

# AREA

## AMERICAN REHABILITATION ECONOMICS ASSOCIATION

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PO Box 19941  
San Diego, CA 92159-9941  
Phone: (800) 317-2732; (619) 440-2650  
Fax: (619) 839-3817 Email: [area@gasvcs.net](mailto:area@gasvcs.net)  
Website: <http://www.a-r-e-a.org>

### APPLICATION PROCEDURES OF THE AMERICAN REHABILITATION ECONOMICS ASSOCIATION

#### APPLICATION PROCEDURES FOR MEMBERSHIP

1. **Professional Member:** Complete the membership application, checking “Professional member.” Please note that the form requires submission of (a) a certificate copy of your highest academic degree (minimum of Master’s degree or active CPA license), and (b) a current copy of your Curriculum Vitae (CV). Within your CV or in a separate Rule 26 testimony listing, you must document in detail specific cases in which you have provided professional services over a three-year period, this experience relating to vocational rehabilitation, forensic vocational and/or forensic economic assessment and testimony. If you have a related license or certification, you should document current professional credentialing status.
2. **Associate Member:** Complete the membership application, checking “Associate member.” Please note that the form requires submission of (a) a certificate copy of your highest academic degree and (b) a current copy of your Curriculum Vitae (CV). Within your CV or in a separate Rule 26 testimony listing, you should document in detail specific cases in which you have provided professional services related to vocational rehabilitation, forensic vocational and/or forensic economic assessment and testimony. If you have a related license or certification, you should document current professional credentialing status.
3. **Student Member:** Complete the membership application, checking “Student member.” Please note the form requires submission of your highest academic degree (copy) and your current Curriculum Vitae or Resumé, documenting any professional experience related to vocational rehabilitation, forensic vocational and/or forensic economic assessment and testimony. If you have a related license or certification, you should document this current professional status. Additionally, you must provide DATED proof of your current student enrollment, *i.e.*, photo I.D., letter from a professor, copy of your transcripts.

#### MEMBERSHIP FEES

Professional Member	\$175.00*
Associate Member	\$175.00*
Student Member	\$ 25.00

Professional and Associate members may PREPAY their dues for 2 years at a 10% discount (\$315.00) or 3 years at a 20% discount (\$420.00).

## **APPLICATION PROCEDURES FOR CERTIFICATION OR REGISTRY**

1. **Registered Forensic Vocational Expert (FVE):** The registry process places the burden of proof on the applicant to demonstrate that you have testified at least twice in judicial or administrative proceedings. You must submit (2) two letters of recommendation from attorneys or judges asserting your vocational testimony was competent; either official transcripts of your related Master's or Doctoral degree or documentation that you hold an active CPA license; two (2) forensic work products, each with pre-injury and post-injury scenarios and values (*see Guidelines for work samples requirements*); and at least one (1) vocational certification.
2. **Registered in Forensic Economics (RFE):** The registry process places the burden of proof on the applicant to demonstrate that you have testified at least twice at either State Superior or Federal Court jurisdictions. You must submit two (2) letters of recommendation from attorneys or judges asserting your testimony was authoritative in determining loss of earnings over time; either (a) official transcripts of your Master's, Professional or terminal degree in either economics or a related financial profession or (b) documentation that you hold an active CPA license; and two (2) forensic work products.

**NOTE:** There will be a peer review process, and FVE and RFE candidates may be asked about their written work product(s) by reviewers. This will be done via telephone or email, if necessary.

3. **Certified Earnings Analyst (CEA):** Complete the Certification application for CEA. If your AREA Professional membership was granted more than one (1) year prior to your Certification application, submit a *current* copy of your CV and Rule 26 testimony listing. Additionally, the Certification application requires submission of an official transcript from the college/university at which you obtained your highest degree (minimum either a Master's level degree or an active CPA license); copies of all related certifications and licenses and their expiration dates, including at least one (1) vocational certification (unless you are an economic or financial consultant); two (2) forensic work products formally proffered to document your findings or opinions in legal proceedings, including one (1) deposition or court testimony transcript which demonstrates earnings loss and present value calculation proficiency; three (3) letters of recommendation from attorneys or judges documenting their opinions as to your courtroom expertise; and maintenance of your Professional member status. Your submitted materials will undergo review by two (2) AREA Board members and/or Certification Committee members.

