

# THE VOCATIONAL EXPERT



**Fall 2000**  
Volume 17, No.2

Official Publication of the  
American Board of  
Vocational Experts



## **ABVE FALL CONFERENCE 2000 Hyatt Regency Vancouver, British Columbia October 5 - October 8, 2000**

Conference Co-Chairs, Izabela Schultz, Richard Carlin and Michael Graham have organized an International Conference scheduled on October 5 through October 8, 2000, in beautiful Vancouver, British Columbia. Vancouver is a city in southwestern Canada opposite Vancouver Island in the province of British Columbia. Vancouver is Canada's third-largest metropolis and one its fastest growing cities. Vancouver is one of the world's most attractive city sites surrounded by water and overlooked by mountains. Besides the scenic location visitors enjoy beautiful gardens and famed Stanley Park, a combination of natural forest and parklands near the city center.

The first event will be two Value Added Workshops held on the afternoon of October 5, 2000. These workshops will run simultaneously. Michael Graham, Ph.D., and Hank Lageman, MS will conduct a workshop geared for the professional who desires methods on how to set up and market a forensic business. The second Value Added workshop will feature Jan Lowe, MS and Cynthia Grimley, MS who will provide some new approaches for evaluating your forensic cases. They will outline a brief history of the McCroskey Vocational Quotient System focusing on the development of this program and the application of its components to vocational analysis and testimony. Actual case studies will be explored with active audience participation. Ms. Grimley will also present the results of the data collected at the ABVE Spring 2000 New Orleans conference. This research relates to Transferable Skills Analysis unitizing the 1998 O\*Net transferable skills paradigm and the McDot 2000.

On Friday, October 6, 2000, Michael J. Lewandowski, Ph.D., will give the Keynote Address. Dr. Lewandowski will discuss pain as an emerging paradigm in litigation. Dr. Lewandowski is a licensed clinical psychologist in private practice in Reno, Nevada. He specializes in be-

havioral medicine and psychological evaluations and treatment of individuals with subacute and chronic pain problems. Dr. Lewandowski is President of Integrated Healthcare Resources, a multidisciplinary health care organization, which provides comprehensive pain management, work hardening and functional restoration programs for injured workers and persons with chronic pain problems. Dr. Lewandowski is an adjunct professor at the University of Nevada-Reno Department of Psychology. He is co-developer of the Behavioral Assessment of Pain questionnaire and President of a testing company, Pain Assessment Resources.

Grant Iverson, Ph.D. will present on mild head injuries and the implications for vocational rehabilitation practice and court testimony. He will discuss factors that can complicate normal recovery patterns.

Brenda Kosaka, Ph.D., will discuss vocational implications and neuropsychological clinical issues as related to seizure disorders. The psychological approach to the analysis of Transferable Job Skills as defined in residual functional capacity will be presented by Diane DeWitt, Ph.D. Dr. DeWitt has developed a Skills Analysis Process that integrates the psychological and vocational theories and published work of John Holland, John Crystal, Richard Bolles, Bernard Haldane and George Kelley.

Eileen Cook, MA, and Gregory Feehan, Ph.D., will address the challenges in returning the chronic pain patient to work during the vocational placement phase.

On Saturday, October 7, 2000, the morning session will begin with Dr. Gary Franklin. Dr. Franklin will identify modifiable risk factors and implementation of quality improvement efforts in the health care system that are critical in reducing the burden of disability related to Carpal Tunnel Syndrome.

Dr. Amritpal Singh Shergill and Ms. Palbinder Kaur Shergill, LL.B will discuss the clinical, ethical and legal implications in working with clients from diverse socio-cultural backgrounds. Dr. William Koch will present on the economic costs of adverse psychological responses to traumatic events. Dr. Craig Pinder has researched and published on the assessment of work motivation. He will provide us new direction needed to advance our knowledge of this important topic.

Dr. Peter McLean will provide strategies to ease work place re-entry, keeping with the best interest of both the employee and employer when dealing with depression and anxiety disorder in the labor force.

Dr. Izabela Schultz will focus on the clinical and legal quagmire around the concepts of psychological impairment and psychological and occupational disability with implications for vocational experts.

