

Determining the Replacement Value of Household Services Using

The Dollar Value of a Day

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Author's note

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We have no conflicts of interests to disclose. All charts have been provided for publication by Expectancy Data, the publisher of *The Dollar Value of a Day*

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DETERMINING THE REPLACEMENT VALUE OF HOUSEHOLD SERVICES

Abstract

This paper outlines the use of *The Dollar Value of a Day* to determine the value of household services performed by individuals within the United States. The value of household services performed by an individual can be determined based on their functioning prior to injury or death and can, then, be compared to the household services being performed after the event which is being litigated.

Household services are activities which are completed outside of the world of work and typically to the betterment of others. These services are not limited to the immediate family or only those living within the household. These services may include cooking, cleaning, lawn care, home repairs, transporting others, caring for others, etc. They may vary based on the individual performing the task, male vs. female, the time the individual may be spending outside of the home, the number of people living in the home, the number of children in the home, etc. Even if a person has the functional ability to maintain their employment into the future, there may be a significant loss in their ability to perform household services. The plaintiff may have a reduction in their ability to perform household services and these services may be performed by others or may no longer be performed by anyone. The individual may no longer be cleaning, doing laundry, or cooking as frequently. They may have stopped performing repairs on their home. If a life care plan is not being completed, typically the only other source for obtaining information regarding household services is the vocational interview.

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In addition, the performance of household services is not linear, meaning that a person will not perform the same number of hours of household services throughout their lifetime. Generally, the number of hours performing household services in a home with children, will increase following the birth of the children and then gradually decline until they turn 18 years of age. The number of hours performing household services may remain steady until the worker retires, at which time, there generally is a significant increase in the number of hours they are performing household services. Typically, this is a factor of time. When the person was working, they may have put off completing some household repairs, or performing maintenance to vehicles. This classification of household services: Pets, Home & Vehicles, increases significantly upon retirement.

The ability to claim for a loss in ability to perform household services may vary by state and is recognized in other countries. However, not every jurisdiction allows for recovery of lost household services. For example: In Utah, economic damages include the loss of household services. To recover damages for this loss, the plaintiff must prove the reasonable value of the household services that they are no longer able to perform.

The 2020 Florida statute states that motor vehicle insurance benefits must provide disability benefits equal to *Sixty percent of any loss of gross income and loss of earning capacity per individual from inability to work proximately caused by the injury sustained by the injured person, plus all expenses reasonably incurred in obtaining from others ordinary and necessary services in lieu of those that, but for the injury, the injured person would have performed without income for the benefit of his or her household.* (Emphasis added)

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In Alabama, loss of household services is not specifically cited in the statute or case law, except for lost services which would have been provided by a minor child to their parents.¹

In California, the jury instructions are as follows: *To recover damages for the loss of ability to provide household services the plaintiff must prove the reasonable value of the services they would have been reasonably certain to provide to their household if the injury had not occurred.*

The ability to claim a loss of household services was established in Canada, dating back to 1885.

In *Dwyer v. Southwest Airlines Co.*, 2019 U.S. LEXIS 77844 (M.D. TN 2019) the plaintiff moved to add a claim for her lost household services, to which the Federal Judge denied as “futile” because the laws of Tennessee do not allow a recovery by a plaintiff for the loss of their own household services. The Judge conducted a survey and concluded that of the 47 jurisdictions that were represented in the consolidated multi-district litigation including this case, 17 allowed recovery by an individual for his or her own lost household services, while 30 jurisdictions did not. The Judge determined that a claim for lost household services could be pursued as part of the plaintiff’s damages for pain and suffering.

It is not unusual to see a report which does not utilize specific data or information on which to render an opinion regarding lost household services. Expert opinions and testimony must be within the parameters set forth in *Daubert* and *Frye* in most states and federal jurisdictions. Recent court decisions have reinforced the need for a quantitative analysis in determining the loss of household services.

¹ *Gess v. U.S.*, 991 F.Supp. 1332, 1347, 1350, (M.D.Ala.1997); *Smith v. Richardson*, 277 Ala. 389, 394, 171 So.2d 96, 100 (1965).

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In the case of *Gibson v. United States*, 2020 U.S. Dist. LEXIS 8656; 2020 WL 241550 (D. MT 2020) the federal judge excluded the testimony of the economist regarding a loss of enjoyment of life (hedonic damages) but permitted her testimony regarding the decedent's loss of earnings and value of the decedent's lost household services. The Judge concluded that the testimony of the economist did not meet the "standards of reliability and relevance as required under FRE 702 (Federal Rules of Evidence 702) and Daubert."

In *Chaudry v. Fowlkes*, 243 Md. App. 75; 210 A.3d 107 (Md. App. 019) the defendants appealed a jury award of \$500,000 for the lost household services of a decedent child. The deceased was an adult child (aged 22) who was living with her mother prior to her death. The Maryland Court of Special Appeals agreed with the defense and reversed the award. The Court held that in order to claim a loss of household services in Maryland, the plaintiff must:

- (1) Identify domestic services that have a market value;
- (2) have reasonably expected the decedent to provide the identified services, which absent the decedent's legal obligation to provide the services, will typically require evidence showing that the decedent was regularly providing the services in the past; and
- (3) present some evidence concerning the duration the decedent would have likely provided the services.

The court determined the plaintiff's evidence did not meet these standards and reversed the award for lost household services.

In *Finney v. Morton* 2019 NY App. Div. LEXIS 1776 (NY App. 2019), the NY Supreme Court wrote: *Here, although the plaintiff's expert economist valued the loss of the decedent's household services based on a statistical average of services performed in a two-person household, there was no evidence in the record as to the nature and frequency of any services actually performed by the decedent prior to his death. Rather, the record was silent on this*

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*issue. In addition, there was no evidence of actual expenditures incurred in replacing whatever household services the decedent may have performed in the past, or of any anticipated future expenditures with regard to such services. Accordingly, the plaintiff should not have been awarded damages for past and future loss of household services since, in the absence of any evidence establishing what services the decedent actually performed, those awards were speculative and were not warranted by the facts.*²

The primary source for quantifying the loss of household services is *The Dollar Value of a Day* (DVD) published by Expectancy Data. They have compiled data from the U.S. Department of Labor's Bureau of Labor Statistics' (BLS) *American Time Use Survey* (ATUS) to determine the amount of time individuals participate in various activities during a day. The value of these services is then calculated to have a replacement value using 2019 U.S. Department of Labor wage surveys (OES), with an adjustment for the legally required employment taxes or benefits paid by private industry employers of part-time employees. These wages can then be adjusted to a specific geographic region.

For the 2020 version of this publication, data was analyzed representing the time spent by 210,586 individuals age 14 and above, over the course of one day, from 2003 to 2019. There are only 24 hours in a day and 168 hours in a week, so time spent performing one activity reduces the amount of time available for other activities. The survey questions focus on the primary activity being performed and does not focus on the secondary activity being performed. For example, a person may be watching television while eating or doing laundry. The primary activity would be one of these activities, but not all three. The data was then compiled into 385 tables based on gender, amount of time working, ages of children, marital status, etc.

² Law.justia.com/cases/

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The data in each table is separated into the following categories:

- Household Production
- Caring and Helping
- Personal Time
- Leisure
- Work and Education

Each category is broken down further to include the following:

- Household Production
 - Inside Housework
 - Food Cooking & Clean-up
 - Pets, Home & Vehicles
 - Household Management
 - Shopping
 - Obtaining Services
 - Travel for Household Activity
- Caring and Helping
 - Household Children
 - Household Adults

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- Non-household Members
- Travel for Household Members
- Travel for Non-Household Members

Personal Time

- Eating & Drinking
- Personal Health Care
- Grooming
- Sleeping
- Private, Personal or N/A

Leisure

- Socializing
- Passive Leisure
- Active Leisure
- Attendance Leisure
- Religious Activities
- Volunteering
- Travel Related to Leisure

Work and Education

- Working at Job
- Educational Activities
- Commuting to Work or School

The amount of time that an individual is spending in each area, impacts the amount of time that they have available to spend in other areas. For example, if a person is an over-the-road truck driver who drives 70 hours per week, they will not have the same amount of time available for activities outside of work, that the typical employee may have. Additional variables may include the number of children who are living in the home, the ages of the children, number of adults in the home, if there are dependent parents who are being cared for, among others.

