

# ABVE 2010 Conference Schedule

## Thursday, March 25, 2010

8:30 am - 12:00 pm	Claredon Room	Knowledge Enhancement Seminar (KES)
1:00 pm - 4:00 pm	Claredon Room	<b>National Certification Examination / New Test Validation Session</b>
1:00 pm - 5:30 pm	Brittany Room	Board of Directors Meeting

## Friday, March 26, 2010

7:30 am - 8:30 am	Regency Foyer	Continental Breakfast
7:30 am - 5:30 pm	Regency Foyer	Registration Desk Open
8:30 am - 11:45 am		<b>Concurrent Pre-Conference Workshops</b>
	Windsor	<b>A. Succeeding As An Expert Witness</b>
	Sheffield	<b>B. Admissible Testimony &amp; Clinical Judgment</b>
10:00 am - 10:15 am	Regency Foyer	BREAK
11:45 am - 12:45 pm		LUNCH ON YOUR OWN
12:45 pm - 1:00 pm	Windsor / Hampton	<b>Conference Opening &amp; Welcome</b>
1:00 pm - 2:30 pm	Windsor / Hampton	<b>Evidence-Based Practice: All Research Is Not Created Equal</b>
2:30 pm - 2:45 pm	Regency Foyer	BREAK
2:45 pm - 4:15 pm	Windsor / Hampton	<b>Predicting Occupational Disability from Psychological and Neuropsychological Data</b>
4:15 pm - 5:15 pm	Windsor / Hampton	<b>Digital Responsibility and the VE</b>
6:00 pm - 7:30 pm	Trellises Courtyard	President's Welcome Reception

## Saturday, March 27, 2010

7:00 am - 8:00 am	Regency Foyer	Continental Breakfast
7:00 am - 5:30 pm	Regency Foyer	Registration Desk Open
8:00 am - 9:00 am	Windsor / Hampton	<b>Report Writing in a Forensic Setting</b>
9:00 am - 10:45 am	Windsor / Hampton	<b>What is Expected of a Vocational Expert When Testifying</b>
10:45 am - 11:00 am	Regency Foyer	BREAK
11:00 am - 12:00 pm	Windsor / Hampton	<b>Employment Law Panel</b>
12:00 pm - 1:15 pm	Garden Ballroom	BANQUET LUNCH & ABVE BUSINESS MEETING
1:15 pm - 2:15 pm		<b>Concurrent Workshops</b>
	Windsor	<b>A. Testifying in Social Security Cases</b>
	Sheffield	<b>B. Vocational Testing for Forensic Cases</b>
2:15 pm - 3:15 pm		<b>Concurrent Workshops</b>
	Windsor	<b>A. Court Testimony: The Arena in Which the VE Makes Their Mark</b>
	Sheffield	<b>B. Writing for <i>The Journal of Forensic Vocational Analysis</i></b>
3:15 pm - 3:30 pm	Regency Foyer	BREAK
3:30 pm - 5:30 pm	Windsor / Hampton	<b>Transferable and Marketable Worker's Skills - Basic to Advanced</b>
6:30 pm - 9:00 pm	Claredon Room	<b>New Test Validation Session</b>

## Sunday, March 28, 2010

7:30 am - 8:30 am	Regency Foyer	Continental Breakfast
7:30 am - 12:30 pm	Regency Foyer	Registration Desk Open & CEU Verification Available
8:30 am - 9:30 am	Windsor / Hampton	<b>Life Care Planning</b>
9:30 am - 10:30 am	Windsor / Hampton	<b>Preparing &amp; Defending Labor Market Surveys / Job Searches with Emphasis on FELA Cases</b>
10:30 am - 10:45 am	Regency Foyer	BREAK
10:45 am - 12:15 pm	Windsor / Hampton	<b>Ethics and Junk Science in Vocational Assessments</b>
12:15 pm - 12:30 pm		<b>Conference Wrap Up</b>

## Room Locations are listed on the Schedule-at-aGlance

# Friday, March 26, 2010

7:30 am - 8:30 am

Continental Breakfast Provided (Pre-Conference Participants Only)