In addition to the variety of topics and excellent selection of qualified presenters, this conference will offer the usual social events of the President's Reception and luncheon with exhibitors. Dinner is scheduled for Friday evening at the Aqua Riva. Advanced registration is required for the dinner and luncheon. The ABVE Certification Examination will be held on Sunday, October 8, 2000, for those who have met the initial requirements to sit for the exam.

We are looking forward to seeing you in beautiful Vancouver, BC where you can earn 13 hours of Continuing Education Units for the main conference and an additional four Continuing Education Units with the pre-conference Value-Added Seminar.

### **Inside The Vocational Expert**

|                                       |   |
|---------------------------------------|---|
| ABVE Fall Conference 2000 .....       | 1 |
| President's Message .....             | 2 |
| ABVE By-laws & Policies Revised ..... | 3 |
| Information for the Work Place .....  | 3 |
| Change in ABVE Board .....            | 4 |
| Welcome New Members .....             | 4 |
| Standards: Are They Necessary? .....  | 5 |

## American Board of Vocational Experts

### Board of Directors

#### President

Hank Lageman, MS  
Portland, OR  
pres@abve.org

#### President-Elect

G. Michael Graham, EdD  
Capitola, CA  
preselect@abve.org

#### Treasurer

Al Walker, MS  
Columbus, OH  
treas@abve.org

#### Secretary

Judith Hultine, MA  
Hastings, NE  
secty@abve.org

#### Immediate Past President

Kenneth J. Manges, PhD  
Cincinnati, OH  
manges@fuse.net

#### Publications Chair

Lindette Mayer, PhD  
Hickory, NC  
lindphd@aol.com

#### Board

Judith Sher, MA  
Downers Grove, IL  
cedu@abve.org

Richard J. Baine, MA  
Blue Bell, PA  
marminc@juno.com

Janice Wexler, MS  
Los Angeles, CA  
WEXLERVITA@AOL.COM

Ronald A. Peterson, PhD  
Payson, AZ

#### THE VOCATIONAL EXPERT

#### Editor

Cynthia P. Grimley, MS  
Federal Way, WA  
cpgrimley@aol.com

#### STAFF

##### Executive Director

Glenn Zimmermann  
glenn@btfenterprises.com

##### Account Administrator

Terri Skill  
terri@btfenterprises.com

##### Publications Coordinator

Janet Hutchison  
janet@btfenterprises.com

#### National Office

783 Rio Del Mar Boulevard

Suite 61

Aptos, CA 95003

Phone: (831) 662-8518

FAX: (831) 662-8487

www.abve.org



## President's Message

By Hank Lageman, ABVE President

Greetings from the Great Northwest!

As your President I have an opportunity to serve as the team member responsible for *Strategic Planning* for the 2000-2001 term. This year, your Board continues to outdo themselves and have been *highly active* since the spring conference in continuing to reinvent ABVE to get a more substantial foundation under us. It has been an exciting time with tremendous effort by the Board and our management company (BTF Enterprises) to streamline our efforts, update brochures, modernize the bylaws, policies and procedures and prepare for future conferences at least a year in advance (*with specific dates and locations*) with the goal of stretching out two years. The advent of e-mail enables us to be even more active in relaying information to one another in a timely fashion.

The following is an overview of specific assignments of key team members:

#### Publications: (Chair—Lindette Mayer, Ph.D)

Lindette Mayer has developed a new "member" brochure and did an absolutely dynamite job in outlining the essence of what it takes to become an ABVE member. She is now developing a brochure that will be useful for attorneys, and others. The brochure outlines areas of members' expertise and offers an explanation of selecting a certified ABVE member when there is need for expert witness services.

In combination with BTF Lindette has overseen the update of the members' directory and has rewritten the introduction to the directory. Next year we would like to include more of the members' individual websites and e-mail addresses so we can develop hot-links from the ABVE web-site to the member. Lindette has also been working on the next publication of our Journal that is scheduled to be released late fall 2000 or December of this year.

Needless to say, we ALL extend a hearty thank you to Lindette. She is like the EVEREADY battery – she keeps going and going.

