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2009 ABVE Conference New Orleans, LA

*By Donald E. Jennings, Ed.D.
Past-President, D/ABVE*

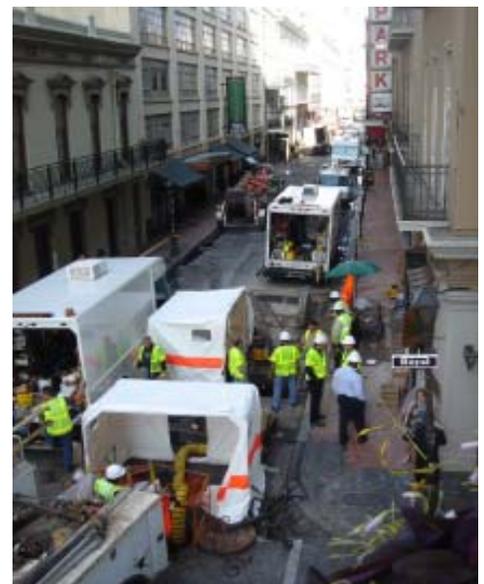
The 2009 American Board of Vocational Experts (ABVE) annual conference was held in New Orleans, March 27-29, 2009 at the Hotel Monteleone. If you missed the conference, you really missed a good one. The programs and speakers were timely in content and excellent in presentation. This conference was unusual in that the first night, while my wife and I were on the fourteenth floor making sure that everything was ready for the President's reception, there were two loud explosions. We found out later that these were underground electrical generators that had

exploded, causing a four-square-block blackout. Unfortunately, our hotel was in the middle of those four blocks.

Thanks to the work of Kristie Black, the on-site BTF representative, everything worked out well in the end, even though there was a good deal of turmoil initially.

It was necessary for the individuals who were residing above the 7th floor in the hotel to change our hotels because there were no lights or air-conditioning at that level. However, even with all the turmoil, the hotel got things back together and, by 9:00 AM on Saturday morning, the conference went on as scheduled. We extend our thanks to those who endure the hardships for the evening, and also to Kristie for her exemplary work. We extend our congratulations to all of the speakers, improvising when necessary, and making for a memorable event. Great job to all who participated and help the successful conference go forward.

If you attended this conference, it will be one that you will never forget. If you missed it, you missed a good conference and a hell of an experience! Look forward to seeing you in San Diego.



Photos by Cindy Grimley and Cheryl R. Chandler

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President's Message

By Larry L. Sinsabaugh, President, 2009-2011

This is my first message as your new President of American Board of Vocational Experts (ABVE). Upon taking the gavel, I pledged to do my best to: (a) Uphold ABVE's mission, (b) to provide a forum for continuing excellence in the area of Vocational Expert Testimony, (c) to continue significant opportunities for continued education, and (d) to serve the needs of the membership. Helping me to do this is the new ABVE Board of Directors.

The New Board of Directors

One of the first pleasures that I have is welcoming new members to the ABVE Board of Directors for 2009-2011, which is composed of Officers and At-Large Members.

- Present Officers:
 - President Elect: H. Gray Broughton
 - Past President: G. Michael (Mike) Graham
 - Secretary: Cheryl R. Chandler
 - Treasurer: Estelle Hutchison
- ABVE Board of Directors:
 - Richard (Dick) Baine
 - Jayne Barton
 - Howard L. Caston
 - Richard M. Hall
 - Ronald Smolarski

The officers form a unique resource known as the Executive Committee and can at times of controversy or urgency advise the President and the Association. Another resource available to the ABVE Board of Directors comes from ABVE's Executive Director, Glenn Zimmerman of BTF Enterprises. Glenn is the CEO of the management company that takes care of the routine and daily functions of running ABVE, with the assistance of the designated Account Manager for Member Services. For the last few years the Account Manager/Membership Services representative has been Kristie Black and she has done a good job for ABVE. Recently, Jessica Finney has taken on this role for ABVE. Later in the newsletter, you will find an article about Jessica's background. Also available to the President for advice and guidance is the Council of Past Presidents which is composed of: Michael Graham (Council's Executive), Harold Kulman, Richard Bain and Kenneth Manges. Under ABVE by-laws, the Executive Committee, the Executive Director and the Council of Past Presidents form the full governance body for the American Board of Vocational Experts.