***Requirements to maintain the CEA credential:*** The CEA must attend a minimum of one AREA Conference and one AREA Boot Camp every three years, accumulate at least 45 accredited CEUs every three-year period, and pay the recertification fee (currently \$110) and any associated post-attendance approval fees.

4. **Earnings Analyst (EA):** Complete the application for the EA. If your AREA Professional membership was granted more than one (1) year prior to your Certification application, submit a *current* copy of your CV and Rule 26 testimony listing. Additionally, the Certification application requires submission of an official transcript from the college/university at which you obtained your highest degree (minimum either a Master's level degree or an active CPA license); copies of all related certifications and licenses and their expiration dates, including at least one (1) vocational certification (unless you are an economic or financial consultant); three (3) letters of recommendation from attorneys or judges documenting their opinions as to your professionalism/expertise; and maintenance of your Professional member status.

After completing and passing your CEA/EA exam, the following must also be submitted: two (2) forensic work products formally proffered to document your findings or opinions in legal proceedings, including one (1) deposition or court testimony transcript which demonstrates earnings loss and present value calculation proficiency. Your submitted materials will undergo review by two (2) AREA Board members and/or Certification Committee members.

The EA is identical to the CEA except that it does not require documentation of having given present value testimony.

**Requirements to maintain the EA credential:** The EA must send a redacted report, in which wage loss and present value are assessed, to an economic expert (CEA, CPA, or Ph.D.) for formal peer review, once every two years. Additionally, they must attend at least three AREA Conferences and three AREA Boot Camps every four years; participate in at least two out of four of any graduate degree-accredited educational programs that AREA offers (if any); and accumulate at least 45 accredited CEUs every three-year period, a minimum of 30 of which must be from AREA conferences. No recertification fee is assessed until the EA progresses to a CEA.

**In order to progress from EA to CEA:** The EA must submit redacted copies of two recent reports that were actually submitted in litigated matters (*i.e.*, to retaining attorney), and send transcripts of associated deposition or trial testimony, in which the EA may be seen as having demonstrated proficiency in addressing wage loss and present value. To retain the EA credential beyond the first four years, an EA must either become a CEA or re-apply anew for the EA.

The CEA and the EA certification process **both include the same case analysis and written examination** designed to evaluate the candidate's competency in vocational and economic loss assessment. Each exam will be reviewed by two Certified members. If needed, a third Certified member will review the exam to break any deadlocks between the two initial reviewers. The CEA is generally given in conjunction with AREA's Annual Conference. Alternative proctoring arrangements may be made with individual candidates who apply at different times of the year.

**CREs** certified under the previous process (1989 to 04/15/94) will be able to maintain this status with AREA's backing contingent upon ongoing Professional membership in AREA and adherence to the Code of Ethics. CREs may apply for CEA status by submitting an application (no other documents are needed) and passing the case analysis/written examination. There is a \$150 fee to make this switch in certification designation.

### REGISTRY/CERTIFICATION FEES

Registered Forensic Vocational Expert (FVE)	\$150.00
Registered in Forensic Economics (RFE)	\$150.00
Certified Earnings Analyst (CEA)	\$350.00
Earnings Analyst (EA)	\$350.00

Registry/certification fees are a one-time charge and do not include Professional membership fees which are additional (see [page 1](#)).

**ANNUAL RENEWAL FEES**

PROFESSIONAL MEMBERS:

Professional members ( <i>no registries or certifications</i> )	\$175.00
Professional member registered as an FVE (Registered Forensic Vocational Expert)	\$175.00
Professional member registered as an RFE (Registered in Forensic Economics)	\$175.00
Professional member certified as a CEA (Certified Earnings Analyst) ( <i>Must also Recertify every 3 years for an additional fee, currently \$110.</i> )	\$175.00
Professional member certified as an EA (Earnings Analyst) ( <i>No recertification fee is assessed until the EA progresses to a CEA</i> )	\$175.00
Professional member registered as a CRE (Certified in Rehabilitation Economics) ( <i>Must also Recertify every 3 years for an additional fee, currently \$110.</i> )	\$175.00

ASSOCIATE MEMBERS: \$175.00

STUDENT MEMBERS: \$ 25.00

Professional and Associate members may PREPAY their dues for 2 years at a 10% discount (\$315.00) or 3 years at a 20% discount (\$420.00).

