INDEX

References not otherwise designated are to sections of the text.

AGE, EFFECT OF—see DISCRIMINATION CASES; MINOR CHILDREN; RETIREMENT AGE PERSONS

ANTITRUST CASES—see COMMERCIAL CASES

BENEFITS—see FRINGE BENEFITS

BLACKS—see MINORITIES

BUSINESSES—see COMMERCIAL CASES

CHILDREN—see MINOR CHILDREN

CLASS ACTIONS

example, 13.3 in general, 2.3

COLLATERAL SOURCE RULE

labor cases, 13.4, 13.5 medical costs, 6.6(B) partial disability cases, 8.5(E) personal injury, 12.3(G) policy recommendation, 12.5(G) wrongful death, 12.2(G); table 1, chap. 12

COMMERCIAL CASES

antitrust cases as subset of, 13.2(A) causality, 13.2(D) data needed, 13.2(B) direct losses examples, 13.3(B), (C) in general, 13.2(B) expert's role, 2.3, 2.6, 13.1, 13.2(D) going concern method, 13.2(E) hypothetical cases, 13.3

COMMERCIAL CASES—Concluded

in general, 13.1–13.3 profits, loss of examples, 13.3 in general, 13.2(F) year-by-year method, 13.2(F), 13.3

CONSUMER PRICE INDEX

earnings growth, effect on, 3.3(B) medical care price increases, compared to, 6.2; table 1, chap. 6

CROSS EXAMINATION, 2.8, 11.5—see also TESTIMONY

DATA

collection of, in general, 2.8–2.10 commercial cases, 13.2(B) fringe benefits, 4.3 hedonic damages—see HEDONIC DAMAGES medical costs, 6.2(C) sample guide sheet, appx. 2, chap. 2

DEMONSTRATIVE EVIDENCE, 10.7, 10.8

DEPOSITIONS, 10.3, 10.6

DIRECT EXAMINATION, 11.4—see also TESTIMONY

DISCOUNT RATES—see DISCOUNTING TO PRESENT VALUE

DISCOUNTING TO PRESENT VALUE

discount rate, 3.4, 3.5 earnings, 3.4 equations, 3.4(A) increment-decrement tables, 3.6(B) in general, 3.4 interest rate, interaction with earnings growth rate, 3.5 labor cases, 13.4 legal parameters personal injury, 12.3(B) wrongful death, 12.2(C); table 1, chap. 12 life-participation-employment (LPE) technique, 3.6(C) medical and related costs, 6.2(D) partial disability cases, 8.5(A) policy recommendation, 12.5(C) teeter-totter, 3.5 work-life expectancy, 3.6

DISCOVERY, 10.3, 10.6

DISCRIMINATION CASES, 2.3, 13A, 13.5

EARNINGS

base-level earnings, 3.3(A) discounting to present value, 3.4-see also DISCOUNTING TO PRESENT VALUE fringe benefits as earnings, 4.2 gender, effect on, 7.2 growth rates, 3.3(B); 3.4; appendices 1 & 2, chap. 3 interest rates, interaction with, 3.5 partial disability cases, 8.5(A) hedonic damages, 9.6 in general, chap. 3 lost, projection of, chap. 3 marital status, effect of, 7.5 minor children-see MINOR CHILDREN minorities-see MINORITIES miscellaneous considerations, 7.8(C) personal consumption deduction—see PERSONAL CONSUMPTION **DEDUCTION**

ECONOMISTS—see EXPERTS, ECONOMIC

ENTREPRENEURS

in general, 7.7(C) testimony, 7.9

EXAMINATION OF WITNESSES—see TESTIMONY

EXECUTIVES

definition, 7.7(B) hypothetical cases, 13.5 in general, 7.7(B) testimony, 7.9

EXPERTS, ECONOMIC

agreement, retainer, appx. 1, chap. 2 choosing, 2.2–2.4 commercial cases, 13.1, 13.2 costs, 2.5 data used by, 2.8–2.10 defense, use by, 10.3, 10.8, 11.8 discovery, 10.3, 10.6 discrimination cases, 13.4, 13.5 examination of—see TESTIMONY

EXPERTS, ECONOMIC—Concluded

hedonic damages, 9.1
labor cases, 13.4, 13.5
National Academy of Economic Arbitrators, 1.1, 1.3, 1.4
National Academy of Forensic Economists, 1.1, 1.3, 1.4
need for
commercial cases, 13.1, 13.2, 13.4
in general, 1.3, 1.4, 2.1
labor cases, 13.1, 13.2, 13.4
partial disability cases, 8.2
qualifications, 1.3, 1.4, 2.2
sample retainer agreement, appx. 1, chap. 2
testimony of—see TESTIMONY
trial preparation, 10.7, 10.8

EXPERTS, MEDICAL, 2.3, 10.2—see also PARTIAL DISABILITY CASES

EXPERTS, VOCATIONAL

in general, 2.3, 10.2 partial disability cases report of, 8.3, 8.4, 8.5 sample report, apps. 1 and 2, chap. 8 value in, 8.2(C)

FEDERAL EMPLOYERS' LIABILITY ACT (FELA), 7.8(B); table 1, chap. 12; 13.4(B)

