



**AREA**  
AMERICAN REHABILITATION  
ECONOMICS ASSOCIATION

2021 Virtual Annual Conference  
May 20-22 | Zoominar

**EXPERT INTERACTION**

**POINT**

**COUNTERPOINT**

American Rehabilitation Economics Association  
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# Expert Interaction: Point and Counterpoint

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## About AREA ...

The **American Rehabilitation Economics Association** is a professional collective of vocational evaluators, economic analysts, rehabilitation experts, and life care planners. We are dedicated to promoting and publishing best practices in litigated areas dealing with monetary value, worth, and consumption in personal injury, wrongful death, and matrimonial separation cases that involve disability considerations. Our members are located throughout the United States, Canada and the Virgin Islands.

AREA has two **MISSIONS**:

- Recognizing the **integrative use** of vocational rehabilitation and economic loss assessment as a distinct discipline, and
- Providing a **peer-exchange forum** for vocational, economic, rehabilitation, and life care planning experts.

AREA supports professional growth by offering opportunities for **continuing education** at its **Annual Conference** and periodic virtual **Workshops**. AREA interfaces with other vocational, economic, rehabilitation, and life care planning organizations to encourage the sharing of knowledge among related forensic professionals.

Established in 1989, AREA is the only **international certifying body** that has this unique blend of professions in loss assessment. In addition to membership status, unique designations available only through AREA are the **RFE** (Registered Forensic Economist), **FVE** (Forensic Vocational Expert), **EA** (Earnings Analyst) and the **CEA** (Certified Earnings Analyst).

AREA publishes ***The Earnings Analyst***, an online scholarly **journal**, in cooperation with the Collegium of Pecuniary Damages Experts (CPDE), highlighting the latest industry research and trends. The TEA is available online at <https://www.theearningsanalyst.com/>.

### American Rehabilitation Economics Association

PO Box 19941, San Diego, CA 92159-9941 • Office 800.317.2732 / 619.440.2650 • Mobile 619.302.3257 • [area@gasvcs.net](mailto:area@gasvcs.net) • [www.a-r-e-a.org](http://www.a-r-e-a.org)



## Continuing Education Credit

**A**pplication being made for 12.0 units of continuing education credit for the Main Conference and 5.5 contact hours for the Boot Camp for the following credentials:

- ABVE
- CDMS
- CLCP
- CRC
- CVE
- CEA
- CRE

**IMPORTANT REMINDER FOR CEAs AND CREs:** You must attend at least one (1) AREA conference every three (3) years in order to recertify.\* *Upon written request, CEAs and CREs may ask for a one-time one-year extension of this requirement for a fee of \$100.*

*\*This was extended 1 year since we had to cancel our 2020 Conference due to COVID.*

**IMPORTANT INFORMATION TO KNOW** if you are requesting continuing education credit for your attendance at the AREA May 20-22, 2021 Virtual Conference:

- **To verify your attendance for CEU credit**—in the coinciding box on the handout sheet containing the Zoom links, you must **record the 3-digit code** provided during each session. *You will need these codes to complete your evaluation forms.*
- **Complete a session evaluation**—available in [MS Word](#) or [PDF](#)—for each Boot Camp and Main Conference session you attend and return them by email to [area@gasvcs.net](mailto:area@gasvcs.net) **by Monday, June 7th**. Make sure AREA confirms receipt of the documents.
- Once you have finished with the session evaluations, please **complete the overall conference evaluation**.
- Completed **EVALUATIONS**, with related session **CODES**, are **required by the deadline** before being awarded a Certificate of Attendance for CEU credit.

## AREA Membership Information

**A**REA members generally hold at least a Masters degree in a vocational, economic or related field (*not required for Associate membership or Student membership*) or an active CPA license. The majority of members have several national certifications and/or state licenses in their specialization. Most are active in other forensic organizations, and many have published or taught in vocational/economic fields.

[Click here](#) to learn about AREA and **What We Do** as members.

[Click here](#) for our **Current Membership Roster**.

Categories of membership:

- **Professional (\$175)**
  - **Certification:**
    - **Earnings Analyst (EA)\***
    - **Certified Earnings Analyst (CEA)**

The cost to apply for the EA and CEA is \$350.

*Only Professional members are eligible to apply for certification. If you are not already an AREA member, the total cost would be \$525, including 1<sup>st</sup> year dues.*

*\* The EA (Earnings Analyst) is available as a stepping stone toward CEA certification. The online application materials have been updated to include this new credential. Please contact the AREA office at [area@gasvcs.net](mailto:area@gasvcs.net) if you have any questions or need further information.*

- **Registry:**
  - **Registered Forensic Economist (RFE)**
  - **Forensic Vocational Experts (FVE)**

The cost to apply for the RFE or FVE registry is \$150.

*Only Professional members are eligible to apply for registry. If you are not already a member, the total cost would be \$325, including 1<sup>st</sup> year dues.*

- **Associate (\$175)**
- **Student (\$25)**

AREA invites all qualified candidates to submit an application for membership. Please visit the [Join AREA](#) page of our website for complete information.

**AREA** We welcome your interest in the  
American Rehabilitation Economics Association.

# 2021 AREA Virtual Conference Schedule

Hours shown are in PACIFIC time.



