

THE VOCATIONAL EXPERT



**Summer-Fall
2005**

Volume 22, No. 2
Official Publication of the
American Board of
Vocational Experts

ABVE 2005 FALL TRAINING CONFERENCE

September 23-25, 2005

**San Francisco, California
Sir Francis Drake Hotel**

Over the past 20 years civil courts have become familiar territory for those who practice Forensic Rehabilitation. Vocational experts are used to assess the impact of an injury on a person's wage earning capacity and to provide the jury and/or judge with an objective account of how much the injured employee's future earning capacity has been affected so that fair compensation can be awarded where liability for injury has been established. Vocational experts are persons who have had special professional training and experience, or who possess special knowledge or skill regarding the subject upon which their testimony is based.

G. Michael Graham, this year's Conference Co-Chairperson states, "the ABVE 2005 Fall Conference has been designed with these broad-based concepts in mind and with equal attention to the "level" of this specialized skill/knowledge amongst its members and those seeking professional membership certification. I sincerely hope that ABVE members, as well as others desiring to engage in a forensic practice, will review the



program content areas carefully. The dual tracking format of the conference was carefully designed to expand the knowledge of all participants by presenting topics that are timely and developmental for the emerging forensic expert as well as the "seasoned" expert. Many of the topics are presented by practicing attorneys who retain vocational experts and will explain why and how and to what degree of expectation they utilize these experts. Other topics will address the very foundation of the experts' participation in a law suit.....the presentation of relevant evidence that is admissible and persuasive.

Topics Include: How much to bill? What are reasonable billing charges? What do other vocational experts charge? What are "working" collection strategies when needed? Strategies on developing "bulletproof" case development methodologies. Tips on how to connect with the jury when presenting your opinions so that they are persuasive. What to expect during the discovery process, particularly cross examination and deposition questions - *can the opposing attorney really ask me that?* How to be a marketing expert when approaching law firms for forensic business. Can I really be sued when my case development methodologies and outcomes fail to hold up under challenge? Issues of vocational expert liability when the methodology used is not at the level of the standard of care in our industry. What are the newest assistive technologies out there for facilitating the injured worker's return to the workplace? What new technologies can be referenced by the vocational expert in stating case relevant opinions concerning earning ability? What DO attorneys look for in a vocational expert? – why am I not being retained as much as my colleagues? What are

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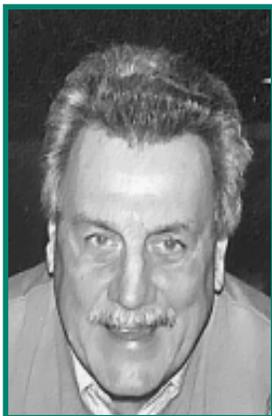
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President's Message

By Don Jennings, ABVE President, 2005-2007



As the summer season comes to an end, hopefully our members are thinking about the upcoming Conference in San Francisco. Michael Graham, the Conference Chair, and Ellen Nagourney, the Conference Co-Chair, have set up a very interesting and broad range conference that will have something to appeal to all levels of our membership.

In regard to membership, the lifeblood of this organization are the individuals who belong to it. The Executive Board is very conscious of the membership, not only in maintaining and providing services for our current members, but also in developing and recruiting additional members. At the last

Conference in New Orleans, there were several individuals who had taken and passed the examination and are now new members of the organization. It is the goal of the Executive Board to emphasize membership as a major function during my tenure as President.

As all of the members are probably aware, our Journal has been moved from Ohio State University to Auburn University. The first Journal under the auspices of Auburn's E. Davis Martin will be out in the near future.

We also have a new Publications Chair, Larry Sinsabaugh, and by now you should have received the Spring issue of *The Vocational Expert*, which was produced under his auspices with the assistance of Cindy Grimley. Additionally, Betty Hale is the new Editor of the Newsletter. This issue is the first published since she accepted that position.

Because of the untimely death of Scott Streater, who was an Executive Board Member, Phil Spergel has filled the vacated position of Treasurer. Phil has had previous Board experience and has also functioned as the Ethics Committee Chairperson, so he is aware of the operation of ABVE and will lend support to the Executive Board's endeavors.

There is a new Ethics Chair, Roz Pierce. Her committee will be providing columns to the Newsletter on a regular basis.

I would also like to encourage all members to visit our website which is in an ongoing process of being updated and proofed.

I look forward to seeing as many of you as possible in San Francisco and hope you have enjoyed the summer.

