

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

COURTS AND CLERKS

CR 77.04 Notice of entry of judgments and orders

(1) Immediately upon the entry in the trial court of a judgment, a final order, an order which affects the running of time for taking an appeal, or an order which by its terms is required to be served, the clerk shall serve a notice of the entry by mail in the manner provided in Rule 5 upon every party who is not in default for failure to appear. Service of notice of entry of any judgment or order under this rule may be waived by the filing of a writing signed by the party or his attorney of record.

(2) The clerk shall make a note in the case docket of the service required in paragraph (1) of this rule and the notation shall show the date of service. The date of the notation on the docket of the service of notice of entry, or the date of filing a waiver if prior thereto, shall be the date of entry for the purpose of fixing the running of the time for appeal under Rule 73.02(1).

(3) The trial court shall require in the order, service of notice of entry of all orders made under Rules 6.03(2), 12.01, 12.05, 43.04, 50.02, 52.02, 54.02, 59, 62.01, 62.04, and 65.08(1), and all orders heard ex parte, or any other order it deems advisable.

(4) Failure of the trial court to require service of notice of entry of any judgment or order under this rule or the failure of the clerk to serve such notice, or the failure of a party to receive notice, shall not affect the validity of the judgment or order, and does not affect the time to appeal or relieve or authorize the court to relieve a party for failure to appeal within the time allowed, except as permitted in Rule 73.02(1).

(5) The provisions of this Rule 77.04 do not apply to trial courts other than circuit or district courts.

HISTORY: Amended eff. 1-1-78; prior amendments eff. 7-1-76, 4-1-63, 6-1-60; adopted eff. 7-1-53