Membership renewals are due within 30 days of invoicing.

Those holding CEA, EA, CRE, FVE or RFE status must renew their membership annually or *forfeit the right to continue using the AREA designation* while they remain inactive.

## GENERAL ELIGIBILITY CRITERIA

1. Commitment to the advancement of knowledge in vocational economic practice and research;
2. Graduate level education/training and experience consistent with the applicant's stated area of expertise and level of membership requested;
3. As a general standard, CEAs, EAs, FVEs and RFEs will have either a Master's or Doctoral degree in their specialty or an active CPA license. FVEs must also hold at least one (1) vocational certification. Professional members must have a minimum of either a Master's degree or demonstrated equivalent professional training or certification or an active CPA license, plus three (3) years of forensic experience. As attested to by professional peers if you are not a financial/economic expert, documentation of licensure or certification in your professional field is required. Areas of expertise may include, but are not limited to, one or more of the following:
  - Vocational Rehabilitation Assessment
  - Vocational Expert Analysis
  - Life Care Planning
  - Value of Benefits Package
  - Financial Accounting
  - Labor Economics
  - Forensic Economics
  - Worklife Discernment

## GUIDELINES TO BE MET FOR WORK SAMPLES IN VOCATIONAL EXPERT (FVE), FORENSIC ECONOMICS (RFE), AND EARNINGS ANALYST (CEA AND EA) CATEGORIES

### A. Evaluation of Work Samples

A work sample consists of two (2) forensic cases that have been prepared by the applicant at the request of an attorney or judge. The work sample will be reviewed by a committee of AREA Board members and/or certification committee members. To have your work samples accepted, it is necessary for two (2) separate reviewers to accept them. If one (1) or both samples are rejected, for reasons given by the reviewers to the applicant, the applicant may substitute alternate samples, one time. PLEASE NOTE: Should the applicant fail to submit satisfactory work samples within one (1) year from the date of the application, the application will be considered to have lapsed, and any further action would require an entirely new set of application materials to be submitted, including all relevant fees in effect at such time.

### B. Quality of Work Products

Applicants for **Registered Forensic Vocational Expert (FVE)** must demonstrate practice at an advanced level of competence. Vocational expert practice is not merely rehabilitation or psychological counseling; rather, it is a specialty emphasizing the integrated application of the broad range of vocational rehabilitation, disability consulting, and concepts related to pre-/post-injury earning capacity. The work products must demonstrate that the applicant possesses an explicit knowledge of vocational disability issues, loss of earning capacity assessment, worklife expectancy, and vocational assessment procedures. In order to demonstrate such, it must be shown that the applicant has relied upon standard information, such as a thorough past work history, with associated salary levels; upon medical opinions that support lack of function or cognitive impairment; upon a transferable skills assessment, and upon current and foreseeable labor market conditions and information.

Applicants for **Registered in Forensic Economics (RFE)** must demonstrate forensic practice at an advanced level of competence. The work products must reflect a high level of professional skill and maturity. They must also demonstrate that the applicant possesses an explicit and coherent rationale for the work performed, including proficiency in the assessment of lost household services, future medical expenses and present value calculation.

The designation of **Certified Earnings Analyst (CEA)** denotes primary expertise as either a forensic vocational expert or a forensic financial/economic expert with competence in the latter. The work products must reflect this ability at a high level of professional skill and maturity. The work products must also demonstrate that the applicant possesses an explicit and coherent rationale for the work performed, and was able to generate vocational foundation, loss of earning capacity, worklife expectancy, household services analysis (if appropriate) and present value calculation.

