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# Old Ideas with a New Familiar Twist - 2013

Thank You All For a Wonderful Conference!



Dear Fellow Colleagues!

It was great to see so many of you at our Scottsdale, AZ conference this past April. For those of you who were not able to attend I am reprinting my opening remarks which I offered as conference Chairperson and as your President for the next two years. This will give you an update so you are made aware of some of the changes that were made at this conference. Prior to this, please let me provide you with a summary of the ABVE Annual Membership meeting and a few announcements.

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## President's Message / Conference Recap - Continued from Pg. 1

*By Cynthia Grimley, President, 2013-2015*

Hey, here are some nice FREE useful items for you as a benefit of being an ABVE member.

First, is a Preliminary **Profile Screening Report** free for ABVE members. [Click here to get your free screening now!](#) Once you receive your FREE Preliminary Profile Screening Report you can then decide if you should purchase the full report at a

discounted price.

A **Full Expert Witness Profile** may be purchased for \$450 which is a discounted price for ABVE members. You must go through the ABVE website link to receive this discount. Each Profile report takes an average of 25 hours to compile and is delivered within 10 business days. ([Link to Profile report sample](#)) You may find all of this information on the ABVE website at <http://www.abve.net/expertwitnessprofiler.htm>



I authored a newsletter article in the ABVE Fall 2011 newsletter which was titled "Expert Witness Profiling: An Emerging Trend". If you do not remember the content you can read it again here. [http://www.abve.net/Assets/Vocational\\_Expert\\_Vol26\\_No3.pdf](http://www.abve.net/Assets/Vocational_Expert_Vol26_No3.pdf) This explains why EVERY expert should at the very least have a Preliminary Profile Screening Report.

The second FREE item is **The Expert Witness Chronicle**. It is being provided to you free of charge as a benefit of being an ABVE member. The Expert Witness Chronicle has been launched with the goal to provide a one stop information resource to experts and attorneys on the law and marketing of expert witnesses. The focus of the Expert Witness Chronicle is primarily on Expert Witness Marketing, Expert Witness News and Expert Witness Ruling both Federal and State Courts of US. The first copy was sent to you via your email address on May 1, 2013. The editor is also providing marketing for ABVE events/conferences in the Expert Witness Chronicle with a direct link to our membership directory.

Additional items that were discussed at the Annual Membership Meeting were: Discussions of ABVE working with the Board of Certified Vocational

*"My first attendance and I was impressed by the attendees, the organization, and the presenters. Well worth my time. Thank you very much!"*

## President's Message / Conference Recap. Continued

Evaluators to determine if there is enough interest to collaboratively work together. This is an example of the concept of “Synergy” which is the combined efforts of two organizations working together making the effort greater than the sum of each working separately. Watch for more updates as they arise.

The ABVE Board of Directors had voted not to continue to provide Continuing Education Units for the American Psychological Association because it is very expensive to maintain for only a few of the APA members who actually attend the ABVE conferences. Several APA members in attendance at the ABVE Annual Membership meeting expressed concern. The ABVE membership committee will look into trying to market APA members to join so it is worthwhile for our organization to continue to provide CEU's for the APA members. All of the ABVE members who also are APA members can assist in this effort and we welcome ideas. Please contact Membership Chairperson, Scott Whitmer if you would like to help with this project.

*“I very much enjoyed the conference. Great information and presenters. Several ideas will be implemented immediately.”*

One last bit of thanks to all of you who volunteered to be on an ABVE committee. You will be contacted by the Committee Chairperson soon.

My opening remarks as Conference Chairperson and President to all of my astute colleagues:

April 12, 2013 : I am first going to answer a question that I am frequently asked and that is what do I like to be called Cindy or Cynthia. The answer is either and I will answer to both.

As often as I can, I read the daily entries from the book- The Book of Awakening by Mark Nepo. It happened to be on my birthday March 29 that he wrote a piece called What Keeps Us From Shedding. As I read it, it reminded me of all the new changes we are implementing at this conference. I would like to read this short story to you now.