TIMELINESS ONE OF OUR PROFESSIONAL VIRTUES

By Philip Spergel, EdD

An article in the *Federal Discovery News*, 2005 LRP Publications, Volume 11, Issue 8, July 2005, points out the importance of not only the vocational expert being timely with regard to appointments and delivery of reports, but also the need for the attorney who engages us to honor time demands. In the matter of *Gourge vs. the U.S. Postal Service*, No. 04-054-CG-M (S.D. Alabama 05/23/05), the U.S. District Court, Southern District of Alabama, found for the defendant with regard to dismissing a vocational expert from testifying due to untimely disclosure.

Gourge's attorney was instructed by the court to disclose experts by a designated date. Approximately two weeks after that edict, counsel for the plaintiff named a vocational expert. It was not until a week later that the vocational expert conducted his evaluation and that the report was delivered to defense counsel 4 weeks after the deadline.

The attorney for the Postal Service moved to bar the testimony of the vocational expert due to the violation of Federal Rule 26; specifically the fact that there were untimely disclosures on the part of the plaintiff, who never requested an extension of time. Also noted, was the fact that since the plaintiff's attorney did not identify his vocational expert in a timely manner, the Postal Service had no opportunity to name their own vocational expert.

From The Editor's Laptop

By Betty Lindsey Hale, Newsletter Editor

As we quickly approach the end of yet another year, we are called to reflect upon the speed with which time passes for us all. In a few short weeks, the leaves will begin to change and we will be caught up in the holiday season as 2005 closes. This is a time not only to consider our personal experiences during this year, but also to examine our professional lives. As members of The American Board of Vocational Experts (ABVE), we share a common genealogy, pedigree, and lineage, which separates us from others in our field. Although the membership of ABVE is comprised of individuals from a variety of educational disciplines and varying levels of forensic experience, we are indebted to those pioneers who had the foresight and perseverance to envision and create a credentialed professional body for forensic vocational experts to fill the void. I will not attempt to name all those whose dedication and commitment through the years contributed to the formation and maintenance of ABVE, for I would surely overlook some and do not wish to disparage their efforts. However, I feel that it is important for all of us to recognize that these men and women fought for the professionalism and recognition of vocational experts as a unique and valuable discipline, in spite of what was sometimes harsh criticism.

The Merriam-Webster Online Dictionary defines "genealogy" as "an account of the descent of a person, family, or group from an ancestor or from older forms". The term "pedigree" is "an ancestral line, lineage, or the origin and history of something". Additionally, "lineage" is "a group of individuals tracing descent from a common ancestor, especially: such a group of persons whose common ancestor is regarded as its founder(s)".

What terms could better describe the conception and growth of ABVE as a professional organization? In spite of our differences in terms of background, training, geographical location, areas of practice, and approach, we are nevertheless bound by our commonalities as forensic vocational experts. Many of these aspects are the direct result of the efforts made in times past that served to forge the issues related to vocational questions into a recognized and specific area of expertise. In the view of this editor, we as a group owe a collective word of thanks to those of our membership, including individuals such as Scott Streater and David Frank, who remain with us in spirit and influence, but also others who have made and continue to make significant contributions for the benefit of ABVE as a whole. Specifically, I would like to take this opportunity to thank two other individuals whom I believe are deserving of special recognition: Billy Joe McCroskey, Ph.D. and Harold Kulman. Dr. McCroskey's tireless efforts on behalf of ABVE, innovations, and research regarding "vocationology" has provided much of the scientific basis upon which vocational experts around the country rely. When asked how he had managed to achieve such great strides, Sir Isaac Newton replied that he was able to see farther than others because he had "stood on the shoulders of giants". Dr. McCroskey is such a giant in our field and deserves to be recognized as such. Likewise, Harold Kulman has been a quiet, but consistent force within ABVE since the very early days of the organization. He has been elected by the membership and served as our president for two separate terms. He does not seek the limelight or positions of leadership for reasons of self-gratification or self-promotion, but truly believes in the principles upon which ABVE was founded and has been a tenacious force for unity and solidarity within the organization throughout the years.

One of our more influential and involved diplomates, Lindette Mayer, Ph.D., authored an article entitled, "ABVE: The Vision, the Mission, and the Future", which appears in this issue of the newsletter and I strongly encourage everyone to read. In closing, to her able account of the progression of ABVE from its roots to its plans for the future, I would offer the following encouragement:

*"Look not mournfully into the past. It comes not back again.
Wisely improve the present. It is thine.
Go forth to meet the shadowy future, without fear."*

*Henry Wadsworth Longfellow
(1807 – 1882)*

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!

