

[SUPPORT LETTER & STATUTORY LEGISLATIVE PROPOSAL]

Subject: Support Letter & Request for Brief Zoom Call: The Multi-County Tort Joinder and Venue Act (Amending KRS 452.460, KRS 452.480, and CR 82)

Kentucky’s Multi-County Tort Joinder and Venue Act

Dear Rep. [_____],

I am writing to formally submit this support letter and request your active legislative sponsorship for a practical, ready-made fix to a persistent administrative burden in Kentucky law: the **Multi-County Tort Joinder and Venue Act**. Because my core mission is bringing actionable solutions to problems rather than just highlighting legislative flaws, I have drafted the complete statutory remedy below to close a glaring legal hole. I also kindly request a brief 10-to-15-minute Zoom call at your earliest convenience to walk you through how this solution works.

Under current Kentucky venue law (KRS 452.460, KRS 452.480, and CR 82), litigants dealing with multi-site misconduct—whether corporate fraud, multi-county property destruction, domestic disputes involving civil torts, or individual-capacity agency torts—are **forced to fragment unified claims into separate lawsuits across different county courts**. This creates massive administrative waste, multiplies costs, and risks conflicting verdicts.

Fortunately, the initiative outlined below solves this inefficiency cleanly and efficiently by establishing flexible venue election, prohibiting mandatory claim-splitting, and providing clear judicial transfer and discretionary protections. I welcome the opportunity to discuss the details, answer any questions, and earn your support via Zoom this week.

Respectfully,
Jared A. McCarthy, Founder of F.A.I.R.
Family Advocacy for Integrity & Reform (F.A.I.R.)
FAIR-Initiative.org
Act@FAIR-Initiative.org
Florence, Kentucky

=====

BACKGROUND MEMO AND NEED FOR REFORM

Current Kentucky venue laws and procedural rules rigidly tie lawsuits to single jurisdictions. When a bad actor's scheme or continuous course of tortious conduct crosses county lines, victims face mandatory claim-splitting, forcing parallel litigations that drain court resources, multiply financial burdens, and risk contradictory rulings. This Act provides the precise legislative corrections needed to restore fundamental procedural efficiency and fairness to Kentucky civil practice.

LEGISLATIVE FINDINGS AND PURPOSE OF PROPOSED ACT

It is the public policy of the Commonwealth that civil litigants should not be subjected to mandatory claim-splitting or procedural fragmentation when addressing continuous or interconnected multi-county tortious conduct, that judicial economy and the prevention of contradictory verdicts are paramount, and

that trial courts must retain appropriate discretionary transfer mechanisms to prevent forum manipulation.

STATUTORY LEGISLATIVE PROPOSAL

Kentucky's Multi-County Tort Joinder and Venue Act

Drafted by: Jared McCarthy

AN ACT relating to civil venue, joinder of related claims, and procedural efficiency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 452 IS CREATED TO READ AS FOLLOWS:

452.XXX Multi-County Tort Actions; Flexible Venue Election; Joinder of Claims

(1) **Flexible Venue Election:** Notwithstanding KRS 452.460, KRS 452.480, CR 82, or any other provision of law to the contrary, where a defendant, a group of acting-in-concert defendants, or an individual-capacity corporate or agency worker commits a continuous course of, or interconnected, tortious acts across two (2) or more counties within the Commonwealth—including but not limited to corporate malfeasance, coordinated fraud, multi-site property destruction, domestic disputes giving rise to civil torts, serial predatory behavior, or individual-capacity agency torts—a plaintiff may bring a single, unified civil action encompassing all related claims in any single county that satisfies a sensible nexus to the controversy, including:

- (a) The county where the majority of the torts or harms occurred;
- (b) Any county where a material portion of the conduct occurred; or
- (c) A neutral, practical, or mutually convenient locality, provided that some tortious act occurred within it, or that both parties reside or maintain a principal place of business within, or within a reasonable forty (40) minute driving radius of, that county's courthouse.

(2) **Prohibition of Mandatory Claim Splitting:** No court of this Commonwealth shall require a litigant to sever, fragment, or independently file transactional causes of action into separate county circuit courts solely because the underlying continuous or coordinated wrongful conduct crossed geographical county lines. All related claims arising from the multi-county transaction or occurrence shall be permissively joined in a single proceeding pursuant to this section.

(3) **Judicial Discretion and Transfer Authority:** To safeguard against forum manipulation or undue hardship, trial courts retain full discretionary authority under standard change-of-venue principles (such as forum non conveniens, convenience of parties and witnesses, or the interests of justice) to transfer portions or the entirety of an action if a different forum is demonstrably more appropriate.

SECTION 2. AMENDMENTS TO EXISTING STATUTES AND RULES

(1) **KRS 452.460** is amended to insert:

"...Provided, however, that multi-county tortious conduct spanning multiple jurisdictions shall be governed by the flexible joinder and venue provisions of KRS 452.XXX."

(2) **KRS 452.480** is amended to insert:

"...An action which is not required by the foregoing provisions... to be brought in some other county may be brought pursuant to the multi-county exception set forth in KRS 452.XXX where applicable."

(3) **Kentucky Rule of Civil Procedure (CR) 82** is modified to reflect that venue restrictions shall not bar the consolidation and unified filing of multi-county tort actions as authorized under KRS 452.XXX.

SECTION 3. SEVERABILITY CLAUSE

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.