Thursday, May 20	Boot Camps – Dual Track	9:00 am - 5:00 pm
Friday, May 21	Main Conference	8:00 am - 5:30 pm
	President's Reception	5:30-6:30 pm
Saturday, May 22	Main Conference	8:00 am - 4:15 pm
	Annual Business Meeting	4:30-5:30 pm

## THURSDAY, MAY 20<sup>th</sup>

### Dual-Track Boot Camp

9:00 am - 5:00 pm

Breaks: 10:15–10:30 am; 3:00–3:15 pm  
Lunch: 12:00–2:00 pm

#### INTERMEDIATE:

**Estimating Personal Injury and Wrongful Death Injuries: Making the Calculations and Critiquing an Opposing Expert's Work**

*Allyn Needham Ph.D. CEA*  
*Shipp Needham Economic Analysis* (5.5 CEUs)

#### ADVANCED:

**Assessing Damages from Both Sides: Applications Through Case Studies, Including Matters Involving Injury to Self-Employed Individuals**

*George Barrett MBA, MSRC, FVE, CRC, CVE, FRC*  
*Brookshire, Barrett & Associates, LLC*  
*Kristin Kucsma M.A.*  
*Sobel Tinari Economics Group* (5.5 CEUs)

## FRIDAY, MAY 21<sup>st</sup>

### Main Conference Begins

#### Opening Remarks

8:00 am - 9:00 am

#### SESSION 1

**Healthy Life Expectancy: Should It Be Used to Measure Damages?**

*Edward Foster Ph.D.*  
*University of Minnesota (Retired)* (1.0 CEUs)

**BREAK—9:00-9:15 am**

9:15 am - 10:45 am

#### SESSION 2

**Avoiding Discrimination in Estimating Damages**

*Subodh Mathur Ph.D.*  
*Jerome S. Paige Ph.D.*  
*Jerome S. Paige & Associates, LLC* (1.5 CEU)

## FRIDAY, MAY 21<sup>st</sup> (continued)

**BREAK—10:45-11:00 am**

11:00 am - 12:00 pm

#### SESSION 3

**The Dollar Value of a Day: Using Expectancy Data to Estimate Contributions to Household Production**

*Jon Haghayeghi Ph.D.*  
*J. Herbert Burkman & Associates* (1.0 CEU)

**LUNCH—12:00-2:00 pm**

2:00 pm - 3:00 pm

#### SESSION 4

**Integrating Work Skills When Valuing Non-Labor Time**

*J. Matthew Sims M.C., M.S., NCC, FVE, RFE, IPEC*  
*Sims & White, PLLC* (1.0 CEUs)

**BREAK—3:00-3:15 pm**

3:15 pm - 4:15 pm

#### SESSION 5

**Affordable Care Act, Insurance and Tort Awards; What Does the Future Hold?**

*Victor Matheson Ph.D.*  
*College of the Holy Cross* (1.0 CEU)

**BREAK—4:15-4:30 pm**

4:30 pm - 5:30 pm

#### SESSION 6

**Forecasting Medical Care Prices**

*Scott Gilbert Ph.D.*  
*Gilbert Economics, LLC* (1.0 CEU)

## PRESIDENT'S RECEPTION

Friday 5:30-6:30 PM



ANNUAL MEETING

Saturday 4:30-5:30 PM

## SATURDAY, MAY 22<sup>nd</sup>

8:00 am - 9:00 am

#### SESSION 7

**Proving Damages in Tort Litigation: A Composite Case Study**

*William M.G. Pearson MBA*  
*PQR Economics, LLC* (1.0 CEU)

**BREAK—9:00-9:15 am**

9:15 am - 10:45 am

#### SESSION 8

**Age and Earnings Dynamics: Advances in Measurement Afforded by the ACS**

*David S. Gibson MSA, MRC* (1.5 CEUs)

**BREAK—10:45-11:00 am**

11:00 am - 12:00 pm

#### SESSION 9

**The Lay of the Land in Canada: Differences Between Forensic Economists' Plaintiff and Defense Approaches to Quantifying Pecuniary Damages**

*Cara L. Brown M.A.*  
*Brown Economic Consulting Inc.* (1.0 CEU)

**LUNCH—12:00-2:00 pm**

2:00 pm - 3:00 pm

#### SESSION 10

**Critique of the American Community Survey as a Valid Instrument for Estimating Future Earning Capacity**

*Scott F. Beveridge Ph.D. LCPC-S CRC CDMS ABVE-D*  
*The George Washington University* (1.0 CEU)

**BREAK—3:00-3:15 pm**

3:15 pm - 4:15 pm

#### SESSION 11

**Ethical Practices in Forensic Rehabilitation**

*Ralph M. Crystal Ph.D.*  
*University of Kentucky* (1.0 ETHICS CEU)

**BREAK before Annual Meeting—4:15-4:30 PM**



**9:00 AM - 5:00 PM**

**(5.5 CEUs)**

Refreshment Breaks: 10:15–10:30 am; 3:00–3:15 pm    Lunch on your own: 11:30 am–1:30 pm

## INTERMEDIATE BOOT CAMP

### **Estimating Personal Injury and Wrongful Death Injuries: Making the Calculations and Critiquing an Opposing Expert's Work**

**Goal:** To prepare attendees for calculating lost earning capacity, lost economic support, lost household services and the present value of life care plans by discussing the fundamental techniques and resources needed for completing the analysis.

#### **Objectives:**

- ◇ Provide a foundation of mathematical models and their use in calculating personal damages.
- ◇ Inform attendees of sources available for assisting an expert (e.g., worklife expectancy tables, personal consumption tables).
- ◇ Prepare attendees for being able to review data, to determine what approach is appropriate and to complete loss calculations while being able to explain how the work was performed.

This session is essential for anyone entering the field or considering starting to provide economic damages calculations in personal injury or wrongful death cases. It will also be a good primer for anyone wanting to sit for the CEA exam. The session will review the basic models for calculating lost earning capacity and lost economic support. The three methods for discounting to present value will be discussed and attendees will be shown how to make such calculations via excel spreadsheets. Resources needed for making such calculations will be reviewed. In the end, the attendees should leave with the tools to estimate damages calculations for personal injury and wrongful death situations and the ability to share with the trier-of-fact the methods and data used in their analysis.

**PRESENTER:** Allyn Needham Ph.D. CEA  
Shipp Needham Economic Analysis, LLC

## ADVANCED BOOT CAMP

### **Assessing Damages from Both Sides: Applications Through Case Studies, Including Matters Involving Injury to Self-Employed Individuals**

**Goal:** Present individual case studies with opposing viewpoints, involving the calculation of economic damages with a focus on cases where the plaintiff is self-employed.