Fall, 2005: San Francisco, CA

Spring, 2006: St. Petersburg or
Ft Lauderdale, FL

Fall 2006: Philadelphia, PA

Spring 2007: Scottsdale, AZ

Fall 2007: Toronto, Canada

ABVE The Vision, The Mission And The Future

By Lindette L. Mayer, PhD

During the mid 1970s, the vision of a group of vocational diagnosticians, counselors, and consultants working together as an interdisciplinary body established a foundation of acceptable and credible requirements and standards of practice for vocational experts. At that time, there was a growing concern over the absence of training venues for practitioners engaged in vocational evaluation and work, but also the lack of a code of uniform requirements and standards of practice. Moreover, the use of such expertise was burgeoning in other areas of vocational evaluation such as the state workers compensation arena and various other litigation venues of the state and federal judicial systems.

By 1979, a group of individuals from various disciplines (counselors, rehabilitationists, economists, psychologists, case managers) decided to formally establish an entity known as the *American Board of Vocational Experts (ABVE)*. They set about to formulate policies and procedures that would substantiate the credibility of professionals in the field. The founding fathers of ABVE recognized certification as a cornerstone for preserving the integrity, uniqueness, and standards of the vocational expert's role in the forensic vocational process.

Certification became a foundation for the maintenance of a group of practitioners and focused to demand a level of credibility in their work and the results thereof. Credentialing became the "keystone" of this development and the mission of ABVE as it focused on a process for assigning specific requirements in a scope of practice. In this particular instance, certification of the expert places emphasis on the basis of one's training, qualifications, experience, and current practice within the ABVE organizational context. Inclusive within this organizational sphere are facilities and support systems, such as mentoring, conferences, publications (newsletters, monographs, a journal), a website, and various additional information resources. Credentialing aims to inform "vested stockholders" (including lawyers, judges, the courts, the employers,

and other interested parties) of the value and foundation of one's expertise.

Credentialing is designed to insure: (1) quality of practice, (2) management of risk, and (3) endorsement of an individual's competence to perform in a specific area of practice. The credentialing processes includes: Verification of one's training, qualifications and registration status (e.g., minimum standards as defined by ABVE, ongoing review of credentialing and re-credentialing). The benefit of credentialing for applicants and members lies in the peer review process. These peers are knowledgeable and responsible for the competency areas that comprise the specialty of forensic vocational analysis. Thus, ABVE is a "field generated" organization and is representative of a multidisciplinary group of rehabilitation counselors, economists, psychologists, vocational evaluators, academic specialists, and others who have demonstrated proficiency in the field of forensic vocational analysis.

From the start, ABVE has emphasized continuing education, particularly for the development of requisite skills needed in the dynamic realm of forensic analysis. The emphasis on continuing education has been explicit and required for those individuals desiring to hold a credential under the auspices of the American Board of Vocational Experts. This is especially noted by ABVE's immediate response to the Supreme Court's decisions in the *Daubert*, *Kumho*, and *Joiner* cases, which have impacted VE testimony in State and Federal courts. ABVE has also created a mentoring process for those who are beginning their careers within the forensic arena with the establishment of a two-track continuing education program. This consists of an introductory track for new members and a second one of advanced continuing education for the more "seasoned" members.

The mission of the American Board of Vocational Expert's has been to provide an opportunity for its membership to access a professional peer-reviewed journal. This establishes an avenue for research and publication directly related to

membership's interests and expertise. The availability of the journal serves as an incentive to research and offers a forum for publication of salient articles.

Next on ABVE's agenda is the reconditioning and upgrading of the ABVE web site. Proposed changes include innovations related to timely directory changes, links to other informative resource sites, access to monograph and journal abstracts, and possible opportunities for members to acquire continuing educational units (CEUs) on-line via distance learning opportunities.

ABVE's members will continue to be confronted with a plethora of issues and divergence of opinions in the forensic arena. ABVE's mission will continue to be one that focuses on the forensic field with a commitment to meet the needs of its members for continuing education and for excellence and credibility in the dynamic milieu in which its members participate.

As succinctly noted in the inaugural issue of the *ABVE Journal* in 1997, as "experts" we must honor our talents in the forensic arena, but we also must have some correlation between intellect and intellectual integrity. Originally, the *Journal* had been planned and designed as "*a proving ground for the peer-reviewed forging of new or improved tools, principles and instrumentation underlying our professional judgments,*" and it is also an "*appropriate venue for sharing invaluable resources.*" With the recent transition of the *Journal* to a new home, it continues to represent a "*well-considered proactive response to pressures from both within and outside of our multifaceted field*" and it will continue to offer its members, and others, various "tools" for implementation and for bolstering and substantiating our field of expertise. The American Board of Vocational Experts' substance is replete in the published pages of the *Journal*, as it is not only representative of the **core and substance** of the organization, but of **its vision, its mission and the future of its members and their expertise.**

Social Security Administration Announces Project to Study the Role and Functions of Vocational Experts in their Disability Determination Process

By Bruce Growick, Ph.D.