In quantifying the loss of household services, typically the focus is the categories of Household Production, and Caring and Helping. Personal Time, Leisure, Work and Education, are not considered household services, but the amount of time spent in these categories effects

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the amount of time available in the other areas. In addition to determining the amount of pre-injury household services being performed, one needs to determine how long the plaintiff would have participated in the world of work, or what was their pre-injury worklife expectancy. The author encourages the use of the Skoog worklife expectancy tables. There also needs to be determination as to how long the person would have performed household services, but for the event being litigated.

A hypothetical household may consist of a married couple, the husband, is working full-time, the wife is working part-time, and they have two children, born March 1, 2011 and November 1, 2013. If we look at Table 15 of the DVD, it will show that the husband would be performing 13.62 hours of household services per week in the area of Household Production and 6.59 hours per week in the area of Caring & Helping, until the youngest child turns 13 years of age. Based on BLS wage data, each task is given an hourly value, which is then given a value of day or how much the replacement costs would be for a performing a day of household services.

Table 15. Married men, Employed full time, Spouse employed, All ages, Youngest child ages 6 through 12

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Time Use Category	Weekly Hours	Hourly Value	Dollar Value of a Day	Weekly Waking Hours				Participation Rate	Standard Error Percent
				Secondary Child Care	With Family	At Home	Alone		
Inside Housework	1.81	\$14.55	\$3.77	1.08	1.00	1.76	0.80	20.6%	2.4%
Food Cooking & Clean up	2.64	14.47	5.46	1.77	1.60	2.55	1.01	48.0	1.3
Pets, Home & Vehicles	4.24	16.96	10.26	2.16	1.55	3.86	2.51	31.7	1.9
Household Management	0.80	21.01	2.41	0.37	0.37	0.61	0.40	18.9	3.2
Shopping	1.98	14.75	4.18	0.94	1.31	0.07	0.63	36.8	2.0
Obtaining Services	0.11	17.85	0.27	0.03	0.04	0.04	0.04	2.4	9.0
Travel for Household Activity	2.04	18.08	5.28	0.79	1.12	0.02	0.85	40.4	1.8
Household Production	13.62	16.25	31.62	7.14	7.01	8.91	6.24	79.9	0.9
Household Children	4.48	14.75	9.43	n/a	4.22	3.02	0.19	52.9	1.6
Household Adults	0.16	14.52	0.34	0.06	0.14	0.08	0.02	5.8	8.2
Non Household Members	0.46	14.74	0.96	0.12	0.32	0.07	0.03	7.0	7.7
Travel for Household Members	1.19	18.08	3.08	0.06	0.80	0.02	0.38	31.0	1.7
Travel for Non Household Members	0.29	18.08	0.76	0.07	0.15	0.01	0.10	0.10	6.4 4.4
Caring and Helping	6.59	15.49	14.58	0.30	5.63	3.20	0.72	57.4	1.3
Eating & Drinking	7.75	14.92	16.52	3.85	4.94	4.31	1.63	96.0	0.7
Personal Health Care	0.45	14.49	0.94	0.17	0.24	0.26	0.18	4.2	8.5
Grooming	3.92	14.66	8.22	1.26	n/a	n/a	n/a	81.6	0.8
Sleeping	56.63	15.19	122.92	n/a	n/a	n/a	n/a	99.9	0.5
Private, Personal, or N/A	1.70	17.01	4.13	0.60	0.54	0.64	0.58	21.9	2.9
Personal Time	70.45	15.17	152.72	5.87	5.72	5.22	2.39	100.0	0.6
Socializing	4.05	16.86	9.75	2.31	3.40	1.86	0.09	37.5	1.9
Passive Leisure	19.27	14.51	39.95	9.98	12.48	17.94	6.34	89.2	0.8
Active Leisure	2.42	14.51	5.02	0.83	1.03	0.41	0.81	19.0	2.5
Attendance Leisure	0.99	14.51	2.05	0.60	0.85	0.02	0.05	5.2	2.9
Religious Activities	0.85	19.98	2.42	0.53	0.65	0.13	0.12	7.8	3.1
Volunteering	1.31	19.98	3.73	0.67	0.77	0.14	0.14	9.1	3.3
Travel Related to Leisure	2.88	18.08	7.45	1.24	1.73	0.03	1.01	51.9	1.7
Leisure	31.77	15.51	70.37	16.15	20.92	20.54	8.57	96.5	0.7
Working at Job	41.70	50.38	300.12	1.74	0.92	3.63	6.79	72.2	0.8
Educational Activities	0.20	19.98	0.58	0.07	0.05	0.14	0.13	0.9	7.8
Commuting to Work or School	3.67	18.08	9.47	0.10	0.20	0.03	3.25	61.0	1.2
Work and Education	45.57	47.64	310.17	1.92	1.17	3.80	10.17	73.1	0.9
Total	168.00	\$24.14	\$579.46	31.39	40.45	41.67	28.08		
Avg. Size of U.S. Pop. in 2003 2019	6,062,964			Average Age	42.9	% of Mean Hours	Owners	Renters	
ATUS Respondents in 2003 2019	6,423			5th Percentile Age	32.0	Household Production	102.4%	85.6%	
Sunday Respondents	1,644			95th Percentile Age	55.0	Caring and Helping	102.1%	85.6%	
Weekday Respondents	3,180			Household Size	4.09	Personal Time	99.9%	100.7%	
Saturday Respondents	1,599			Number of Adults	2.13	Leisure	99.2%	105.4%	
				Number of Children under Age 18	1.96	Work and Education	99.7%	101.5%	
Household Production Weekly Hours for the Benefit of the Respondent	1.27			Population (1,000s)	5,177	850			
Percentage of Total Household Production Weekly Hours Benefiting the Respondent	9.3%			Pop. Size Valid %'s	Yes	Yes			

Definitions Weekly Hours: Weekly average time in hours where the activity category describes the main activity that was being performed by the respondent. Weekly hours are calculated by summing average Sunday hours plus five times average weekday hours plus average Saturday hours.

Hourly Value: See tables 386 412.

Dollar Value of a Day: Weekly hours times hourly value divided by seven.

Secondary Child Care: While performing a primary activity, at wake children under age 13 were in the respondent's care.

With Family: At least one primary family member (spouse, child, or parent) was in the room or accompanied the respondent.

At Home: The respondent was inside or outside his or her own home.

Participation Rate: Percent of population reporting at least one daily episode of the activity.

Standard Error Percent: Standard error of the mean reported as a percent of the episode mean in the activity.

% of Mean Hours: Adjustment percentage to weekly hours based on whether living quarters are owned or rented.

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Household production weekly hours Respondent related household production divided by the respondent's household size plus 1 plus an additional 1 if for the benefit of the respondent: benefiting the respondent is respondent benefit household production weekly hours divided by total weekly hours of household production. See Table 413 for description.

Note: 'Who' and 'Where' coding only during waking hours and not coded for sleeping, grooming, some personal and work activities. Percentage of mean hours valid for populations greater than 290,000.

