



Section on Workers' Compensation Law

The Mission of the [ISBA Workers' Compensation Law Section](#):

To promote improvement in the workers' compensation system and the administration of justice under the Illinois Workers' Compensation Act and Illinois Occupational Disease Act; to enhance the professional capabilities of lawyers who practice before the Industrial Commission of Illinois by disseminating information relevant to the practice to make recommendations on proposed legislation; to conduct conferences and seminars on topics important to section members; and promote communications between the bar and all personnel of the Industrial Commission.

General:

- ◆ Section dues are \$30 per year.
- ◆ To join, go to www.isba.org/sections

[Continuing Legal Education](#)

The Section sponsored the following programs during the year:

- ◆ Workers' Compensation Update Fall 2018 (10/08/18)
- ◆ Workers' Compensation Seminar (02/18/19)

Section members also receive discounts on section-sponsored CLE programs.

[Legislation](#)

The Section Council reviews proposed legislation that may affect their members' practice area. Highlights of the most recent legislative session include:

1. Number of bills reviewed: 26
2. Significant legislation:
 - a. PA 101-6 – Toxic torts statute of limitations
 - b. HB 2634 – Limits attorney's fees in workers' compensation cases
 - c. HB 3714 – Independent medical examination

ISBA Central

- ◆ Members of the ISBA section get free access to the section's community on ISBA Central. The ISBA Central community allows section members to pose questions, answer questions, and share information with fellow section members from around the state.

[Newsletters](#)

During the 2018-19 bar year, the Section published 4 newsletters. Articles included:

- ◆ Editor's note (July 2018)
- ◆ Rule 23 Order reverses Commission, gives primer on neutral risk analysis (July 2018)
- ◆ Appellate court determines when nine percent judgment interest can and cannot be awarded (July 2018)
- ◆ When FCEs bite back: The role of corroborative evidence in FCE findings (July 2018)
- ◆ What is a petitioner's burden when it comes to causal connection? (July 2018)
- ◆ Editor's note (Sept. 2018)
- ◆ Legislative update (Sept. 2018)
- ◆ The dreaded intervening act (Sept. 2018)
- ◆ Section 5(b) liens will not be deemed waived in third party actions absent very specific contractual language between the parties (Sept. 2018)
- ◆ An analysis of In re Estate of Arnold Rexroad Sr. (Sept. 2018)
- ◆ Editor's notes (Dec. 2018)
- ◆ Appellate court reverses commission decision as against manifest weight of the evidence in finding in favor of award of "odd-lot" permanent total disability (Dec. 2018)
- ◆ Appellate court awards wage differential benefits even after claimant returns to work for more than two years (Dec. 2018)
- ◆ A petitioner injured on the job with an uninsured employer (Dec. 2018)
- ◆ Conflicting evidence dooms petitioner's claim for repetitive trauma back injury (Dec. 2018)
- ◆ Appellate court lacks jurisdiction to review a workers' compensation case where the circuit court's decision is not final (Dec. 2018)
- ◆ Editor's note (Apr. 2019)
- ◆ Governor's Pritzker's commission appointments (Apr. 2019)
- ◆ Get to know the appellate court justices of the Workers' Compensation Commission Division (Apr. 2019)
- ◆ Mergers & applications—Does the nature and extent of successive injuries merge? (Apr. 2019)
- ◆ Appellate court lacks jurisdiction to enforce workers' compensation subpoena when enforcement has not been attempted via the IWCC (Apr. 2019)
- ◆ Appellate court affirms denial of claim for injuries sustained in auto accident petitioner was involved in on her way to a follow-up doctor's appointment for her work injury (Apr. 2019)
- ◆ Employers face new liabilities for latent injury cases under bill awaiting governor's signature (Apr. 2019)
- ◆ Appellate court affirms commission decision finding petitioner failed to prove his condition of ill-being was causally connected to his work place accident (Apr. 2019)