#### **Objectives:**

- ◇ Understand how to read tax returns, W-2 Wage and Tax Statements, Profit and Loss Statements, etc.
- ◇ Understand how to comprehensively evaluate fringe benefits.
- ◇ Understand how to value household services and lifetime care.

The Advanced Boot Camp is a hands-on experience in which attendees are expected to participate in selective case study analyses. Individual case studies involving the calculation of economics damages will be the focus of this full-day session. These case study analyses will examine the present value of lost earnings, lost household services, and the costs of future medical care. Preliminary discussion about each case, identification of elements of economic damages and data selection issues will be presented prior to economic calculations. In keeping with the general theme of the Conference, "Point and Counterpoint," strategies and tactics from the opposing viewpoints of the plaintiff and defendant will be addressed in each case. Particular attention will be paid to the calculation of economic damages in cases where the plaintiff is self-employed.

To make the most of this immersive experience, attendees are encouraged to bring functioning laptop computers with Microsoft Excel.

**PRESENTERS:** George A. Barrett MBA, MSRC, FVE, CRC, CVE, FRC  
Brookshire Barrett & Associates, LLC  
Kristin Kucsma M.A.  
Sobel Tinari Economics Group

## FRIDAY, MAY 21<sup>st</sup>

### SESSION 1 ... 8:00 AM - 9:00 AM

#### Healthy Life Expectancy: Should It Be Used to Measure Damages?

PRESENTER: Edward Foster Ph.D.  
(1.0 CEU) University of Minnesota (Prof. Emeritus)

Healthy life expectancy (HLE) was developed by public health officials to give a finer measure of a nation's health than simple life expectancy. HLE combines survey measures of health or morbidity with population studies of mortality. For the U.S., HLE measures have been developed and reported annually by the Department of Health and Human Services (DHHS). However, DHHS publications do not provide information for all ages or demographic groups covered in the underlying surveys and mortality tables.

Since at least 2000, Dr. Kurt Krueger has compiled annual tables of HLE based on each of the 18 populations included in the U.S. Life Tables, published by Expectancy Data (Shawnee Mission, KS); the most recent set of tables available is for 2017.

In cases where a plaintiff has been deprived of personal care or household services due to wrongful death of personal injury, some forensic economists have used Dr. Krueger's tables to estimate how far into the future those services would have been provided, if the injured person were an average member of his or her peer group. Is this use of the tables reasonable?

The discussion includes arguments for and against use of these tables to measure those damages, and adjustments that strengthen the argument for their use.

**Goal:** For attendees to understand advantages and disadvantages of using healthy life expectancy (HLE) to project years of future lost household services or personal care services due to death or injury of the provider of those services.

#### Objectives:

- ◇ Understand the definition of HLE used in Healthy Life Expectancy tables published by Expectancy Data (Dr. Kurt Krueger, 2019).
- ◇ Understand advantages and valid criticisms of use of those table for forensic economic applications.
- ◇ Understand how to adjust calculations to avoid some of those criticisms.

**BREAK: 9:00-9:15 AM**

### SESSION 2 ... 9:15 AM - 10:45 AM

#### Avoiding Discrimination in Estimating Damages

PRESENTERS: Subodh Mathur Ph.D. MIT  
(1.5 CEUs) Jerome S. Paige Ph.D.  
Jerome S. Paige & Associates, LLC

CA Law SB41 (Jan 2020) says you cannot use "race, gender, ethnicity" if they "reduce" estimated damages. However, you can use these features in other ways. Washington, DC is considering a similar law. That means it is necessary to define new methods for estimating damages in a discrimination-free manner. So far, no such procedure has been widely accepted. To fill this gap, we develop 5 Options and 5 Criteria to evaluate these Options. We recommend one option.

**Goal:** To suggest options and criteria for calculating damages consistent with CA Law SB41 (Jan 2020) which bans the use of race, gender and ethnic data that reduces economic damages.

#### Objectives:

- ◇ Suggest it's unnecessary to throw out old methods.
- ◇ Present a framework that is compliant with the law.
- ◇ Share our recommendations.

**BREAK: 10:45-11:00 AM**

### SESSION 3 ... 11:00 AM - 12:00 PM

#### The Dollar Value of a Day: Using Expectancy Data to Estimate Contributions to Household Production

PRESENTER: Jon Haghayeghi Ph.D.  
(1.0 CEU) J. Herbert Burkman & Associates

Assessing the value of non-market activities is essential in providing a complete assessment of economic loss in matters of permanent injury and wrongful death. Non-market activities include contributions to household production in the form of effort that will require replacement services. The author will review the common methods used to determine the value of household activities, focusing on the Bureau of Labor Statistics' *"American Time Use Survey."* Utilizing Expectancy Data, the author will offer hypothetical scenarios to produce economic loss valuations.

**Goal:** To use the Bureau of Labor Statistics' *American Time Use Survey* to determine the present value of lost household services.

#### Objectives:

- ◇ Introduce non-market activities.
- ◇ Discuss common valuation approaches.
- ◇ Perform valuations.



**FRIDAY, MAY 21<sup>st</sup>**

(continued)

**LUNCH: 12:00-2:00 PM**

## SESSION 4 ... 2:00 PM - 3:00 PM

### Integrating Work Skills When Valuing Non-Labor Time

**PRESENTER:** J. Matthew Sims MC MS NCC FVE RFE IPEC  
(1.0 CEU) Sims & White, PLLC

When valuing a person's household services, the market wages of related occupations are used employing the replacement cost or market alternative cost approach. For example, a person's time spent cleaning the home might be valued using the wages of a housekeeper. The method involved in choosing the occupation(s), however, has been largely limited to looking at the occupation's title and description. Very little attention has been given to other factors when determining the appropriateness of the occupation, such as prerequisite work skills. For decades, formal work skills have been required, defined, and relied upon by the U.S. Code of Federal regulations, the U.S. Social Security Administration and the U.S. Department of Labor, and they are testified to regularly in Federal hearings by Social Security Vocational Experts. Unfortunately, work skills, and more specifically Specific Vocational Preparation (SVP), have not been well introduced to the field of economics. This situation will change as this data is now becoming increasingly available. The purpose of this paper is to: (1) provide forensic economists and others who value nonmarket labor time with an introduction to SVP; and (2) assist forensic economists in their understanding of the appropriateness of occupations and wages when valuing productive nonmarket labor time using SVP.

