

**KENTUCKY BAR ASSOCIATION
KENTUCKY RULES OF CIVIL PROCEDURE**

PARTIES

CR 23.04 Orders in conduct of actions

- (1) In conducting an action under CR 23.03, the court may issue orders that:
- (a) determine the course of proceedings or prescribe measures to prevent undue repetition or complication in presenting evidence or argument;
 - (b) require – to protect certified class members and fairly conduct the action – giving appropriate notice to some or all class members of:
 - (i) any step in the action
 - (ii) the proposed extent of the judgment; or
 - (iii) the members' opportunity to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or to otherwise come into this action.
 - (c) impose conditions on the representative parties or on intervenors;
 - (d) require that the pleadings be amended to eliminate allegations about representation of absent persons and that the action proceed accordingly; or
 - (e) deal with similar procedural matters.
- (2) An order under CR 23.04(1) may be altered or amended from time to time and may be combined with an order under Rule 16.

HISTORY: Amended by Order 2010-09, eff. 1-1-11; prior amendments eff. 1-1-78; adopted eff. 7-1-69