In the Board of Directors Meeting on March 26, 2009, the new Board received a briefing about the overview of the ABVE's mission, policies and task-job descriptions for the various Board positions. Also, Committee Chairs were appointed. At present, ABVE has standing committees and special work task committees as are needed to accomplish Association business.

The standing committees are: Conference, Credentials, Continuing Education, Nominations, Professional Standards and Ethics, and Publications.

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By Gray Broughton, MA, CRC, CCM, Diplomate/ABVE Conference Chair

Mark your calendar for our next ABVE annual conference in San Diego, California on March 25-28, 2010. The pre-conference is on the morning of Friday, March 26, 2010 and the conference begins at noon on March 26th and concludes on March 28th at noon. We are in the process of selecting speakers. If you are interested please contact Gray Broughton (call 800-282-4177 or email bai@broughtoninc.com). Listed below is a sampling of what we will teach in the pre-conference as well as in the conference sessions. The Friday conference will be a single track (one class at a time) and Sunday will be the same. Saturday will have two tracks (two classes taught at one time) and you can select the one that you prefer.

Some of these classes and the titles are subject to change, but the knowledge enhancement seminar (pre-conference seminar) at this point will be:

- Testimony 101 – Michael Graham, Ph.D.
- Admissible Testimony and Clinical Judgment – Tim Field, Ph.D.

Some of the other classes taught during the conference will be:

- Effective Ways to Use Information Technology (IT) at Trial – Chad Dunkin, Ph.D., University of Maine & Larry Sinsabaugh, Ph.D., ABVE President
- The Ins and Outs of Social Security Testimony and the Procedures Used – (Speaker TBA)
- Rule 26 – Testifying in Federal Court (Speaker TBA)
- Attorney Panel – Plaintiff Attorney, Defense Attorney, Judge – (Panel TBA)
- How to Handle and Be Prepared for Direct and Cross Examination While Testifying – (Panel TBA)
- Preparing and Defending Labor Market Surveys & Job Searches – H. Gray Broughton, MA
- Report Writing in a Forensic Setting – Michael Graham, Ph.D.

The San Diego Conference in March 2010 looks to be an exciting conference at a wonderful location. Please contact me if you have any suggestions or would like to present. More information will follow concerning the program, the cost of the conference and registration procedures. I look forward to seeing you in San Diego!



Journal Guidelines Available

Those interested in submitting manuscripts for **The Journal of Forensic Vocational Assessment** can request specific guidelines from:

E. Davis Martin, Jr.
Phone: (334) 844-2083
email: martiev@auburn.edu.



Future ABVE Conferences

Mark Your Calendars Now!

Spring 2010

San Diego, California

Spring 2011

Orlando, Florida

Spring 2012

Las Vegas, Nevada

Spring 2013

San Francisco, California

Social Security Vocational Information

Look for the New ABVE e-News in Your Inbox!

During the week of June 23, a new membership service was initiated – ABVE *e-News*. This electronic broadcast allows a convenient way to communicate important industry news to ABVE members at virtually no cost to the association.

The first edition of *e-News* was a request for ABVE members to comment on an upcoming Social Security Administration (SSA) event from the Occupational Information Development Advisory Panel (OIDAP) that is working to provide recommendations to SSA on a source to replace the *Dictionary of Occupational Titles*.

Future editions of *e-News* will include program and registration information for the annual conference on March 25-28, 2010 in San Diego. Stay tuned!

Make sure your ABVE *e-News* always go straight to your inbox. Add abve@abve.net to your address book.

ABVE declares support to members who practice in the Social Security arena and with our sister organization, the International Association of Rehabilitation Professionals who have been working to dialog with Social Security Administration regarding the professional fees which have been frozen at the same level for 35 years. The fees rates have increased by 10% this spring, although this is far below the rates contemplated last year. ABVE's Board agreed to draft a letter which Larry Sinsabaugh, ABVE President, sent on behalf of our membership. It is reprinted below.

June 23, 2009

H. Fay Adams
Deputy Director
Division of Finance & Budget Analysis
Social Security Administration
7777 Leesburg Pike
Falls Church, VA 22401-3255

Dear Deputy Director Adams:

I am writing to you concerning the fee scale for vocational expert services upon the behalf of The American Board of Vocational Experts (ABVE). ABVE is the only private body that certifies Vocational Experts (VEs) at the Diplomate and Fellow levels. Many ABVE certificants serve as vocational experts to the Social Security Administration. Information about ABVE can be found on the following website [<http://www.abve.net>].