The designation of **Earnings Analyst (EA)** denotes expertise, as either forensic vocational expert or forensic financial/economic expert, with competence in certain aspects of the latter. The work products must reflect this ability at a high level of professional skill and maturity.

C. Subject Matter of the Work Product

Work products may be evaluation reports, depositions, or other appropriate demonstrations of the applicant's expertise. CEA applicants must submit one (1) official deposition or trial transcript. The subject matter should reflect the capacity of the applicant to contribute to the field at an advanced level.

D. Content

1. The Case Analysis

Professional reports alone may not be adequate for evaluation purposes. You may wish to append explanatory notes or provide references to sources or other clarification of your rationale. Reports should clearly identify the relevant characteristics of the client; any background information provided to you by previous psychological, medical, vocational, or other examiners; salient aspects of client or third-party interview material obtained by you; and medical, school, employment or other records if they served as a basis for your opinions.

2. Supporting Material

There is no limit to the amount or kind of supporting material that may be provided, but every effort should be made to be reasonable in the volume of material submitted. These materials might include addendums to your report, demonstrative exhibits, labor market documentation and excerpted trial/deposition transcripts if in your judgment they contribute to an appreciation of your expertise in such situations.

E. Format

A Work Sample SUBMISSION consists of two (2) to four (4) parts:

- 1) Case report #1;
- 2) Case #1 supporting material, if appropriate;
- 3) Case report #2 or sample deposition/trial transcript; and
- 4) Case #2 supporting material, if appropriate.

Email submission of reports and supporting documentation, especially in PDF format, is highly encouraged. If the electronic files are too large for transmission, the applicant may send a *share* email from Dropbox to [area@gasvcs.net](mailto:area@gasvcs.net). If a hard copy submission by U.S. mail or express delivery is absolutely necessary, two (2) copies of each submission are required, each case being bound separately. Once Certified or Registered status is established, candidates are given the option of having AREA return or dispose of the work samples that were submitted by mail with the application. Be sure to complete and return a [Confidential Documents Preference Form](#) along with the other requested documentation.

# AREA MEMBERSHIP APPLICATION

## AMERICAN REHABILITATION ECONOMICS ASSOCIATION (AREA)

PO Box 19941 • San Diego, CA 92159-9941

Phone: 800-317-2732; 619-440-2650 Fax: 619-839-3817 Email: [area@gasvcs.net](mailto:area@gasvcs.net) Website: <http://www.a-r-e-a.org>

Full Name: \_\_\_\_\_  
Please print your name as you would like it to appear on the website directory and in the membership roster.

Company Name: (if applicable) \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Office: \_\_\_\_\_ Cell: \_\_\_\_\_ FAX: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

**SPECIALTY AREA:** EC Economics  
Professional members only LCP Life Care Planning  
*Circle as many specialties as apply.* RC Rehab Counseling  
VA Vocational Analysis  
VE Vocational-Economic Analysis

**HOW DID YOU HEAR ABOUT AREA?**  Email  Internet/Website  
CONFERENCE:  ABOVE  CPDE  IARP  Other: \_\_\_\_\_  
PRESS:  NAFE newsletter  Other: \_\_\_\_\_  
WORD OF MOUTH: \_\_\_\_\_

**MEMBERSHIP CATEGORY:** Please check the appropriate category below. (See '[Application Procedures](#)' for more information.)

Professional member (\$175)  Associate member (\$175)  Student member (\$25)

1. a) Proof of Professional, Master's, or Doctoral degree(s) (i.e., certificate copy) .....
- b) Alternatively, proof of active CPA license .....
2. Curriculum Vitae or Resumé (If applying for Professional membership, a separate Rule 26 testimony listing is required.) .....
3. Copies of related Certifications and Licenses (including expiration dates of each) .....
4. Completed/signed Application form and [signed/witnessed Ethics Statement](#) .....

### PAYMENT AND APPLICATION SUBMITTAL:

Application payments may be made by  check or  credit card payment through PayPal. The PayPal payment option for Membership Dues can be found at the bottom of our [Join AREA](#) webpage.

