

KENTUCKY LAW UPDATE



2025

ADVANCING THE PROFESSION THROUGH EDUCATION

**“C”ing Statutes:  
Codification, Construction,  
and Constitutional  
Challenges**

1 CLE Credit

Sponsored by: Casey Bailey & Maines PLLC

**Compiled and Edited by:  
The Kentucky Bar Association  
Office of Continuing Legal Education  
for  
Kentucky Bar Association  
2025 Kentucky Law Update**

**©2025 All Rights Reserved  
Published and Printed by:  
Kentucky Bar Association, August 2025**

**Editor's Note:** The materials included in the following Kentucky Bar Association Continuing Legal Education handbook are intended to provide current and accurate information about the subject matter covered as of the original publication date. No representation or warranty is made concerning the application of legal or other principles discussed by the instructors to any specific fact situation, nor is any prediction made concerning how a particular judge or jury will interpret or apply such principles. The proper interpretation of the principles discussed is a matter for the considered judgment of the individual legal practitioner. The faculty and staff of this Kentucky Bar Association CLE program disclaim liability therefor. Attorneys using these materials, or information otherwise conveyed during these programs, in dealing with a specific legal matter have a duty to research the original and current sources of authority. In addition, opinions expressed by the authors and program presenters in these materials do not reflect the opinions of the Kentucky Bar Association, its Board of Governors, Sections, Committees, or members.

## **“C”ING STATUTES: CODIFICATION, CONSTRUCTION, AND THE KENTUCKY CONSTITUTION**

Robert A. Jenkins

---

### **I. INTRODUCTION**

We read statutes, study them, complain about them, and challenge them. The Kentucky Revised Statutes govern much of the legal practice, yet their very structure can be mystifying. The purpose of this presentation is to examine (1) the process by which legislation that becomes law actually makes it to the printed page; (2) the provisions of the Kentucky Constitution related to the process; and (3) common constitutional challenges to the statutes.

### **II. WHAT IS CODIFICATION?**

The Legislative Research Commission (LRC) hires the Reviser of Statutes (Reviser), whose duties are set forth in [KRS 7.120 to 7.140](#). The Reviser and assistant Revisers are attorneys with specific expertise in the legislative process and rules of statutory construction. [KRS 7.120\(1\)](#) requires LRC to “formulate, supervise, and execute plans and methods for the future revision, clarification, classification, codification, and arrangement of the official version of the Kentucky Revised Statutes.” The person charged with overseeing these plans and methods is the Reviser of Statutes. [KRS 7.140](#).

The Reviser assigns the KRS number for statutes, incorporates amendments into existing text, writes the catchline, updates the effective date and history lines, and writes any applicable LRC notes.

Under [KRS 7.136\(1\)](#), the Reviser may, among other things: renumber statutes; change catchlines (headnotes); rearrange subsections of a single statute; “change capitalization, spelling, and punctuation”; and “correct manifest clerical or typographical errors.”

### **III. WHAT ARE THE PARTS OF A STATUTE?**

The Kentucky Revised Statutes (KRS) are divided into chapters with broad topics. Each chapter has statutes with the exact text of laws that have passed the General Assembly and have been incorporated into the official statutory database maintained by the LRC.

It is important to become familiar with the statutes related to areas of interest. For instance, [KRS Chapter 6](#) relates to the General Assembly, [Chapter 7](#) to LRC, [Chapter 189](#) to motor vehicle operations, [Chapter 218A](#) to controlled substances, [Chapters 500 through 534](#) to the Penal Code, [Chapters 600 to 645](#) to the Juvenile Code, etc.

The KRS are available in three versions:

- (1) The official LRC database;
- (2) Computer and print versions offered by Thomson Reuters; and
- (3) Computer and print versions offered by LexisNexis.

