

## **REHB 676 Case Analysis and Opinion Development**

Instructor: Credits: 3  
Office: Online Class hours:  
Phone: Online Office hours:  
Email:

### **Text and materials:**

The following texts and materials will be utilized within this course:

#### Texts

Field, T., & Choppa, A. (2005). *Admissible testimony: a content analysis of selected cases involving vocational experts with a revised clinical model for developing opinion*. Athens, GA: Elliott & Fitzpatrick. ISBN: 0-945019-97-1.

#### Supplemental Materials

Babitsky, S. & Mangraviti, J. (2002). *Writing and defending your expert report*. Falmouth, MA: SEAK Inc.

Committee on Techniques for the Enhancement of Human Performance: Occupational Analysis, National Research Council. *The changing nature of work: implications for occupational analysis*. Author.

(Multiple authors & contributors). (2005). *The quick desk reference for the forensic rehabilitation consultant*. Athens, GA: Elliott & Fitzpatrick. ISBN: 0-945019-91-2. (\$19.95 retail)

Weed, R., & Johnson, C. (2006). *Life care planning in light of daubert and kumho*. Athens, GA: Elliott & Fitzpatrick. ISBN: 1-4243-0716-3. (\$19.95 retail)

Field, T., (1999). *Strategies for the rehabilitation consultant: transferability, loss of employment, lost earning capacity, and damages. (Rev.)*. Athens, GA: Elliott & Fitzpatrick. ISBN: 0-0945019-39-4 (\$24.95 retail)

Field, & Stein. (2002). *Science vs. non-science and related issues of admissibility of testimony by rehabilitation consultants*. Athens, GA: Elliott & Fitzpatrick. ISBN: 0-945019-84-x. (\$15.00 retail)

A written report of forensic rehabilitation expert opinion for student critique in

each of the following areas of litigation: personal injury; catastrophic injury with Life Care Plan; employment discrimination (hiring and termination, including the Americans with Disabilities Act); worker's compensation; wrongful death of an adult; wrongful death or catastrophic injury of a child; Social Security disability determination; and divorce/family law.

**Course Description:**

Application of structured model for critical review of forensic opinions of rehabilitation experts. Current issues in the use of *transferable skills analysis*, *commercial analysis software*, *D.O.T. and O\*NET*, *labor market information*, and *Life Care Plans*.

**Student Learning Outcomes:**

1. Demonstrate knowledge of areas of strength and weakness within the written and oral opinions of forensic rehabilitation and economic experts and others involved in a particular case.
2. Demonstrate knowledge of assumptions, databases, procedures, and other technical resources used by forensic rehabilitation and economics experts in terms of the appropriateness and technical/scientific quality of information provided (e.g. validity of data or procedures, reliability, timeliness, appropriateness of application, etc.).
3. Demonstrate familiarity of and skill in using a structured approach to the assessment of the presentation and technical qualities of the opinions of forensic experts (rehabilitation, economics, etc.) involved in various areas of litigation.
4. Demonstrate skill in performing a thorough technical assessment of opposing forensic experts opinions and applying those observations to their own opinions, the characteristics of the each case, and the style and structure of their personal written reports of opinion.

**Course Requirements and Grading Method:**

A. Requirements:

1. Demonstrate knowledge of the various areas of comprehensive and technical assessment addressing the assumptions, content, and scientific/technical methodologies behind a forensic rehabilitation or economic experts opinions as measured by completion of 2 written examinations covering this content. (1, 2)(200 pts.; 20%)

2. Participation in a threaded discussion which addresses an application of a structured model for assessing the comprehensiveness and quality of a forensic rehabilitation expert's opinion in an area of litigation. Assessment of the students participation will be performed by the instructor using a developed rubric. (2, 3)(200 pts.; 20%)
3. Demonstrate personal knowledge and skills in the completion of structured critiques of rehabilitation expert opinion in 4 of the following 7 areas of litigation: (1, 2, 3, 4)(600 pts.; 60%)(150 pts. /critique; 15%/critique)
  - a) personal injury;
  - b) catastrophic injury with Life Care Plan;
  - c) employment discrimination (including American's with Disabilities Act);
  - d) worker's compensation (Railroad, Maritime/Jones Act, or general - state or federal);
  - e) wrongful death;
  - f) injury or death of a child; and
  - g) divorce/family law.

**B: Grading Method:**

A	=	90.0% and above
B	=	80.0% to 89.9%
C	=	70.0% to 79.9%
D	=	60.0% to 69.9%
F	=	59.9% and below

**Course Content and Tentative Schedule:**

<b><u>Module/ Session</u></b>	<b><u>Content</u></b>
1	Orientation to Assessment of Opposing Experts Opinion and Applying What You Learn to Your Own Development and Reporting of Opinion
2	Overview of a Comprehensive Assessment Model for Forensic Critiquing Expert Opinions: A Structured Approach
3	Comprehensive Assessment of Personal Injury Opinion

- 4 Comprehensive Assessment of Employment Discrimination Opinion
- 5 Comprehensive Assessment of Worker's Compensation Opinion
- 6 Comprehensive Assessment of Catastrophic Injury and Life Care Plan Opinion
- 7 Comprehensive Assessment of Wrongful Death of an Adult Opinion
- 8 Comprehensive Assessment of Wrongful Death of a Child Opinion
- 9 Comprehensive Assessment of Divorce Opinion
- 10 Impact of and Considerations in Using Different Writing Styles and Report Structures for Writing Rehabilitation Expert Opinions