7:30 am - 5:30 pm

Registration Desk Open

8:30 am - 11:45 am

**Concurrent Pre-Conference Workshops** (Separate Registration Required)

**A. Succeeding As An Expert Witness**

G. Michael Graham, Ph.D., ABVE/D

This seminar is specifically designed for the newcomer to the practice of expert witnessing, and for the seasoned expert who desires a bit more structure to their forensic practice at this time. Dr. G. Michael Graham has been an expert witness for over 25 years and has likely bumped into everything that can "go bump in the night" as he has honed his expert skills. This seminar will provide the participant with several well-designed handouts that will enhance your practice and can be used immediately back in your shop.

**# of CEU's Available**

ABVE	All Other Bodies
4.5	3.0 potential

**B. Admissible Testimony & Clinical Judgment: Its Development and the Resources Needed to Support and Sustain Opinions**

Timothy F. Field, Ph.D.

Clinical judgment is a critical and necessary component in the development of testimony that will be both admissible and defensible in depositions and trials. Information and discussion taking into consideration the Daubert/Kumho rulings, relevant federal rules, standards of care and practice will address issues related to the development of conclusions and opinions that will successfully withstand cross examination. Actual court cases will be discussed that illustrate what has been acceptable to the courts.

**# of CEU's Available**

ABVE	All Other Bodies
4.5	3.0 potential

10:00 am - 10:15 am

Break

11:45 am - 12:45 pm

Lunch on Your Own

12:45 pm - 1:00pm

**Conference Opening & Welcome**

1:00 pm - 2:30 pm

**Evidence-Based Practice: All Research Is Not Created Equal**

Sonia Paquette, OTD, OTR/L, CPE, ABVE/D

Evidence-based practice is the new buzzword in medicine and rehabilitation and is a definite advantage for those who want to be paid for their services through insurance reimbursement. But what does it mean for vocational forensic practitioners? How is evidence-based practice scholarly defined and how is it applied in medicine, rehabilitation and, most importantly, in forensic vocational rehabilitation? This presentation will define evidence-based practice in medicine and rehabilitation and apply evidence-based practice in typical vocational forensic cases.

**# of CEU's Available**

ABVE	All Other Bodies
2.25	1.5 potential

2:30 pm - 2:45 pm

Break

2:45 pm - 4:15 pm

**Predicting Occupational Disability from Psychological & Neuropsychological Data**

Izabela Z. Schultz, Ph.D., ABPP, ABVE/D

Prediction of work disability from psychological and neuropsychological data is at the core of vocational assessments and testimony. Yet, it has not been exact science and no evidence-based practices in the field have been published. This presentation will prepare the experts for methodological and evidentiary challenges in the courtroom with respect to such future predictions. Research data and evidence-informed practice guidelines on how to maximize reliability, validity and fairness of disability determination and scientific basis for prediction of future work capacity from psychological and neuropsychological data will be provided.

**# of CEU's Available**

ABVE	All Other Bodies
2.25	1.5 potential

4:15 pm - 5:15 pm

**Digital Responsibility and the VE**

J. Chad Duncan, Ph.D. and Larry L. Sinsabaugh, Ph.D., ABVE/D

Providing vocational testimony has never been an easy job and new demands of the digital age bring about new responsibilities for the vocational expert. This seminar will address technical, creative and compliance aspects of working with technology and some of the benefits that can be derived. Presenters will discuss security, new standards for breaches of data, the ethical use of technology and some tricks of the trade to use while writing reports.

**# of CEU's Available**

ABVE	All Other Bodies
1.5	1.0 potential

6:00 pm - 7:30 pm

**President's Welcome Reception**



7:00 am - 8:00 am

Continental Breakfast

7:00 am - 5:30 pm

Registration Desk

8:00 am - 9:00 am

**Report Writing in a Forensic Setting**

# of CEU's Available	
ABVE	All Other Bodies
2.25	1.5 potential

G. Michael Graham, Ph.D., ABVE/D

This presentation will cover important issues related to the expert's written report such as: How to overcome undue influence from retaining counsel regarding the drafting of opinions and reports; How to avoid 'Hedge Words' while still being an advocate for your opinion; How and where to list documents considered; Where, within the body of the report, will your opinions have the most effect; What advantages are there to a well formatted report and what does a well formatted report look like; What is the structure of a well-done professional expert report; How can a report also be an effective marketing tool; How to state an opinion and tie in the foundation for that opinion so that it is credible; How to write an expert report that avoids the common areas of attack used by opposing attorney.