**What Keeps Us from Shedding**  
*“Often we give up our right to renewal  
to accommodate the anxiety of those  
around us.”*

“For sure living is not easy, and living openly is both wondrous and dangerous. The fact is that shedding, no matter how useful or inevitable, always has a pain of its own. Unfortunately, there is no escaping this underside of growth. So it is not surprising that there are many feelings peculiar to human beings that prevent us from shedding what has ceased to work, including fear, pride, nostalgia, a comfort in the familiar, and a want to please those we love. Often we give up our right to renewal to accommodate the anxiety of those around us.

The Melanesians of the New Hebrides contend that this is how we lost our immortality. Sir James Frazer has preserved their story. It seems, at first, human beings never died, but cast their skins like snakes and crabs and came out with youth renewed. But after a time, a woman, growing old, went to a stream to change her skin; according to some, she was Ul-ta-marama, Change-skin of the world. She threw her old skin in the water and observed that as it floated it caught on a stick. Then she went home, where she had left her child. But the child refused to recognize her, crying that its mother was an old woman,



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## President's Message / Conference Recap Continued

not this young stranger. So to pacify the child she went after her old skin and put it on. From that time, human beings ceased to case their skins and died.

And so, when we cease to shed what's dead in us in order to soothe the fears of others, we remain partial. When we cease to surface our most sensitive skin simply to avoid conflict with others, we remove ourselves from all that is true. When we maintain ways we've already discarded just to placate the ignorance of those we love, we lose our access to what is eternal."

So we are here in Scottsdale for the annual ABVE conference and I as well as the entire Board of Directors welcome you. As the conference title suggests we will have new ideas and there will be many with an old familiar twist.

The first item you have noticed is that we have shed paper. We have no paper copy of handouts. We have no conference books. You were provided with a flash drive with all of the speaker handouts on it. You were sent multiple emails with a link to the ABVE website so if you desired you could have printed them from your office to bring with you to the conference.

Our second new idea we have implemented this conference is using Express Evaluations. There will be no paper evaluations, no one walking around the room

to stamp your paper. You will listen carefully to the moderator and at the end of the session you will be provided a code. You will write the code in the little box on your Schedule at a Glance. This is important. If you do not have the code you will have to find the moderator and hope that they can verify that you were in attendance at that session. It is also important if you are doing this from your laptop or tablet that you do not print out the certificate until all the sessions are entered. Express Evaluators sent out an email to you prior to coming here today to let you know how to get into the system. It is also in the pouch on your lanyard. We will have staff at the registration desk with laptops to assist you. You also may wait until you go home to enter your evaluations and print your certificate. You will have until May 1<sup>st</sup> or May Day to get your evaluations completed and certificate printed. This is the same company that IARP used so if you have attended any of their conference in the recent past you will know how this works.

*"Great seminar! This was my first ABVE seminar and I thoroughly enjoyed the location, the presentations and presenters. The ABVE staff were very friendly, energetic and accommodating. I'm looking forward to attending the seminar in Nashville."*

The Board of Directors is proud that we are going "green". We have not raised the membership dues or conference fees in years despite our expenses rising like everything else in this day and time. This is because we are financially healthy and we are able to pass this onto the membership. Your ABVE board has been very frugal.

There has been a scheduling change that appeared on the conference brochure and now has been taken off. At the end of the panel discussion today we were to have a meeting and discussion of the 3<sup>rd</sup> Credential that ABVE was considering. I note that this is past tense. A committee was formed to explore this further after much discussion at the annual membership meeting last year. A survey was sent to the members. The membership voted to not have a 3<sup>rd</sup> credential. We will go over the numbers and survey results in more detail at the annual membership meeting tomorrow. We have a sit down plated luncheon for you tomorrow during our annual membership meeting.