The Dollar Value of a Day, 2019

Let us look at the data provided on this table a little closer. The table represents 6,423 respondents. Their average age was 42.9 and the average number of people in the home was 4.09, 2.13 adults and 1.96 children. The average number of hours worked per week is 41.7 with the weekly hours commuting being 3.67 hours. Now look at the lower right portion of the table. The data finds that the number of hours of Household Production of property owners is 102.4% of the mean and the number of hours of Household Production for those who rent is 85.6% of the mean. Similar statistics are true for house spent in Caring and Helping. Owners spend 102.1% of the mean performing these services compared to renters who spend 85.6% of the mean performing these services.

			% of Mean Hours	Owners	Renters
Avg. Size of U.S. Pop. in 2003 2019	6,062,964	Average Age 42.9			
ATUS Respondents in 2003 2019	6,423	5th Percentile Age 32.0	Household Production	102.4%	85.6%
Sunday Respondents	1,644	95th Percentile Age 55.0	Caring and Helping	102.1%	85.6%
Weekday Respondents	3,180	Household Size 4.09	Personal Time	99.9%	100.7%
Saturday Respondents	1,599	Number of Adults 2.13	Leisure	99.2%	105.4%
		Number of Children under Age 18 1.96	Work and Education	99.7%	101.5%
Household Production Weekly Hours for the Benefit of the Respondent	1.27	Population (1,000s)		5,177	850
Percentage of Total Household Production Weekly Hours Benefiting the Respondent	9.3%	Pop. Size Valid	%s	Yes	Yes

This means that there are three adjustments to the data which need to be made.

Depending on whether our hypothetical family is renting or owning their home, the number of hours the married man is performing Household Production, and Caring and Helping, will need to be adjusted accordingly. The third adjustment is made based on the geographic location where they are living.

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Table 414. National to Area Wage Adjustment Percentages, May 2019

California	111.4
Bakersfield, CA	102.3
Chico, CA	102.1
El Centro, CA	101.8
Fresno, CA	105.0
Hanford Corcoran, CA	105.4
Los Angeles Long Beach Anaheim, CA	109.6
Madera, CA	103.7
Merced, CA	106.6
Modesto, CA	104.7
Napa, CA	116.2
Oxnard Thousand Oaks Ventura, CA	109.9
Redding, CA	105.3
Riverside San Bernardino Ontario, CA	106.6
Sacramento Roseville Arden Arcade, CA	109.3
Salinas, CA	113.0
San Diego Carlsbad, CA	110.2
San Francisco Oakland Hayward, CA	124.2
San Jose Sunnyvale Santa Clara, CA	125.2
San Luis Obispo Paso Robles Arroyo Grande, CA	109.4
Santa Cruz Watsonville, CA	111.2
Santa Maria Santa Barbara, CA	111.5
Santa Rosa, CA	116.7
Stockton Lodi, CA	109.8
Vallejo Fairfield, CA	111.6
Visalia Porterville, CA	103.8
Yuba City, CA	105.3
Eastern Sierra Mother Lode nonmetro area	105.5
North Coast nonmetropolitan area	103.9
North Valley nonmetropolitan area	107.9

The DVD is based on wage replacement costs in performing household services and wages vary across the United States. Wages are adjusted to the plaintiff's geographic area based on Table 414. The table shows that wages in California are 11.4% higher than the mean and that the wages in San Diego, CA are 10.2% higher than the mean.

In this scenario, the married man owns his home and lives in San Diego, CA.

He would have been doing 13.62 hours per week of household production which needs to be adjusted by 102.4% as they own their home, so he would have been performing 13.95 hours

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of household production per week. The mean hourly value of these services is: \$16.25 per hour, which needs to be increased by 10.2% to reflect the wages being paid in San Diego, CA, results in a replacement cost of \$17.91 per hour. The value of Household Production being performed would be 13.95 hours per week times \$17.91 per hour times 52 weeks per year = \$12,992. This is the annual amount of household services being performed in Household Production by the married man until his youngest child turns 13.

The same calculations would then need to be done for Caring and Helping. Continuing with Table 15, the man would be performing services of 6.59 per week in this category. As outlined above, since he owns his home, this number needs to be adjusted by 102.1%, resulting in the performance of 6.73 hours of household services per week in the area of Caring and Helping. The mean hourly replacement cost for these services equals \$15.49 which adjusted to the San Diego, CA labor market equals \$17.07 per hour. The value of Caring and Helping being performed would be 6.73 hours per week times \$17.07 per hour times 52 weeks per year = \$5,974. This is the annual amount of household services being performed in the Caring and Helping category by the married man until his youngest child turns 13. Therefore, the total annual amount of household services (Household Production and Caring and Helping) from the date of injury until his youngest child turns 13 equals \$18,966.

It is necessary for the vocational rehabilitation counselor to ask specific questions regarding the make-up of the home pre- and post-injury, living conditions, etc. It is not unusual for a family structure to change following an injury, but the baseline for determining the loss of household services is the amount of household services the plaintiff was performing prior to their injury. Post-injury, the family may move in with other family members out of economic necessity or they may no longer have the physical ability to maintain their prior home. A

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severely injured single mother may no longer have the ability to care for her children and they may now be cared for by others. These are all factors to consider when determining the post-injury household services being performed.

Questions to consider include:

What type of residence was the plaintiff living in?

Were they renting or did they own their home?

Who did they live with?

Did the other adults in the household work prior to the plaintiff's injury?

Were they working full-time or part-time?

Are the other adults in the household continuing to work the same number of hours?

Are there children in the household?

Are the children living in the home full-time?

What were the ages of the children when the plaintiff was injured?

Where there adults in the household the plaintiff was caring for?

What household services was the plaintiff performing before the injury? i.e.

Cooking

Cleaning

Laundry

Grocery Shopping

Care for pets

Automobile maintenance

Home repairs

Home remodeling

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Bill paying

Lawn Care

Care for children

Transportation for children

Care for others outside of the home

This is not an all-encompassing list and the answers to these questions may elicit additional questions to help objectively determine the household services being performed by the plaintiff both pre- and post-injury. It is common for parents to be living with their children due the care they need as they age. If this situation exists, it will be necessary to determine the care being provided to the parents and the date of birth, and life expectancy of the parents.

What household services is the plaintiff performing following the injury?

Have they hired out for household services to be performed that they would have completed absent their injury?

What household services are being performed by others?

How much less do they feel they are doing in household services following the injury, compared to prior to the injury?

Once this information is obtained, the vocational rehabilitation counselor may make adjustments they feel necessary to the tables, so they reflect the person they are evaluating. In the example above, the average number of hours spent working at a job (Table 15) is 41.7, with commuting time of 3.67 hours per week. A truck driver may be driving 10 hours per day and commuting an hour per day to obtain his truck. These factors will need to be considered in determining if there is a loss of household services, as the truck driver may be performing more hours of household services post-injury than they were pre-injury. The vocational rehabilitation

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counselor may want to use a table which includes children in the home to reflect the amount of time spent caring for elderly parents and utilize that data to the life expectancy of the elderly parent.

Let's keep working in our scenario. The first table covered the time until the youngest child turned 13. Table 16 covers the time from when the youngest child is 13 years of age until they turn 18.