Application materials may be submitted by  email to [area@gasvcs.net](mailto:area@gasvcs.net) (preferred) or by  hard copy to the address in the header of this application. If sending by U.S. mail or express delivery, please note that processing time may be delayed.

If you have questions or need further information, contact AREA at 800.317.2732 or 619.440.2650 or email [area@gasvcs.net](mailto:area@gasvcs.net).

Applicant's Signature \_\_\_\_\_ Date E/Mailed \_\_\_\_\_

**Please send this signed, witnessed page along with your Membership Application.**

I hereby make voluntary application to the American Rehabilitation Economics Association for the issuance of certification, registry or membership at the level indicated above and for oral evaluation if relevant thereto, all subject to and in accordance with the rules and regulations of the Association. Upon the issuance of the certificate or membership, I agree to limit my practice to the sphere of my competency, exercising caution to recognize that vocational economics is a new and developing field, not restricted to any single historical discipline.

I agree to ensure that AREA has copies of non-expired licenses and certificates on file at time of membership renewals.

I agree to be bound by the Bylaws of the Association insofar as they are applicable to me either as a candidate for certification or registry with the American Rehabilitation Economics Association.

I agree to be bound by the AREA [Code of Standards and Ethics](http://www.a-r-e-a.org/?page_id=431), revised 1/14/19, found online at [http://www.a-r-e-a.org/?page\\_id=431](http://www.a-r-e-a.org/?page_id=431), insofar as it is applicable to me either as a Professional, Associate or Student member or a candidate for certification or registry with the American Rehabilitation Economics Association.

I agree to disqualification from evaluation or from the issuance of a certificate and the forfeiture and return of such certification/registry in the event that any rules governing evaluation and issuance are violated by me or for any of the causes set forth in the AREA [Bylaws](http://www.a-r-e-a.org/?page_id=431), revised 05/13, [http://www.a-r-e-a.org/?page\\_id=431](http://www.a-r-e-a.org/?page_id=431).

I understand that the programs of the Association are entirely voluntary, and I agree to make no claims against the Board, its members, or its agents, for failure to issue me a certificate; or for any action taken in connection with this application.

I authorize, whenever it may be deemed appropriate by AREA, the exchange of information concerning my candidacy (before or at any time after action is taken on my application) with professional associations of which I have been a member or am a member at such time as the Board of Directors may choose to make such inquiry, and with state licensing or certifying authorities. I understand and accept the fact that this may imply individual Board members communicating information they may discover about me to other Board members in a context limited confidentially to Board decision making.

Applicant Name \_\_\_\_\_  
(Please print or type)

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Witness Name \_\_\_\_\_  
(Please print or type)

Witness Signature \_\_\_\_\_ Date \_\_\_\_\_

*Please return this Membership Application and Signed Witness Statement with supporting documentation to:*

American Rehabilitation Economics Association

[area@gasvcs.net](mailto:area@gasvcs.net) (preferred)

Phone 800.317.2732; 619.440.2650 Fax 619.839.3817

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# AREA CERTIFICATION/REGISTRY APPLICATION

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•• **You must first be a Professional member of AREA before you can apply for Certification or Registry status.** ••

[Click here to apply for AREA membership.](#)

Full Name: \_\_\_\_\_  
Please print your name as you would like it to appear in the website directory and the online membership roster.

Company Name: (if applicable) \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Office: \_\_\_\_\_ Cell: \_\_\_\_\_ FAX: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

**CATEGORY:** Please **check** the appropriate category (one-time fee) below. (See ['Application Procedures'](#) for more information.)