The Board of Directors of ABVE's perceives the most recent fee increase under the VE Disability Blanket Purchase Agreement, still to be too low given the training, experience and expertise required of participants. Accordingly, ABVE urges the Division of Finance and Budget Analysis to increase the most recent fee scale.

Sincerely,
American Board of Vocational Experts
Larry L. Sinsabaugh, PhD
Diplomate/ABVE
President and Publications Chair, ABVE, 2009-11

Message from the Newsletter Editor

**By Cheryl R. Chandler, M.A., CRC, D/ABVE
ABVE Secretary, Newsletter Chair**

Greetings! I hope you find the newsletter complete and helpful for staying in touch with ABVE. The Board asks you to encourage your colleagues who are not members of ABVE to join at whatever level is appropriate. We have many new things happening within the organization, the latest being the launching of the ABVE *eNews* and the revision of the certification exam which is in process.

Dr. E. Davis (Dave) Martin, Member-At-Large and Editor of ABVE's Journal of Forensic Vocational Analysis, is looking for manuscripts to publish. He encourages interested parties to please contact him.

Finally, as Editor of the Newsletter, I am also on-the-hunt for items to include in the news. ABVE has a diversified membership and I welcome member input and short articles for the newsletter. Regional happenings may be of interest beyond your borders, so please share your news.

In Memory of Robert McGinn

On behalf of the ABVE Board of Directors, it is with deep regret that we announce the death of Robert “Bob” McGinn. Bob was the President of the Family Testing Center of South East Mass, Inc. and a long time ABVE member. He lost his battle with cancer on Saturday, July 11, 2009. We extend our deepest sympathies to the McGinn family.

Donations can be made in Bob’s memory to the Jimmy Fund at the Dana-Farber Cancer Institute.

www.JimmyFund.org

10 Brookline Place West, 6th Floor; Brookline, MA 02445-7226

President’s Message Continued...

The Chairs are as follows:

- Conference: H. Gray Broughton
- Credentials: Dick Baine
- Continuing Education: G. Michael Graham and Howard Caston
- Nominations: G. Michael Graham (a task duty of the Past President position)
- Publications: Larry Sinsabaugh
- Professional Standards and Ethics: Ronald Smolarski
(Michael Graham is wrapping up issues left over from the previous Board of Directors).

Special committees handle unique aspects that occur at a particular time while some are ongoing as a result of ABVE’s mission. The special committees are:

- Test/Test Revision: G. Michael Graham
- Membership: Howard Caston & Gray Broughton

Continuity and the demands of the Association require the Board to meet periodically throughout the year. Accordingly, the following Board meetings are scheduled at selected points in the future: June 17, 2009, September 16, 2009, and December 16, 2009. Each time the Board meets, a brief summary of decisions made and actions taken will be published in the next newsletter. Member concerns, issues, points of view and suggestions are important to the Board. Please diary your calendars just in case you feel moved to make suggestions to your Board for future meetings in September and December.

The Good News

How about some good news for a change? ABVE is increasing its cash flow position. Perhaps you knew, although many didn’t, that in years past ABVE has faced some serious and almost crushing financial challenges. To meet these challenges, the last Board took a number of actions to maintain the health of the Association.

First, the Board cut the number of conferences from two per year, to one per year. In addition, it offered members an additional break for attending conferences by increasing the number of continuing educational credits obtained by attending ABVE Conferences for ABVE certification.

In another special circumstance, two years ago Board Members Gray Broughton, Mike Graham, and John Williams made significant financial contributions to ABVE. Third, the last two conferences have been financial successes—ABVE actually made money!

In addition, Glenn Zimmerman recommended some things to the Board that resulted in cost savings. BTF plays a major part in ABVE’s current financial position. Glenn held management costs for running the Association at a fixed rate and without increases for several years. In fact, he also cut the cost and management services last year. As a result, ABVE presently enjoys an improved and improving financial condition in what is essentially an environment of hard times for many organizations. All of these actions, that is, good Board decisions, having one successful conference per year, having financial contributions from members, and Glenn’s leadership, has resulted in keeping ABVE in a positive cash flow during these troubled times. This is good news.