To access the computer version maintained by LRC, visit the Kentucky Legislature website ([legislature.ky.gov](http://legislature.ky.gov)) and click Kentucky Revised Statutes under the “Kentucky Law” heading. After opening the link, you will see a list of all KRS chapters and the chapters’ broad topics. You may search the statutes by clicking KRS Search in the top center of the page. This search function will identify words or phrases, but it is not a topical search.

Each of the sets of printed volumes contains annotations to court decisions and an excellent topical index. When using the printed volumes, it is important to check the supplement in the back of each volume (or sometimes in a separate volume) to find the latest statutes and amendments, along with new annotations.

What are the parts of a statute?

A. At the Top

The KRS number is assigned by the Reviser. The Catchline – drafted by the Reviser – is a general summary of the statute text but is not part of the actual law.

B. Below the KRS Number and Catchline

Statutes are drafted in an outline format; the text is divided into subsections and paragraphs. This is the actual law. The statutory text is the language from the legislation that appeared after the enacting clause. It does not include noncodified provisions at the end of the bill, *which are also law*. See *Martin v. Warrior Coal LLC*, 617 S.W.3d 391 (Ky. 2021) (retroactive provision); *Holcim v. Swinford*, 581 S.W.3d 37 (Ky. 2019) (retroactive provision).

C. Below the Statutory Text

The effective date is the date when the current version of the statute became effective. The history contains the date of the statute’s enactment and all amendments, each listed with the year, Acts chapter, section number, and effective date. The history line only shows when the statute was enacted, amended, or repealed. It does not identify the changes from each amendment. To find the changes, one must look at the Acts of the General Assembly for the year in question. More recent Acts are accessible on the LRC Staff Home Page. A reference such as “KS 4567” indicates the statute predates 1942, and its history can be found in the 1944 Notes and Annotations or in *Carroll’s Kentucky Statutes* in the LRC Library, Supreme Court Library, or select public or law libraries around the state.

The numbering system from Carroll’s Code was changed to the current KRS format in 1942. A Legislative Research Commission Note will appear to explain any statutorily enacted language conflicts or codification issues.

D. Below the History

The publishers of the printed volumes add their own notes. Annotations and Notes of Decisions are short summaries of selected Attorney General opinions, Kentucky Court of Appeals and Kentucky Supreme Court decisions, and federal court decisions. It is important to read the complete opinions and decisions to determine the precise holdings and any limitations, but the Annotations provide a starting point to their understanding. Other notes may include such topics as “Library References” and “Cross References.” The Annotations, Library References, Cross References, and any other notes beneath the History and Legislative Research Commission Note, if applicable, are not part of the LRC statutory database.

E. For More Information

*Bill Drafting Manual*, Information Bulletin 117, Legislative Research Commission, revised November 2023. [LRC Bill Drafting Manual IB 117 November 2023](#)

A note about the *Bill Drafting Manual*: take time to review it. The *Manual* explains why legalese is avoided and why the serial (or “Oxford”) comma rules the day. Statutes have few adjectives and synonyms. Why? For an interesting discussion of the finer aspects of the Oxford comma, see *Corder v. Ohio Edison Company*, 177 Ohio St. 3d 319, 324 (Ohio 2024). “I bequeath my estate to my children, Robert and Giles” **or** “I bequeath my estate to my children, Robert, and Giles.” Omitting the serial comma may cause ambiguity. Including it will not. Bill drafters are taught to always include it, which is *generally* a good rule for legal writing.

The statutes use “shall” instead of “must” and “may” for a permissive action.

[KRS 446.015](#) requires that bills “be written in nontechnical language and in a clear and coherent manner using words with common everyday meanings.”



<https://andertoons.com/grammar/cartoon/7445/sign-over-highway-reads-oxford-comma-next-3-miles.>

#### **IV. WHAT RULES GOVERN THE CODIFICATION PROCESS?**

The basic process is straightforward; amendments are incorporated into existing statutes by removing deleted text and inserting new text. But what if more than one bill amends a statute? What if one statute amends a bill and another repeals it?