On July 7th of this year, the U.S. Social Security Administration (SSA) posted a request for proposals to fund a project to study the Role and Functions of Vocational Experts (VEs) in their Disability Determination Process (RFP # 05-1037). This RFP calls for a contractor to convene a panel of medical and vocational experts to review the 'value and efficiency of using VEs at various levels of disability determination (DD)'. The overall purpose of this project is 'to enhance the expertise needed in DD related to the functional limitations of a claimant's ability to perform jobs available in the national economy'. The goal of this project is consistent with the current and established 5-step process of determining disability codified by SSA.

In recent years, SSA has realized its use of VEs in their DD process might not be as effective and efficient as possible. This fact, coupled with the ways in which the field of disability and rehabilitation has changed over the years, forces SSA to examine how VEs can be more fully used to assist in both DD as well as return to work (RTW). Specifically, this project calls for the following objectives to be addressed: (1) to assess and evaluate the current use of vocational expertise throughout the DD process in SSA, (2) to determine what VE services are needed at all levels of disability adjudication in SSA, (3) to articulate how these needed VE services should be delivered to improve upon the quality and efficiency of the DD process, and finally (4) to determine what qualifications and staffing alternatives should be created to deliver this necessary expertise.

This RFP is to be awarded in September of this year, and the project will last no more than 27 weeks from the date of the award. Of course ABVE, on behalf of all of its members, especially those professionals who are currently VEs for SSA, is extremely interested in the

outcome of this project, and will monitor the progress and report on its conclusions and recommendations.

During the last couple of years, SSA has promulgated materials on the way in which it would like to change the DD process so that some of the problems it currently faces can be addressed adequately. On September 25, 2003, the Commissioner of SSA, Jo Anne Barnhart, provided congressional testimony on the biggest challenges facing SSA on the administration of its Disability programs; ABVE members can access these comments by going to the SSA website [www.socialsecurity.gov/disability-new-approach/testimony.htm].

In this statement, Commissioner Barnhart not only acknowledged the complex and complicated nature of the program, but also cited how important its essential purpose and mission for all Americans who are faced with a disabling condition. Recognizing the unacceptable backlog and delay in obtaining a decision on disability status from SSA, she pledged some short-term and long-term initiatives to solve this problem. Proposed changes to the DD process are offered including a new flow of work for DD offices and ALJs. One of these initiatives is the thorough and complete evaluation of medical and vocational expertise to ensure that this information is available at all levels, and used in ways that will be helpful to the claimant as well as the adjudicators.

Concomitantly in this official statement, Commissioner Barnhart recognizes the need for SSA's attention to rehabilitation and RTW services, as well as disability determination. Consistent with the recommendations of many professionals in the field of disability and RTW, SSA appreciates the need to foster RTW at all stages of the DD process. In keeping with this objective, the role and functions of VEs could incorporate ideally ways in which the information generated from the adjudication of claims can be eventually

used to encourage and improve upon RTW. This stated objective is obviously in keeping with this proposed project.

More recently, on the fifteenth anniversary of the passage of ADA (7/26/05), SSA announced the publication of a notice of proposed rule making in the Federal Register that sets out Commissioner Barnhart's plan to improve the DD and RTW process for SSA. The proposed regulations include the review, analysis, and modification of the utility of vocational expertise in the DD process. Accordingly, individuals and organizations may submit comments on these new proposed rules during the 90-day comment period that ends on October 25, 2005. ABVE will certainly provide a response to these proposed changes on behalf of all of its members.

The current leadership of ABVE is quite pleased with the fact that SSA is examining the role and functions of VEs in its DD and RTW process, and has pledged its support for ameliorating the backlog of claims, and making the DD process more responsive to the needs of all individuals with disabilities.

What's New with Membership?

By Claude Peacock

As chair of the membership committee I went to Falls Church, VA to meet with representatives of the Social Security Administration regarding the new E-Dib program. The information gained will be discussed at some length in the upcoming Journal. The Social Security Administration, like everyone else, is moving rapidly toward a purely electronic format. I will continue to monitor the new format and attempt to keep the membership abreast of these developments. The membership committee will continue to work with other professional organizations to determine how we may interface with these troupes for the mutual enhancement of our respective professions and organizations. I will have new items ready for presentation at the San Francisco conference specific to both recruitment and enhancement. In addition the membership committee is in the process of finalizing a survey, developed with the assistance of Dick Baine and Betty Hale, which will be distributed to all members regarding perceived wants and needs to expand and improve current practices. Please advise me of any specific needs that you may have in your practice, as they may also relate to other members. I also want to extend special thanks to Larry Sinsabaugh and Harold Kulman.