CERTIFICATION:  Certified Earnings Analyst–CEA (\$350)  Earnings Analyst–EA (\$350)

REGISTRY:  Registered Forensic Economist–RFE (\$150)  Forensic Vocational Expert–FVE (\$150)

1. If not a CPA, *official transcripts* of your Professional, Master's, or Doctoral degree(s) .....
2. *Current CV* and Rule 26 testimony listing (if Professional membership was granted 2+ years ago) .....
3. Copies of all related certifications and licenses, including at least one (1) vocational certification (unless you are an economic/financial consultant) – unless they were already provided with a *recent* AREA membership application.....
4. Two (2) forensic work products formally proffered to document your findings or opinions in legal proceedings (*Refer to Guidelines for Work Samples section of the Application Procedures and Confidential Documents Preference Form.*) ..... 
  - a) For FVE, RFE, CEA .....
  - b) For EA (to be submitted after completing and passing the exam) .....
5. Recommendation letters from attorneys or judges documenting their opinions *as to your courtroom expertise*
  - a) For FVE, RFE: 2 letters .....
  - b) For CEA: 3 letters .....
  - c) For EA: 3 letters *as to your professionalism/expertise* .....
6. Signed Confidential Documents Preference Form (and 2 prepaid return envelopes, if applicable) .....
7. Completed/signed Application form and [signed/witnessed Ethics Statement](#) .....

### PAYMENT AND APPLICATION SUBMITTAL:

Non-refundable application payment may be made by  check or  money order. *Credit card payments are not accepted for the Certification/Registry process.*

Application materials may be submitted by  email to [area@gasvcs.net](mailto:area@gasvcs.net) (preferred) or by  hard copy to the address in the header of this application. If sending by U.S. mail or express delivery, you are required to send TWO full sets of ALL application materials for forwarding to the peer reviewers. If this is your preferred submittal method, please note that processing time may be delayed.

If you have questions or need further information, contact AREA at 800.317.2732 or 619.440.2650 or email [area@gasvcs.net](mailto:area@gasvcs.net).

Applicant's Signature \_\_\_\_\_ Date E/Mailed \_\_\_\_\_

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I agree to ensure that AREA has copies of non-expired licenses and certificates on file at time of membership renewals.

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I authorize, whenever it may be deemed appropriate by AREA, the exchange of information concerning my candidacy (before or at any time after action is taken on my application) with professional associations of which I have been a member or am a member at such time as the Board of Directors may choose to make such inquiry, and with state licensing or certifying authorities. I understand and accept the fact that this may imply individual Board members communicating information they may discover about me to other Board members in a context limited confidentially to Board decision making.

Applicant Name \_\_\_\_\_  
(Please print or type)

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Witness Name \_\_\_\_\_  
(Please print or type)

Witness Signature \_\_\_\_\_ Date \_\_\_\_\_

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CONFIDENTIAL DOCUMENTS PREFERENCE FORM

Complete only if applying for CEA, EA, FVE, or RFE.

I have applied for Certified/Registry status with AREA. In keeping with the Association's policy, I have the option of allowing AREA to return or dispose of Work Samples when they are submitted by hard copy with my application. (Application forms and contents may always be submitted in electronic form which are not returned to the sender.)

Once my membership status with AREA has been established, my preference is:

- Please send the Work Samples back to me once your review is completed. Two (2) prepaid return envelopes are enclosed with my application materials.
AREA is free to dispose of the Work Samples I submitted with my application once a decision has been made about my membership status.

Applicant Name (Please print or type)

Applicant Signature Date

OFFICE USE ONLY

ATTESTATION TO DOCUMENT DESTRUCTION

Printed Name

Signature

Date



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### CODE OF STANDARDS AND ETHICS

#### AMERICAN REHABILITATION ECONOMICS ASSOCIATION

##### PREAMBLE

This Code of Professional Standards and Ethics has been developed by the Ethics Committee of the American Rehabilitation Economics Association, to guide its members in providing the range of forensic services that are specific to the expert giving vocational and/or economic opinion in litigation.

Cases involving serious injury or loss, both from a past and future perspective, continually challenge our ability to combine knowledge and experience in the fields of medical and vocational rehabilitation, applied economics and law, in the calculation of damages.

The American Rehabilitation Economics Association, herein known as AREA, recognizes the growing importance of this task, and the need to develop the highest standards for service delivery, work product, and overall level of professionalism.

Whether retained on a consultative or expert witness basis, our membership shall use only the most reliable methods relevant to the case in question based on objective facts, based on careful research, when arriving at conclusions. All information should be presented in non-partisan form, to preserve the integrity of our craft, and bring credit to our discipline.