Keeping ABVE Strong

What keeps ABVE strong is the enthusiasm and continuing support of its members. We need you to tell the Board about significant opportunities in the field. We also need your ideas for Conference content. We need you to attend conferences. We need you to write manuscripts for the journal. We need you to offer ideas to the newsletter. We need you to recruit members who want to join in the various categories of membership. We need you talk to colleagues about becoming certified. Finally we need you to say yes and volunteer for ABVE activities. In short, WE NEED YOU!

WELCOME NEW MEMBERS!

ABVE is proud to welcome the following...

New Associate Members:

Kathleen Dytrych
Charles McBee
Eric McLane
David Staten
Diane Steffy
Eddie Thieszen Culp
Lynn Williams

New Student Member:

Nicole King

We would like to congratulate our newly certified members:

Kim Coenen, Fellow
Renée Jubrey, Diplomate
Hank Lerner, Diplomate

We also extend congratulations to Scott Whitmer for his successful upgrade from Fellow to Diplomate status.

Household Chore Damage Assessments

By Ronald Smolarski, MA, Diplomate/ABVE

I use three instruments to assist me in making a household chore damage determination along with a medical consultation if the person is alive. First, I use the *Functional Capacity Checklist* (FCC) (by Burke & Dillman, Elliott & Fitzpatrick). The checklist is broken down to a scale of 0-5 (0, I don't know; 1 no change; 2, a little more difficult to do; 3, Can be done but only with difficulty or some pain; 4, Very difficult to do; 5, Impossible to do or can do only with great pain). I use this instrument (with 165 questions) to assist me in determining the evaluatee's present ability to carry out a task around the home. I do not just ask questions such as, "do you have problems with shopping?" Through using the FCC, I ask detailed questions like the following: Unlocking and opening a car door; Pulling open a door with a handle, like a public place; lifting objects of relatively light weight from the floor, waist, or above your head; or opening your purse or wallet and taking out paper money.

Reviewing the 165 answers, I count all the 0's, 1's, 2's, 3's, 4's, and 5's. I make a clinical judgment that I can make accommodations for 50% of all the 2's. I add this to all the 3's, 4's and 5's. The total of this amount is equal to what the person can not do. The total of the figure is divided by 165 to provide me an answer as to what percentage the evaluatee can do and what the evaluatee cannot do.

Once I have this information, I then compare it to the study, *Dollar Value of A Day* (DVD) (www.expectancydata.com/dvd). The Dollar Value of a Day provides a base line as to what a person can do pre-injury. I use this data to determine the amount of hours that are spent around the home. This study is tied to dollars a person makes and the amount of hours the person can perform around the home. It is tied to other variables as well, such as married or not married, how many children and their ages and does the spouse work or not work. I use the economic tool *Advocate Software* www.advocatesoftware.com, which includes Dollar Value of a Day in its software. To those vocational experts who choose not to determine economic damages, you can just use the Dollar Value of a Day portion of the Advocate Software. You can indicate the above variables along with a beginning date for damages (date of trial or date of injury) and the ending date, which can be death or choose 5 years before death. Once you complete this data, you take your results from the Functional Capacity Checklist and use the percentage of what the person can still do and multiply it by the amount of hours that is in the pre injury hours indicated by the Dollar Value of a Day (Purchase the DVD so you can answer questions in a deposition). Once you finish this step, choose the county and state that the person lives in and you will have a damage for household chores.

If the person is alive, I also submit a letter to the treating physician indicating the clients stated physical abilities to determine if the physician is in agreement with the client's statements. I also provide areas for the physician to answer four different ways: yes, no, possibly (< than 51%) and probably (51% or >).

When using the DVD for the pre-injury, be sure to only use the chores that the person did pre-injury. If you are not sure about doing the above, you can try out the Advocate Software for a month for free and just play around with it. You will see how easy it is to use and understand. The FCC is only \$15. So break out of your box . . . try it and if you like it then purchase the DVD and the Advocate Software so you too will be able to determine household chores.