We have a great conference lined up for you. This afternoon we will have Walter Bayer, Director of the Office of Inspector General to begin as our keynote speaker. He will explain some of the audits conducted of the Social Security Administration and the compliance issues that are present with the audit recommendations. Following Mr. Bayer, he will be joined by a panel to answer and discuss questions you may have. Tonight please join us in the Oasis Lagoon for the Presidential Reception. During this time we will have a special guest, Comedian Manny Oliveira. If he does not make you laugh then no doubt you have not shed your skin and are probably dead! Tomorrow a second keynote speaker will

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# PROFESSIONAL WILLS, Do You Have One?

By John F. Berg

Woody Allen said, “I don’t mind death and dying, as long as I am not around when it happens”. Well, look at the demographic of the present ABVE membership. I have been a member since 1986 and watched each year as we all age, gracefully for some, tragically for others. Some of our peers have simply passed on from various causes or accidents. These factors lead me to be motivated to conduct a seminar on Professional Wills or how to execute a transfer of your practice to others upon serious disability or death. Our new President of ABVE, Cindy Grimley, had previous experience in presenting with me in Philadelphia in 2006 on ethics and vocational expert services, so I invited her to speak with me at a pre-conference session at the ABVE Scottsdale, Arizona conference. Not a fun topic, but relevant for us mortals. In 2008, the final motivation for this sustained interest was a tenant leaving the US and moving to Argentina as a Psychotherapist. He showed me his “Professional Will” on what is to happen to his clients. I then had the epiphany that I too needed one and should inquire with colleagues of they too had one or even knew of the instrument, Professional Wills or Executor Instructions.

OK, I know, the CODES of ETHICS say as “forensic experts” we have no client so therefore, we have no legal or ethical obligation to any cases or customers. The customer can have the burden of transfer upon the expert’s disability or death to finalize an assigned service. The code of ethics were explored by Cindy and myself by research and presented at the

pre-conference session in Arizona. The codes are similar for issues of transition for APA, CRCC, ABVE, CCM and CDMS entities. At the seminar, detailed reviews of all codes were performed by breakout sessions, and discussion followed how each group participant comprehended each code by organization. Only the American Psychological Association (APA) has a code “requiring” a professional will. A neuropsychologist I use on occasion reported to me the lack of a professional will is one of the most common issues of actions or allegations of errors and omissions in the licensed psychologist practice.

Wills are defined as, “a legal declaration by which a person, the testator, names one or more persons to manage his/her estate and provides for the transfer of worldly goods, assets, or intentions for others. A Professional Will is not a replacement for a personal will. A professional will or executor instruction, is a set of instructions, including specific information regarding a named person for transfer of cases or contacting customers for follow-up, location of records, files, keys, codes, invoices, filing systems and storage of old records. The instrument directs or authorizes a person you chose and who agrees to perform these duties, with names, addresses,

## Future ABVE Conferences

SAVE THE DATES!

**March 28 - 30, 2014**  
Doubletree Hotel | Nashville, TN



**March 20 - 22, 2015**  
Menger Hotel | San Antonio, TX



Visit [www.abve.net](http://www.abve.net)  
for more details.



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## President's Message / Conference Recap Continued from page 4

open our morning. This is psychologist Lisa Holland. Lisa will teach us how to use our own tools we have within our body to help elevate our stress.

I am going to turn this over to Gray Broughton for a few minutes to pass out the awards. We typically do this at the annual meeting however, the conference committee thought we would do this at the opening of the conference so that we all have time to acknowledge the recipients and congratulate them during our time together. We will note the recipients in the minutes of the annual meeting but this will also permit us to have more time to answer questions you may have during our annual membership meeting.

