

**Knowledge Enhancement Seminar**  
 Presented by Estelle Hutchinson and Dan Wolstein

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**Forensic Vocational Reports**

- Vocational Interview
  - Evaluee/Client
- File review (medical, vocational, and psychosocial factors)
- Determining capacities and limitations (tolerances)
- Individual's ability to work
  - Employability
  - Placeability
- Earning Capacity (pre- vs. post)
- Methodology
- Comprehensive Report



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**Medical/Functional Aspects of Disability**

- Identify functional limitations
- Evaluation implications of impairment type
  - Treating providers and IMEs
- Functional capacity evaluations
  - Mobility - walking and climbing stairs
  - Postural - sitting and standing
  - Strengths - lifting, carrying, pushing, and pulling
  - Balance and coordination
  - Use of upper extremities
- Assess clients functional ability and disability
- Interview/discussion with medical practitioners
- Formulate vocationally-relevant medical and psychological questions



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**Forensic Vocational Rehabilitation Tools**

- Transferable skills analyses, accommodations, and job analyses
  - Survey evaluatee's work history
  - Classify work history (DOT or O\*NET)
  - DOT Code:
    - 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> digits
  - TSA
  - VDARE
- Job Analysis
  - Revised Handbook for Analyzing Job (Worker trait factors)
  - Task Analysis
  - Job modifications

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**Psychometric evaluation**

- Administer instruments
  - WRAT-V, WPT, WJ, TABE, SDS
- Score test responses
- Interpret scores
- Incorporate into VE analysis

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**Transferable Skills Analysis**

- Transferable skills analyses have long been respected by the court system.
- Use of a scientific aspect improves the validity of the analysis.
- TSA's identify other occupations available to job seekers.
- E.g., Medical Doctors can seek work as Department Administrators and still be well-compensated, even if outside of customary area.

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**Labor Market**

- Providing information and data on the industry can give an overview.
- Is the industry shrinking or growing?
- Is there competition for jobs?



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**Forensic Vocational Practice Venues**

- SSA/OHO
  - Define skill and exertional levels
  - Past relevant work – past 15 years
- Estimate job numbers using published data
- Assess employability
  - Any occupation
  - Own occupation
- Analyze wage information
- Provide recommendations (same job, different job)
- Use of acquired skills maximize earning capacity
- Render vocational conclusions/opinions

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**American Legal System**

- Retaining counsel – theories of the case
- Summarize qualifications
- Federal rules of civil procedure rule 26
- Respond to questions during Voir Dire Process
- Respond to subpoenas
- Provide expert testimony

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### Life Care Plans

- In special cases, spouses had medical needs.
- In these cases, a Life Care Plan was developed for the court to allocate monies for future costs of care.
- Mostly used in personal injury civil matters.
- Multidisciplinary plan of care researching the cost of specific medical treatment needs as indicated by a treating physician or medical expert, when available.
- Compiling list of medications
- Summarizing medical records
- Report results of medical records
- Interviewing physicians
- Visual aids
- Appropriate and reasonable care – costs to be used by economist

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### Professional Standards and Practice

<ul style="list-style-type: none"> <li>■ Clinical Judgment – develop and use valid methodology           <ul style="list-style-type: none"> <li>■ Select valid methodology</li> <li>■ Articulate questions</li> <li>■ Compare subjective to objective</li> <li>■ Conduct research</li> <li>■ Apply relevant data</li> <li>■ Formulate opinions</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Research and Statistics           <ul style="list-style-type: none"> <li>■ Quantitative</li> <li>■ Qualitative</li> <li>■ Random sampling</li> <li>■ Mixed method</li> <li>■ Statistical methods</li> <li>■ Reliability/validity</li> <li>■ Interpret studies</li> <li>■ Differentiate types of research</li> <li>■ Locate peer reviewed articles</li> </ul> </li> </ul>
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### Professional standards and ethical issues

- Explain professional roles – codes of practice that can be measured
- Educate others on scope of expertise
- Dual responsibilities
- Identify conflicts of interest
- Maintain confidentiality of case records
- Disclose the purpose of the evaluation
- Obtain informed consent
- Evaluate potential conflict of interest
- Separate charges for services from outcome of the case
- Cite all sources of information utilized

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