[KRS 7.123](#) relates to a “Reviser’s Bill” through which the General Assembly may pass legislation designed to “revise and correct the Kentucky Revised Statutes.” This legislation is suggested by the Reviser. The crux of [KRS 7.123](#) is that a Reviser’s Bill is subordinate to other legislation passed by the General Assembly.

By statute, the only requirement for new text is that it be underlined.<sup>1</sup> [KRS 446.270](#). Text that is to be deleted must be bracketed and stricken through. [KRS 446.280](#). If new text is not underlined, it will not be given effect. If deleted text is not bracketed and stricken through, it will not be deleted from the statute.

Other rules governing codification are found in the statutes relating to statutory construction.

#### **V. ARE THERE OTHER REQUIREMENTS RELATING TO CODIFICATION AND STATUTORY CONSTRUCTION?**

[KRS Chapter 446](#) has most of the statutory provisions relating to precise codification and statutory construction. Users of the statutes would be well served to peruse [KRS Chapter 446](#).

A. Manner of indicating whether text is amending, creating, or repealing a statute:

[KRS 446.145](#) relates to the “lead-in” language at the beginning of each new section of a bill. For instance, a statute might begin:

SECTION 1. A NEW SECTION OF [KRS CHAPTER 311](#) IS CREATED TO READ AS FOLLOWS:

This immediately informs the reader that a new statute is being created for [Chapter 311](#). The “ALL CAPS” language is the key.

Section 1. [KRS 311.010](#) is amended to read as follows:

This immediately informs the reader that an existing statute is being amended.

[KRS 446.145\(6\)](#) lists the types of provisions that should not be codified:

1. Repealers and repeals of repealers;
2. Appropriation provisions;

---

<sup>1</sup> To make it easier for the reader to find new text, LRC also requires bill drafters to bold and italicize new text.

3. Temporary provisions;
4. Construction clauses, including severability clauses; Query: are severability clauses necessary?
5. A short title, if necessary, for an act that is not a distinct codifiable unit; and
6. Effective date provisions.

B. Multiple Amendments to a Statute

Each legislative session has multiple bills relating to the statutes. What happens if more than one bill affecting the same statute becomes law?

[KRS 7.136\(3\)](#) gives some insight:

If any section or part of a section of a statute or of any act of the General Assembly is amended by more than one (1) act at the same session of the General Assembly, the Commission may incorporate in the statute the section as amended or altered by the several acts, if each of the amendments, changes, or alterations can be given effect and incorporated in the section in a manner which will make the section intelligible. If a conflict appears between any section amended in an act to revise and amend the Kentucky Revised Statutes and the same section in any other act adopted at the same session of the General Assembly, the change or alteration effected by the nonrevisory act shall be inserted in the section as incorporated in the statute publication.

C. Conflicting Amendments

What if two amendments to the same statute conflict with each other? [KRS 446.250](#) has the answer: the one passing the General Assembly *last* prevails.

D. Repealer vs. Textual Amendment

What happens if one bill amends a statute and another repeals it? Under [KRS 446.260](#) the repeal prevails *unless* the other bill amending the statute “repeals the previous repeal.”

Some amendments may repeal a statute at a later date. If another bill amends the statute during that same session, the amended statute will take effect until the delayed repeal is effective. [KRS 446.290](#). However, if one bill delays the effective date of a textual amendment and another bill has previously repealed the statute, the repeal prevails, “and the amendment shall have no force and effect.” [KRS 446.300](#).

E. Other Noteworthy Statutes in [KRS Chapter 446](#)

1. [KRS 446.010](#) defines various terms for the entirety of the Kentucky Revised Statutes, “unless the context requires otherwise.”
2. [KRS 446.012](#) defines “physician” to also include a doctor of osteopathy.
3. [KRS 446.080\(1\)](#) requires that statutes be “liberally construed” to “promote their objects and carry out the intent of the legislature.” Statutes are not given retroactive effect unless expressly declared. [KRS 446.080\(3\)](#).
4. [KRS 446.090](#) provides for severability. If part of the statute is declared unconstitutional, the remainder remains in effect.
5. [KRS 446.400](#) relates to the determination of death “for all legal purposes.”