Table 16.
Married men, Employed full-time, Spouse employed, All ages,
Youngest child ages 13 through 17

Time Use Category	Weekly Hours	Hourly Value	Dollar Value of a Day	Weekly Waking Hours				Participation Rate	Standard Error Percent
				Secondary Child Care	With Family	At Home	Alone		
Inside Housework	1.68	\$14.55	\$3.50	0.00	0.72	1.64	0.96	18.2%	3.6%
Food Cooking & Clean up	2.30	14.47	4.76	0.00	1.26	2.26	1.01	43.9	2.1
Pets, Home & Vehicles	5.17	16.96	12.53	0.00	1.55	4.68	3.52	37.3	2.5
Household Management	1.02	21.01	3.06	0.00	0.45	0.73	0.52	20.6	4.8
Shopping	2.02	14.75	4.25	0.00	1.17	0.09	0.81	37.3	3.0
Obtaining Services	0.15	17.85	0.38	0.00	0.03	0.08	0.10	1.9	20.8
Travel for Household Activity	2.11	18.08	5.44	0.01	1.06	0.02	0.98	41.2	2.3
Household Production		14.45	16.43	33.91	0.03	6.24	9.50	7.88	78.5 1.4
Household Children	1.54	14.75	3.24	n/a	1.38	0.78	0.09	27.7	4.3
Household Adults	0.21	14.52	0.44	0.00	0.18	0.06	0.03	6.5	14.4
Non Household Members	0.55	14.74	1.16	0.01	0.40	0.09	0.07	7.5	9.4
Travel for Household Members	0.99	18.08	2.55	0.00	0.63	0.01	0.35	20.5	3.1
Travel for Non Household Members		0.47	18.08	1.22	0.00	0.31	0.00	0.10	6.710.7
Caring and Helping	3.76	16.02	8.62	0.01	2.91	0.94	0.64	35.8	2.9
Eating & Drinking	7.83	14.92	16.70	0.02	4.68	4.48	2.04	96.4	0.9
Personal Health Care	0.44	14.49	0.92	0.00	0.19	0.24	0.19	4.7	11.2
Grooming	4.17	14.66	8.73	0.00	n/a	n/a	n/a	82.2	1.2
Sleeping	56.00	15.19	121.55	n/a	n/a	n/a	n/a	99.9	0.7
Private, Personal, or N/A	1.57	17.01	3.82	0.00	0.46	0.41	0.58	20.7	4.5
Personal Time	70.02	15.17	151.72	0.03	5.33	5.13	2.81	100.0	0.9
Socializing	4.23	16.86	10.19	0.01	3.47	2.17	0.12	37.8	2.6
Passive Leisure	21.54	14.51	44.65	0.03	12.55	20.08	8.44	90.5	1.1
Active Leisure	2.28	14.51	4.72	0.01	0.81	0.41	0.90	18.4	3.7
Attendance Leisure	0.88	14.51	1.81	0.01	0.72	0.01	0.05	4.5	4.0
Religious Activities	0.74	19.98	2.12	0.00	0.57	0.09	0.12	7.0	4.2
Volunteering	1.03	19.98	2.94	0.00	0.45	0.20	0.21	6.8	5.7
Travel Related to Leisure	3.23	18.08	8.33	0.01	1.85	0.04	1.21	50.3	2.4
Leisure	33.92	15.43	74.77	0.06	20.42	23.01	11.04	96.9	0.9
Working at Job	42.01	56.29	337.80	0.00	0.93	4.09	7.86	72.7	1.1
Educational Activities	0.16	19.98	0.47	0.00	0.01	0.06	0.10	0.6	13.8
Commuting to Work or School	3.68	18.08	9.51	0.00	0.17	0.03	3.28	60.7	1.6

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Work and Education	45.85	53.09	347.77	0.00	1.11	4.18	11.25	73.7	1.2
Total	168.00	\$25.70	\$616.79	0.12	36.00	42.76	33.62		
Avg. Size of U.S. Pop. in 2003 2019	3,641,984		Average Age	48.0	% of Mean Hours	Owners	Renters		
ATUS Respondents in 2003 2019	3,102		5th Percentile Age	37.0	Household Production	102.1%	79.9%		
Sunday Respondents	781		95th Percentile Age	59.0	Caring and Helping	97.3%	122.4%		
Weekday Respondents	1,572		Household Size	3.70	Personal Time	99.9%	101.6%		
Saturday Respondents	749		Number of Adults	2.42	Leisure	98.0%	116.2%		
			Number of Children under Age 18	1.29	Work and Education	101.2%	90.1%		
Household Production Weekly Hours for the Benefit of the Respondent				1.41	Population (1,000s)		3,254	371	
Percentage of Total Household Production Weekly Hours Benefiting the Respondent					9.7%	Pop. Size Valid %'s	Yes	Yes	
Definitions	Weekly Hours: Weekly average time in hours where the activity category describes the main activity that was being performed by the respondent. Weekly hours are calculated by summing average Sunday hours plus five times average weekday hours plus average Saturday hours.								
Hourly Value:	See tables 386 412.								
Dollar Value of a Day	Weekly hours times hourly value divided by seven.								
Secondary Child Care:	While performing a primary activity, at wake children under age 13 were in the respondent's care.								
With Family:	At least one primary family member (spouse, child, or parent) was in the room or accompanied the respondent.								
At Home:	The respondent was inside or outside his or her own home.								
Participation Rate:	Percent of population reporting at least one daily episode of the activity.								
Standard Error Percent:	Standard error of the mean reported as a percent of the episode mean in the activity.								
% of Mean Hours:	Adjustment percentage to weekly hours based on whether living quarters are owned or rented.								
Household production weekly hours Respondent related household production divided by the respondent's household size plus 1 plus an additional 1 if for the benefit of the respondent: the respondent's household size is greater than 1. The percentage of the total household production weekly hours benefiting the respondent is respondent benefit household production weekly hours divided by total weekly hours of household production. See Table 413 for description.									
<i>Note:</i> 'Who' and 'Where' coding only during waking hours and not coded for sleeping, grooming, some personal and work activities. Percentage of mean hours valid for populations greater than 290,000.									

As we can see during this period, the man would have been doing 14.45 hours per week of household production which needs to be adjusted by 102.1% as they own their home, (the percentage of mean hours spent performing household services when comparing renters to owners, varies with each table, so be sure to check), so he would have been performing 14.75 hours of household production per week. The mean hourly value of these services is \$16.43 per hour, which needs to be increased by 10.2% to reflect the wages being paid in San Diego, CA, results in a replacement cost of \$18.10 per hour. The value of Household Production being performed would be 14.75 hours per week times \$18.10 per hour times 52 weeks per year = \$13,883. This is the annual amount of household services being performed in Household Production by the married man until his youngest child turns 18.

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The same calculations would then need to be done for Caring and Helping. Continuing with Table 16, the man would be performing services of 3.76 hours per week in this category. As outlined above, since he owns his home this number needs to be adjusted by 97.3%, resulting in the performance of 3.66 hours of household services per week in Caring and Helping. The mean hourly replacement cost for these services equals \$16.02 which adjusted to the San Diego, CA labor market equals \$17.65 per hour. The value of Caring and Helping to be performed would be 3.66 hours per week times \$17.65 per hour times 52 weeks per year = \$3,359. This is the annual amount of household services being performed in the Caring and Helping category by the married man until his youngest child turns 18. Therefore, the total annual amount of household services (Household Production and Caring and Helping) from the date of the youngest child turns 13 until they turn 18 equals \$17,242.

A calculation needs to be made regarding worklife expectancy. In this scenario, the man was born on December 1, 1980, is a college graduate and has a date of injury of July 1, 2020. At the date of injury, he was 39.61 years of age and had a worklife expectancy of 24.71 years.³

The results of the DVD and use of these tables reflects to some degree the “healthy life function” or Full Function Life Expectancy. Essentially, the probability of a person being healthy enough in their later years to produce the household services they had when younger. A person’s ability to perform household services decreases in later years due to their physical ability, and as a result of their desires. The latest data from the World Health Organization shows that the average healthy life expectancy for males being 75.6 and for females 77.1.⁴ At the time of this event, the plaintiff was 39.61 years of age with a statistical life expectancy to age

³ The Markov Process Model of Labor Force Activity 2012-2017: Extended Tables of Central Tendency, Shape, Percentile Points, and Bootstrap Standard Errors, *Journal of Forensic Economics* 28(1-2), 2019, pp.5-108, Skoog, Ciecka and Krueger, for men who are initially active in the world of work, with college degree.