Ronald Smolarski, M.A., (800) 821 8463, <http://www.beaconrehab.com>

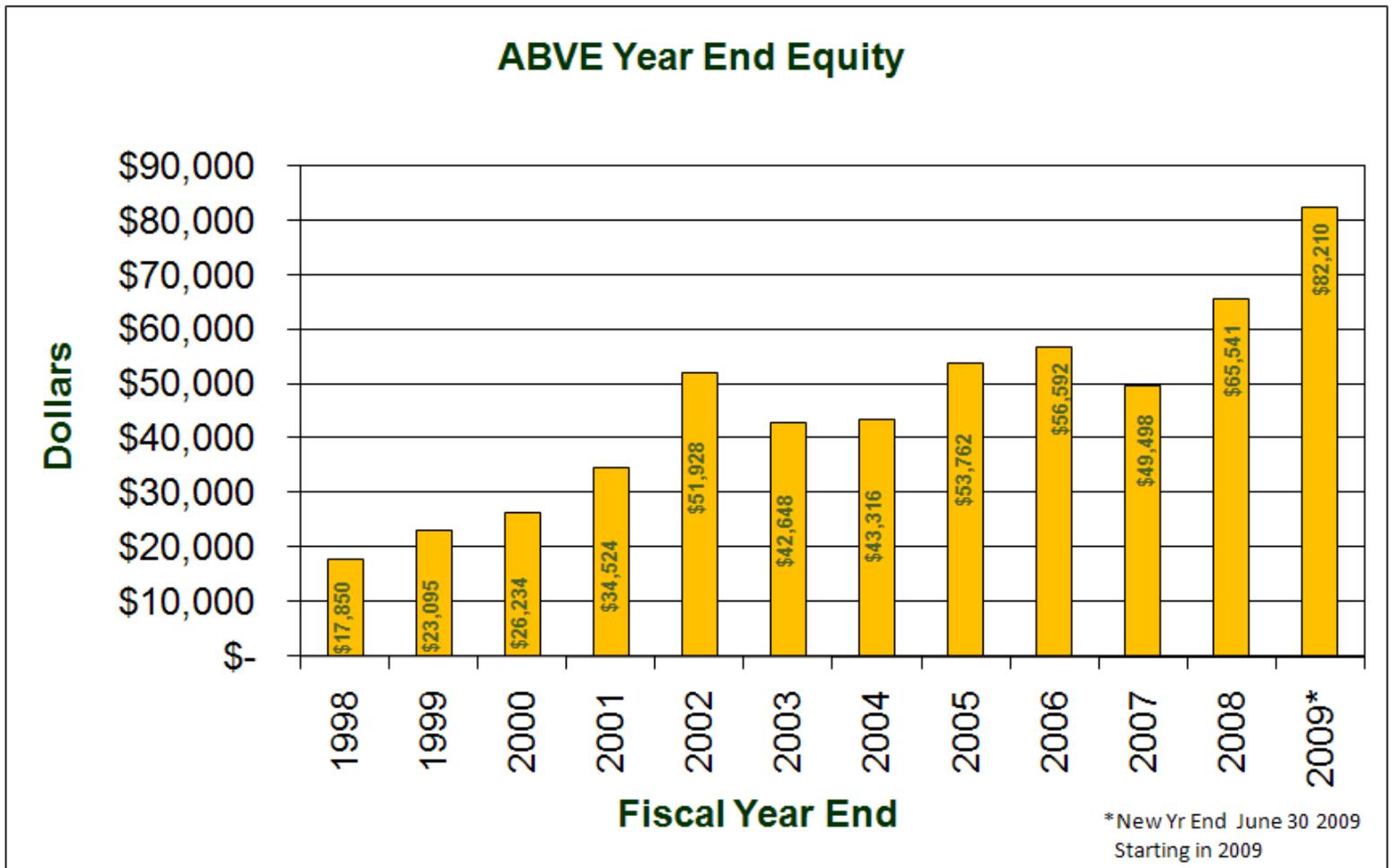
Treasurer's Report

By Estelle Hutchinson, MS, NCC, CRC, CCM, D/ABVE



There is good news to report from the Treasurer's desk. With over 145 people attending, the 2009 Spring Conference in New Orleans was financially successful for ABVE, despite the electrical problems that disabled some of the hotel systems. Member and non-member registrations, as well as fees for pre-conference sessions and the Knowledge Enhancement Seminar, contributed to greater than expected conference revenues. As of 6/30/2009 ABVE has exceeded our projected revenue as a result of conference revenues, incoming member dues, journal sales and other miscellaneous sources. Our annual budget is approximately \$120,000 and as of June 30 2009 we have \$79,363 in our savings and bank accounts.