**VI. ARE THERE RULES GOVERNING HOW STATUTES SHOULD BE READ AND INTERPRETED?**

It is clear that statutes governing codification and construction also relate to interpretation. To list just a few:

- [KRS 446.010](#): Definitions
- [KRS 446.015](#): Nontechnical language
- [KRS 446.080](#): Liberal construction

Additionally:

[KRS 446.082](#) provides that a statement or restatement of the law, or other explanatory text, is not law or public policy of the Commonwealth. “No Kentucky court shall treat any such publication or text as controlling authority.”

[KRS 446.130](#) requires the statutes to “speak for themselves,” except when there is “conflict between two (2) or more sections or a latent or patent ambiguity in a section,” in which case “reference may be had to the Acts of the General Assembly from which the sections are indicated to have been derived, for the purpose of applying the rules of construction relating to repeal by implication or for the purpose of resolving the ambiguity.”

[KRS 446.140](#) clarifies that title heads, chapter heads, section and subsection heads or titles, explanatory notes, and cross references are not part of the law, except as permitted by the Uniform Commercial Code.

*Per the Courts:*

The plain meaning of the statute controls. *Commonwealth v. Estate of Cooper*, 585 S.W.3d 253, 257 (Ky. App. 2019).

“It is beyond challenge that public policy is determined by the constitution and the legislature through the enactment of statutes.” *Giuliani v. Guiler*, 951 S.W.2d 318, 321 (Ky. 1997). “However, when those organs of public policy are silent, the decision can be made by the courts.” *Id.* (citing *Chreste v. Louisville Railway Co.*, 167 Ky. 75, 180 S.W. 49 (1915)); *Kentucky State Fair Bd. v. Fowler*, 310 Ky. 607, 221 S.W. 2d 435 (1949); *Commonwealth ex rel. Cowan v. Wilkinson*, 828 S.W.2d 610 (Ky. 1992)). “In the absence of a legislative decree, courts may adopt and apply public policy principles.” *Giuliani*, 951 S.W.2d at 321. See *Jacobi v. Holbert*, 553 S.W.3d 246, 257 (Ky. 2018).

In determining the meaning of a statute, “we . . . look first to the plain language of a statute and, if the language is clear, our inquiry ends.” *University of Louisville v. Rothstein*, 532 S.W.3d 644, 648 (Ky. 2017). “In interpreting a statute, ‘[w]e have a duty to accord to words of a statute their literal meaning unless to do so would lead to an absurd or wholly unreasonable conclusion.’” *Id.* (quoting *Cosby v. Com.*, 147 S.W.3d 56, 59 (Ky. 2004)). *Thompson v. Killary*, 683 S.W.3d 641, 646 (Ky. 2024).

## **VII. WHERE DO WE LOOK FOR LEGISLATIVE INTENT?**

- Bill folder
- Electronic bill folder
- Sponsor
- Committee testimony  
(Cassette tapes, DVDs, video)
- Chamber debate
- KET legislative archives
- LRC Library
- Kentucky Supreme Court Library
- Old legislative records
- House and Senate Journals

What are the pros and cons of these sources for determining legislative intent?

Which is the best source of legislative intent?

## **VIII. KENTUCKY CONSTITUTION AND STATUTES (AND CONSTITUTIONAL CHALLENGES)**

**(Reminder: If challenging the constitutionality of a statute, notify the Kentucky Attorney General per [KRS 418.075](#).)**

The Kentucky Supreme Court recognizes the Commonwealth’s Constitution as a legitimate basis for arguments both for and against existing law. *Crutcher v. Commonwealth*, 500 S.W.3d 811, 815 (Ky. 2016).

[Section 51](#) of the Kentucky Constitution requires each bill to have a title that relates to a single subject. Furthermore, the entire statute must be published at length.

A. Title

What is the title requirement? Examples of good and bad titles?

