

77.315 Appeals from final orders of board -- Appeals from Circuit Court orders.

- (1) Appeals may be taken from a final order of the board rendered after a hearing. An appeal shall be taken within thirty (30) days from the rendition of an order to the Circuit Court of the county in which the district is located. A person affected by the order shall file in the Circuit Court a petition which states fully the grounds upon which a review is sought and assigns all errors relied upon. The district shall be named respondent. Notice shall be given by the appellant to all parties of record to the prior proceedings. Service on the district shall be had on the secretary-treasurer. Summons shall issue upon the petition directing the district to send its entire record, properly bound, to the clerk of the Circuit Court after certifying that the record is its entire original record or a true copy thereof, which shall be filed by the clerk of the Circuit Court and shall then become official and be considered by the Circuit Court on the review. After the case has been properly docketed in the Circuit Court, a person directly affected by the issues on appeal may, upon notice to the parties, upon proper showing, and in the discretion of the court, be permitted to intervene. Upon hearing of the appeal, the findings of the district shall constitute a rebuttable presumption of the facts found therein. The court shall review the entire record and the findings and order of the district.
- (2) Appeals from orders of the Circuit Court shall be taken in the manner provided in the Kentucky Rules of Civil Procedure and the Kentucky Rules of Criminal Procedure.

Effective: July 15, 1994

History: Created 1994 Ky. Acts ch. 420, sec. 10, effective July 15, 1994.