

### **24A.290 Counterclaim -- Notice.**

The defendant may file with the clerk a counterclaim against the plaintiff in an amount not in excess of two thousand five hundred dollars (\$2,500) exclusive of interest and costs, if the counterclaim arose out of the same transaction or occurrence that is the subject matter of the plaintiff's claim, and if the counterclaim does not require for its adjudication the presence of third parties over whom the division cannot acquire jurisdiction. Any counterclaim shall be filed with the clerk, and a copy delivered to the plaintiff at least five (5) days prior to the time of the hearing. If the defendant's counterclaim is in excess of the jurisdictional limits of the division, then the provisions of KRS 24A.310(1) shall apply.

**Effective:** June 8, 2011

**History:** Amended 2011 Ky. Acts ch. 91, sec. 3, effective June 8, 2011. -- Amended 1990 Ky. Acts ch. 463, sec. 1, effective July 13, 1990. -- Amended 1980 Ky. Acts ch. 36, sec. 3, effective July 15, 1980. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 9, sec. 11.

**Legislative Research Commission Note** (6/8/2011). 2011 Ky. Acts ch. 91, sec. 4, provides that "any case which has been filed in a Circuit Court or District Court prior to the effective date of this Act (June 8, 2011) and the change in jurisdictional amounts (made by 2011 Ky. Acts ch. 91) shall remain in the court in which the case was originally filed, until the disposition of the case."