



Topic Index of BEC Newsletters

January 2012

Brown's Economic Damages Newsletters listed by category and topic*

Brown Economic offers 5 user-friendly, economic loss calculators for quick, accurate, and cost-effective damages estimates, available @ www.browneconomic.com:

- Non-Pecuniary (free)
- Working Life / Life Expectancy (free)
- Present Value (free)
- Housekeeping (pay per use)
- Income Damages (pay per use)

Cara Brown, M.A., Principal
Maureen Mallmes, B.Sc., SEMC
Dan Clavelle, M.Ec.
Laura Dick, B.A.
Brett McIntosh, M.A.
Cindy Ghitter
Elda Figueira, MLS
J.C.H. Emery, Ph.D.
Frank Strain, Ph.D.
Stephen Clark, Ph.D.
Emmanuel Yiridoe, Ph.D.

Cost of care

- **"Cost of care/valuable services assessments: what role does a quantum expert fulfill in quantifying cost of care awards?"**
November, 2008, vol. 5, issue #9
- **"Rising health care costs & cost of care/life planning assessments"**
October 2007, vol. 4, issue #7

Dependency losses in fatality cases

- **"Fatality Cases: Unique aspects related to quantum awards"**
November 2011, vol. 8, issue #9
- **"PCR Rates for Canada by income level: update 2000 estimates with 2007-08 Survey of Household Spending data—PART II"**
April 2011, vol. 8, issue #3
- **"PCR Rates for Canada by income level: update 2000 estimates with 2007-08 Survey of Household Spending data—PART I"**
March 2011, vol. 8, issue #2
- **"The Divorce Contingency: negative contingency in fatality cases—update with 2005 data"**
May 2010, vol. 7, issue #5
- **"Divorce rates in fatality cases"**
April 2006, vol. 3, issue #4
- **"Fatality methodologies and PCR rates for Canada by income level – article published in the *Journal of Forensic Economics*"**
February 2006, vol. 3, issue #2
- **"PCR rates for Canada by income level: original research using the *Survey of Household Spending (SHS)*" 2000**
May 2004, vol. 1, issue #105
- **"Remarriage contingencies in fatal dependency claims"**
March 2004, vol. 1, issue #103

* The reader will note that some newsletter issues are listed under more than one topic category. This is because the issue listed covers more than one topic, so it is listed under EVERY topic that issue addresses.

[Dependency losses in fatality cases, continued]

- **“Canadian spending patterns – survey of household spending”**
February 2004, vol. 1, issue #102
- **“*Fallowka et al v. Royal Oak Ventures et al* (The “Giant Mine” case)”**
December 2004, vol. 1, issue #111
- **“Loss of dependency awards - personal consumption rates in Canada. New research has significant impact on dependency calculations”**
February 2003, vol. 1, issue #90
- **“Fatal accident – loss of dependency, lost years’ award & valuable services (excerpts from *Millott Estate v. Reinhard* [2001] A.J. No. 1644 2001 ABQB 1100)”**
March 2002, vol. 1, issue #79

Fringe benefits

- **“Fringe benefits: by occupation (trades people)”**
September 2010, vol. 7, issue #9
- **“Fringe benefits: Assessing value & other Perquisites (“Perks”) & *Stewart v. DIGI Canada* excerpt from ‘Reasons for Judgment’ (2007)”**
January 2008, vol. 5, issue #1
- **“Fringe (“Non-wage”) Benefits Augmenting Gross Income”**
November/December 2006, vol. 3, issue #10
- **“Fringe benefits impact base salary”**
October 2003, vol. 1, issue #98

HALS/PALS surveys and methodology

- **“2006 PALS: Wage deficits by education level & dealing with self-employed plaintiffs using the PALS data”**
May 2011, vol. 8, issue #4
- **“2006 PALS: Wage deficits by degree of severity (Replicating the 2001 PALS regressions results)”**
February 2011, vol. 8, issue #1
- **“2006 *Participation and Activity Limitation Survey* (“PALS”): preliminary results”**
January 2010, vol. 7, issue #1
- **“*Facial Disfigurement*: How do you measure economic loss and is there a loss of marriage benefit to be claimed?”**
December 2009, vol. 6, issue #9
- **“Proving economic loss when injury isn’t obviously manifest & magnitude of impact unknown at settlement”**
November/December 2007, vol. 4, issue #8
- **“*Participation and Activity Limitation Survey* (“PALS”) – Profile of Disability in Canada”**
March 2007, vol. 4, issue #3
- **“Reduction in housework due to disability (2001 PALS & 1991 HALS data)”**
February 2007, vol. 4, issue #2

