

and work to improve his/her unrelated issues such as overweight, smoking, and drug and alcohol abuse, and control chronic illness conditions.

As we advocate for workers who are ill, injured, or who have disabilities, we have an obligation to educate them about the reality of the benefits they receive; to help them weigh choices and decide the course of action they want to take for their own lives. Each rehabilitation professional has his/her own style and technique to facilitate client change. If we want to have the most impact, we need to ensure that as we discuss the resources available to aid in RTW we are also helping clients to see how and where it is in their own best interest to resume working.

Whatever tools and techniques we use to facilitate return to work, we need to purposefully tip the balance toward changes in thinking, choices, behaviors, and actions. Our goal is to create more incentives to change than the worker is receiving—or perceiving.

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## Book Review

**Shahnasarian, M. (2011). *Assessment of Earning Capacity, Third Edition*. Tucson, AZ: Lawyers & Judges Publishing Company, 289 pages.**

As in earlier editions of this book, Dr. Shahnasarian's goal is to promote precision and objectivity in matters involving the valuation of earning capacity. The intended audience includes vocational rehabilitation experts, economists, accountants, annuitants and other financial experts, lawyers, triers of fact appraisers, and subjects of earning capacity assessments. The book is organized into three parts. Foundation Issues are presented in Part I, Conducting Vocational Assessment in Part II and Forensic Practice Issues in Part II.

Foundation issues includes the arenas in which vocational expert consultation is utilized, the scope of involvement for a vocational expert, bases for earnings capacity opinions, and the selection of a vocational

expert. Tables illustrating the components of the decision to use a consulting expert versus a testifying expert, sequential assessment of vocational alternatives and earning capacity damages, and the basis of an earning capacity opinion illustrate key concepts discussed in the text. Logistical and contextual considerations include litigation phases and expert involvement, administrative issues, expert retention, and the litigation environment. A detailed sample retention letter/agreement, response to a request for raw data and position statement on recording an evaluation are provided. The chapter on expert evidence includes a brief overview of methodologies, presentation of evidence, and a report outline. The chapter on processes for earning capacity assessment details items to be considered for a records review, and "subject" examination. Sample deposition questions are provided as well as examples of frequently administered tests. Appendices include a full client intake form and sample clinical interview transcript. The chapter on earning capacity and loss of earning capacity provides an in-depth discussion of Shahnasarian's ECAF-2 (Earning Capacity Assessment Form) including factors that affect career development and earning capacity (inhibitors, drivers), and assessing the effect on earning capacity. Examples of unconventional and questionable approaches to earning capacity assessment are introduced (e.g., failure to develop a full vocational profile, computation based on a theoretical loss of job accessibility and over reliance on selected statistical data of little value).

Topics included in the section on conducting vocational assessments include cases of acquired disabilities, those involving the Americans with Disabilities Act, long term disability, as well as employment and family law. Central vocational questions and noteworthy considerations are addressed for each type of case with extensive sample reports.

The final section on forensic practice issues includes an overview of the trial environment, trial preparation, pretrial conference, deposition of testifying experts and trial testimony (e.g., direct, cross, redirect examination issues, and exhibits). Sample proposed direct examination questions, and a sample scheduled deposition letter are provided. The final chapter in this section includes three case studies.

While this book does not include an exhaustive bibliography on earnings capacity assessment, the breadth and depth of the text is excellent as are the

sample forms and case examples. Social Security case development and testimony is not included due to the unique nature of this analysis and testimony. The reader is referred to other sources such as the *Vocational Expert Handbook – Revised and Updated* (2005) for an overview of this process. One of the jewels is Shahnasarian’s ability to provide a complete review of his research and the earning capacity assessment form he developed, which has been discussed in prior editions of the book and presented/published in multiple peer reviewed journal articles.

Michael Shahnasarian provides a synopsis of critical issues in the assessment of earning capacity. This book is an excellent resource for the beginning vocational expert, but is also beneficial for the experienced professional. It provides clear concise guidance for case analysis, report writing, and testimony. Dr. Shahnasarian accomplishes his stated goal and provides the field with another valuable book. *Assessment of Earning Capacity* is a recommended purchase for every vocational expert’s library.

#### Reference

Blackwell, T., Field, T., Johnson, C., Kelsey, M., & Neulicht, A. (2005). *The vocational expert: Revised and updated*. Athens, GA: Elliott & Fitzpatrick.

#### Reviewer

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