**Goals:** To educate about the definition, historical use, and future use of SVP.

#### Objectives:

- ◇ Learn what SVP (Specific Vocational Preparation) is.
- ◇ Learn how to use SVP in choosing the correct occupations for household services.
- ◇ Learn how to use SVP in choosing the correct percentile of wages.

**BREAK: 3:00-3:15 PM**

## SESSION 5 ... 3:15 PM - 4:15 PM

### Affordable Care Act, Insurance and Tort Awards; What Does the Future Hold?

**PRESENTER:** Victor Matheson Ph.D.  
(1.0 CEU) College of the Holy Cross

This session covers how and when to include coverage of life-care plan components by health insurance plans when calculating economic damages. Traditionally, forensic economists have not considered the possibility of health insurance coverage in loss calculations, but changes in federal health care laws since 2010 in the form of the Affordable Care Act may cause economists to rethink this stance.

**BREAK: 4:15-4:30 PM**

## SESSION 6 ... 4:30 PM - 5:30 PM

### Forecasting Medical Care Prices

**PRESENTER:** Scott Gilbert Ph.D.  
(1.0 CEU) Gilbert Economics LLC

Life care plans include scheduled goods and services, and the present value of those goods and services depends on their future price inflation. Economists compute the present value of life care plans with some assumption about future inflation, and econometric methods provide a way to forecast future inflation. These methods include simple moving averages and more sophisticated approaches based on econometric models. Historical inflation data provides a comparison of the methods' performance in econometric terms. For life care plans, an example illustrates the use of econometric forecasts for computing the plan's present value.

**Goal:** Compare forecasting methods for medical care prices in life care plans.

#### Objectives:

- ◇ Identify several econometric forecasting methods for price inflation.
- ◇ Compare the econometric forecasting methods, using inflation data.
- ◇ Illustrate the use of the forecasting methods for life care plan valuation by economists.



**PRESIDENT'S RECEPTION**

**Friday 5:30-6:30 PM**

**SATURDAY, MAY 22<sup>nd</sup>****SESSION 7 ... 8:00 AM - 9:00 AM****Proving Damages in Tort Litigation:  
A Composite Case Study**

PRESENTER: William M.G. Pearson MBA  
(1.0 CEU) PQR Economics, LLC

A damage expert is often the summarizer of a case. It is, consequently, critical that the expert understands the facts and bases on which his or her analysis rests. Bad things can happen as a result of misunderstanding facts and bases. This presentation explores ways to avoid problems using a hypothetical case study – an amalgamation of aspects of several real cases.

**Goal:** Identify some hazards of the adversarial nature of damage expert's job and ways to mitigate them.

**Objectives:**

Highlight:

- ◇ Importance of identifying the facts.
- ◇ Importance of tying analysis to facts.
- ◇ You are in it for the long haul.

**BREAK: 9:00-9:15 AM**

**SESSION 8 ... 9:15 AM - 10:45 AM****The Age and Earnings Dynamics: Advances  
in Measurement Afforded by the ACS**

PRESENTER: David S. Gibson MBA MRC  
(1.5 CEU) Vocational Economics, Inc.

Economists and career theorists have long noted the relationship between earnings and age, or the number of years of experience a person holds. These "Age-Earnings Profiles" or "Age-Earnings Cycles" have been demonstrated from multiple perspectives, but never has the data existed to examine them from as many perspectives and with as much specificity as is afforded by the American Community Survey (ACS).

The presenter will present analyses methodology and results that provide multiple advances in the measurement of this progression, including:

- Measurement of earnings at specific ages, rather than an age group as has been historically provided.
- Review of the impact of education on the slope and plateau of the profiles.
- Identification of the impact of disability on age-earnings profiles.

- Use of statistical techniques to "smooth" the results, correcting for temporal distortions of small sample size at any given age.

**Goal and Objectives:**

- ◇ Identify the typical age-earnings profiles of persons by gender, educational attainment, and disability status.
- ◇ Apply age-earnings profiles to a particular occupation.
- ◇ Determine projected "real" earnings growth (above and beyond inflation) for an individual from his/her current level and age.

**BREAK: 10:45-11:00 AM**

**SESSION 9 ... 11:00 AM - 12:00 PM****The Lay of the Land in Canada:  
Differences Between Forensic Economists'  
Plaintiff and Defense Approaches to  
Quantifying Pecuniary Damages**

PRESENTER: Cara L. Brown MA  
(1.0 CEU) Brown Economic Consulting

This Canadian author draws on more than 30 years of forensic economic practice and 150 trial appearances to contrast the approaches of "plaintiff-oriented" versus "defense-oriented" experts in Canada, which is heavily influenced by the propensity of courts in each province and territory to hear and assess evidence by a jurist rather than a jury, as the latter is the custom in US state courts. The evolution of economic evidence in Canada is briefly reviewed along with important precedents which govern how economic experts are treated in Canadian courts, and the role of "weighting evidence" used by Canadian judges versus the *Daubert* challenges experienced by American experts. The key role of the hypothetical question and assumptions are reviewed with recommendations of how to "bullet-proof" economic opinions.