Respectfully Submitted: **Cynthia P. Grimley, MS, CRC, CCM, ABVE/D**  
President, American Board of Vocational Experts (2013 – 2015)

### 2013 Annual Awards

**David S. Frank, Ed.D. Lifetime Achievement Award**

- *John Berg*

**Scott E. Streater Learning and Educational Award**

- *Dr. Larry L. Sinsabaugh*

**President 2011-2013**

- *H. Gray Broughton*

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#### Presidential Citations Awards

**Richard Baine** - ABVE Board Member

**John Berg** - Communications/Technology Chair

**Howard Caston** - Secretary

**G. Michael Graham, Ed.D.** - Outstanding contribution to ABVE

**Cynthia Grimley** - 2013 Conference Chair

**Judith Harper** - 2013 Conference Committee

**Estelle Hutchinson** - Treasurer

**Jan Lowe** - 2013 Conference Committee

**Rosalyn Pierce** - CEU Chair

**Scott Whitmer** - Membership Chair



**Robert Lychenko**



**Estelle Hutchinson**



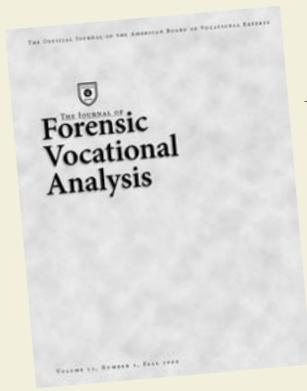
**John Berg**



**Howard Caston**



**Jan Lowe (Left)  
Judith Harper (Right)**



## Isn't It Time You Were Published?

ABVE's *Journal of Forensic Vocational Analysis* provides a forum to address the changing climate of vocational expert testimony.

Chad Duncan, Editor, welcomes your submission.

Visit the Publications section of the ABVE website for submission guidelines. Manuscripts, general and empirical, should have direct relevance to vocational and rehabilitative forensics.

You may be interested in submitting manuscripts to related publications. Contact Timothy Field at Elliot & Fitzpatrick for more opportunities.

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## A Letter to the Editor

May 2, 2013

Dear Editor,

There is an interesting article that appeared in the Bulletin of Psychologists in Independent Practice, Spring 2013, Vol. 33, No.2, titled "An Introduction to the Revised Specialty Guidelines for Forensic Psychology" written by Lisa Drago Piechowski. She discusses such topics as Roles and Role Conflicts, Expert Testimony, Informed Consent, protection of Legal Rights, Assessment issues, and Who the Client is. It is the latter topic I would like to address.



Dr. Piechowski duly notes that for those of us who are in the health professions (counselors, social workers, psychiatrists and psychologists), the client is the recipient of our services. However, in the forensic arena, especially us, vocational experts who testify in court, at depositions, arbitrations, Social Security issues, the client is the retaining party (the attorney or the insurance carrier).

The individual we evaluate is the subject of a legal matter. In fact, there are circumstances when the defense counsel refuses to present his or her client for an evaluation or when a court order is denied that we must offer our written opinions (our report) based on the records we read. Thus, we are in quite a different situation with those we evaluate than with those whom we are in a counseling relationship. If we testify for a client who is in treatment with us, we do so as a fact-finding witness and not as an expert. If we try to do both, it is a dual relationship and a violation of our ethical code.

I feel and have said so on a number of occasions that claiming that "TRUTH" is our client is a cop-out. Truth in all of our professional activities should be a given. Please let me know the next time you bill "TRUTH" and whether you get paid.

Sincerely,

Philip Spergel, Ed.D.  
Rehabilitation Psychologist/Vocational Expert

If you have an opinion about this topic please send your thoughts and comments to our editor: Howard Caston  
[hcaston@castonassociates.com](mailto:hcaston@castonassociates.com).