FORENSIC ECONOMISTS—see EXPERTS, ECONOMIC

FRINGE BENEFITS

adjustments to, 4.5 definition, 4.1 discounting to present value—see DISCOUNTING TO PRESENT VALUE earnings, inclusion in, 4.2 estimating, 4.3–4.5 growth, historical, 4.1; tables 1, 4, chap. 4 labor cases, 13.4(A), 13.4 (C), 13.5 partial disability cases, 8.5(B) payroll, percent of, tables 2, 3, chap. 4—see also specific topics, this entry testimony, 4.6

FUTURE VALUE—see DISCOUNTING TO PRESENT VALUE

GENDER, EFFECT ON EARNINGS, 7.2

GEOMETRIC MEAN METHOD (in calculating earnings growth), 3.3(B).

HEALTH INSURANCE—see FRINGE BENEFITS

333 INDEX Inflation

HEDONIC DAMAGES

companionship, loss of, 9.5(B) defined, 9.1 earnings-based computation, 9.6 in general, 1.4, chap. 9 legal parameters, 9.1; 9.2; 12.4; table 2, appx. 2, chap. 12 medical malpractice, 9.5(A) personal injury cases, 9.5(A), 9.6 policy recommendations, 12.5(H) psychologists, coordination with, 9.5(A), 10.2(D) punitive damages, 9.5(C) sample case, 9.4 society, loss of, 9.5(B) taxes, 9.6 testimony, 9.7 Willingness To Pay (WTP) approach, 9.3, 9.4

HISPANICS—see MINORITIES

HOUSEHOLD SERVICES

estimating, 5.3, 5.4, 5.5 in general, 5.1, 5.2 legal parameters personal injury, 12.3(F) wrongful death, 12.2(H); table 1, chap. 12 partial disability cases, 8.5(C) policy recommendation, 12.5(F) statistics, tables 1 and 2, chap. 5 testimony, 5.6 theories of loss, 5.2

INCOME TAXES

commercial cases, 13.2(F)
hedonic damages, 9.6
in general, 3.8
labor cases, 13.4(A)
legal parameters
personal injury, 12.3(D)
wrongful death, 12.2(F); table 1, chap. 12
medical and related costs, 6.6(C)
policy recommendation, 12.5(D)
structured settlements, 10.5(B)

INCREMENT-DECREMENT TABLES (Re: Work-Life Expectancy), 3.6(B)

INFLATION—see also DISCOUNTING TO PRESENT VALUE earnings growth, effect on, 3.3(B)

INFLATION—Concluded

inflation added method, 3.5(B) inflation removed method, 3.5(C) legal parameters personal injury, 12.3(B) wrongful death, 12.2(C), table 1, chap. 12 medical and related costs, 6.2(D) policy recommendation, 12.5(C)

INSURANCE

collateral source rule—see COLLATERAL SOURCE RULE fringe benefits—see FRINGE BENEFITS

INTEREST RATE

effect of, generally, chap. 3

LABOR CASES

earnings, lost fixed-period cases, 13.4(A) open-ended cases, 13.4(B) hypothetical cases, 13.5 in general, 13.4, 13.5 pension cases, 13.4(C)

LEGAL PARAMETERS—see also COLLATERAL SOURCE RULE

hedonic damages, 9.1, 9.2 in general, 2.7, chap. 12 personal injury, 12.3; table 1, chap. 12 policy recommendations, 12.5 wrongful death historical development, 12.2(A) in general, 12.2; table 1, chap. 12

LIFE INSURANCE—see FRINGE BENEFITS

LIFE-PARTICIPATION-EMPLOYMENT TECHNIQUE (Re: Work-Life Expectancy)

in general, 3.6(C) minorities, special considerations concerning, 7.3 women, special considerations concerning, 7.2

LIFE, VALUE OF—see HEDONIC DAMAGES

LPE TECHNIQUE—see LIFE-PARTICIPATION-EMPLOYMENT TECHNIQUE

MANAGERIAL EMPLOYEES—see EXECUTIVES

MARITAL STATUS, EFFECT OF, 7.5

335 INDEX Pain

MEDICAL COSTS

collateral source rule, 6.6(B)—see also COLLATERAL SOURCE RULE estimating data, 6.2(C) discounting to present value, 6.2(D) home care costs, 6.3 illustrative case, 6.5 in general, 6.2 institutional care costs, 6.3, 6.4 nursing care, 6.3(D) personal consumption, 6.6(A) policy recommendation, 12.5(F) price increases, historical, table 1, chap. 6 projecting, 6.2(D) illustrative case, 6.5 income taxes, 6.6(C) in general, 6.2 partial disability cases, 8.5(C) physiatrists, 6.2, 6.5 testimony, 6.7

MILITARY PERSONNEL, 7.8(A)

MINOR CHILDREN

cost of raising, table 9, chap. 7 earnings projection, 7.4(A) personal consumption, 7.4(B) testimony, 7.9

MINORITIES—see also DISCRIMINATION CASES

Blacks, special considerations concerning, 7.3(B) Hispanics, special considerations concerning, 7.3(C) testimony, 7.9