Claude Peacock can be contacted at Phone (205) 585-4273 Fax (205) 621-9031 or e-mail: cpeacock@mindspring.com

Welcome to the Following New Members

Congratulations to the following new members, who have applied for membership, upgraded their status or reinstated their membership. Welcome to all!

R. Brad Coffey, Associate
Lis Bartle, Associate
Michael Cruse, Student

Member News & Update

GAL's Kids Convince Her to Serve Less Fortunate Ones.

Cindy Grimley credits her children with keeping her in CASA's program. During pre-service training, she remembers going home feeling emotionally drained and just holding her children and crying. How could any parent hurt a child? She couldn't imagine herself having to face these issues and told her children the same. Then her son (11 at the time) and her daughter (9) simply said: "Mom, those kids need somebody like you! You have to go back." From the mouths of babes...

The Grimley children may have provided the impetus to complete her training and take her first case, but it was Cindy's determination to overcome obstacles that created the best outcome for the children she served. It was also a historical moment: the first time CASA filed a counter suit against the State to prevent them from renegeing on a TPR/adoption plan. As a result, Cindy attended the children's adoption hearing—with the proud satisfaction that comes from knowing these children would be permanently living in stable, nurturing homes.

It was a long, tough road to adoption. The case involved two brothers (aged 7 and 6) living in one foster home and their 4-year-old sister who lived in a separate foster home. The children had been taken into emergency protective custody one other time before Cindy took the case in June 2001. At issue was the biological mother's mental health status: Did she have the reasoning and judgment needed to meet her children's daily needs? Cindy saw a life-long family pattern of neglect. The mother herself had been raised in foster care. She had already lost an older daughter when the State previously terminated parental rights. And she had recently married a disabled man who was completely dependent on her, unable to provide financial or emotional support to her or the children. Still, she had to specifically prove neglect and stated that the Court needed to determine that Mom was unfit in order to free the children for adoption. The two foster families were ready and waiting for the chance to adopt the three children they had come to know as their own.

Cindy drew on her past professional experience in analyzing psychological evaluations to help her critique the ones in her case. She knew that the family had undergone lengthy, intensive counseling and was dependent on a parent aide for stability. How would the mother cope once the aide was gone? In the final analysis, Cindy felt there was nothing further that could be done to improve the mother's "functioning level". She was determined to break the pattern for the children's sake. Even though the State had hope to stabilize the mother with additional treatment, they decided to join the cause with CASA and as that the Court terminate parental rights. And in November/December 2003, that is exactly what happened.

We sure are thankful for the wisdom Cindy's children shared with her when she was training to be a CASA volunteer. We know her "other kids" are thankful, too!

This article was reprinted from the CASA Newsletter with the permission of Ms. Paige Jones, Executive Director, SCCASA. As this article indicates, Cindy is not only an exceptional asset to ABVE, but also utilizes her numerous skills and strengths to assist those in her community as well. It is good to see that her volunteer efforts are held in the same high regard as her professional accomplishments. I know that Cindy is not the only member of ABVE actively involved in philanthropic endeavors within the community and I thank all who are working to make a difference in the world.

2005 Fall Conference Continued

the current *AMA Guides To "the Evaluation of Permanent Impairment* and how are they being seen by the courts as evidence for or against work impairments..... these and more were the questions derived from our field that guided the development of conference presentation topics.

In addition, the conference committee has returned to the practical and so very useful *Round Table Think Tanks* concept for this year. This is a two-hour session where participants will have the opportunity, in small groups, to interact with an expert in a specific topic area and just talk about the topic in depth with the expert. This arrangement is set up so that participants can have the opportunity to sit-in on 3 of the 7 topic sessions and to “get your questions” answered by direct interaction with the round table expert. Check the program for these timely, cogent and valuable topic areas and be sure to bring your questions to the conference with you.

San Francisco in the Fall is a great west coast environment The weather is at its best, the city is full of excitement and entertainment, the conference center is right in the heart of the downtown district. Walking in the evenings is safe, relaxing, and leads to many venues.

Don't miss this exciting and informative conference. San Francisco has always been one of ABVE's largest “draw-cities” for its conferences and a large crowd of both ABVE members and professionals seeking information on how to enter the forensic area as they expand or re-direct their practice are expected. Do not hesitate to register BOTH for the conference and the hotel. When the available slots are gone...they are gone!!! DO IT NOW!!