There are two proscriptions contained in this oft-litigated section. One directs that an act of the General Assembly shall only relate to one subject and requires that the subject shall be expressed in the title of the act. The other directs that no existing law shall be revised, amended, or its provisions conferred or extended by referring to its title only, but rather when such action is intended, the law is required to be re-enacted at length,

*Com. ex rel. Armstrong v. Collins*, 709 S.W.2d 437, 433 (Ky. 1986).

“This section has always been liberally construed, all doubts being resolved in favor of the validity of the legislative action; the purpose of this section is the prevention of surreptitious legislation.” *Bowman v. Hamlett*, 159 Ky. 184, 166 S.W. 1008 (Ky. 1914).

“The purpose of this section was to prevent surprise and fraud upon the legislature and other interested parties, thus preventing log-rolling legislation.” *Commonwealth ex rel. Meredith v. Johnson*, 292 Ky. 288, 166 S.W.2d 409 (Ky. 1942).

The prohibition contained in this section should receive a reasonable and not a technical construction. It should not be so construed as to restrict legislation to such an extent as to render different acts necessary where the whole subject matter is connected and may be properly embraced in the same act.

*Commonwealth v. Starr*, 160 Ky. 260, 169 S.W. 743 (Ky. 1914).

B. Enacting Clause

Section 62 requires each bill to have an enacting clause: “Be it enacted by the General Assembly of the Commonwealth of Kentucky.”

“Since this section was mandatory, law enacted without enacting clause was void.” *Commonwealth v. Illinois Cent. R. Co.*, 160 Ky. 745, 170 S.W. 171 (Ky. 1914).

C. Publication at Length

An examination of the two subsections amended by Chapter 149 of the 1954 Acts convinces us that each rises to the dignity of a “law”. The first amendment provides that certain public service companies shall pay an annual tax on their franchises. This constitutes the imposition of a specific tax upon a designated class. The meaning and effect of the subsection appears on its face, and it is a clearly comprehensible unit of legislation. To require the republication of the

other lengthy subsections of this particular statute would serve no useful purpose. As a matter of fact, it would tend to obscure the purpose of the amendment. In our opinion the republication of this subsection constituted the publication of a law within the meaning of [Section 51](#) of the Kentucky Constitution.

*Allphin v. Ohio River Co.*, 306 S.W.2d 94, 95 (Ky. 1957).

But query: It is far easier today to include the entire statute in a bill than it would have been in 1957. Would the Court reach the same conclusion today? Can it be argued that one subsection cannot be fully understood without reference to all?

#### D. Special Legislation

[Sections 59](#) and [60](#) of the Kentucky Constitution relate to special legislation.

Great read: *Calloway County Sheriff's Department v. Woodall*, 607 S.W.3d 557, 573 (Ky. 2020).

To summarize, and for the sake of clarity going forward, state constitutional challenges to legislation based on classification succeed or fail on the basis of equal protection analysis under [Sections 1, 2, and 3](#) of the Kentucky Constitution. As for analysis under [Sections 59](#) and [60](#), the appropriate test is whether the statute applies to a particular individual, object or locale.

*Tabler v. Wallace*, 704 S.W.2d 179 (Ky. 1985). See Justice Liebson's discussion of [Section 59](#) at pp. 183-188, ultimately invalidating a statute providing immunity to architects and builders.

“[Section 59](#) prohibits the passage of legislation which favors the economic self-interest of the one or few over that of the many.” *Yeoman v. Com., Health Policy Bd.*, 983 S.W.2d 459, 468 (Ky. 1998).

The primary purpose of Kentucky Constitution, [§59](#), is to prevent special privileges, favoritism and discrimination, and assure equality under the law. “A special law is a legislation which arbitrarily or beyond reasonable justification discriminates against some persons or objects and favor others.” *Board of Educ. of Jefferson County v. Bd. of Educ. of Louisville*, 472 S.W.2d 496, 498 (Ky. 1971).