**Goal:** To discuss how Canada's forensic economist practice differs from American practice.

**Objectives:**

- ◇ Review major differences between Canadian and American practice.
- ◇ Go over court testimony differences between Canadian and American courts.
- ◇ How plaintiff experts differ from defense experts in Canada.



## SATURDAY, MAY 22<sup>nd</sup>

(continued)

**LUNCH: 12:00-2:00 PM**

### SESSION 10 ... 2:00 PM - 3:00 PM

#### Critique of the American Community Survey as a Valid Instrument for Estimating Future Earning Capacity

**PRESENTER:** Scott F. Beveridge Ph.D. LCPC-S CRC CDMS ABVE-D  
(1.0 CEU) The George Washington University

The primary purpose of this mixed-methods study was to examine the utilization of the American Community Survey (ACS) and determine if it is a reliable and valid methodology to estimate the earnings capacity of individuals who are completing a vocational evaluation. The sample for this study consisted of 412 participants who were all current rehabilitation practitioners working with persons with disabilities. The survey instrument for this study was created by the researchers in collaboration with a Delphi Panel consisting of 10 forensic vocational experts with a mean of 31.13 years of clinical experience. Panel members participated during three rounds of review and feedback. Participants were asked to describe the economic effect of experiencing a disability as defined by the ACS on their earning capacity. Prior peer-reviewed research has determined that any earnings capacity or worklife expectancy model which assumes that Census and ACS disability measures are permanent conditions are empirically invalid as individuals can transition into and out of a disability. The results of the current study found the participants who reported experiencing a disability according to the ACS definition had higher average earnings when compared to those who never experienced a disability, \$125,664 vs. \$122,830 respectively. Thus, this research shows that utilizing ACS survey data that was designed for macroeconomic policy decisions for a vocational evaluation in the (N=1) context operates under the assumption of "once disabled always disabled" and produces spurious conclusions. Only when the specific conditions of an individual are evaluated at the micro level (e.g., educational attainment, familial history, intelligence and personality testing data, medical and psychological evidence) can the degree of disability and other confounding variables be properly accounted for in a vocational evaluation.

**Goal:** To educate vocational experts, rehabilitation counselors and economists on the use of the ACS.

#### Objectives:

- ◇ Examine the utilization of the ACS to estimate earning capacity.
- ◇ Discuss the ACS categories of disabilities and related reliability and validity concerns.
- ◇ Determine the economic effect of a disability as defined by the ACS on participants earning capacity.

**BREAK: 3:00-3:15 PM**

### SESSION 11 ... 3:15 PM - 4:15 AM

#### Ethical Practices in Forensic Rehabilitation

**PRESENTER:** Ralph M. Crystal Ph.D.  
(1.0 Ethics CEU) University of Kentucky

This program will focus on ethical issues in forensic rehabilitation practice. Issues to be discussed include understanding the importance of ethics, development of ethical standards, understanding the role of professional associations regarding ethics, determining who is the client, certification, and licensure boards in ethical dilemmas and conflicts, understand what makes a situation an ethical issue, Daubert as an ethical issue, discussion of potential issue issues, and resolution and adjudication of ethical issues.

**Goal:** Understanding Ethical Practices and Potential Legal and Practice Dilemmas

#### Objectives:

- ◇ Understand the importance of ethics.
- ◇ Development of standards of ethical practice.
- ◇ Ethics as part of measures of certification and/or licensure.
- ◇ What makes an event or practice an ethical issue.
- ◇ Examples of ethical issues and dilemmas.
- ◇ Daubert as an ethical issue.
- ◇ Resolution of ethical issues.
- ◇ Role of a certification or licensure board in ethical disputes.

**BREAK: 4:15-4:30 PM**



**ANNUAL MEETING**  
**Saturday 4:30-5:30 PM**

# SPEAKER BIOGRAPHIES

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## George A. Barrett MSRC MBA

BOOT CAMP - ADVANCED (WITH KRISTIN KUCSMA)  
(THURSDAY 9:00 AM - 5:00 PM)

George Barrett is the managing partner of Brookshire Barrett & Associates, LLC in Charleston, West Virginia. He has more than 20 years of professional experience as a forensics consultant and expert witness in a varying array of civil litigation across the United States. Mr. Barrett has testified more than 200 times in local and federal court cases since 1998.

## Scott F. Beveridge Ph.D. LCPC-S CRC CDMS ABVE-D

MAIN CONFERENCE SESSION 10  
(SATURDAY 2:00 PM - 3:00 PM)

Dr. Beveridge began working as a rehabilitation counselor in the private-for-profit sector in 1989. Dr. Beveridge is a Licensed Clinical Professional Counselor in Maryland with the supervisory credential (LCPC-S), Certified Rehabilitation Counselor (CRC), Certified Disability Management Specialist (CDMS), and a Diplomate for the American Board of Vocational Experts (ABVE-D). He began his academic career at the University of Maryland in 2004 as a Research Associate Professor and joined The George Washington University in 2007 as an Assistant Professor. Dr. Beveridge has authored over 45 peer-reviewed journal articles, several grants, contributed to five books and has completed 65 regional, national and international presentations. In addition to the above duties, Dr. Beveridge has a private practice providing forensic rehabilitation services in Maryland, Pennsylvania, Virginia, New York and DC. Dr. Beveridge also provides pro bono mental health and career counseling for veterans via Give an Hour.

## Cara L. Brown MA

MAIN CONFERENCE SESSION 9  
(SATURDAY 11:00 AM - 12:00 PM)

Ms. Brown has more than 32 years' consulting experience as a forensic economist. She has written and signed more than 20,000 forensic economic assessments and testified in virtually every province and territory in Canada in more than 150 trials. Ms. Brown has also been qualified to give evidence in the US states of Texas and North Dakota. While accepting assignments to complete forensic economic assessments from

lawyers across the country, Ms. Brown has regularly published articles which have appeared in the *Alberta Law Review*, *Advocates' Quarterly*, ACTLA's *The Barrister*, TLABC's *The Verdict*, OTLA's *The Litigator*, STLA's *The Advocate*; and Canadian Defence Lawyers' publication entitled **HEARSAY**. Ms. Brown has also been asked to present at more than 75 various legal education seminars and trial lawyers' conferences since 1990.