9:00 am - 10:45 am

**What is Expected of a Vocational Expert When Testifying**

# of CEU's Available	
ABVE	All Other Bodies
2.63	1.75 potential

Moderated by Mark Remas, ABVE/D

Panelists: Benjamin Bunn (Plaintiff Attorney), Christopher Todd, (Defense Attorney) & Hon. Jeffrey Barton (Superior Court Presiding Judge)

We all have an idea of what it means to be a Vocational Expert. This panel was formed to compare our understanding of the VE's duty with the retaining attorney's and judge's understanding. The panelists will each talk about their understanding of the vocational expert's role and how they utilize a VE. Judge Denton will address the rules of testimony and what is effective. Questions and comments will be taken from the audience and discussed by the panelists.

10:45 am - 11:00 am

Break

11:00 am - 12:00 pm

**Employment Law Panel**

# of CEU's Available	
ABVE	All Other Bodies
1.88	1.25 potential

Moderated by Mark Remas, ABVE/D

Attorney Panelists: Susan Curran, Michael Grace and Jon Y. Vanderpool

Our second panel will focus on the specialty of Employment Law and the intricacies involved in developing and identifying damages and remedies that are pertinent to the case. Each panelist will offer a brief presentation on their practice and experience in using a VE to highlight what worked and what didn't. Questions and comments from the audience will be used to pinpoint and clarify the VE's role and expected scope of knowledge.

12:00 pm - 1:15 pm

**ABVE Annual Business Meeting and Awards Luncheon (Lunch Provided)**

1:15 pm - 2:15 pm

**Concurrent Workshops**

# of CEU's Available	
ABVE	All Other Bodies
1.5	1.0 potential

**Testifying in Social Security Cases**

Richard Hamersma, Ph.D., LPC, ABVE/D, Lynne Tracy, M.A., CRC, CDMS, CPDM, MFT, ABVE/D, and Art Kaufman, M.Ed., CRC, ADR, CDMS, ABVE/D

This session will deal with some do's and don'ts of testifying in social security cases as a vocational expert. The main focus will be on what is required of a vocational expert in a social security hearing and some tips on how to prepare for the hearing. The session will also focus on the role of the Administrative Law Judge and the role of the attorney who represents the claimant in the social security case. It is necessary to know what the ALJ expects of the VE and what questions he/she will be asking of you. This session will cover what types of things you should not be expected to answer and the reasons why you should not answer certain types of questions. It will also deal with the types of questions the attorney will ask of you and what is appropriate for you to answer in your role as a VE and what you should not answer.

**Vocational Testing for Forensic Cases**

Ann Wallace, Ph.D., CVE, LMFT, ABVE/D & Kent Jayne, MA, MBA, ABVE/D

Experts commonly rely on the opinions of others when forming their own opinions. An expert's opinion can be attacked or questioned if the credibility of the professional relied upon can be put into doubt. Competent and credible vocational experts selectively rely on other professionals and are prepared to explain why their trust in another professional is not misplaced. This seminar will address the reasons vocational experts utilize standardized test data to form their opinions regarding employability and earning capacity. Among the seminar topics are: what are the outcomes a vocational expert expects from testing, i.e. behavioral data vs. test results data; why experts are attacked in cross-examination for alleged lack of adequate testing in opinion development; and what categories of standardized testing should be included in a reasonable vocational evaluation.



As announced in the ABVE Spring 2009 Newsletter, a committee of ABVE Diplomates has worked for over one year reviewing the existing ABVE National Certification Test and developing questions for a new certification test. ABVE is now seeking members with the Diplomate certification to assist us in the validation process by taking the new test.