Frommer's Favorite Experiences for San Francisco

In addition to all the professional growth reasons to attend the ABVE Fall Conference, San Francisco also offers many opportunities of a social nature to experience. The following list was derived from the Frommer's Travel Guide website relative to the San Francisco Bay area and suggests many unique activities to make your trip more enjoyable. If you are able to plan an additional day or two for personal leisure either before the conference begins or when it closes, your biggest decision will likely be what to do first?

An Early Morning Cable-Car Ride: Skip the less-scenic California line and take the Powell-Hyde cable car down to Fisherman's Wharf — the ride is worth the wait. When you reach the top of Nob Hill, grab the rail with one hand and hold your camera with the other, because you're about to see a view of the bay that'll make you a believer. Oh, and don't call it a trolley.

An Adventure at Alcatraz: Even if you loathe tourist spots, you'll like Alcatraz. The rangers have done a fantastic job of preserving The Rock — just looking at it is enough to give you the heebie-jeebies — and they give excellent guided tours (highly recommended). Heck, even the boat ride across the bay is worth the price, so don't miss this attraction.

A Walk Across the Golden Gate Bridge: Don your windbreaker and walking shoes and prepare for a wind-blasted, exhilarating journey across San Francisco's most famous landmark. It's simply one of those things you have to do at least once in your life.

A Meander Along the Marina's Golden Gate Promenade and Crissy Field: Join the joggers, windsurfers, dog-walkers, and frolickers in one of the city's favorite pastimes — strolling the bayfront Marina. You won't find more fabulous views of the Golden Gate, Marin Headlands, beach, bay, and native flora and fauna anywhere else.

A Cruise through the Castro: The most populated and festive street in the city is not just for gays and lesbians (although the best cruising in town *is* right here). While there are some great shops and cafes, it's the people-watching that makes the trip a must. If you have time, catch a flick at the beautiful 1930s Spanish colonial movie palace, the Castro Theatre.

Feasting at the Ferry Building: During Farmers Market days, this bayfront alfresco market is packed with shoppers vying for the freshest in local produce, breads, and flowers. But the building itself has become a mecca for food lovers who daily browse the outstanding artisan food shops and restaurants and linger over glasses of wine at the festive wine bar.

A Walk along the Coastal Trail: Stroll the forested Coastal Trail from Cliff House to the Golden Gate Bridge, and you'll see why San Franciscans put up with living on a fault line. Start at the parking lot just above Cliff House and head north. On a clear day, you'll have incredible views of the Marin Headlands, but even on foggy days, it's worth the trek to scamper over old bunkers and relish the crisp, cool air (dress warmly).

A Shopping Spree: Up your credit card limit and bring an extra suitcase, because you're sure to find hundreds of must-haves in the department stores and boutiques surrounding San Francisco's retail epicenter, Union Square.

A Stroll through Chinatown: Chinatown is a trip. I've been through it at least 100 times, and it has never failed to entertain me. Skip the crummy camera and luggage stores and head straight for the markets, where a cornucopia of sights you just don't see that often in America sits in boxes for you to scrutinize (one day we saw an armadillo for sale, and it wasn't meant to be a pet). Better yet, take one of Shirley Fong-Torres's Wok Wiz tours of Chinatown.

Cafe Hopping in North Beach: One of the most pleasurable smells of San Francisco is the aroma of roasted coffee beans wafting down Columbus Avenue. Start the day with a cup of Viennese at Caffé Trieste (a haven for true San Francisco characters), and follow it with a walk in and around Washington Square. Continue with lunch at Mario's Bohemian Cigar Store (à la focaccia sandwiches), book browsing at City Lights, more coffee at Caffé Greco, and dinner at L'Osteria del Forno or Moose's. Finish the day with a nightcap as Enrico Caruso plays on the jukebox at Tosca.

A Day in Golden Gate Park: Golden Gate Park is a crucial — and relaxing — part of the San Francisco experience. Its arboreal paths stretch from the Haight all the way to Ocean Beach, offering dozens of fun things

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Job Board

The ABVE Newsletter will run Job Board ads free of charge for members and their businesses. Non-members may list a Job Board ad based upon our established advertising rates.

Well established specialty vocational firm seeking CRC's, CVE, LPC or ABVE in western-central MA & CT territory, conducting WC, PI, EL employability evaluations, testimony and voc. case management of WC, disabled Veteran and career counseling referrals. Testing and job placement exp. req'd. Highly comp. package, growth opportunity.

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The ABVE Newsletter now accepts selected advertisements. Although ABVE does not endorse any product or service from our advertisers, advertising sales benefit our entire membership. If you work with a professional or organization whose products or services would benefit others in our membership, please encourage the business or individual to contact Betty Lindsey Hale at blhale@insightbb.com about advertising in the Newsletter.