Forensic practitioners affiliated with AREA accept responsibility for complying with the Ethical and Technical Standards set by this organization. We do so with an increasing commitment to the application of Rehabilitation Economics in trial settings, and with an understanding of our primary roles as educators.

##### THE CODE OF ETHICS

The Code of Ethics consists of two sections: the Standards for Service Delivery, and the Rules of Professional Conduct. Both sections represent the minimum acceptable level of ethical behavior required of each AREA Member. The following ethical standards and principles are designed to act as guidelines to direct the vocational and/or economic expert's performance, but in no way are they to be considered an exhaustive formula for ethical behavior. Rather, the professionals who accept these standards recognize that their reputation for ethical behavior enhances both their practice and the profession as a whole. These standards are a means to that end.

##### STANDARDS FOR SERVICE DELIVERY

- 1) The provision of services and the submission of reports shall respond to the purpose of the referral. Forensic practitioners have the responsibility to identify the nature and extent of services to be provided before proceeding. Members offer accurate and complete representation of their professional and educational qualifications.
- 2) The opinion and/or testimony of an AREA Member shall be limited to the fields of expertise that Member has demonstrated on the basis of education, training, and experience in using applied rehabilitation and/or

economic techniques. Members are aware of the limitations of their competence and attempt only those services for which they are qualified. They realize that competency is a result of continuous education, and are diligent to keep themselves informed of current theories, methods, and research.

- 3) Defense of work product, whether in verbal or written form, shall be presented in a manner that demonstrates competency in outlining the relevant vocational/economic issues. Simple, understandable language should be used to describe methodology, sources of information, and conclusions.
- 4) The member has an obligation to withdraw from a referral relationship, if it will result in a violation of the Ethical Standards of AREA, or if it is felt to be inconsistent with the spirit of those Standards. Members will not knowingly place themselves in a situation or relationship which has the potential for clouding their objectivity and creating a conflict of interest.
- 5) Members shall adhere to all tenets of the doctrine of client confidentiality. Disclosures of information during the litigation process shall be restricted to what is relevant, necessary and verifiable, with respect to the involved client's right to privacy.
- 6) Members will assure they have all foundational evidence and information required to render a fair and defensible opinion. It is incumbent on members to thoroughly analyze and consider all applicable data, and conduct independent research of their own, when forming conclusions. Members must guard against the misuse, distortion, or suppression of the data which they present. They accept the responsibility to correct those who misuse, distort, or suppress these data.
- 7) All Members shall maintain a current Vitae, reflecting pertinent data on the education, training and experience that qualifies them as a forensic vocational and/or economic expert.
- 8) Members shall not accept cases on any contingency basis. While liens are eschewed they are sometimes standard practice in particular trial settings, e.g., WCAB. Full payment of liens is required upon case resolution and is never contingent on outcome or awards.
- 9) In forecasting damages, members are to utilize accepted vocational and economic methodology when addressing discount and growth rates, present value, rate of benefits, worklife capacity, etc., as appropriate to the case and its local jurisdiction.
- 10) Members respect and uphold the legal and civil rights of those individuals whom they evaluate. Sexual overtures and intimacies of any nature within a professional setting are unethical.

#### **RULES OF PROFESSIONAL CONDUCT**

- 1) Members shall render only those services which they are technically competent and qualified to perform.
- 2) Members shall act with integrity regarding colleagues in rehabilitation economics and other professions. AREA members will refrain from actively soliciting case specific business from a referral source if that source has previously retained another professional.
- 3) When appropriate, Members shall provide adequate orientation/information to clients, so that the results of any physical capacity assessment or vocational testing can be placed in the proper perspective, with other factors relevant to the development of the economic loss picture. Members inform their clients and those whom their clients represent of the purposes, methods, and goals of all tests and procedures. Special care shall be taken of such orientation in the case of minors.

- 4) Members shall avoid even the appearance of impropriety, in the performance of their professional services. Questions of fee payment are discussed and agreed upon at the outset of any consulting relationship. Contingency fees or payment based on an award are unethical.