Members assisting with the validation process by sitting for a "Validation Administration" of the new test will be awarded 4.5 ABVE CEU's. Your participation WILL NOT affect your existing Diplomate Certification. The new test will be administered twice in conjunction with the 2010 Conference in San Diego, CA on Thursday, March 25th from 1-4pm and Saturday, March 27th from 6-9pm.

## Saturday, March 27 Continued . . .

2:15 pm - 3:15 pm

# of CEU's Available	
ABVE	All Other Bodies
1.5	1.0 potential

### Concurrent Workshops

#### Court Testimony: The Arena in Which the Vocational Expert Makes Their Mark

Don Jennings, Ed.D., ABVE/D  
Phil Spergel, Ed.D., ABVE/D

This workshop will focus on court testimony by the vocational expert, both from the standpoint of direct and cross-examination. The presenters will go into detail, describing the rules and nuances of testimony. The pros and cons of presenting information in the adversarial system will be discussed. Dr. Spergel will focus on the direct examination in regard to methods of preparation and direct testimony. Dr. Jennings will focus on cross examination and strategies to ensure that all of the important information is presented appropriately to the jury.

#### Writing for *The Journal of Forensic Vocational Analysis*

E. Davis Martin, Ed.D, ABVE/D,  
Larry L. Sinsabaugh, Ph.D., ABVE/D,  
J. Chad Duncan, Ph.D., Graham L. Sisson, JD

Research or finding solutions to problems is exciting and gratifying. Talking about ideas with colleagues is intellectually stimulating. Testing those ideas to determine which work well, those that don't work at all, and finding those that need just a little more refinement is quite fulfilling. Analyzing the findings, writing up the results and implications for practice...well that seems to be the more complicated part of research. Writing is a skill that must be developed and practiced. The focus of our panel presentation is to share with you some practical tips for writing and to discuss how to be successful in the submission process.

3:30 pm - 5:30 pm

# of CEU's Available	
ABVE	All Other Bodies
3.0	2.0 potential

#### Transferable and Marketable Worker's Skills - Basic to Advanced

Carl Gann, M.Ed., CRC, CDMS, ABVE/D, CLCP

A transferable skills analysis is one of the unique skills of a rehabilitation counselor. This presentation will examine the concept of a transferable skills analysis outside of automated TSA systems.

## Sunday, March 28, 2010

7:30 am - 8:30 am

Continental Breakfast

7:30 am - 12:30 pm

Registration Desk Open & CEU Tally Available

8:30 am - 9:30 am

# of CEU's Available	
ABVE	All Other Bodies
1.5	1.0 potential

#### Life Care Planning

Keith Sofka, ATP, and Penelope Caragonne, Ph.D., CLCP

This presentation will provide you with the information you will need to assist you in producing Life Care Plans that are defensible and accurate. Where do you find costs of out-patient procedures? How many hours of attendant care are needed? This person needs counseling but how many hours over what period of time? Learn how and where to find literature that answers and supports questions we all have when developing a Life Care Plan.

Session attendees will receive a Life Care Planner Toolkit designed by the presenters to supply research and assessment tools for better decision making by life care planning experts.

9:30 am - 10:30 am

#### Preparing and Defending Labor Market Surveys / Job Searches with Emphasis on FELA (Railroad) Cases

H. Gray Broughton, M.Ed, CRC, CCM, ABVE/D

There will be a thorough discussion on how to prepare accurate dependable Labor Market Surveys. Websites and other methods on how to find jobs that are within a person's physical limitations and skill level will be provided. There will be a sharing of methods used to find appropriate jobs and the methodology that should be used in preparing Labor Market Surveys and presenting them to the trier of fact.

10:30 am - 10:45 am

Break

10:45 am - 12:15 pm

#### Ethics and Junk Science in Vocational Assessments

Howard L. Caston, Ph.D., ABVE/D

Is there junk science or invalid science in information you review? Are there times when medical or vocational information just does not seem to have credibility? In order to meet Daubert requirements, we are hard pressed to show "science" in our assessments that back up our conclusions. We need to deal with the issues of marginal science presented by others. Work Life Expectancy, Fibromyalgia, PTSD, ADD/ADHD, and other areas are challenging and will be discussed. Participants will have an opportunity to challenge and discuss these ideas.