Frommer's Favorite Experiences for San Francisco - Continued

to do along the way. Top sights are the Conservatory of Flowers, Japanese Tea Garden, and Steinhart Aquarium. The best time to go is Sunday, when portions of the park are closed to traffic (rent skates or a bike for the full effect). Toward the end of the day, head west to the beach and watch the sunset.

A Soul-Stirring Sunday Morning Service at Glide Memorial United Methodist Church: Preacher Douglas Fitch turns churchgoing into a spiritual party that leaves you feeling elated, hopeful, and unified with the world. All walks of life attend the service here, which focuses not on any particular religion, but on what we have in common as people. It's great fun, with plenty of singing and hand clapping.

A Visit to MOMA and Yerba Buena: Ever since the new Museum of Modern Art opened in 1995, this area has been the best place to go for a quick dose of culture. Start by touring the museum, then head straight for the gift shop (oftentimes more entertaining than the rotating exhibits). Have a light lunch at Caffé Museo, where the food is a vast improvement over most museums' mush. Finish the trip with a stroll through the Yerba Buena Gardens and its slew of new attractions across from the museum.

Boutique hounds should head to North Beach's Grant Avenue and upper Fillmore for the best selections of chic women's wear.

A Drive to Muir Woods, Stinson Beach, and Point Reyes: If you have wheels, reserve a day for a trip across the Golden Gate Bridge. Take the Stinson Beach exit off Highway 101 and spend a few hours gawking at the monolithic redwoods at Muir Woods (people, I'm telling you, this place is amazing). Continue to Stinson Beach for lunch at the Parkside Café, then head up the coast to the spectacular Point Reyes National Seashore. Rain or shine, it's a day trip you'll never forget.

A Cocktail in the Clouds: Some of the greatest ways to view the city are from top-floor lounges in fine hotels such as the Sir Francis Drake, the Grand Hyatt San Francisco, and The InterContinental Mark Hopkins.

ABVE Credentials Committee

By Larry Sinsabaugh

The ABVE *Credentials Committee* is tasked with peer-reviewing applicants seeking Fellow and Diplomate certification status. The committee expects a big surge in applications for certification, especially in the wake of changes to the California workers' compensating law. The Credentials Committee is composed of 12 members ready to handle the expected surge of applications.

The *Credentials Committee* for 2005-06 is representative of the ABVE membership with regards to age, gender, and geographical location and is composed of the following people:

Chair: Larry L. Sinsabaugh	Richmond, VA
Vice Chair: "Dick" Richard Baine	Philadelphia, PA
Grimley, Cynthia	Lexington, SC
Hale, Betty	Lexington, KY
Horwitz, Rudy	Newport Beach, CA
Kohlenberg, Betty	San Francisco, CA
Koslow, Trudy	Alexandria, VA
Kulman, Harold	Marietta, PA
Marquardt, Roger	Des Moines, IA
Mayer, Lyndette (Lyn)	Jupiter, FL
Stevenson, Susan	San Ramon CA
Van de Bittner, Eugene (Gene)	Walnut Creek, CA

Since mid-June 2005, there have been nine applications submitted for peer review. Three decisions have been rendered. Six applications are in the review process. Decisions about the present group of applicants are expected to be announced by the end of August. Surprisingly, only one of the applications in the present group is from California.

Do You Know What to Say to Get More Clients?

A comprehensive yet brief statement of your expertise and services will go a long way in producing referrals.

A Statement of Profession is a sentence, compound if necessary, stating the services that you or your company provides and for whom. This is also called a “Defining Statement” or a “Positioning Statement.”

Since the first opportunity to make someone aware of and knowledgeable about you is often unexpected and brief, you need to prepare and memorize a short statement of what you do. This statement needs to be concise and yet complete enough to produce referrals from people who hear it. People must be able to understand and remember what you actually do as a litigation support consultant. Rehearse your Statement of Profession until reciting it is second nature.

The maximum length of a Statement of Profession is cocktail party reply or elevator ride length. As you are introduced or introduce yourself, the other person asks, “And what do you do?” Common sense and social adeptness dictate a short, succinct reply. The information, nonetheless, needs to be complete enough that the listener will adequately comprehend your area of work to be able to use the information if later presented with a referring opportunity.

Note: In your Statement of Profession, the term “expert witness” is inadequate on its own, and also a competent expert witness/consultant in most fields actually testifies in few cases.

Examples of Statements of Profession:

“I provide litigation support.” (In what field?)

“I am an expert witness.” (About what?)

“I am an engineer and work with attorneys.” (Doing what?)