The following is a chart showing the equity position of ABVE over the last 10 years since we have been working with BTF Enterprises. This chart was presented to the membership at our annual meeting in New Orleans . I know a number of you were not able to make the meeting, so I thought I would share it with you.



In an effort to do our due-diligence, a routine internal audit of ABVE financial systems was conducted on July 10, 2009. Three members of the Board convened with members of the management association staff at BTF Enterprises in Santa Cruz to complete the audit. A report is under development and will become available in the near future.

Effective Workers' Compensation Job Placement in Tough Economic Times: A Presentation to the Virginia Self Insured Association

By H. Gray Broughton MA, CRC, CCM, Diplomate/ABVE

Use an Effective Methodology

The counselor must use effective methodology in the job placement of Workers' Compensation claimant. Coordination with the adjuster and defense attorney is a must. The counselor must stay within the guidelines of vocational rehabilitation as set forth by the Workers' Compensation Commission.

Since it only takes one job to have an effective placement, the expert must: (1) Find the best job available; (2) Find the type of job that the claimant wants, especially if the job is available, and if it is within the person's ability to perform the job given their transferable skills and physical limitations; (3) Find the time to have a frank discussion about what is expected on the job and the importance of attempting to find employment on a daily basis; and (4) Find a way, especially if the claimant is cooperative, to give him/her "the-shirt-off-your-back."

An effective placement requires the expert to perform diligent weekly job searches, including meeting with the claimant at least once per week. My experience tells me that it is also necessary to take claimants to job interviews. An effective placement requires the expert to contact potential employers and discuss trial work programs. Sometimes a successful trial work program will result in employment after the client successfully completes the training or the probationary program. The expert should negotiate payment for this trial work program or training. Most of all, do not give up. Maintain a positive attitude, and convey this attitude to the claimant. Let the claimant know that it is your plan to obtain a successful placement each time you meet with the client. Above all, before you start placement activity, make sure that the claimant is "job ready." This means that you are aware of the claimant's potential limitations and that you have gathered enough information to document readiness for suitable and appropriate job searches.

Tough Economic Times Require Aggressive Steps

Have a strong, effective return-to-work plan. A vocational counselor/expert can help by coordinating accommodations; and if necessary, help the employer to rewrite job descriptions. Always get good and recent work restrictions in order to determine the worker's Residual Functional Capacities (RFC), defined as:

What an individual can do in a work setting despite the functional limitations and environmental restrictions imposed by all of his/her medically exertional and non-exertional determinable impairment(s).

Assign the case to job placement specialist. Conduct a Vocational Diagnostic Interview as soon as possible and begin job placement activities immediately. Evaluate progress every 60 days. Carefully consider barriers to employment when determining the difficulties of placement. This includes, but is not limited to, a good understanding of the claimant's physical and psychological limitations (if any), educational level, criminal record, driver's license, age, and geographic area where the claimant resides. Also, conduct effective job searches weekly. The vocational rehabilitation counselor must:

- Install a feeling of urgency in finding employment.
- Follow the guidelines for vocational rehabilitation as set forth by the state Worker's Compensation Commission.
- Take the injured worker to job interviews personally (or meet them at the interview), and do this on a weekly basis.

When unemployment rates are high, remember it only takes one job to have a successful placement.

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Effective Workers' Compensation Job Placement Continued...

Give the claimant job leads to follow up on (they can apply online and also go and apply in person for employment). Follow up. Pay the claimant mileage when needed. Develop a rehab counselor approved claimant's mileage request.

When unemployment rates are high, remember it only takes one job to have a successful placement. Some of the techniques that I use is to offer to pay for training. Get that injured worker in front of an employer—because if this does not happen, you will not get the successful placement. Don't just rely on internet postings of jobs; you must contact potential employers. Find those employers who have appropriate job openings. This will hopefully result in a face-to-face interview. You get into the mindset of making "cold calls" on businesses. This is especially true if the employer is located in a rural or scarcely populated area. In times like these, more employers must be contacted to obtain a successful placement. My motto is, "Never give up, just keep on plugging away until that successful placement happens!" Another issue is, the counselor/expert must impress upon claimant that he/she must work at making a good presentation. Advise the claimant to correct shortcomings. Also, consider computer training and any other training, such as a GED or a course of study that can be completed in a reasonable amount of time. Most of all require the claimant to take active steps towards finding employment. Make sure he/she cooperates with job placement efforts. Finally, the injured worker needs an advocate, someone to pitch them to an employer. To my mind, this is how one gets a successful placement.