#### Continuing Education (Chair—Judi Sher, MA)

Judi Sher and Terri Skill (our account representative at BTF) have the past requests for continuing education sorted and up to date. This was a tremendous effort by Judy and Terri to clean up the database and attempt to rid the database of discrepancies. (Congratulations to both – Wow, what a task!).

Judi has also worked closely with other board members to clear up confusion about what is acceptable for continuing education outside the ABVE Conferences and to clarify the number of credits permitted for outside activities relevant to our field.

#### Membership Development (Director—Bart Hultine, Ed.D.)

The trend continues to have certified counselors and vocational experts provide services for clients. Bart Hultine, our national marketing director, recently made a successful trip to the state of Washington to meet with counselors having an interest in ABVE. Washington has proposed rules that enable only ABVE, CRC and CDMS certified counselors to provide services. John Berg of Seattle, Washington and Fred Cutler, Spokane, Washington, hosted Bart and those attendees having an interest in pursuing ABVE certification. Thank you all for your contributions.

#### Bylaws/Policy & Procedures (Chair—Mike Graham Ed.D)

The weekend of July 22<sup>nd</sup>, Mike Graham's team met in North Carolina to completely review our Bylaws and Policies/procedures. The team worked for 2–3 days to completely examine how we do business and what would be the most effective way to conduct business as a professional organization. Those present completed their work and achieved unanimous agreement.

#### Financial Records (Al Walker, MS)

Based on a need to have clearer track of our finances, your Board has moved our accounting to Quick Books and a calendar year of January 1—December 31. BTF has made all the conversions and the Board has a clearer understanding of exactly the state of our finances and for what our money is spent. Our budget is clearly understandable and we are continuing to make strides in improving ABVE's financial security.

#### Board Membership (Chair—Ken Manges)

If you have an interest in Board membership please notify the past president and nominations chair of your interest. Ken will see to it that you receive the necessary documents and time lines. Nominations close December 1<sup>st</sup>. I would like to invite nominees to introduce themselves during the business meeting at the conference in Vancouver, BC, so you should expedite your expressed interest to Ken.

#### BTF (Glenn Zimmerman—Executive Director, Terri Skill—ABVE Account Representative)

BTF has just finished its first year as our Management Company and has put forth tremendous effort in understanding our needs and dynamics.

BTF has completed the database conversion and cleanup with additional assistance by the credentials chair and CEU chair. This was a monumental task and one of the most critical for the membership.

We moved the ABVE website in-house at BTF to provide more immediate responsiveness to membership changes of address, etc., and links to members' websites and e-mail addresses. BTF has expanded the website to also allow for conference registration on-line.

BTF also provided us with counsel and formats to update our by-laws and policies. This gave us a format that was user friendly and ensured we were able to be more thorough in modernizing our way of doing business.

Terri and Glenn have been working on several items that will be a GREAT help to future conference chairpersons. They have created a conference planning time line and are in the process of developing a conference planning handbook. We found that each conference chair has been very much on their own in conference planning assignments. An additional idea is for us to have two positions:

**1. Program Chair** – This person would work closely with BTF in site selection, reviewing surveys, examining what we need as an organization, etc. This individual would hold the position of Program Chair for 2–3 years and be a coach to the individual conference chair.

**2. Conference Chair** – This individual would work with the program chair making all the arrangements to get biographies, speakers, etc., for the *one* conference they are responsible for. Our goal is to have coaching and other resources for the conference chair so that he/she is off to a good start and not left to their own resources to reinvent the wheel each time. I am sure all past conference chairs would have appreciated a little more help in getting up and running. Our goal is to establish a process to better enable the conference chair in completing their assigned task.

Continued on page 4



Left to Right: N. Kulman, H. Kulman, M. Graham, L. Mayer, C. Grimley, S. Streater and By Laws Committee Mascot "Sammie."

## ABVE By-laws & Policies Revised

By Michael Graham, Ed.D.  
Chairperson

President-elect Michael Graham and a wide-based committee has been wrestling with the organization's By-laws and policies over the past six months to bring them into the new century. Graham's committee members include some of ABVE's original members such as past President Harold Kulman (1991), current Board members Janice Wexler, Lindette Mayer and David Stein. Cynthia Grimley and Scott Streater represented the ABVE General Membership.