“I am a structural engineer and help attorneys with their claims” or “I am an engineer and help attorneys with their structural engineering claims, primarily plaintiff. (Good.)

“I am engaged in legal medicine.” (In what medical specialty? Furthermore, what does legal medicine mean to anyone other than an attorney?)

“I am an orthopedic surgeon specializing in sports medicine and help attorneys with their cases, both plaintiff and defense.” (Good.)

If you are a medical expert witness and are speaking to an attorney, you might add to, “I’m a gastroenterologist and review medical records for attorneys,” the additional phrase, “and provide testimony if necessary,” since some doctors will not testify.

Excerpted from The Expert Witness Marketing Book by Rosalie Hamilton with permission of Expert Communications, Inc., <http://www.expertcommunications.com>.

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Publication Update

The following reference materials are available through E & F Publications and this information was reprinted, with the gracious permission of Dr. Timothy Field, from the Elliott & Fitzpatrick, Inc. catalog. Some of these materials are newly published works and others are revised and reprinted editions of previously available works. However, all have significant value to our profession and are provided here for consideration.

The Quick Desk Reference for the Forensic Rehabilitation Consultant **\$29.95**

Catalog # B100 ISBN 0-945019-91-2

SUMMARY:

The resource is a comprehensive listing of hundreds of words, phrases, constructs, and areas of information. Exact definitions are provided from a wide variety of sources, and sometimes from more than one source. A “must” publication for the practicing VE who needs to rely upon published definitions and descriptions of words and phrases used in the profession today. Identifying standard and widely used concepts, each is referenced by author and source for easy reference. The resource is designed and sized for easy access and carrying in the briefcase for when quick references are needed. Sources of information are drawn from a variety of authors, journals, book, government websites, including specific references to laws, regulations, and standard references. (Multiple authors and contributors, 2005, 225 pp.).

The Vocational Expert: Revised and Updated **\$29.95**

Catalog # B110 ISBN 0-945019-97-1

SUMMARY:

This publication is a compilation of the best material from four previously published texts: Field & Sink (1982), The Vocational Expert; Blackwell (1990), The Vocational Expert Primer; Blackwell, Field & Field (1992), The Vocational Expert Under Social Security; and Field & Huberty (1995), The Rehabilitation Consultant as a Social Security Claimant’s Representative. Material that was considered out-of-date was deleted, while new and relevant material added. An excellent resource for the beginning vocational expert, especially for guidance and information in the social security area. (Field, Kelsay, Johnson, Neulicht & Blackwell, 2005, 220

Test Review Manual for Vocational Evaluators **\$49.95**

Catalog # B051 ISBN 0-945019-49-1

SUMMARY:

This manual contains two main sections: (a) Test Reviews and (b) Special Issues in vocational evaluation and assessment. The first section, Test Reviews, covers major categories of tests including Interest Inventories, Achievement Tests, Aptitude Tests, Personality Assessments, Intelligence Tests, Learning Style Assessments, Dexterity Tests, Work Samples, and Computer Adapted Testing. The section pertaining to special issues focuses on other factors impacting vocational evaluation such as the use of accommodations on testing and assessment of persons with sensory impairments. An added feature of the manual is the separate contributions made by individuals with expertise in test construction and techniques. The target audience is undergraduate and graduate rehabilitation students and practitioners. The manual is intended to supplement a course textbook in assessment as well as offer practitioners an up to date resource by which to make decisions pertaining to appropriate selection of tests and/or matching assessment instruments to the populations they serve. (Roberts, ed., 2005, 300 pp.)

The Valuation of Household Production in Cases of Personal Injury and Wrongful Death **\$10.00**

Catalog # B120 ISBN 0-945019-88-2

SUMMARY:

The Valuation of Household Production in Cases of Personal Injury and Wrongful Death is a completely new publication on this important topic. In 1989, as part of the Professional Reader series, the booklet titled The Value and Worth of Housewives and Household Activities became a successful resource for rehabilitation consultants working in personal injury cases in this area. The latter publication has been out-of-print for the last few years. The contents of this new resource is comprehensive, well documented, and very well written. While the content certainly does not advocate any one approach, the authors have offered a balance of views and considerations from a wide variety of authors and court cases. The sections on References and Further Readings provide even more resources for professionals working on cases in this important area. The material will be useful and informative for purposes of developing a proper foundation for opinion and testimony. (Reagles & Rynd, 2003, 64 pps.)

To submit information about a new publications to Jenipher Gaffney jsgaffney4@aol.com

The American Board of Vocational Experts, never has and currently does not endorse the use of any specific tests, test batteries, or commercial products.