Whenever there is questionable certainty, Members should refrain from the specific activity or type of conduct, until the matter is clarified. An opinion from the Executive Committee or a fellow AREA Member should be sought at that time.

- 5) Members should not accept more cases than what is both feasible and ethical, to render timely and objective findings. When a member can no longer be of use to a client, he or she should not continue a consulting relationship. If possible, the member refers the client to another professional who is better able to provide the service or product needed by the client.
- 6) Members shall keep abreast of new developments, case law, concepts, trends and practices that are essential to the maintenance of technical competency and informational congruency.
- 7) Each Member shall be prepared to report on applicable areas of training and continuing education they have taken in connection with their craft, upon the request of any party to the litigation.
- 8) Professional files, records and reports are to be kept under conditions of security, and provision shall be made for their destruction when appropriate. Likewise, Members shall thoroughly brief all non-professional persons who must have access to the client's records, about the confidential standards to be observed.
- 9) Persons holding the designation of Certified Earnings Analyst (CEA), Certification in Rehabilitation Economics (CRE), Registered Forensic Vocational Expert (FVE), or Registered Forensic Economist (RFE) are expected to honor the responsibility and respect the limitations placed on the use of the selected credential, and act accordingly. The certification process for CRE ended as of 4/15/94. AREA members certified with the designation (CRE or CEA) shall maintain this certification as long as they maintain membership in AREA, are current with required CEUs and renewal payments, attend at least one AREA conference every three years, and adhere to the Code of Ethics of AREA.
- 10) Insofar as the most basic responsibility of vocational economics experts is the accumulation and interpretation of data, the utmost care must be taken to ensure the integrity of the testing procedures and the testing instruments that are used.
  - A. Members must offer a full and comprehensive orientation for all to whom tests are administered.
  - B. Members are responsible for verifying the validity and reliability of any tests, which they administer in the course of providing services or conducting research.
  - C. Members report the results of their tests fully, acknowledging in particular any reservations which they might have with the procedures or the results. They recognize that some tests require special training and therefore do not administer or interpret any test, which they are not qualified to administer.
  - D. Members acknowledge that the chief duty of their profession is not merely the accumulation of data, but equally important is the interpretation of that data. They will therefore take special care to ensure that their interpretations are supported by sufficient data.
  - E. Members take special care in the interpretation of data concerning individuals from groups outside of test norms.

- 11) Credit in all publications is ordered in accordance with the contribution made by each contributor, with the chief contributor listed first. Acknowledgements of previous, pertinent research, unpublished as well as published, that has influenced the work must appear in specific citations.
- 12) Members do not simultaneously submit manuscripts that are identical or essentially similar in content to two or more journals. Manuscripts that have been previously published in whole or in major part may not be republished without a statement acknowledging the permission of the original publisher.
- 13) When advertising services or products, members may not present membership in AREA as an endorsement of this service or product, through either direct statement or implication. Members must also avoid any statement which, through omission or commission, is misleading or misrepresentative in any way.
- 14) Members recognize their responsibility to act at all times in an ethical fashion, and willingly remove themselves from any professional relationship that is unethical. If a member is aware of any unethical relationship or practice involving another member, he or she will first attempt to make that member aware of the unethical nature of the relationship or practice and strive to correct the situation. Only after such an effort has failed will he or she report the relationship or practice.
- 15) A signed Ethics Renewal statement shall be submitted annually. Otherwise, certification, registry and professional membership designations are considered null and void.
- 16) AREA members will respect the rights and reputation of the Association and its members when making oral or written statements. In those instances where they are critical of policies, they will attempt to effect change by constructive action within the Association.
- 17) No AREA member shall effectuate or participate in the wrongful removal of the Association's files or other materials, nor to take into personal ownership property of the Association. Materials prepared as part of the Association's work will be considered property of the Association.
- 18) AREA members will not write, speak, nor act in ways that lead others to believe that they are officially representing AREA, unless such written permission has been granted by the Association.

For persons or organizations who wish to notify AREA of a potential ethics complaint, please contact the AREA office (800.317.2732; 619.440.2650; [area@gasvcs.net](mailto:area@gasvcs.net)) to discuss the appropriate documentation.