

**KENTUCKY BAR ASSOCIATION
RULES OF THE SUPREME COURT OF KENTUCKY**

PRACTICE OF LAW

SCR 3.035 Membership Registration Requirements and Service*

(1) Each attorney licensed by the Supreme Court to practice law in this Commonwealth shall:

(a) Maintain with the Director one official address at which he or she may be communicated with by mail and shall upon a change of that address notify the Director within ten (10) days of the new official address;

(b) Maintain with the Director one official email address and shall upon change of that address notify the Director within ten (10) days of the new official email address, except however, that "Senior Retired inactive" members, "Disabled Inactive" members and those "Honorary" members who no longer actively practice law or maintain an office shall not be required to maintain an official email address;

(c) Include his or her 5 digit member identification number on all filings with the Courts of the Commonwealth and in all communications with the Association.

If the member's official address is a Post Office address, he or she must also provide an alternate address for service of process.

Failure to maintain a current address which allows for physical service of process with the Director may be prosecuted in the same manner as a violation of the Rules of Professional Conduct.

(2) Every member of the Association shall be deemed to have appointed the Director as that member's agent for service of any document that is required to be served upon that member by any provision of Supreme Court Rule 2 or 3, provided that service of a document upon the Director shall constitute constructive service of that document upon the member only upon proof that all of the following requirements have been satisfied:

(a) Reasonable efforts have been made to achieve actual service of the document upon the member;

(b) Two (2) true copies of the document have been provided to the Director, accompanied by a written request that the Director serve the document upon the member at the member's current Bar Roster address;

(c) Within seven (7) days after receipt of such request, the Director mailed one (1) copy of the document to the member at the aforesaid address, posted by certified mail, return receipt requested, restricted delivery--addressee only, in an envelope bearing the return address of the Director and marked on the outside as "OFFICIAL COMMUNICATION--IMMEDIATE ATTENTION REQUIRED"; and

(d) No less than thirty (30) days after mailing the document pursuant to subparagraph (c), the Director shall enter a Return of Service which attests:

(i) that the Director mailed one of the copies of the document mentioned in subparagraph (b) to the member's Bar Roster address in accordance with the requirements of subparagraph (c);

(ii) that the Director has attached to the Return of Service all communications received in response to the service or attempted service of the document, including any certified mail receipt or other postal notice or return receipt relating to the delivery or attempted delivery of the document and any communication from the member of the Association or other person acting on behalf of such member; and

(iii) that the Director has provided a true copy of the Return of Service, with copies of all

attachments, to the person or entity who requested service of the document upon the member of the Association.

(3) The Association may reject any communication to the Association which fails to comply with paragraph (1)(c) of this Rule 3.175, provided that a member's failure to include his or her member identification number in a document shall not result in a default in any disciplinary proceeding.

HISTORY: Adopted by Order 2017-18, eff. 1-1-2018

*New rule SCR 3.035 replaces SCR 3.175