*Kentucky Harlan Coal Company v. Holmes*, 872 S.W.2d 446, 452 (Ky. 1994).

#### E. Reading Requirement

[Section 46](#) of the Kentucky Constitution requires bills to “be read at length on three different days in each House, but the second and third readings may be dispensed

with by a majority of all the members elected to the House in which the bill is pending.”

What is the reading requirement?

Read entire case: *Bevin v. Commonwealth ex rel. Beshear*, 563 S.W.3d 74 (Ky. 2018).

Ky. Const. [Section 46](#) is not a procedural rule or policy written and adopted by the legislature to perform its constitutional function; it is an explicit provision of the Kentucky Constitution. *Bevin v. Commonwealth ex rel. Beshear*, 563 S.W.3d 74 (Ky. 2018).

Three-day reading requirement in this section did not bar the first reading of bill in one house on same day such bill passed other house. *Kavanaugh v. Chandler*, 255 Ky. 182, 72 S.W.2d 1003 (Ky. 1934).

F. Must bill be read aloud? What if the bill is amended and requires a title amendment? Start over with readings?

Purpose of Ky. Const. [§46](#) was not simply to ensure that legislators knew what they were voting on. Rather, the purpose was to ensure that every legislator had a fair opportunity to fully consider each piece of legislation that would be brought to a vote. That purpose cannot be achieved by reading a bill only by its title which has no rational relationship to the subject of the law being enacted. The “reading” of [Senate Bill 151](#) (2018) failed to comply even with this minimal requirement of [§46](#). Consequently, the enactment of [Senate Bill 151](#) was contradictory to the Kentucky Constitution and is hereby declared void and of no effect.

*Bevin v. Commonwealth ex rel. Beshear*, 563 S.W.3d 74 (Ky. 2018).

What is the difference between a preamble and “findings and declarations?”

## **IX. WHERE CAN I LEARN MORE ABOUT THE KENTUCKY CONSTITUTION?**

Volumes 1-IV, *Proceedings and Debates of the Constitutional Convention of 1890*

Constitution of the United States of America and of the Commonwealth of Kentucky (Revised November 2024), <https://legislature.ky.gov/LRC/Publications/Informational%20Bulletins/ib210.pdf>

The Constitution of the Commonwealth of Kentucky (Revised November 2019) (out of print but accessible on Legislative Research Commission website), <https://legislature.ky.gov/LRC/Publications/Informational%20Bulletins/IB59.pdf>.

## X. KENTUCKY CONSTITUTION – OUTLINE AND KEY PROVISIONS

### A. Outline

Preamble			
Bill of Rights	<a href="#">Section 1 to 26</a>	Fiscal Courts	<a href="#">Section 144</a>
Rights of Victims of Crime	<a href="#">Section 26A</a>	Suffrage and Elections	<a href="#">Section 145 to 155</a>
Distribution of Powers of Government	<a href="#">Section 27 to 28</a>	Municipalities	<a href="#">Section 156 to 168</a>
The Legislative Department	<a href="#">Section 29 to 62</a>	Revenue and Taxation	<a href="#">Section 169 to 182</a>
Counties and County Seats	<a href="#">Section 63 to 65</a>	Education	<a href="#">Section 183 to 189</a>
Impeachments	<a href="#">Section 66 to 68</a>	Corporations	<a href="#">Section 190 to 208</a>
The Executive Department	<a href="#">Section 69 to 108</a>	Railroads and Commerce	<a href="#">Section 209 to 218</a>
The Judicial Department	<a href="#">Section 109 to 139</a>	The Militia	<a href="#">Section 219 to 223</a>
County Courts	<a href="#">Section 140 to 141</a>	General Provisions	<a href="#">Section 224 to 255A</a>
Justices of the Peace	<a href="#">Section 142 to 143</a>	Mode of Revision	<a href="#">Section 256 to 263</a>

### B. Key Kentucky Constitution Provisions

1. Bill of Rights.
  - a. [Section 7](#), Right of trial by jury.
  - b. [Section 10](#), Security from search and seizure.
  - c. [Section 11](#), Rights of accused in criminal prosecution.
  - d. [Section 14](#), Right of judicial remedy for injury.
2. Legislative department.
  - a. [Section 29](#), Legislative power vested in General Assembly.
  - b. [Section 36](#), Time and place of meetings of the General Assembly.
  - c. [Section 46](#), (committee process in General Assembly), readings, vote.
  - d. [Section 47](#), Bills to raise revenue must originate in House of Representatives.