NATIONAL ACADEMY OF ECONOMIC ARBITRATORS, 1.1, 1.3, 1.4

NATIONAL ACADEMY OF FORENSIC ECONOMISTS, 1.1, 1.3, 1.4

OFFSET TECHNIQUE (Re: Earnings Growth Rate and Interest Rate)

real interest offset method, 3.5(F) real wage offset method, 3.5(E) total offset method, 3.5(D)

OPENING STATEMENTS, 11.3

PAIN AND SUFFERING, 2.6—see also HEDONIC DAMAGES

PARTIAL DISABILITY CASES—see also HEDONIC DAMAGES

approaches, 8.2 collateral sources, 8.5(E) discounting, 8.5(A), appx. 2, chap. 8 earnings growth rate, 8.5(A) fringe benefits, 8.5(B) household services, 8.5(C) in general, chap. 8 medical costs, 8.5(D) medical doctors, 8.2(B) personal consumption, 8.5(E) testimony, 8.6 vocational report, 8.2–8.4 sample, appx. 1, chap. 8

PENSIONS—see also FRINGE BENEFITS labor cases, 13.4(C)

PERSONAL CONSUMPTION DEDUCTION

fringe benefits, inapplicable to, 4.5 in general, 3.7; tables 10–12, chap. 3 legal parameters personal injury, 12.3(E) wrongful death, 12.2(G); table 1, chap. 12 marital status, effect of, 7.5 medical and related costs, 6.6(A) minor children, 7.4(B) partial disability cases, 8.5(E) policy recommendation, 12.5(E)

PHYSIATRISTS, 6.2, 6.5

POLICY RECOMMENDATIONS, 12.5

PRE-JUDGMENT INTEREST

definition, 3.4(A) labor cases, 13.4(A), 13.5(A)

PRESENT VALUE—see DISCOUNTING TO PRESENT VALUE

PROFESSIONALS

special considerations, 7.7(A) testimony, 7.9

PROFITS, LOSS OF—see also COMMERCIAL CASES

examples, 13.3 in general, 13.2(F)

337 INDEX Tax

PSYCHOLOGISTS

hedonic damages, 9.5(a) in general, 3.2, 10.2(D)

RACE—see MINORITIES

RAILROAD WORKERS, 7.8(B)

REDIRECT EXAMINATION, 11.6—see also TESTIMONY

REHABILITATION—see EXPERTS, VOCATIONAL

REPORTS, WRITTEN

costs, 2.5 desirability, 2.8 medical and related costs, sample, apps. 1 and 2, chap. 6 partial disability case, sample, apps. 1 and 2, chap. 8 settlement negotiations, use in, 10.2–10.4 time of preparation, 2.4, 10.2(B, C) use of, 10.2–10.4 vocational report in partial disability cases, 8.3–8.5

RETIREMENT AGE PERSONS

in general, 7.6 testimony, 7.9

SALARY—see EARNINGS

SETTLEMENT NEGOTIATIONS—see also STRUCTURED SETTLEMENTS economic report in, 10.4 in general, 10.5

SETTLEMENTS, STRUCTURED—see STRUCTURED SETTLEMENTS

SEX, EFFECT ON EARNINGS, 7.2

SINGLE PERSONS, SPECIAL CONSIDERATIONS CONCERNING, 7.5

STIPULATIONS, 10.9

STRUCTURED SETTLEMENTS

in general, 10.5 proposals, samples, 10.5(E), table 1, chap. 10 tax considerations, 10.5(B)

TAX—see INCOME TAXES

"TEETER-TOTTER", 3.5; Appendices 1 & 2, chap. 3—see also DISCOUNTING TO PRESENT VALUE

TESTIMONY

costs, 2.3
cross examination of economic expert, 11.5
direct examination of economic expert, 11.4
fringe benefits, 4.6
hedonic damages, 9.7
household services, 5.6
in general, 3.9
medical and institutional care costs, 6.7
partial disability cases, 8.6
preparation for, 10.7, 10.8
redirect examination of economic expert, 11.6
sample testimony, appx. 1, chap. 11

TIME VALUE OF MONEY—see DISCOUNTING TO PRESENT VALUE

TRIAL—see also TESTIMONY closing arguments, 11.7 in general, chap. 11 opening statements, 11.3 preparation, 10.7, 10.8 voir dire, 11.2

VOIR DIRE, 11.2

WAGES—see EARNINGS

WILLINGNESS TO PAY (WTP) APPROACH—see HEDONIC DAMAGES

WITNESSES, EXAMINATION OF—see TESTIMONY

WOMEN

earnings, effect of sex on, 7.2 testimony, 7.9

WORK-LIFE EXPECTANCY

in general, 3.6
legal parameters
personal injury, 12.3(C)
wrongful death, 12.2(D)
life-participation-employment technique
in general, 3.6(C)
minorities, special considerations concerning, 7.3
women, special considerations concerning, 7.2
policy recommendation, 12.5(B)

339 INDEX Wrongful

WRONGFUL DEATH

hedonic damages, chap. 9 legal parameters, 12.2, table 1, appx. 1, chap. 12