The Committee's task was to review the organization's existing By-laws and Board Policies and make recommendations for revisions, deletions and new language where indicated and to update where needed. Assisting with this effort was attorney Neil Kuenn, a specialist in non-profit organizations, from the Chicago law firm of Keeley, Kuenn & Reid. ABVE's management company owner, Glenn Zimmermann, suggested this knowledgeable individual to Graham when he agreed to take on this momentous task.

Copies of ABVE's existing By-laws and policies, as well as suggested changes by Attorney Kuenn were initially reviewed by committee members. The existing Board policies, as well as a recently developed comprehensive Board Policies Manual introduced to the Board by Graham at its last full Board meeting, were also distributed to all Committee members for their analyses.

Working independently, each Committee member made suggestions for revisions and additions to these documents. During the weekend of July 22, 2000, five of the seven members of the Committee met in North Carolina for two days of "real-time" discussions and consensus votes on the proposed changes to these essential documents. Committee members meeting in North Carolina included Lindette Mayer, Scott Streater, Michael Graham, Cynthia Grimley, Harold Kulman and Nancy Kulman who graciously offered her services to keep the committee focused and on a speedy track.

After hard work by the committee and long hours of discussions, a new set of By-laws and Board Operating Policies was forged and agreed upon. These

important documents will be presented before the full Board for discussions and a vote. Following the Board's action, these documents will be sent to the full membership of ABVE for ratification. The Committee members who worked diligently at their task believe this effort has provided a strong infrastructure for ABVE that will carry the organization and its goals forward with direction and purpose. "This Committee was fantastic," said Graham. "Everyone contributed their independent ideas and comments and then worked very hard during our two days real-time meeting in discussing each line of these

documents and reaching consensus on the final outcomes. I was very happy to be a part of this group and very proud of their dedication to ABVE's principles. The group of dedicated individuals who spent two days in North Carolina working over each line and concept of both the By-laws and Policies really deserve the special thanks of the organization for the fine products that are the result of their efforts on your behalf," stated Graham.

## Information for the Work Place

By Cynthia Grimley, Editor  
Nebraska

The Greater Nebraska Workforce Development Board that will oversee the Workforce Investment Act has chosen a Nebraska company with longtime ties to ABVE. The Greater Nebraska Services Area includes all of the state with the exception of Greater Omaha and Lincoln. Western Management Services, 101 South Hastings, Hastings, Nebraska, has won the contract and will forge relationships with employers and place disabled workers into jobs. The \$2.1 million dollar contract will provide intense services, in addition to a performance based Welfare-to-Work contract worth about \$2.2 million dollars which will also assist those qualified individuals. The State of Nebraska's labor department will operate one-stop centers across the state and share core intake and assessment services with Western Management Services. Western Management Services will take over the more intensive case management duties, while the state community college system, will provide training services. "The Board was adamant that they did not want 'business as usual' and did not want the contractor to wait for job seekers to come looking for employment," said Judith Hultine. The firm has hired 28 additional employees to provide services in greater Nebraska. (Submitted by Judith Hultine, MA)

## Washington

Washington State has a monolithic industrial insurance system, perhaps one of about five remaining in the United States. "Labor & Industries" is the State Worker's Compensation body, handling about 75% of all worker's compensation programs in claims management and vocational rehabilitation. The remaining are self-insured or self-insured using a third party administrator all associated with big businesses.

The system is a dynamic one, that is, it is plagued by constant changes. However, this year Senate Bill 6767 recommended interesting changes. One is that Vocational Rehabilitation Counselors (VRCs) must have either a CRC, CDMS or ABVE certification within four years of 9/1/00. No other credentials are recognized. A four-year period was initially proposed to obtain one of the credentials. Obviously, the CDMS is the only one that a BA/BS VRC can obtain under the Commission of Counselor Certification Guidelines of work experience, education, and supervision.

Due to the controversy over credentials and other issues, public debate has followed. The State agency offered input over a protracted time. However, most providers were extremely frustrated by how the opinions and suggestions were received. The changes are challenged with the "Bold New System" about to emerge 9/1/00. What the end result will look like is anybody's guess at this juncture. Nevertheless, it is interesting to note that Washington has viewed ABVE as one of only three credentials and indeed may be keeping some part of this in the new contracting system. Also, the State agency has proposed a "Forensic" referral status on some claims and will pay more for this assignment. In the past, all cases were paid at the same rate for any and all services with no consideration of the counselor's credentials or degree of case difficulty. (Submitted, John F. Berg, M.Ed.)