- e. [Section 51](#), Law may not relate to more than one subject, to be expressed in title; Amendments must be at length.
- f. [Section 54](#), No restriction on recovery for injury or death.
- g. [Section 55](#), When laws to take effect.
- h. [Section 56](#), Signing of bills, Enrollment, Presentation to Governor.
- i. [Section 59](#), Local and special legislation.
- j. [Section 60](#), General law not to be made special or local by amendment.
- k. [Section 62](#), Style of laws.

3. Executive department.

- a. [Section 69](#), Executive power vested in Governor.
- b. [Section 80](#), Governor may call extraordinary session of the General Assembly.
- c. [Section 85](#), President of Senate.
- d. [Section 88](#), Signature of bills by Governor, Veto, Passage over veto, Partial veto.
- e. [Section 89](#), Concurrent orders and resolutions on same footing as bill.

4. Judicial department – [Section 109](#), The judicial power, Unified system.

5. General provisions – [Section 241](#), Recovery for wrongful death.

6. Mode of revision – [Section 256](#), Amendments to Constitution, How proposed and voted upon.

## FOR YOUR INFORMATION ...

### **The Kentucky Law Update: Continuing Legal Education for All Kentucky Lawyers**

The Supreme Court of Kentucky established the Kentucky Law Update Program as an element of the minimum continuing legal education system adopted by Kentucky attorneys in 1984. The KLU program is now offered in a hybrid format. The 2025 Kentucky Law Update is presented as a one-day, in-person program at nine different locations across the state. The 2025 On-Demand Kentucky Law Update is available virtually on the Kentucky Bar Association website from September 1st until December 31st. These two programs combined offer every Kentucky attorney the opportunity to meet the 12 credit CLE requirement, including the 2 ethics credit requirement **close to home and at no cost!** Judges can also earn continuing judicial education credits through the Kentucky Law Update.

This program was designed as a service to all Kentucky attorneys regardless of experience level. It is supported by membership dues and is, therefore, every member's program. The program is a survey of current issues, court decisions, ethical opinions, legislative and rule changes, and other legal topics of general interest that Kentucky practitioners encounter daily. As such, the program serves both the general practitioner and those who limit their practice to specific areas of law. The Kentucky Law Update program is not intended to be an in-depth analysis of a particular topic. It is designed to alert the lawyers of Kentucky to changes in the law and rules of practice that impact the day-to-day practice of law.

### **About the Written Materials and Presentations**

The KLU written materials are the result of the combined efforts of numerous dedicated professionals from around Kentucky and elsewhere. The KBA gratefully acknowledges the following individuals who graciously contributed to this publication:

Jared Burke

Robbie O. Clements

Rebekah Cotton

Stephen Embry

Jennifer Gaytan

Tressa Hamilton

Eric Harris

Robert A. Jenkins

Nima Kulkarni

Lori J. Reed

Jeffery L. Sallee

Sarah-James Sendor

Nichole Shelton

Misty Clark Vantrease

B. Scott West

### **Special Acknowledgments**

Special thanks to the following KBA Sections, Committees, and other organizations whose participation and assistance with the 2025 Kentucky Law Update programs have been invaluable:

AppalReD Legal Aid

Casey Bailey & Maines PLLC

FNF Family of Companies

KBA Criminal Law Section

KBA Elder Law Section

KBA Law Practice Committee

KBA Office of Bar Counsel

Kentucky Access to Justice Commission

Kentucky Court of Appeals

Kentucky Legal Aid

Lawyers Mutual of Kentucky

Legislative Research Commission

Legal Aid of the Bluegrass

Legal Aid Society

New Americans Initiative

Supreme Court of Kentucky

Presentations are also made on a voluntary basis. To those who volunteer in this capacity, special gratitude is owed. Individuals who contribute to this program support the professional development of all members of the Kentucky Bar Association. We wish to express our sincere appreciation in advance to these individuals.