⁴ <https://apps.who.int/gho/data/node.main.HALE?lang=en> December 4, 2020

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81.6.⁵ His “healthy life function” would be to age 75.6, at which time the loss of household services would end.

Let’s revisit our scenario and calculate the loss of household services from the date the youngest child turned 18 years of age to the end of the plaintiff’s statistical worklife expectancy.

Table 17 provides the data for married men, employed full-time, spouse employed, all ages, no minor children in the home.

**Table 17. Married men, Employed full-time, Spouse employed, All ages,
No minor children in home**

Time Use Category	Weekly Hours	Hourly Value	Dollar Value of a Day	Weekly Waking Hours				Participation Rate	Standard Error Percent
				Secondary Child Care	With Family	At Home	Alone		
Inside Housework	1.48	\$14.55	\$3.07	0.00	0.62	1.43	0.85	17.9%	2.4%
Food Cooking & Clean up	2.10	14.47	4.35	0.00	1.14	2.03	0.93	41.9	1.4
Pets, Home & Vehicles	5.37	16.96	13.01	0.01	1.49	4.81	3.76	40.2	1.7
Household Management	1.02	21.01	3.05	0.00	0.48	0.80	0.50	21.3	3.0
Shopping	2.05	14.75	4.32	0.00	1.24	0.06	0.74	36.2	1.8
Obtaining Services	0.13	17.85	0.32	0.00	0.05	0.05	0.04	2.7	6.8
Travel for Household Activity	2.07	18.08	5.35	0.01	1.04	0.02	0.98	40.4	1.5
Household Production		14.22	16.48	33.47	0.03	6.05	9.19	7.80	79.3 0.9
Household Children	0.00	14.75	0.00	n/a	0.00	0.00	0.00	0.0	0.0
Household Adults	0.18	14.52	0.37	0.00	0.13	0.08	0.04	6.8	6.9
Non Household Members	0.90	14.74	1.90	0.00	0.65	0.25	0.10	8.8	4.3
Travel for Household Members	0.19	18.08	0.49	0.00	0.12	0.00	0.07	4.3	3.2
Travel for Non Household Members		0.34	18.08	0.89	0.00	0.15	0.00	0.14	7.1 2.9
Caring and Helping	1.61	15.82	3.65	0.01	1.05	0.33	0.35	14.8	2.8
Eating & Drinking	8.49	14.92	18.09	0.01	5.03	4.57	2.15	96.3	0.6
Personal Health Care	0.56	14.49	1.17	0.00	0.15	0.31	0.32	5.6	6.5
Grooming	4.12	14.66	8.63	0.00	n/a	n/a	n/a	80.9	0.7
Sleeping	56.88	15.19	123.47	n/a	n/a	n/a	n/a	99.9	0.4
Private, Personal, or N/A	1.40	17.01	3.40	0.01	0.36	0.51	0.57	18.9	2.7
Personal Time	71.45	15.16	154.76	0.02	5.54	5.39	3.04	100.0	0.5
Socializing	4.13	16.86	9.95	0.01	3.35	1.67	0.14	35.5	1.6
Passive Leisure	23.39	14.51	48.49	0.05	13.50	21.92	9.34	91.7	0.7
Active Leisure	2.47	14.51	5.12	0.00	0.81	0.40	1.02	20.8	2.3
Attendance Leisure	0.83	14.51	1.72	0.00	0.63	0.02	0.07	4.4	3.0
Religious Activities	0.62	19.98	1.76	0.00	0.41	0.09	0.14	5.5	2.7
Volunteering	0.70	19.98	2.01	0.00	0.24	0.13	0.16	5.2	3.6
Travel Related to Leisure	2.96	18.08	7.65	0.01	1.65	0.03	1.12	52.1	1.5
Leisure	35.10	15.30	76.70	0.07	20.58	24.26	12.00	97.2	0.6
Working at Job	41.71	56.98	339.52	0.00	1.01	4.15	7.23	72.5	0.6
Educational Activities	0.25	19.98	0.72	0.00	0.06	0.17	0.15	1.1	5.2
Commuting to Work or School	3.65	18.08	9.44	0.00	0.25	0.03	3.20	60.9	1.0

⁵ Social Security Administration Life Expectancy Tables

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Work and Education	45.62	53.66	349.68	0.00	1.33	4.36	10.58	73.4	0.7
Total	168.00	\$25.76	\$618.26	0.13	34.55	43.53	33.78		
Avg. Size of U.S. Pop. in 2003 2019	15,874,172			Average Age 48.6		% of Mean Hours	Owners	Renters	
ATUS Respondents in 2003 2019	8,647			5th Percentile Age 26.0	Household Production	103.9%	103.9%	82.8%	
Sunday Respondents	2,115			95th Percentile Age 65.0	Caring and Helping	98.9%	98.9%	106.5%	
Weekday Respondents	4,396			Household Size 2.25	Personal Time	99.7%	99.7%	101.8%	
Saturday Respondents	2,136			Number of Adults 2.25	Leisure	98.9%	98.9%	105.2%	
				Number of Children under Age 18 0.00	Work and Education	100.2%	100.2%	98.3%	
Household Production Weekly Hours for the Benefit of the Respondent				1.74	Population (1,000s)	12,987	12,987	2,775	
Percentage of Total Household Production Weekly Hours Benefiting the Respondent				12.2%	Pop. Size Valid %'s	Yes	Yes	Yes	

Definitions	Weekly Hours: Weekly average time in hours where the activity category describes the main activity that was being performed by the respondent. Weekly hours are calculated by summing average Sunday hours plus five times average weekday hours plus average Saturday hours.
Hourly Value:	See tables 386 412.
Dollar Value of a Day	Weekly hours times hourly value divided by seven.
Secondary Child Care:	While performing a primary activity, at wake children under age 13 were in the respondent's care.
With Family:	At least one primary family member (spouse, child, or parent) was in the room or accompanied the respondent.
At Home:	The respondent was inside or outside his or her own home.
Participation Rate:	Percent of population reporting at least one daily episode of the activity.
Standard Error Percent:	Standard error of the mean reported as a percent of the episode mean in the activity.
% of Mean Hours:	Adjustment percentage to weekly hours based on whether living quarters are owned or rented.
Household production weekly hours Respondent related household production divided by the respondent's household size plus 1 plus an additional 1 if for the benefit of the respondent: the respondent's household size is greater than 1. The percentage of the total household production weekly hours benefiting the respondent is respondent benefit household production weekly hours divided by total weekly hours of household production. See Table 413 for description.	

Note: 'Who' and 'Where' coding only during waking hours and not coded for sleeping, grooming, some personal and work activities. Percentage of mean hours valid for populations greater than 290,000.

During this period, the man would have been doing 14.22 hours per week of household production which needs to be 103.9% as they own their home, resulting in the performance of 14.77 hours of household production per week. The mean hourly value of these services is \$16.48 per hour, which needs to be increased by 10.2% to reflect the wages being paid in San Diego, CA, results in a replacement cost of \$18.16 per hour. The value of Household Production being performed would be 14.77 hours per week times \$18.16 per hour times 52 weeks per year = \$13,948. This is the annual amount of household services being performed in Household Production by the married man until the end of his statistical worklife expectancy.

The same calculations would then need to be done for Caring and Helping. Continuing with Table 17, the man would be performing services of 1.61 hours per week in this category.

