

MINNESOTA STATE UNIVERSITY, MANKATO
DEPT. OF SPEECH, HEARING, AND REHABILITATION SERVICES
REHABILITATION COUNSELING PROGRAM

PROPOSED COURSES
FOR
GRADUATE SPECIALIZATION CERTIFICATE
IN
FORENSIC REHABILITATION CONSULTATION

REHB 670 Foundations of Forensic Rehabilitation Consultation (3 crs.)

Content

The roles and functions of rehabilitation professionals who provide expert opinion or consultation services in litigation. Overview of types of litigation: worker's compensation; personal injury; medical/professional malpractice; catastrophic injury, and others. Introduction to legal *terminology* and *procedures*. Establishing a forensic consultation practice. (42 words)

Rationale

This course will provide an overview of the specialized area of forensic rehabilitation consultation which consists of a specific skill set that is not included in other undergraduate or graduate rehabilitation education programs. Content includes an overview of the diverse litigation areas in which forensic rehabilitation consultant services and expert opinions are utilized. Establishment and operation of a sole professional practice or a small consulting firm are presented. Required background information required of the forensic rehabilitation professional by the court, along with the setting of fees, billing procedures, and ethical challenges and standards are also covered. The course is aimed at providing the student with a comprehensive viewing of this field of specialized practice.

REHB 672 Law and the Forensic Rehabilitation Consultant (3 crs.)

Content

Detailed orientation to *legal procedures*, *precedents*, and *venues*. Qualifications of forensic experts under *Daubert* and *Kumho*. Ethical practices; admissibility of evidence; federal and state rules of evidence; discovery procedures; hearsay evidence, deposition and testimony at trial; direct and cross-examination. (39 words)

Rationale

Will orient the forensic rehabilitation consultant to court procedures, precedents, and practices; standards for becoming qualified to provide expert opinion by the court; detailed back grounding in personal injury, product liability, worker's compensation, Social Security disability, catastrophic injury and *Life Care Plans*, employment discrimination involving disability; family law-divorce; wrongful death; and other federal and state areas pertinent to the expertise of the forensic rehabilitation consultant.

REHB 674 Socioeconomic Costs of Acquired Disability (3 crs.)

Content

Socioeconomic impact of acquired disabilities on individuals, their families, and estates.. Data sources and models for determining costs of: lost earnings; fringe benefits; household services; *consortium* (counsel, safety, care); *Life Care Plan* needs. Assumptions, methodologies, reliability, validity, acceptable standards of practice. (41 words)

Rationale

Covers the various socioeconomic damages incurred by the individual who is injured or dies from a specific event, including the impact upon the individual, their family, and/or estate.

Typical methodologies, data, and tools will be addressed, which are typically used by Vocational Rehabilitation Consultants, Life Care Planners, Forensic Economists or Certified Earnings Analysts (CEA)/Certified Rehabilitation Economists (CRE) in the development of opinions regarding the extent of economic and social damages incurred by the plaintiffs.

Information necessary for determining socioeconomic costs associated with the injur(ies) or wrongful death of the plaintiff, particularly those provided by the forensic rehabilitation consultant, are reviewed. Critical concerns and issues regarding the reliability and validity of approaches, databases, and other tools are emphasized.

REHB 676 Case Analysis and Opinion Development (3 crs.)

Content

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.* (35 words)

Rationale

Procedural steps taken by forensic rehabilitation consultants in the development of opinions involves a comprehensive critique of a forensic rehabilitation consultant retained by opposing counsel. A structure for this critical review will be presented and followed by students as they critique written reports of opinion within different areas of litigation. Reliability and validity of data, methods, and issues surrounding standard practices used within the profession and specifically within litigation will be emphasized. This course will assist participating students in strengthening their own development and delivery of professional opinions, through critical review of the opinions of others.

REHB 678 Providing Rehabilitation Opinion: Case Simulation (3 crs.)

Content

Case simulation which includes all steps in the determination of expert opinion within the legal process, from retention of the rehabilitation consultant through delivery of testimony at trial. (28 words)

Rationale

This course is based somewhat on the format of the "*Moot Court*" experience which many law students participate in during their law school experience. However, within this experience it is anticipated that law students and forensic rehabilitation graduate students will work with each other in the preparation and delivery of expert opinion for a simulated case within either personal injury, catastrophic injury with *Life Care Plan*, employment discrimination, or a related area of litigation.

Student performance will include multidimensional assessment from the perspectives of plaintiff and defense counsels, presiding judge, and jury members. Conduct of course will involve both distance learning technologies and face-to-face contacts at appropriate points in the opinion development and trial process.

Alternative arrangements may be necessary depending upon costs, physical arrangements available, and other specific conditions for each offering of the course. Specific offerings may require that modifications would be used (e.g., use of a deposition setting rather than a courtroom, use of practicing attorneys instead of law students, etc.). At times, scheduling of the face-to-face presentations of forensic rehabilitation opinion may take place in conjunction with a national conferences of a relevant professional organizations, or at a variety of locations not directly operated by the university or MnSCU system.

This course will allow students to receive pertinent feedback regarding the qualities and limitations of their personal delivery style and opinion during oral and within written presentations of their professional opinions. Multidimensional assessment planned for this course goes beyond the extent of feedback that is typically provided to those who provide forensic rehabilitation services.

The courses listed above (REHB 670, 672, 674, 676, and 678) have been approved by the various committees that review and recommend new course offerings and programs for Minnesota State University, Mankato. They were formally approved on May 11, 2007, when signed by the Provost/Executive Vice President for Academic Affairs, Dr. Scott Olson.

On April 6, 2007, the Project Director (Dr. Gerald Schneck) received notification that his proposal for establishing the Specialized Graduate Certificate Program in Forensic Rehabilitation Consultation was approved for funding under a campus-wide Strategic Priorities Funding Initiative. These funds will be used for development of course content, hiring of several technical consultants to assist with the courses involving law and economics, to hire for Adjunct Faculty to cover several courses allowing for release time for Dr. Schneck, during the period of course and program development.

During the past summer, Dr. Schneck has been preparing the proposal for the graduate certificate program, which must go through both the on-campus curriculum review process and then, assuming it is approved, reviewal and potential approval by both staff members and the Board of Trustees of the Minnesota State Colleges and Universities System (MnSCU). Assuming the proposal has gone through external review and it is positively reviewed by the committees and administration responsible for curriculum approval, the proposal should be ready for MnSCU review by mid-Fall semester (2007) (mid to late November) or at the start of the Spring Semester 2008. Approval of the certificate program should be made by mid- to late-Spring semester 2008. Participants enrolled in required courses for the certificate program will have those courses applied to certificate program requirements, once it is approved.

At this time, it is anticipated and scheduling of classes and faculty assignments have been made for Spring 2007-2008. Dr. Schneck is currently scheduled to teach the REHB 670 Foundations of Forensic Rehabilitation Consultation course. All of the proposed courses will be offered through the Web and other methods, including video/web-conferencing, and other technological means. There will be a face-to-face meeting of all students and faculty members several times during the year, during which period of time the REHB 678 Providing Rehabilitation Opinion: Case Simulation, will involve a mock trial situation or similar alternative.

For more information or to be included on the mailing list for this program, please send your contact information to:

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Information about applying for the graduate certificate program, scheduling of courses, advising, will be available during the late Summer to early Fall.