Ms. Brown graduated with her Honours degree in Economics in 1986 and with her Master of Arts degree in Economics in 1988, both from the University of Calgary. She embarked on a career as a forensic economist with Dr. Chris Bruce in the fall of 1988. From 1988 to 1995, Ms. Brown prepared and signed personal injury/wrongful death assessments with Dr. Bruce and authored economic disadvantage assessments for family law clients. During these early years, Ms. Brown testified on more than 50 occasions in the Western provinces, along the way improving the economic data and methodologies contained in the economic assessments.

In 1995, Ms. Brown established Brown Economic Consulting Inc. to provide economic assessments in any and all cases where earnings are interrupted or not maximized due to an intervening event (injury, accident, slip and fall, malpractice, assault, wrongful imprisonment, or divorce). Since 1995, Ms. Brown has focused on honing economic assessments as they undergo continuous improvement: finding the best data sources, fashioning the assessments to meet provincial norms and protocols (like Alberta's civil practice note no. 5), and tailoring them to individuals. That same year, Ms. Brown joined the *National Association of Forensic Economists* (NAFE), which is a US-based organization of forensic economists. As a NAFE member, Ms. Brown has presented at various NAFE conferences and has published two articles in the organization's peer-reviewed journal, *The Journal of Forensic Economics*. The assessments that Brown Economic Consulting prepares abide by NAFE's ethics statement.

Also in 1995, Ms. Brown approached the University of Calgary with a proposed curriculum for a new course called "Women, Work & the Economy" and offered to teach it. The University of Calgary accepted the proposed course and curriculum, and Ms. Brown taught this course in 1996, 1998, and 1999 while operating her consulting firm. Contemporaneously, **Brown's Economic Damages Newsletter** was created, a monthly periodical that is available at no charge to existing and prospective clients. There is now an archive of more than 250 issues of **Brown's Economic Damages Newsletter**; for an index of topics, see Brown's [newsletter topic index](#).



## SPEAKER BIOGRAPHIES

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In 2001, Thomson Reuters published Ms. Brown's text, **Damages: Estimating Pecuniary Loss**. The 28th edition of **Damages** was released in 2021, the 20th anniversary year of the book. See [Damages: Estimating Pecuniary Loss](#) for a list of the chapters contained in **Damages** and the main updates that have been done since 2001.

In 2008, Ms. Brown became a member of the *American Academy of Economic and Financial Experts* (AAEFE). Having started working with Statistics Canada's disability surveys since the early 1990s, Ms. Brown summarized her analysis of Statistics Canada's 2001 & 2006 *Participation and Activity Limitation* (PALS) survey, the successor to the *Health and Activity Limitation Survey* (HALS), and this analysis was published in the *Journal of Legal Economics*, a peer-reviewed journal associated with AAEFE. Ms. Brown has continued this analysis with the successor to the PALS surveys, the *Canadian Survey on Disability* (CSD), which has been conducted in 2012 and 2017. The methodology developed by Ms. Brown, namely the "**wage deficit approach**," is used in many assessments that Brown Economic prepares, and has been accepted in Alberta courts (the only province to date in which Ms. Brown has had the opportunity to present this approach). See [CSD/PALS/HALS Analyses](#).

Throughout her academic and professional career, Cara was an outstanding world-class athlete in the Canadian sport of Ringette. She is listed in the 2000 edition of *Who's Who of Canadian Sport* and was inducted into Ringette Canada's *Hall of Fame* in 2002. Since 2002, Cara has sponsored two scholarships for ringette players attending university in Canada each year, who are selected by Ringette Canada.

### **Ralph M. Crystal** Ph.D.

MAIN CONFERENCE SESSION 11  
(SATURDAY 3:15 PM - 4:15 PM)

Bachelor's degree from Pace University in Psychology, 1970; master's degree from New York University in rehabilitation counseling, 1972; doctoral degree from the University of Wisconsin-Madison in rehabilitation psychology, educational research, and statistics, 1977.

Director of Counseling, Evaluation, and Employment at a Community Rehabilitation Program (1972-1974). Appointment as Research Director and Assistant Professor with the Rehabilitation Research and Education programs at the University of Michigan (1977-1981). Associate Professor (1981-2000) and Professor (2000-present) at the University of

Kentucky. Coordinator and Director of Graduate Studies for the Counselor Education program at the University of Kentucky. Chair, Department of Early Childhood, Special Education, and Counselor Education, University of Kentucky (2017-present).

Principal Investigator of federal and state grants and contracts to conduct evaluation of state vocational rehabilitation agencies, client assistance programs, and state model evaluation units; federal grants to support students; state grants to conduct client satisfaction studies; and contracts to evaluate state vocational rehabilitation programs.

Conducted research and published in peer review journals, books, and related publications on program evaluation methodologies and studies of state vocational rehabilitation programs, forensic vocational practices, development and establishment of curriculum for rehabilitation education programs, and client satisfaction and program outcomes.

Oversaw the development of an online master's Rehabilitation Counseling program, an undergraduate Disabilities Studies program, and assisted with the development of a doctoral program in Counselor Education and Supervision at the University of Kentucky.

### **Edward Foster** Ph.D.

MAIN CONFERENCE SESSION 1  
(FRIDAY 8:00 AM - 9:00 AM)

Edward Foster is Professor Emeritus of Economics at the University of Minnesota, where he taught and served in administration from 1961 to 2008. Consulting clients have included the U. S. Treasury Office of Tax Analysis, the U. S. Bureau of the Budget (now Office of Management and Budget), the Federal Reserve Bank of Minneapolis, the U. S. Attorney's office (Minneapolis), the Minnesota Attorney General's Office, the Twin Cities Metropolitan Council, private attorneys (for about 2,000 cases in Federal and state courts), corporations and trade associations. He no longer accepts consulting assignments, but still does some research on personal injury issues.