[HALS/PALS surveys and methodology, continued]

- **“Robinson v. Williams (2005) decision – excerpts from judgment”**
December 2005, vol. 2, issue #10
- **“Additional findings from the 2001 PALS, with comparisons to the 1991 HALS”**
July/August 2005, vol. 2, issue #7
- **“2001 PALS (*Participation & Activity Limitation Survey*) Results: Wage gaps due to disability”¹**
June 2005, vol. 2, issue #6
- **“Health and activity limitation survey (HALS) – data collection questionnaire”**
July 2002, vol. 1, issue #22 [ATLANTIC ISSUE]
- **“Health and activity limitation survey (HALS)”**
June 2002, vol. 1, issue #21 [ATLANTIC ISSUE]

Housekeeping losses

- **“Fatality Cases: Unique aspects related to quantum awards” [Vol. 8, Issue #9 discusses “valuable services” in fatality cases]**
November 2011, vol. 8, issue #9
- **“Housekeeping Claims: Time Use Data from Statistics Canada’s 2010 *General Social Survey* (GSS), cycle 24”**
July/August 2011, vol. 8, issue #6
- **“Housekeeping claims: 2010 hourly replacement rates”**
March 2010, vol. 7, issue #3
- **“Housekeeping award by Ontario Court of Appeal: *McIntyre v. Docherty* [2009]”**
May 2009, vol. 6, issue #4
- **“Household Replacement Rates and the “Health” contingency in housekeeping claims”**
March 2008, vol. 5, issue #3
- **“Reduction in housework due to disability (2001 PALS & 1991 HALS data)”**
February 2007, vol. 4, issue #2
- **“Housekeeping claims: Time Use Statistics from Statistics Canada’s 2005 *General Social Survey* (GSS) cycle 19”**
October 2006, vol. 3, issue #9
- **“Economic loss calculators” [showcases the *Housekeeping Damages Calculator*]**
November 2005, vol. 2, issue #9
- **“Housekeeping capacity replacement rates”**
September/October 2005, vol. 2, issue #8
- **“Housekeeping awards & replacement rates, 2004”**
August 2004, vol. 1, issue #107
- **“Valuable services trends & housekeeping replacement rates”**
September 2003, vol. 1, issue #97
- **“Valuable services trends: 1990-2002 Atlantic perspective”**
May 2002, vol. 1, issue #82

¹ Co-authored with Dr. Emery, economics professor at the University of Calgary

Loss of insurability

- **“Loss of insurability claims (includes case law on this topic from Rick Johnston of Johnston Franklin in Nanaimo, BC)”**
February 2008, vol. 5, issue #2
- **“Loss of Insurability: a new head of damage?”**
May 2005, vol. 2, issue #5

Negative contingencies

- **“Fatality Cases: Unique aspects related to quantum awards” [Vol. 8, Issue #9 discusses “remarriage and divorce contingencies” in fatality cases]**
November 2011, vol. 8, issue #9
- **“The Disability Contingency (CPP 2009 Data)”**
November 2010, vol. 7, issue #11
- **“The Disability Contingency (CPP 2009 Data)”**
November 2010, vol. 7, issue #11
- **“The Divorce Contingency: negative contingency in fatality cases—update with 2005 data”**
May 2010, vol. 7, issue #5
- **“The Disability Contingency (2006 CPP data)”**
July 2008, vol. 5, issue #6
- **“Applying & Tailoring negative contingencies in cases when earnings are interrupted”**
June 2008, vol. 5, issue #5
- **“Divorce rates in fatality cases”**
April 2006, vol. 3, issue #4
- **“Disability rates in loss of income calculations”**
September 2004, vol. 1, issue #108
- **“Remarriage contingencies in fatal dependency claims”**
March 2004, vol. 1, issue #103
- **“Life tables – 1995 to 1997 (released Aug. 23, 2002)”**
September 2002, vol. 1, issue #85
- **“The contingency factor”**
July 2001, vol. 1, issue #10 [ATLANTIC]

