

PREFACE

2025-2026 Supplementary Pamphlet

Kentucky Practice, Volume 18, Kentucky Workers' Compensation with Forms serves as a guide to workers' compensation law and practice in Kentucky from hearing through appeals.

The annual update is intended to provide the current information on the state of the law of Workers' Compensation in Kentucky. The material in this pocket part is current through the date noted below. Highlights in this 2025-2026 supplementary pamphlet include:

- The Kentucky Supreme Court discussed the plaintiff's burden of proof. *Thompson Catering v. Costello*, 701 S.W.3d 541, 546 (Ky. 2024) See § 9.1, n.5.5.
- The Kentucky Supreme Court explains the going and coming rule together with the traveling employee exception. *Thompson Catering v. Costello*, 701 S.W.3d 541, 547 (Ky. 2024); *W.G. Yates & Sons Const. Co. v. Harvey*, 706 S.W.3d 132, 137 (Ky. 2024). See § 9:7 new material and n.5.5.
- The Court of Appeals provided a good discussion of the importance of the determination of the average weekly wage. *General Motors v. Woods*, 699 S.W.3d 874 (Ky. App. 2024). See § 15:1, n.5.
- The Court of Appeals reviewed the role of the Administrative Law Judge. *General Motors v. Woods*, 699 S.W.3d 874, 880-881 (Ky. App. 2024). See § 21.3, n.11.
- The Kentucky Supreme Court reviewed the role of the Administrative Law Judge in *Laboratory Corp. of America v. Smith*, 701 S.W.3d 229, 233 (Ky. 2024). See § 21.3, n.11.
- The Kentucky Supreme Court discussed review of Workers' Compensation decisions. *Laboratory Corp. of America v. Smith*, 701 S.W.3d 229, 233 (Ky. 2024). See § 21.6, n.1.
- The Kentucky Supreme Court addressed the review of Workers' Compensation by the Court of Appeals. *Laboratory Corp. of America v. Smith*, 701 S.W.3d 229, 233 (Ky. 2024). § 22.3, n.1.
- The Kentucky Supreme Court discussed review by the Supreme Court. *Laboratory Corp. of America v. Smith*, 701 S.W.3d 229, 233 (Ky. 2024). See § 22.4, n.4.

KENTUCKY WORKERS' COMPENSATION WITH FORMS

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