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Since he owns his home this number needs to be adjusted by 98.9%, resulting in the performance of 1.59 hours of household services per week in the area of Caring and Helping. The mean hourly replacement cost for these services equals \$15.82 which adjusted to the San Diego, CA labor market equals \$17.43 per hour. The value of Caring and Helping to be performed would be 1.59 hours per week times \$17.43 per hour times 52 weeks per year = \$1,441. This is the annual amount of household services being performed in the Caring and Helping category by the married man from the time his youngest child turns 18 to the end of his statistical worklife expectancy. Therefore, the total annual amount of household services (Household Production and Caring and Helping) from the date of the youngest child turns 18 until the end of the plaintiff's pre-injury worklife expectancy equals \$15,389.

The final pre-injury calculation for household services in this example is during the man's retirement years. In this example we are going to use Table 92, Married men, Retired, Regardless of spousal employment, All ages, No minor children in the home. As with any statistical data base, there are a variety of options. One could choose to calculate the worklife expectancy of the spouse and then add tables to reflect when she was no longer working and they both were retired. This could also be taken a step further with calculations being made based on the specific age of the man during retirement. Regardless, you will see a significant jump in the number of hours performing household services once a person is retired, especially among homeowners.

Table 92. Married men, Retired, Regardless of spousal employment, All ages, No minor children in home

Time Use Category	Weekly Hours	Hourly Value	Dollar Value of a Day	Weekly Waking Hours				Participation Rate	Standard Error Percent
				Secondary Child Care	With Family	At Home	Alone		
Inside Housework	1.87	\$14.55	\$3.88	0.00	0.81	1.79	1.04	22.0%	2.5%

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Food Cooking & Clean up	2.85	14.47	5.88	0.00	1.49	2.77	1.34	43.9	1.4
Pets, Home & Vehicles	9.48	16.96	22.95	0.00	1.90	8.79	7.37	49.9	1.2
Household Management	1.86	21.01	5.59	0.00	0.64	1.57	1.18	29.5	2.6
Shopping	2.72	14.75	5.74	0.00	1.62	0.09	1.03	39.5	1.6
Obtaining Services	0.37	17.85	0.96	0.00	0.12	0.24	0.13	5.0	7.1
Travel for Household Activity	2.36	18.08	6.09	0.00	1.25	0.02	1.04	45.2	1.6
Household Production		21.50	16.63	51.08	0.00	7.83	15.27	13.13	85.1 0.8
Household Children	0.00	14.75	0.00	n/a	0.00	0.00	0.00	0.0	0.0
Household Adults	0.57	14.52	1.19	0.00	0.49	0.33	0.08	8.8	5.4
Non Household Members	1.64	14.74	3.44	0.00	1.28	0.67	0.15	12.8	3.5
Travel for Household Members	0.18	18.08	0.48	0.00	0.14	0.00	0.05	4.2	3.9
Travel for Non Household Members		0.45	18.08	1.16	0.00	0.26	0.00	0.15	9.5 2.3
Caring and Helping	2.84	15.44	6.27	0.00	2.18	1.00	0.42	20.4	2.4
Eating & Drinking	10.10	14.92	21.52	0.00	7.86	7.86	1.82	98.0	0.5
Personal Health Care	1.57	14.49	3.25	0.00	0.65	0.86	0.77	17.2	4.1
Grooming	3.33	14.66	6.97	0.00	n/a	n/a	n/a	65.3	0.9
Sleeping	62.61	15.19	135.91	n/a	n/a	n/a	n/a	99.9	0.4
Private, Personal, or N/A	2.58	17.01	6.26	0.00	0.72	0.88	0.80	27.4	2.1
Personal Time	80.18	15.18	173.91	0.00	9.23	9.59	3.38	100.0	0.5
Socializing	5.30	16.86	12.77	0.00	4.28	2.53	0.20	40.5	1.5
Passive Leisure	46.48	14.51	96.37	0.00	26.28	45.21	19.83	98.1	0.5
Active Leisure	3.08	14.51	6.38	0.00	0.82	0.65	1.38	24.2	2.1
Attendance Leisure	0.73	14.51	1.52	0.00	0.58	0.04	0.06	4.1	3.1
Religious Activities	1.26	19.98	3.61	0.00	0.84	0.29	0.28	11.0	2.1
Volunteering	1.77	19.98	5.06	0.00	0.41	0.58	0.73	9.4	2.4
Travel Related to Leisure	3.22	18.08	8.32	0.00	2.03	0.04	1.03	51.6	1.4
Leisure	61.85	15.17	134.03	0.00	35.25	49.34	23.52	99.6	0.5
Working at Job	1.46	83.22	17.33	0.00	0.09	0.42	0.45	4.1	3.6
Educational Activities	0.03	19.98	0.08	0.00	0.00	0.02	0.03	0.1	26.5
Commuting to Work or School	0.13	18.08	0.34	0.00	0.01	0.00	0.11	2.9	4.8
Work and Education		1.62	76.84	17.75	0.00	0.11	0.44	0.59	4.9 3.8
Total	168.00	\$15.96	\$383.05	0.00	54.58	75.64	41.04		
Avg. Size of U.S. Pop. in 2003 2019	11,421,300			Average Age	70.9	% of Mean Hours	Owners	Renters	
ATUS Respondents in 2003 2019	7,793			5th Percentile Age	59.0	Household Production	102.3%	62.5%	
Sunday Respondents	2,003			95th Percentile Age	80.0	Caring and Helping	101.3%	78.6%	
Weekday Respondents	4,023			Household Size	2.11	Personal Time	99.9%	102.2%	
Saturday Respondents	1,767			Number of Adults	2.11	Leisure	99.4%	109.1%	
				Number of Children under Age 18	0.00	Work and Education	95.8%	177.3%	
Household Production Weekly Hours for the Benefit of the Respondent				2.32	Population (1,000s)	10,742	608		
Percentage of Total Household Production Weekly Hours Benefiting the Respondent				10.8%	Pop. Size Valid	%s Yes	Yes		

Definitions	Weekly Hours: Weekly average time in hours where the activity category describes the main activity that was being performed by the respondent. Weekly hours are calculated by summing average Sunday hours plus five times average weekday hours plus average Saturday hours.
Hourly Value:	See tables 386 412.
Dollar Value of a Day	Weekly hours times hourly value divided by seven.
Secondary Child Care:	While performing a primary activity, at wake children under age 13 were in the respondent's care.
With Family:	At least one primary family member (spouse, child, or parent) was in the room or accompanied the respondent.
At Home:	The respondent was inside or outside his or her own home.
Participation Rate:	Percent of population reporting at least one daily episode of the activity.
Standard Error Percent:	Standard error of the mean reported as a percent of the episode mean in the activity.
% of Mean Hours:	Adjustment percentage to weekly hours based on whether living quarters are owned or rented.
Household production weekly hours Respondent related household production divided by the respondent's household size plus 1 plus an additional 1 if for the benefit of the respondent: the respondent's household size is greater than 1. The percentage of	

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the total household production weekly hours benefiting the respondent is respondent benefit household production weekly hours divided by total weekly hours of household production. See Table 413 for description.

Note: 'Who' and 'Where' coding only during waking hours and not coded for sleeping, grooming, some personal and work activities. Percentage of mean hours valid for populations greater than 290,000.

In retirement, the man would be performing 21.5 hours per week of household production which needs to be adjusted by 102.3% as they own their home, resulting in the performance of 21.99 hours of household production per week. The mean hourly value of these services is \$16.63 per hour, which needs to be increased by 10.2% to reflect the wages being paid in San Diego, CA, results in a replacement cost of \$18.33 per hour. The value of Household Production being performed would be 21.99 hours per week times \$18.33 per hour times 52 weeks per year = \$20,960. This is the annual amount of household services being performed in Household Production by the married man during his retirement years.