Pension benefit losses

- **“Pension losses: unique aspects of pension benefits claims”**
April 2010, vol. 7, issue #4
- **“Loss of income & pension benefits testimony excerpt *Jensen v. Thompson* [2002] ABQB 1066”**
January 2003, vol. 1, issue #89

Real Discount Rate

- **“Real Discount Rate: Revisiting the forecasts & Interpreting Ontario’s mandated discount rate”**
December 2011, vol. 8, issue #10
- **“Real Discount Rate: what is the best interest rate for civil litigation?”**
December 2010/January 2011, vol. 7, issue #12

Reported cases

- **“Real Discount Rate: Revisiting the forecasts & Interpreting Ontario’s mandated discount rate” [Vol. 8, Issue #10 discusses the *Slaght & Greenhalgh* cases from Ontario]**
December 2011, vol. 8, issue #10
- **“*Meehan v. Holt (nee Hogan)*, 2010 ABQB 287”**
June 2011, vol. 8, Issue #5 [section IV, pp. 7-19]
- **“PCR Rates for Canada by income level: update 2000 estimates with 2007-08 *Survey of Household Spending* data—PART II”**
April 2011, vol. 8, issue #3
- **“*Brodie v. Canada (Attorney General)*, 2010 ABQB 678”**
October 2010, vol. 7, issue #10
- **“*Palmquist v. Ziegler*, 2010 ABQB 337”**
October 2010, vol. 7, issue #10
- **“*McLaren v. McLaren Estate*, 2010 ABQB 471”**
October 2010, vol. 7, issue #10
- **“*Palmquist v. Ziegler*, 2010 ABQB 337”**
August 2010, vol. 7, issue #8
- **“*McLaren v. McLaren estate*, 2010 ABQB 471”**
August 2010, vol. 7, issue #8
- **“Impact of Taxes & Tax gross-ups (on subrogated & WCB claims): *Townsend v. Kroppmanns*, 2004 1 S.C.R. and *Palmquist v. Zeigler*, 2010 ABQB 337”**
June 2010, vol. 7, issue #6
- **“PART I: Executive Compensation and announcement about *Russell v. Turcott* 2009 ABQB 19: released Feb. 6, 2009”**
August, 2009, vol. 6, issue #6
- **“*Courtney v. Cleary* 2009 NLTD 103: released July 6, 2009”**
June/July, 2009, vol. 6, issue 5
- **“2006 Census “Major Field of Study” data; Ontario jury trial; IDC improvements”**
January/February, 2009, vol. 6, issue #1
- **“Fringe benefits: Assessing value & other Perquisites (“Perks”) & *Stewart v. DIGI Canada* excerpt from ‘Reasons for Judgment’ (2007)”**
January 2008, vol. 5, issue #1

[Reported cases continued]

- **“Loss of insurability claims (includes case law on this topic from Rick Johnston of Johnston Franklin in Nanaimo, BC)”**
February 2008, vol. 5, issue #2
- **“Proving economic loss when injury isn’t obviously manifest & magnitude of impact unknown at settlement”**
November/December 2007, vol. 4, issue #8
- **“Economic awards arising from sexual assault: BROWN ECONOMIC TESTIMONY IN REPORTED DECISIONS”**
January 2007, vol. 4, issue #1
- **“Williams v. Thomas Development Corporation et al 2006 NLTD 44 released March 9, 2006”**
March 2006, vol. 3, issue #3
- **“Wanda Young v. Leslie Bella, William S. Rowe and Memorial University of Newfoundland”**
January 2006, vol. 3, issue #1
- **“Robinson v. Williams (2005) decision – excerpts from judgment”**
December 2005, vol. 2, issue #10
- **“Brown Economic provides unusual expert testimony: Oppression action (McRoberts),”**
January 2005, vol. 2, issue #1
- **“Excerpt from Crackel v. Miller, decided by Macleod, J. (Calgary, Alberta Court of Queen’s Bench)”**
June 2004, vol. 1, issue #106
- **“Fallowka et al v. Royal Oak Ventures et al (The “Giant Mine” case)”**
December 2004, vol. 1, issue #111
- **“Sexual abuse actions”**
December 2003, vol. 1, issue #100
- **“Loss of income & pension benefits testimony excerpt Jensen v. Thompson [2002] ABQB 1066”**
January 2003, vol. 1, issue #89
- **“Fatal accident – loss of dependency, lost years’ award & valuable services (excerpts from Millott Estate v. Reinhard [2001] A.J. No. 1644 2001 ABQB 1100)”**
March 2002, vol. 1, issue #79
- **“Expert testimony cost of raising a child (Mark S. & Sherri S. v. Clarice A. Baker [2001] ABQB No. 1032) - Moreau, J.”**
February 2002, vol. 1, issue #78
- **“Gender as a defining characteristic for earnings and labour market contingencies: case law in Canada”**
November 2001 vol. 1, issue #75