A special acknowledgment to the organizations, authors, presenters, moderators, and other 2025 Kentucky Law Update program volunteers will appear in the January 2026 issue of the *Bench & Bar*.

### **CLE and Ethics Credit**

The one-day, in-person 2025 Kentucky Law Update program is accredited for 6 CLE credits, including 2 ethics credits. The 2025 On-Demand Kentucky Law Update is accredited for 9.25 CLE credits, including 3 ethics credits. One credit is awarded for each 60 minutes of actual instruction, as noted on the agendas provided on the KBA website.

The Kentucky Bar Association's 2025 Kentucky Law Update programs are accredited CLE activities in numerous other jurisdictions. Credit categories and credit calculations vary from state to state. CLE reporting information for other states will be provided at the registration desk at the in-person programs. The out-of-state information for the on-demand sessions will be available on the program website.

Kentucky judges: don't forget you can claim CJE credit for attending this program.

**REMEMBER:** Reporting attendance credits is now done online. Visit the Kentucky Bar Association [website](#) for reporting information. The activity numbers for the in-person and on-demand programs are listed on the corresponding agendas and must be used to report credits through the Member CLE Portal.

### **Evaluations**

The 2025 Kentucky Law Update is *your* program, and your input is valued and needed. Links to the program evaluations for the live, in-person programs will be provided to all registrants via email. A link for the on-demand evaluation will be located on the program webpage. Please take a few minutes to complete the evaluation. We appreciate your assistance in improving this program.

## **Kentucky Bar Association 2025-2026 Board of Governors**

Todd V. McMurtry President Ft. Mitchell	Matthew P. Cook President-Elect Bowling Green	J. Tanner Watkins Vice President Louisville
Rhonda Jennings Blackburn Immediate Past President Pikeville		Kyle R. Bunnell Young Lawyers Division Chair Lexington
Amelia M. Adams Lexington	Douglas G. Benge London	Miranda D. Click Pikeville
Jennifer M. Gatherwright Crescent Springs	William M. "Mitch" Hall, Jr. Ashland	Sheila P. Hiestand Louisville
Sarah Hay Knight Somerset	LaToi D. Mayo Lexington	Stephanie McGehee-Shacklette Bowling Green
Susan D. Phillips Louisville	Ryan C. Reed Bowling Green	James A. Sigler Paducah
Catherine D. Stavros Fort Mitchell		Matthew C. Tierney Owensboro

## **2025-2026 Continuing Legal Education Commission**

Jennifer S. Nelson First Supreme Court District	Colton W. Givens Second Supreme Court District	Kelly K. Ridings Third Supreme Court District
Megan P. Keane Fourth Supreme Court District	Nealy R. Williams Fifth Supreme Court District	Frank K. Tremper Sixth Supreme Court District
Robert Stephen McGinnis, Chair Seventh Supreme Court District	Justice Robert B. Conley Supreme Court Liaison	Cassie H. Cooper Director for CLE

## **Kentucky Bar Association CLE Staff**

John D. Meyers Executive Director	Cassie H. Cooper Director for CLE	Lori J. Reed CLE Attorney Editor & Section/Division Program Coordinator
Caroline J. Carter CLE Lead Program Coordinator – Annual Convention & Virtual Education	Laura Cole CLE Program Coordinator – Kentucky Law Update & New Lawyer Program	Coleen Kilgore CLE Compliance Coordinator
Terri Marksbury CLE Regulatory Coordinator & Commission Paralegal		Clifford D. Timberlake CLE Accreditation Coordinator