Foster received his Ph.D. in economics from MIT following a year of graduate study in actuarial science at Occidental College, Los Angeles. Most of his research and publications have been in the application of economic theory to issues of public policy and in forensic economics. He is past president of the National Association of Forensic Economics, a member of

## SPEAKER BIOGRAPHIES

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AAEFE, a past member of AREA, and has served as manuscript reviewer for the association journals and participated in forensic economics conferences as presenter, discussant, and co-organizer.

### **David S. Gibson** MBA MRC

MAIN CONFERENCE SESSION 8  
(SATURDAY 9:15 AM—10:45 AM)

Dave Gibson is a Senior Analyst for Vocational Economics, Inc. Mr. Gibson provides expert testimony in the areas of lost earnings due to death, disability, or loss of employment, as well as commercial damages, business valuation, and analyses of complex financial issues. He has provided testimony in both state and federal courts in more than 20 states and 100 jurisdictions.

With almost 40 years' experience, Mr. Gibson has researched and written extensively on the impact of disability on earnings and worklife expectancy using several noted studies. His work with the American Community Survey has included detailed examination of the impact of physical and cognitive disabilities on earnings and employment, as well as expanded research on occupation-specific earnings and age-earnings profiles. This work includes multiple presentations of his research to the ACS Users' Group and U.S. Census Bureau.

Mr. Gibson coordinates Vocational Economics' analysis methodology and leads the company's development of new statistical and demographic data for use in its forensic databases. He has an MBA in finance from the University of Chicago, a Masters of Rehabilitation Counseling from the University of Kentucky, and a Baccalaureate degree in Accounting from the University of Illinois in Urbana. His training in these diverse disciplines uniquely qualifies him to assess the impact of disability or death on expected lifetime earnings.

### **Scott Gilbert** Ph.D.

MAIN CONFERENCE SESSION 6  
(FRIDAY 4:30 PM - 5:30 PM)

Scott Gilbert is an economist who received his Bachelor's degree at the University of California Berkeley and his Ph.D. degree at the University of California San Diego. His research interests include econometrics, statistics, financial economics, and antitrust economics. His research appears in leading peer-reviewed journals and in a recent book on antitrust economics.

He has taught undergraduate and graduate economics courses for over 20 years, and before his academic career he served as a research associate for the Federal Reserve Bank of San Francisco. Currently an associate professor at Southern Illinois University Carbondale, he applies economics as a consultant on employment-related tort cases, antitrust claims, business disputes, and policy analysis. As an economist expert witness he has testified many times in the last decade, in state and federal courts across the nation.

### **Jon Haghayeghi** Ph.D.

MAIN CONFERENCE SESSION 3  
(FRIDAY 11:00 AM - 12:00 PM)

Jon Haghayeghi, Ph.D. joined J. Herbert Burkman & Associates in 2009. He earned his bachelor's and master's degrees in Economics from Southern Methodist University, Dallas, Texas. He earned his Ph.D. in Economics from Claremont Graduate University, Claremont, California working under the guidance of Dr. John Rutledge. Since 2014, Jon has taught more than 20 courses in Corporate Finance I/II and Investment Analysis at California State Polytechnic University, Pomona, California. He has taught Principles of Economics at Loyola Marymount University. Jon has also instructed valuation seminars for attendees at the American Rehabilitation Economics Association in Reno, Nevada (2014) and San Diego, California (2017). Jon currently serves as the Executive Director of the State of Alaska's Commercial Fisheries Entry Commission, an agency dedicated to preserving the economic health of fishing in Alaska.

### **Kristin Kucsma** MA

BOOT CAMP - ADVANCED (WITH GEORGE BARRETT)  
(THURSDAY 9:00 AM - 5:00 PM)

Kristin Kucsma is a Managing Director and Chief Economist of the Sobel Tinari Economics Group and, as such, she oversees the group's team of award-winning economists and experienced analysts.

Ms. Kucsma joined the Tinari Economics Group in January 2008 and, since then, has worked extensively on cases involving personal injury, wrongful death, employment law, wrongful incarceration, mass torts, punitive damages and lost profits. Her ability to explain complicated economic analysis clearly and simply makes Ms. Kucsma an effective expert



## SPEAKER BIOGRAPHIES

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witness. Ms. Kucsma analyzes lost compensation (earnings and fringe benefits), lifetime care costs, household, companionship, advice-related and other family services, collateral source offsets and other components of economic loss. She also has considerable experience valuing complicated fringe benefit packages that include pension and annuity benefits (both union and non-union); stock options, insurance-based benefits, etc. Ms. Kucsma regularly works with both plaintiff and defense attorneys, and lectures frequently on valuing economic damages. She has testified in over 850 depositions and trials and has offered economic expert testimony in various state and federal district courts throughout the country. Ms. Kucsma has testified in a number of virtual depositions and bench trials and also effectively uses virtual technology to interview injured parties and surviving family members.

Prior to joining the Tinari Economics Group, Ms. Kucsma spent over 13 years teaching economics at the undergraduate and graduate level at Saint Peter's College, Rutgers, Seton Hall and Drew Universities. Her areas of expertise include American Economic History, Applied Micro Economic Theory, banking and financial markets and corporate finance. Professor Kucsma is a member of the National Association of Forensic Economics, the American Academy of Economic and Financial Experts, and the Eastern Economics Association. She earned a B.A., Summa Cum Laude, in Economics from Seton Hall University, an M.A. from Rutgers University, and currently is ABD at Rutgers University.