ABVE Welcomes Jessica Finney

Jessica Finney, or Jess as she likes to be called, is ABVE's new Account Manager for Member Services. Although new to ABVE, she comes with good credentials and understands ABVE's mission. When you have a question about membership, ABVE events, or need some good, accurate information about the association, just call Jess. As you can see from her bio-sketch, she is well qualified for her new role.

Jessica Finney, MPH, is one of BTF's Account Executives. Jessica is responsible for a dynamic array of association activities including board of directors and committee management, strategic planning, meeting and event planning, publications, public relations and communications. Jessica has over 10 years of experience in non-profit organizational leadership, project management and event planning. A firm believer in collaboration, she enjoys fostering relationships and leading teams to accomplish their goals. Clients benefit from her ability to focus on priorities and identify strategic partnerships while maintaining a collaborative environment.



Prior to joining BTF Enterprises, she was a project manager and event planner for the Public Health Institute in Oakland, CA and held a position on the management team of a statewide public health initiative in California. Jessica holds a Master's in Public Health from San Francisco State University. She is an alumna of the Women's Health Leadership (a program of the Center for Collaborative Planning) and a member of the American Society of Association Executives (ASAE). Jess can be contacted through ABVE Headquarters:

Jessica (Jess) Finney
Account Manager
American Board Vocational Experts Headquarters (ABVE HQ)
3540 Soquel Ave. Suite A Santa Cruz, CA. 95062
Phone: (831) 464-4890 | Fax: (831) 576-1417
E-mail: jessica@btfenterprises.com

From ABVE to Jess, here is a big welcome aboard!

ABVE Revises The National Certification Examination

By G. Michael Graham, Ed., D/ABVE, Past-President and Test-Committee Chair

In the spring of 1988, in keeping with its tradition of high standards for its membership, the American Board of Vocational Experts (ABVE) voted to develop a standardized examination designed to measure the constructs of forensic analysis. It was recommended that such an examination would become an integral part of the membership screening criteria. Specifically, the examination would be designed for the purpose of assisting the ABVE Membership Committee and the ABVE Credentials Committee in determining which applicants for ABVE membership would be recognized as “Certified” members and a determination of the level of membership.

Under the leadership of Harold Kulman (ABVE’s third President), the first edition of the ABVE National Certification Examination became available in 1988 to differentiate the knowledge base that was appropriate for vocational specialists who were acting as vocational experts within the nation’s court system. This test has gone through rigorous revision and validation studies between those initial offerings in 1988 to the Fourth Edition in 2004. Research on the ABVE Examination has established excellent evidence for content and constructs validity for all editions over the years. It is still the only national examination designed specifically to measure the skill knowledge of vocational experts.

The nature of forensic practice in settings where expert testimony is required continues to evolve over time. In the last decade, the Supreme Court rulings of Daubert, Joiner and Kumho have been the driving force for vocational specialists to re-examine the essence of opinion development and methodology, understanding of what evidence is admissible and what is required to be able to successfully withstand a Daubert challenge. Understanding the intent of the court in these significant rulings, and how these effect any opinions the vocational expert may seek to have admitted to the court or jurisdiction in which they may be working at the time, is a survival necessity in today’s forensic practice.

The ABVE Board of Directors decided as a profession, this association must continue to strive to accurately apply the meaning and intent of the current federal rulings and the Federal Rules of Evidence to our work as vocational experts. The flip side of this acknowledgement was the reality that the ABVE National Certification Examination had not been updated since 2004, before these new rulings became the law of the land. It became apparent that there was a need to not only review the content of the current 4th edition-2004 ABVE certification examination, but to also devise new test questions that would reflect the state of knowledge with which vocational experts are required to be conversant in today’s legal environment.

The ABVE President at that time, Dr. G. Michael Graham, volunteered to take on this complex and needed task. Dr. Graham indicated that he would solicit current members of ABVE who hold Diplomate certification to form an action committee. Initially, 19 ABVE members volunteered for this committee. After the first activity, some committee members realized the amount of time and activity that would be required by this task and excused themselves from committee membership. Those ABVE members who have remained on this important committee include: (a) from the ABVE Board of Directors: Larry Sinsabaugh, Estelle Hutchinson, and Michael Graham; and, (b) from the Membership At Large: Joe Havanek, Kristy Farnsworth, Keith Wilkinson, Gene Van de Bittner, Scott Stipe, Jeff Lucas, Carl Gann, Robert Cottle, Peter Lento, and Jenipher Gaffney.

