

KENTUCKY BAR ASSOCIATION
KENTUCKY RULES OF CRIMINAL PROCEDURE

ARREST

RCr 2.02 Complaint

The complaint is a written statement of the essential facts constituting the offense charged. It shall be made under oath and signed by the complaining party before a judge or a person who (a) is legally empowered to administer oaths and (b) has been authorized to administer such oaths to a complaining party by written order of a judge for the county having venue of the offense charged.

HISTORY: Amended by Order 81-5, eff. 9-1-81; prior amendment eff. 6-1-78; adopted eff. 1-1-63

• **RCr 2.02**, the Complaint, can only be initiated by the county attorney or Commonwealth attorney, those having authority to prosecute criminal cases for the Commonwealth.

In this racket, Complaints are not being initiated, presented, sworn or filed before the judges. Case numbers are initiated by court clerks without Complaints.