Ms. Kucsma has been selected as an Executive Mentor for Seton Hall University's Women's Leadership Program. The mission of this program is to "Prepare the Women of Seton Hall's Leadership Development Honors Program for highly successful careers by empowering and educating them about the unique experiences that women face throughout their lives." This mentorship program is the only one of its kind in the state of New Jersey and the Leadership Development Honors Program that has been voted as the #1 Leadership Program in the nation by hr.com, three years in a row.

Ms. Kucsma has a passion for helping cats and dogs as is evidenced by her role as President for Partners in Pet Stewardship (PIPS), and her deep involvement with animal shelters and rescue organizations nationwide.

**Victor Matheson** Ph.D.

MAIN CONFERENCE SESSION 5  
(FRIDAY 3:15 PM - 4:15 PM)

Victor Matheson is a professor of economics at the College of the Holy Cross in Worcester, MA. He is the co-author of 3 books and over 100 journal articles primarily focusing on the economics of sports. In the field of forensic economics, he is an active practitioner and among the leading experts nationwide of the effects of the Affordable Care Act on economic damages.

**Subodh Mathur** Ph.D.

MAIN CONFERENCE SESSION 2 (WITH DR. PAIGE)  
(FRIDAY 9:15 AM - 10:45 AM)

Subodh Mathur is an academically-oriented applied economist (Ph.D. MIT), with a proven consulting and teaching record. He has been a consultant variety to U.S. agencies, including the [D.C. Public Service Commission](#), the [D.C. Department of Energy and Environment](#), and the U.S. Postal Service. In addition, he has been a consultant for the World Bank in Asia and Africa.

He is the author of *Core Economics, Volume I*, available on [Amazon](#).

**Allyn Needham** Ph.D. CEA

BOOT CAMP - INTERMEDIATE  
(THURSDAY 9:00 AM - 5:00 PM)

Dr. Needham is a principal at Shipp Needham Economic Analysis, LLC. Since 1997, he has worked as an economic consultant in litigation support. As an expert, he has testified on various matters relating to personal damages, commercial damages, business valuation and business bankruptcy. He has been retained by attorneys representing both the plaintiffs and defendants and has given expert testimony in state and federal courts. He has also been an Adjunct Professor of Economics at Texas Christian University and Weatherford College.

Dr. Needham is currently the President of American Rehabilitation Economic Association. Prior to this year, he has served as President of the American Rehabilitation Economic Association, Collegium of Pecuniary Damage Experts, and the Southwestern Society of Economics. Dr. Needham has published articles on various topics in the field of forensic economics and regularly makes presentations that provide continuing education to economic, vocational, and legal professions. He is a Certified Earnings Analyst.

# SPEAKER BIOGRAPHIES

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## **Jerome S. Paige** Ph.D.

MAIN CONFERENCE SESSION 2 (WITH DR. MATHUR)  
(FRIDAY 9:15 AM - 10:45 AM)

Jerome S. Paige is an economic, business and organizational consultant. He holds a Ph.D. in economics and has been a practicing forensic economist since the mid-1980s. He has prepared reports and testified in cases for both plaintiffs and defendants involving personal injury, wrongful death, wrongful termination and loss of profits.

## **William M.G. Pearson** MBA

MAIN CONFERENCE SESSION 7  
(SATURDAY 8:00 AM - 9:00 AM)

1980s/1990s: Real Estate Developer. MBA, University of Chicago. Late 1990s – current: Economic Consultant.

## **J. Matthew Sims** MC MS NCC FVE RFE IPEC

MAIN CONFERENCE SESSION 4  
(FRIDAY 2:00 PM - 3:00 PM)

Mr. Sims has been performing vocational and economic damage evaluations since 2000, and testifying as an expert since 2005. He has Master's degrees in Counseling as well as Economics. works on 120 to 180 PI and related cases per year in Arizona, Nevada, Utah and New Mexico, hired by both Plaintiff and Defense roughly 50/50. He provided business valuations from 2005-2016, Social Security Vocational Expert testimony from 2016 - 2020, and has been offering rebuttal hedonic damage testimony since 2016.

# DIRECTORY OF SPEAKERS

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## **George A. Barrett** MBA, MSRC, FVE, CRC, CVE, FRC

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AREA Membership: PROF '05

AREA Cert./Reg.: FVE '11

*\*THURSDAY—ADVANCED BOOT CAMP*

## **Scott F. Beveridge** Ph.D., LCPC-S, CRC, CDMS, ABVE-D

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*\*SATURDAY—SESSION 10*

## **Cara L. Brown** M.A. (Economics)

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*\*SATURDAY—SESSION 9*

## **Ralph M. Crystal** Ph.D.

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*\*SATURDAY—SESSION 11*

## **Edward Foster** Ph.D.

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*\*FRIDAY—SESSION 1*

## **David S. Gibson** MSA, MRC

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*\*SATURDAY—SESSION 8*

## **Scott Gilbert** Ph.D.

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*\*FRIDAY—SESSION 6*

## **Jon Haghayeghi** Ph.D.

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*\*FRIDAY—SESSION 3*

## **Kristin Kucsma** M.A.

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*\*THURSDAY—ADVANCED BOOT CAMP*



# DIRECTORY OF SPEAKERS

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*\*FRIDAY—SESSION 5*

## **Subodh Mathur** Ph.D.

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*\*FRIDAY—SESSION 2*

## **Allyn B. Needham** Ph.D., CEA

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AREA Membership: PROF '99  
AREA Cert./Reg.: CEA '00

*\*THURSDAY—INTERMEDIATE BOOT CAMP*

## **Jerome S. Paige** Ph.D.

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*\*FRIDAY—SESSION 2*

## **William M.G. Pearson** MBA

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*\*SATURDAY—SESSION 7*

## **J. Matthew Sims** MC, MS, NCC, FVE, RFE, IPEC

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Area(s) of Specialty: Economics, Vocational  
Analysis, Vocational-Economic Analysis

AREA Membership: PROF '04  
AREA Registries: FVE '09, RFE '09

*\*FRIDAY—SESSION 4*

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