Continuing with Table 92, the man would be performing Caring and Helping services of 2.84 hours per week which is adjusted by 101.3% since he owns his home, resulting in the performance of 2.88 hours per week in this area. The mean hourly replacement cost for these services equals \$16.63 which adjusted to the San Diego, CA labor market equals \$18.33 per hour. The value of Caring and Helping to be performed would be 2.88 hours per week times \$18.33 per hour times 52 weeks per year = \$2,745. This is the annual amount of household services being performed in the Caring and Helping category by the married man during his retirement years. Therefore, the total annual amount of household services (Household Production and Caring and Helping) during his retirement equals \$23,705.

Let's put together the calculations for the man's pre-injury household services. He was born on December 1, 1980 and has a date of injury of July 1, 2020. His youngest child was born

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on November 1, 2013. The man was 39.61 years of age on the date of injury, with a life expectancy of 81.6 and “healthy life function” to age 75.6.

Our first calculation was the value of annual household services the man was performing from the date of injury until his youngest child turned 13. At the date of injury, the youngest child was 6.67 years of age, so the calculation would be:

$$(13-6.67) \text{ times } \$18,966 = \$120,055$$

The next calculation is from when the youngest child turns 13 years of age until they turn 18 years of age, so this calculation would be:

$$5 \text{ times } \$17,242 = \$86,210$$

The third calculation is from when the child turns 18 to the end of the man’s worklife expectancy, so this calculation would be:

24.71 (worklife expectancy at date of injury) minus 11.33 (years from date of injury to when youngest child turned 18) times \$15,389 = \$205,905

The final pre-injury calculation in this example is from the end of the plaintiff’s worklife expectancy to the end of his “healthy life function”. This calculation would be as follows:

75.6 (age at end of Health Life function) minus 39.61 (age at date of injury) minus 24.71 (worklife expectancy) times \$23,705 = \$267,392

The total value of the man’s pre-injury household services from the date of injury to the end of his “healthy life function” equals \$679,562.

The questions asked of the plaintiff regarding his pre-injury household services should also be asked of his post-injury household services and these questions may also be posed to their spouse or significant other. It is not unusual to have severely injured individuals downplay their limitations in performing household services, nor is it unusual for individuals with minimal

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functional limitations to embellish their inability to perform household services. The vocational rehabilitation counselor will need to analyze the functional limitations and determine specifically what household services the plaintiff is unable to perform. The ability to perform a task which now needs to be spread over days or takes longer represents a loss. For example, a person prior to their injuries may have mowed the lawn in an hour and post injury this task is spread out over three days. A task does not need to be hired out to represent a loss as a task being performed by others, for no pay, represents a loss of their time.

Upon questioning the plaintiff, the vocational rehabilitation counselor may obtain a percentage of how much less in household services the plaintiff is performing post-injury compared to what they had been doing pre-injury and make that mathematical calculation. In the alternative, they may want to go through each category to determine tasks that the plaintiff is no longer doing or taking a significant amount of time in completing and replicate the pre-injury calculations for the loss of household services.

The DVD represent surveys completed by hundreds of thousands of people and it is important for the vocational rehabilitation counselor to understand that the vocational rehabilitation counselor's sample size is 1, the person on which they are calculating losses. Due to the number of people surveyed there are some statistical anomalies most notable in the tables representing those who are disabled and unable to work.

Table 71. Married men, Disabled and unable to work, Regardless of spousal employment, All ages, Minor children in home

Time Use Category	Weekly Hours	Hourly Value	Dollar Value of a Day	Weekly Waking Hours				Participation Rate	Standard Error Percent
				Secondary Child Care	With Family	At Home	Alone		
Inside Housework	2.80	\$14.55	\$5.82	1.20	1.42	2.78	1.37	27.3%	6.1%
Food Cooking & Clean up	3.59	14.47	7.42	1.93	1.88	3.46	1.64	47.8	3.8
Pets, Home & Vehicles	3.73	16.96	9.04	1.19	1.05	3.39	2.50	29.5	6.6
Household Management	1.22	21.01	3.67	0.31	0.70	0.81	0.49	17.4	14.3
Shopping	2.16	14.75	4.54	0.66	1.52	0.05	0.55	29.0	6.1
Obtaining Services	0.16	17.85	0.42	0.03	0.03	0.08	0.08	2.2	27.1

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Travel for Household Activity	1.48	18.08	3.82	0.43	0.88	0.01	0.53	32.8	4.2
Household Production	15.15	16.05	34.74	5.76	7.49	10.58	7.18	76.6	2.8
Household Children	6.12	14.75	12.89	n/a	5.76	4.96	0.24	47.6	4.4
Household Adults	0.54	14.52	1.12	0.10	0.47	0.20	0.07	11.5	18.2
Non Household Members	0.80	14.74	1.69	0.10	0.45	0.27	0.12	7.2	18.6
Travel for Household Members	1.47	18.08	3.79	0.18	1.01	0.02	0.42	28.5	4.4
Travel for Non Household Members	0.23	18.08	0.59	0.03	0.10	0.00	0.10	0.10	6.2
Caring and Helping	9.16	15.35	20.08	0.41	7.79	5.45	0.96	55.2	3.8
Eating & Drinking	7.09	14.92	15.11	2.98	5.36	6.03	1.51	94.4	2.1
Personal Health Care	3.84	14.49	7.95	0.96	1.89	3.08	1.86	27.9	8.8
Grooming	3.05	14.66	6.38	0.81	n/a	n/a	n/a	61.6	2.7
Sleeping	66.29	15.19	143.88	n/a	n/a	n/a	n/a	99.4	1.3
Private, Personal, or N/A	2.37	17.01	5.76	0.67	0.80	0.99	0.81	24.7	9.8
Personal Time	82.63	15.17	179.08	5.42	8.05	10.10	4.17	100.0	1.7
Socializing	7.22	16.86	17.38	2.67	5.99	3.48	0.20	42.2	5.1
Passive Leisure	45.09	14.51	93.49	15.80	26.21	43.88	18.54	95.9	1.9
Active Leisure	1.42	14.51	2.94	0.46	0.72	0.34	0.52	14.0	8.9
Attendance Leisure	0.53	14.51	1.10	0.11	0.32	0.11	0.17	3.2	12.2
Religious Activities	0.99	19.98	2.83	0.44	0.66	0.35	0.27	8.7	9.6
Volunteering	0.40	19.98	1.14	0.21	0.22	0.09	0.04	2.7	12.6
Travel Related to Leisure	2.11	18.08	5.45	0.64	1.46	0.03	0.56	34.9	5.3
Leisure	57.76	15.07	124.34	20.33	35.60	48.30	20.31	97.9	1.8
Working at Job	2.69	55.89	21.47	0.14	0.30	0.21	0.70	5.4	8.4
Educational Activities	0.28	19.98	0.79	0.04	0.00	0.19	0.27	0.9	19.6
Commuting to Work or School	0.34	18.08	0.88	0.00	0.02	0.00	0.31	5.6	8.0
Work and Education	3.31	48.98	23.14	0.18	0.33	0.40	1.28	6.6	8.4
Total	168.00	\$15.89	\$381.37	32.11	59.26	74.83	33.90		
Avg. Size of U.S. Pop. in 2003 2019	889,788			Average Age	47.6	% of Mean Hours	Owners	Renters	
ATUS Respondents in 2003 2019	739			5th Percentile Age	29.0	Household Production	101.0%	98.5%	
Sunday Respondents	186			95th Percentile Age	65.0	Caring and Helping	93.3%	108.1%	
Weekday Respondents	368			Household Size	4.09	Personal Time	100.5%	99.5%	
Saturday Respondents	185			Number of Adults	2.27	Leisure	99.8%	101.0%	
				Number of Children under Age 18	1.82	Work and Education	104.3%	78.3%	
Household Production Weekly Hours for the Benefit of the Respondent					1.41	Population (1,000s)	544	332	
Percentage of Total Household Production Weekly Hours Benefiting the Respondent					9.3%	Pop. Size Valid %'s	Yes	Yes	

Definitions Weekly Hours: Weekly average time in hours where the activity category describes the main activity that was being performed by the respondent. Weekly hours are calculated by summing average Sunday hours plus five times average weekday hours plus average Saturday hours.