## Daubert/Kumho

Considering the "gatekeeping" function that has arisen under the trilogy of expert witnessing [Daubert (1993), General Electric v. Joiner (1997) and Kumho Tire (1999)], the American Bar Association has taken considerable notice of expert witnesses "not being given the benefit of the doubt." This past May the U.S. Supreme Court finally approved the Federal Rules of Evidence amendments proposed by an advisory committee. Rule 702 and others were amended to keep pace with Daubert and its progeny while the committee also mentioned several additional gatekeeping functions accepted by the lower courts. These changes go into effect late 2000.

Also of interest is the move of the courts in redefining the role of the jury to meet the needs of an increasingly technical and litigious society. In civil cases, the Supreme Court has transferred decision-making in most patent cases to judges due in part to the fact that the justices believe the issues are too complex for citizen juries. The Supreme Court has also indicated it agrees with lower federal courts that there is no right to jury trials in bankruptcy disputes. Most importantly is the string of cases emanating from Daubert requiring judges to decide whether an expert's testimony is legitimate. Coupled with this development has been the move of states to cap jury awards and also jurisdictions that limit the kinds of cases juries can decide. A study by the Southern Methodist University Law Review and the Dallas Morning News noted that many of the state supreme courts in the U.S. have increased pressure on judges to terminate more cases at the summary judgment stage rather than letting juries decide whether cases have merit. Once again, this increases the gatekeeping function of judges. State and federal appellate courts in more than a dozen jurisdictions have moved wholesale areas of decision-making from jury to judges; 33 states have set caps on jury awards; and 41 states limit the types of cases juries can decide. (Submitted by Lindette L. Mayer, Ph.D.)

**President's Message**

Continued from page 2

**Future Conferences:** We have confirmed dates and accommodations for conferences a year in advance, with a plan to reach out two years.

**Vancouver, British Columbia, Canada**  
October 5-7, 2000

**San Diego, CA –Spring 2001, March 23- 25, 2001; Conference Chair –**  
Janice Wexler

**Williamsburg, Virginia –Fall 2001**  
September 14-16, 2001

**Notice of Change in ABVE Board of Directors**

On August 3, 2000 the ABVE Board accepted the resignation of David B. Stein, Ph.D. as his position of Treasurer. The ABVE Board and membership wish to thank Dr. Stein for his contributions to our field and organization.

Al Walker was been appointed as the new Treasurer to complete the term.

The ABVE Board of Directors and members send condolences to the family of Dr. Joyce Puckett, Tallahassee, FL. Dr. Puckett passed away December 27, 1999. Dr. Puckett was retired from Florida State University after 30 years in the classroom as a professor. She also owned and operated Career and Vocational Consultants, Inc. where she provided vocational counseling and forensic services. She was a Diplomate of the American Board of Vocational Experts.

Congratulations to the new ABVE members who have successfully completed all three of the certification components and have been awarded certification status:

**Michael Newman**  
**Bruce Growick**

The American Board of Vocational Experts, never has and currently does not, endorse the use of any specific tests, test batteries, or commercial products.

**Journal Guidelines Available**

Those interested in submitting manuscripts for *The Journal of Forensic Vocational Assessment* can request specific guidelines from:

Lindette L. Mayer, Ph.D.  
Tel: (828) 324-0105  
Fax: (828) 324-4331  
Email: [lindphd@aol.com](mailto:lindphd@aol.com)

Anyone desiring additional sets, single copies or individual articles of either the *Monograph Series* or the *Journal Series* should contact Terri Skill:

[terri@btfenterprises.com](mailto:terri@btfenterprises.com)  
Telephone: (831) 662-8518  
Fax: (831) 662-8487.  
<http://www.abve.org>

\*Charges vary widely depending upon selection.



**American Board of Vocational Experts**  
783 Rio Del Mar Boulevard, Suite 61  
Aptos, CA 95003

**Address Service Requested**