## WELCOME NEW ABVE MEMBERS!

### Associate Members:

**Beth Burry**  
Simpsonville, South Carolina

**Alejandro Calderon**  
Canizales Associates Inc.  
El Centro, California

**Kent Crenshaw**  
Montgomery Center for  
Independent Living  
Montgomery, Alabama

**Aimee Jolie**  
Sound Vocation Services, Inc.  
Seattle, Washington

**Linda Jones**  
Rehabilitation Counselor Consultant  
Pomona, California

**Joni Liebel**  
Concord, North Carolina

**Frank Lindner**  
Frank A. Lindner, MS, CRC, LMHC  
Port Jefferson, New York

**Kay McLaughlin**  
McLaughlin Consultants, LLC  
Forney, Texas

**Michelle Repman-Pifer**  
Preque Isle Rehab Service LLC  
Edinboro, Pennsylvania

**Jessica Schwake**  
Thrid Coast Compensation  
Mount Prospect, Illinois

**James Westman**  
Westmand and Associates  
San Jose, California

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contact information and purpose. Normally, the expert sends a copy to one's attorney, accountant and spouse or significant other. Professional wills reduce the often immense burden of sudden disability or death to family members who often have no idea what the expert's business agreements were or how they were stored or what should be done. Other issues to clarify may include accounts receivable, financial records, payment of outstanding bills, how long to store records before shredding (HIPPA practice guidelines), and customer contact lists for sending a letter or contacting.

Developing a professional will is simple and can be drafted within a couple hours. PW PRO™ (Professional Will Assistant) offers a stock will for less than \$60. Some on line "fill in the blank" documents were found from a Google search. So, what is holding you back?

*\*John Berg is not a business lawyer and is not implying any legal or accounting recommendations only advising of potential importance of professional wills for you to consider in your own practice management.*



Have something  
interesting to share to  
ABVE Members.

Submit a Newsletter  
article!

Our next newsletter article  
deadline is  
August 16, 2013!

Contact ABVE or  
the newsletter editor  
for more info

ABVE Headquarters:  
abve@abve.net

ABVE Newsletter Editor  
Howard Caston:  
hcaston@castonassociates.com

Don't miss out on the ABVE Group on LinkedIn



- Join the conversation or just listen in.

- Join the ABVE Group today!

*The ABVE group is part of a network of vocational experts and other rehabilitation professionals to connect with colleagues, share resources and exchange ideas. The ABVE Group is open to all ABVE Members, other vocational rehabilitation professionals and professionals seeking the services of vocational experts.*

# 2014 Conference Request for Presenters

## Call for Speakers

### 2014 ABVE Conference - Tune Up your Forensic Practice Nashville, Tennessee

We are now in the process of recruiting speakers and we need your help!

**External Speakers:** Do you know an attorney, judge, mediator, economist, medical provider or other specialist who would be an informative and engaging speaker? We are especially interested in speakers from Tennessee or Southwestern states in order to minimize travel costs.

**Members:** Have you developed an area of expertise that you could share with your colleagues? This is a great way to facilitate professional growth and get known for your expertise!

**Pre-Conference Workshops:** What ideas do you have for topics and speakers for hands-on workshops that will increase knowledge and sharpen skills?



You can access the Speaker RFP at the following link:

<http://www.abve.net/conferences.htm>

Deadline for speaker proposals is August 15, 2013



Estelle Hutchinson, Conference Chairperson

[erhutchinson@cox.net](mailto:erhutchinson@cox.net)

401-383-4069

## CONGRATULATIONS TO OUR NEW CERTIFIED ABVE MEMBERS!

### Fellow Member:

**Erin Bailey**  
Longmeadow, Massachusetts

**Kourtney Layton**  
Sandy, Utah

**Devin Lessne**  
Orlando, Florida

**Andrew Nay**  
Lansing, Michigan

**Mark Raderstorf**  
Edina, Minnesota

**Marcia Strong**  
Carmel, Indiana

### Diplomate Members:

**Kelly Bartlett**  
Santa Barbara,  
California

**Debra Civils**  
Birmingham,  
Alabama

**Michelle Weiss**  
Nashville,  
Tennessee

## Want to become a Certified Member with ABVE?



Visit us online for a list of all requirements and an outline of the the first steps you will need to take in becoming a Certifited Member with The American Board of Vocational Experts.

[www.abve.net/certoverview](http://www.abve.net/certoverview)