Hourly Value: See tables 386 412.

Dollar Value of a Day: Weekly hours times hourly value divided by seven.

Secondary Child Care: While performing a primary activity, at wake children under age 13 were in the respondent's care.

With Family: At least one primary family member (spouse, child, or parent) was in the room or accompanied the respondent.

At Home: The respondent was inside or outside his or her own home.

Participation Rate: Percent of population reporting at least one daily episode of the activity.

Standard Error Percent: Standard error of the mean reported as a percent of the episode mean in the activity.

% of Mean Hours: Adjustment percentage to weekly hours based on whether living quarters are owned or rented.

Household production weekly hours Respondent related household production divided by the respondent's household size plus 1 plus an additional 1 if for the benefit of the respondent: the respondent's household size is greater than 1. The percentage of the total household production weekly hours benefiting the respondent is respondent benefit household production weekly hours divided by total weekly hours of household production. See Table 413 for description.

Note: 'Who' and 'Where' coding only during waking hours and not coded for sleeping, grooming, some personal and work activities. Percentage of mean hours valid for populations greater than 290,000.

Table 71 represents Married Men, Disabled and unable to work, Regardless of spousal employment, All ages, Minor children in the home. However, the chart shows that the respondents are working 2.69 hours per week, commuting .34 hours per week. Similar statistics are on other tables for individuals who are disabled and unable to work. Most show minimal number of hours working at a job but represent individuals who may be classified as disabled and unable to work but are in fact working. Therefore, the vocational rehabilitation counselor may need to rely on their own professional clinical judgement to adjust the table they are using to represent the plaintiff they are evaluating and be prepared to explain why the adjustments were made. Keep in mind, our sample size or N is 1, the individual we are evaluating.

Obviously in traumatic injuries and death the loss of ability to perform household services is 100%. There are some economists and others who render the opinion in wrongful death cases that the decedent plaintiff would have consumed 50% of the household services they were directly providing and 50% of the household services that the surviving spouse was providing. They do not provide for any quantitative foundation for this opinion, which on its face appears to reflect the opinion that the spouse has benefited because their husband or wife was killed. The author of this article has reviewed reports submitted by economists and others with this level of consumption by the decedent but is unable to find any articles or studies which support this opinion. Nor is the author able to find any case law which supports a reduction for consumption in wrongful death cases.

Since we are using a hypothetical case in San Diego, CA, let us look at the jury instructions in that state in wrongful death cases, CACI 3921.⁶

⁶ <https://www.justia.com/trials-litigation/docs/caci/3900/3921/>

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The damages claimed by the plaintiff fall into two categories, economic damages, and noneconomic damages. You will be asked to state the two categories of damages separately on the verdict form. The plaintiff claims the following economic damages:

- 1. The financial support, if any that the decedent would have contributed to the family during either the life expectancy that the decedent had before their death or the life expectancy of the plaintiff, whichever is shorter.*
- 2. The loss of gifts or benefits that the plaintiff would have expected to receive from the decedent.*
- 3. Funeral and burial expenses; and*
- 4. The reasonable value of household services that the decedent would have provided.*

Your award of any future economic damages must be reduced to present cash value.

There is no mention of a reduction for the consumption of household services by the decedent. Another way to look at this is, how much of household services being performed would have been directly consumed by the person performing them? In the case of a single person living alone, there may be no or minimal household services that would have been for the betterment of someone else. However, in the case involving a couple, both people benefit 100% from the household services performed by the other. Household services must be performed 100% for them to be completed. One does not mow half of the lawn, nor do they stop the laundry halfway through and say it is complete, nor can they drive halfway to the grocery store and be able to shop for groceries. Each task must be completed for it to be considered done.

If a legal decision has been made that the loss of household services needs to include a deduction for the services completed by the decedent for their own benefit, then the DVD may

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be a source of this data. If we return to Table 15, we see statistics which show the Percentage of Total Household Production Weekly Hours Benefiting the Respondent.

Household Production Weekly Hours for the Benefit of the Respondent	1.27	Population (1,000s)	5,177	850
Percentage of Total Household Production Weekly Hours Benefiting the Respondent	9.3%	Pop. Size Valid %'s	Yes	Yes
Definitions	Weekly Hours: Weekly average time in hours where the activity category describes the main activity that was being performed by the respondent. Weekly hours are calculated by summing average Sunday hours plus five times average weekday hours plus average Saturday hours.			
Hourly Value:	See tables 386 412.			
Dollar Value of a Day	Weekly hours times hourly value divided by seven.			
Secondary Child Care:	While performing a primary activity, at wake children under age 13 were in the respondent's care.			
With Family:	At least one primary family member (spouse, child, or parent) was in the room or accompanied the respondent.			
At Home:	The respondent was inside or outside his or her own home.			
Participation Rate:	Percent of population reporting at least one daily episode of the activity.			
Standard Error Percent:	Standard error of the mean reported as a percent of the episode mean in the activity.			
% of Mean Hours:	Adjustment percentage to weekly hours based on whether living quarters are owned or rented.			
Household production weekly hours	Respondent related household production divided by the respondent's household size plus 1 plus an additional 1 if for the benefit of the respondent: the respondent's household size is greater than 1. The percentage of the total household production weekly hours benefiting the respondent is respondent benefit household production weekly hours divided by total weekly hours of household production. See Table 413 for description.			
<i>Note:</i> 'Who' and 'Where' coding only during waking hours and not coded for sleeping, grooming, some personal and work activities. Percentage of mean hours valid for populations greater than 290,000.				

This data is contained within the other tables and is typically around 10%.

In summary the DVD can be used by the vocational rehabilitation counselor to help quantify the amount of household services performed by a person before and following an event being litigated. The data allows for adjustments to reflect whether the person was renting or owning their home, the individuals age, their gender, the amount of time they were working and the composition of their household. The research is so specific that it provides over 380 sets of data for the vocational rehabilitation counselor to choose from.

Sources and tools for assisting in the calculation for the loss of household services

include the following:

<https://www.timeanddate.com/>

<https://www.ssa.gov/oact/population/longevity.html>

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Expectancy Data, *The Dollar Value of a Day: 2019 Dollar Valuation* (2020). Shawnee Mission, KS

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http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0627/Sections/0627.736.html

Quah, Euston. (1986). "Compensation for Loss of Household Services." *Osgoode Hall Law Journal* 24.3: 467-483. Retrieved from

<http://digitalcommons.osgoode.yorku.ca/ohlj/vol24/iss3/1> (Canada)

Utah Law https://www.utcourts.gov/resources/muji/inc_list.asp?action=showRule&id=20

Additional recommended reading:

Blackwell, T., Field, T., Johnson, C., Kelsay, M., & Neulicht, A. (2005). *The Vocational Expert* Revised and Updated, Elliott & Fitzpatrick, Inc. Athens, GA

Choppa, A., Field, T., Johnson, C. (2005). *The Daubert Challenge: From Case Referral to Trial*, Elliott & Fitzpatrick, Inc., Athens, GA

Dillman, E., Field, T., Horner, S., Slesnick, F., & Weed, R. (2001). Elliott & Fitzpatrick, Inc. *Approaches to Estimating Lost Earnings: Strategies for the Rehabilitation Consultant*, Athens, GA

Field, T. (1993). *Strategies for the Rehabilitation Consultant: Transferability, Loss of Employment, Lost Earning Capacity, and Damages*, Elliott & Fitzpatrick, Inc., Athens, GA

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