

**383.210 Issual and form of warrant -- Jury not summoned unless demanded.**

- (1) Upon complaint by a person aggrieved by a forcible entry or detainer to the District Court of the county in which the land or tenement, or a principal part thereof, lies, a warrant shall issue to the sheriff or any constable, in substance as follows: "The Commonwealth of Kentucky to the sheriff (or any constable) of .... county: Whereas, A B hath made complaint that C D and E F did, on the .... day of ....., forcibly enter into (or forcibly detain from the said A B) one (1) house and field on the waters of ....., in the county aforesaid (or other general description of the lands or tenements), which were in the peaceable possession of A B (or which the said C D and E F, tenants of the said A B, now hold against him): You are, therefore, commanded to summon a good and lawful jury of your county to meet on the premises, or at a place convenient thereto, on the .... day of ....., to inquire into the forcible entry (or forcible detainer) aforesaid; and give to the said C D and E F at least three (3) days' notice of the time and place of the meeting of the jury; and have then there this writ. Witness, etc."
- (2) In the trial of writs of forcible entry, forcible detainer or forcible entry and detainer, if neither party, in person or by agent or attorney, demand a jury, the trial thereof shall be by the court. No such writ shall hereafter direct the summoning of a jury, and the sheriff or other officer to whose hands such writ may come to do execution thereof shall not summon a jury in such proceedings, unless he be by either party notified in writing that a jury is demanded. At the calling of the cause for trial either party may demand a jury.

**Effective:** January 2, 1978

**History:** Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 312, effective January 2, 1978. -- Transferred 1952 Ky. Acts ch. 84, sec. 1, effective July 1, 1953, from C.C. sec. 454. -- Created 1888 Ky. Acts ch. 1336, secs. 1 and 2.