not inconsistent with the statutes of the Commonwealth as may be set by the Supreme Court.
- (3) The master commissioner shall serve at the pleasure of the court as follows:
 - (a) In a single-judge circuit the master commissioner shall serve at the pleasure of the Circuit Judge, but in no case shall his term exceed four (4) years without reappointment. The term of the commissioner shall automatically terminate following the death, resignation, or permanent replacement of the Circuit Judge who appointed him.
 - (b) In a judicial circuit with more than one (1) judge the master commissioner shall serve at the pleasure of the judges of the circuit, but in no case shall his term exceed four (4) years without reappointment. The master commissioner may be removed at any time by a majority vote of the judges of the circuit and in the event of a tie the decision shall be made by the Chief Circuit Judge.
- (4) Each commissioner shall annually provide to the Administrative Office of the Courts a complete accounting for all amounts received and distributed and for all fees collected. The master commissioner shall be compensated by fees as provided by rule of the Supreme Court. Fees collected in excess of the authorized compensation and expenses of the master commissioner shall be remitted with the report to the Administrative Office of the Courts to inure to a trust and agency account which shall not lapse and which shall be used to hire additional deputy clerks or office personnel, to increase deputy clerk or office personnel salaries, or a combination thereof. The Circuit Court may allow the commissioner a reasonable fee for performing judicial type functions in actions where the master commissioner does not execute a judicial sale.
- (5) The master commissioner shall maintain his office at such locations and during such hours as authorized by rule of the Supreme Court.
- (6) The master commissioner shall perform such functions, including those of a receiver, as may be directed by an appropriate order of court.
- (7) The master commissioner may have such deputies and assistants, as authorized by rule of the Supreme Court, as are necessary to perform the functions of his office.
- (8) The Supreme Court may make such rules, regulations, and accounting procedures as it may deem necessary for the appointment, conduct, and other matters relating to the master commissioner or receiver.

Effective: March 20, 2005

History: Amended 2005 Ky. Acts ch. 173, Pt. XIII, 1.(2), sec. 1, effective March 20, 2005. -- Amended 1982 Ky. Acts ch. 222, sec. 1, effective July 15, 1982. -- Created 1976 (1st Extra. Sess.) Ky. Acts ch. 22, sec. 48, effective January 2, 1978.