

SUPREME COURT OF KENTUCKY

Patton v. Timbrook

130 S.W.3d 565 (Ky. 2004) · No. 1999-SC-001036-TG; 1999-SC-001165-D · Decided January 22, 2004

SUMMARY

The Kentucky Supreme Court held that the 1990 Budget Bill did not repeal the 1988 Probation and Parole Career Ladder Program. Instead, it authorized probation and parole officers to receive the greater of the Career Ladder benefits or the Salary Equity Fund benefits, including only partial Salary Equity Fund benefits when necessary to reach that level. The court affirmed in part, reversed in part, and remanded for entry of judgments consistent with its opinion.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Keller, Justice; Lambert, C.J.; Cooper, J.; Graves, J.; Johnstone, J.; Keller, J.; Stumbo, J.; Wintersheimer, J.
JURISDICTION	Kentucky
DECIDED	January 22, 2004
DOCKET	1999-SC-001036-TG; 1999-SC-001165-D
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Consolidated discretionary-review and transferred appeals from judgments of the Franklin Circuit Court concerning probation and parole officers' entitlement to salary increases under the Career Ladder Program and the Salary Equity Fund.
STANDARD OF REVIEW	De novo review of statutory and budget-bill interpretation; the opinion does not state a separate standard-of-review formulation.
PRECEDENTIAL VALUE	published precedential opinion

TOPICS

- statutory interpretation
- legislative intent
- legislative history
- employment law

PRACTICE AREAS

- employment law
- statutory interpretation
- constitutional law

QUESTIONS PRESENTED

1. Whether the 1990 Budget Bill repealed the 1988 Probation and Parole Career Ladder Program.
2. Whether probation and parole officers were entitled to receive both the full Career Ladder Program increase and the full Salary Equity Fund increase.
3. Whether the court needed to reach the claimants' alleged violations of Section 51 of the Kentucky Constitution, KRS 446.085, and KRS 446.145.

HOLDINGS

1. The 1990 Budget Bill did not repeal the Career Ladder Program; it continued the program while limiting Salary Equity Fund benefits for probation and parole officers to supplemental amounts necessary to provide the greater of the two authorized salary adjustments.
2. Probation and parole officers were entitled to Career Ladder benefits plus only partial Salary Equity Fund benefits when necessary to bring their total salary adjustment up to the full Salary Equity Fund level; they were not entitled to both Career Ladder benefits and full Salary Equity Fund benefits.

KEY QUOTATIONS

“Consequently, upon consideration of other pertinent provisions of the Budget Bill and the Budget Memorandum, we find that the Budget Bill, rather than repealing the Career Ladder Program when enacting the Salary Equity Fund, in fact continued the Program, but limited benefits under the Salary Equity Fund to those officers whose benefits thereunder would exceed their benefits under the Career Ladder Program.” (130 S.W.3d at 569)

“The Budget Bill therefore authorized an officer to receive both Career Ladder Program benefits and partial Salary Equity Fund benefits, but not Career Ladder Program benefits and full Salary Equity Fund benefits.” (130 S.W.3d at 570)

FACTUAL BACKGROUND

In 1988, the Kentucky General Assembly enacted the Probation and Parole Career Ladder Program, authorizing salary increases based on years of service and stating that those improvements would be in addition to other salary increases authorized by law. In 1990, the General Assembly enacted the Salary Equity Fund, which authorized salary increases for qualifying state employees, including probation and parole officers, but provided that the officers would receive the greater of the Career Ladder benefits or the Salary Equity benefits. Officers received Career Ladder increases but received Salary Equity increases only when necessary to bring their compensation up to the full Salary Equity level.

PROCEDURAL HISTORY

The Franklin Circuit Court entered judgment for the Wise claimants, holding that they were entitled to the full amount of both salary increases. The Court of Appeals reversed the Wise judgment on sovereign-immunity grounds. The trial court subsequently entered judgment for the Timbrook claimants based on its ruling in Wise. The Supreme Court of Kentucky granted discretionary review in Wise, accepted transfer in Timbrook,

consolidated the actions, affirmed the Court of Appeals' result in the Wise matter, and reversed and remanded the Timbrook judgment.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court was instructed to enter judgments in accordance with the opinion, consistent with the conclusion that officers were not entitled to both full Career Ladder benefits and full Salary Equity Fund benefits.

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