The Test Committee followed a methodology that included:

1. The 4th edition of the ABVE Certification Examination was divided into segments with 12 test questions per segment. Each of the original 19 committee members received one of these segments for their review and judgment. The assigned overall task was to review the questions and answers for each question included in the 4th edition-2004 examination to determine which to keep and which to delete.
2. Each committee member returned the assigned segment to Dr. Graham with their judgment regarding the “retention” or “deletion” of each question. Dr. Graham re-typed the test questions that were slated to be deleted into a “master” listing. This listing was re-distributed to each committee member asking them to review these “deleted” test items to determine if they should be terminally deleted or restored to the original test. There was a criteria established by Dr. Graham as to how many of the committee membership were required to give a

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ABVE Revises Exam Continued...

“thumbs up” on any of these original test questions that had been slated for terminal deletion in order to restore that question to the list of active test items. When all was said and done, about 120 of the original test items (out of 210 questions) were unanimously deleted. The reasons for deletion encompassed “poor question”, “not reflective of current requirements”, the “answer and distracters are poorly written” etc.

3. The next assignment of the committee was to develop “new” test questions. In order to assist with this assignment, the test item writing format developed by CCRC was adopted by the committee. Additionally, ABVE’s good friend, Dr. Tim Field, owner of Elliott & Fitzpatrick publishing house, provided the five books included in his company’s *The Daubert Series*. These were sold to ABVE at his cost, and were distributed to every member of the committee, along with *The Vocational Expert-Revised and Updated*, as resources for the development of “new” test questions. These five books included:

a) *Admissible Testimony*, b) *The Daubert Challenge*, c) *Life Care Planning in Light of Daubert & Kumho*, d) *Rules, Civil Procedure and Evidence*, and e) *Methods and Protocols*.

Dr. Field provided the textbooks for each committee member. The committee utilized these books as resources for the development of new test questions and answers. Dr. Field’s generosity and participatory spirit is gratefully acknowledged and appreciated.

4. Each remaining committee member was required to submit 10 new questions along with the correct answer and three distracters. Once these new questions were received by Dr. Graham, he re-typed these into a listing and distributed them to each committee member for their review and judgment. Each committee member was allowed time to read these suggested new test questions and to make their independent judgment to either “keep” or “reject” each of the submitted new test questions.
5. Dr. Graham re-typed the ABVE National Certification Examination, combining the retained test questions from the 4th edition-2004 and the new agreed to test items submitted by the Test Revision Committee members, into one document containing 280 items total.
6. A telephonic conference call was held on June 8, 2009. Test Committee members participated in the “real-time” discussion of each of the 280 test questions. This event was suggested by committee member Jenipher Gaffney and hosted by the ABVE Headquarters. An active and interactive discussion was held by the participants on each test item. As a result some test questions were eliminated, others were revised on the spot and in the end all participants felt that, with the suggested revisions, the new ABVE National Certification Examination would be ready for validity studies and roll-out at the 2010 ABVE Conference to be held in San Diego in March 2010.
7. Dr. Graham will once again be responsive to the directions and suggestions of the Test Committee participants at the telephonic conference and will re-type the test in the format of the 4th edition examination with the recommended deletions and revisions. Additionally, selected Committee Members were designated to submit to Dr. Graham suggested item revisions and wording for inclusion in this final revision.
8. The final revision will be labeled the 5th edition of the National Certification Examination and will be delivered to the ABVE Board of Directors, who initiated and have supported this project over the past year. Dr. Sinsabaugh, current ABVE President, has taken on the huge task of delivering the validation studies, new cut-off scores for certifying Fellow and Diplomate members and having these issues determined by March 2010 so that the new examination can be implemented.

Whew! This has been a tremendous amount of effort by dedicated volunteers to whom I say “Thank You.” They deserve all the strokes and accolades we can give them. During the Annual Membership Meeting at the ABVE Conference in New Orleans (March, 2009), I presented each remaining member of this committee Presidential Award Plaques, in recognition of the hours of work required and their participation in this task. ABVE and all its members salute these volunteers for what they accomplished on behalf of our organization and for keeping it at the forefront of the forensic field.