Retirement & working life expectancy

- **“Working Life / Life Expectancy”**
December 2008, vol. 5, issue #10

[Retirement and working life expectancy, continued]

- **“Working life expectancy & Retirement age: What is the difference?”**
September 2007, vol. 4, issue #7
- **“The Baby Boomer Generation & Retirement – Part III”**
July 2006, vol. 3, issue #6
- **“New data on retirement ages: 2002 *General Social Survey* (cycle 16) – Part II”**
June 2006, vol. 3, issue #6
- **“New data on retirement ages: 2002 *General Social Survey* (cycle 16) – Part I”**
May 2006, vol. 3, issue #5
- **“Retirement data – the determining factors”**
March 2003 vol. 1, issue #91
- **“Retirement Age = 65: Fact or Fallacy?”**
August 2001 vol. 1, issue #11 [ATLANTIC]

Sexual assault damages

- **“The Impact of Sexual Assault on Income and Employment: Results from three *General Social Surveys* (1993, 1999 and 2004) from Statistics Canada”**
April/May 2008, Vol. 5, issue #4
- **“Economic awards arising from sexual assault: BROWN ECONOMIC TESTIMONY IN REPORTED DECISIONS”**
January 2007, vol. 4, issue #1
- **“The impact of sexual assault: new estimates with 1999 Statistics Canada data”**
March 2005, vol. 2, issue #3
- **“Sexual abuse actions”**
December 2003, vol. 1, issue #100

Tax gross-up & tax topics

- **“Fatality Cases: Unique aspects related to quantum awards” [Vol. 8, Issue #9 discusses tax gross-up in fatality cases]**
November 2011, vol. 8, issue #9
- **“RRSPs: Impact on after-tax loss calculations, and in fatality cases”**
August 2010, vol. 7, issue #8
- **“Impact of Taxes & Tax gross-ups (on subrogated & WCB claims)”**
June 2010, vol. 7, issue #
- **“Economic Losses: Personal income tax & gross-up”**
June 2007, vol. 4, issue #5
- **“‘Net’ economic loss calculations: results from *Bill 53* conferences”**
October 2004, vol. 1, issue #110
- **“Changes to pecuniary (economic) loss calculations in accident cases in Alberta – order in council approved January 26, 2004”**
January 2004, vol. 1, issue #101

Unique data for wage losses

- **“Counting Employment Insurance (‘EI’) Benefits as part of Employment Income”**
October 2011, vol. 8, issue #8
- **“Age-earnings profiles: occupation - or individual - specific ‘real’ growth”**
October 2010, vol. 7, issue #10
- **“Economic & Social Facts for Canada”**
July 2010, vol. 7, issue #7
- **“Facial Disfigurement: How do you measure economic loss and is there a loss of marriage benefit to be claimed?”**
December 2009, vol. 6, issue # 9
- **“2006 Census “Major Field of Study” data; Ontario jury trial; IDC improvements”**
January/February, 2009, vol. 6, issue #1
- **“2006 Census data & Income Sources available to Forensic Economists”**
October 2008, vol. 5, issue #8
- **“Just in time for the playoffs: economic analysis of NHL prospects”**
April 2004, vol. 1, issue #104
- **“2001 Census standard vs. custom data”**
November 2003, vol. 1, issue #99
- **“Earnings and labour market participation of young offenders and career criminals”**
May 2003, vol. 1, issue #93
- **“Major field of study data available for ‘top quartile’ earners”**
December 2002, vol. 1, issue #88
- **“Estimating income for Atlantic fishermen: some considerations from case law”**
October 2001, vol. 1, issue #13

Wage trends

- **“Self-employment: Complications that arise when dealing with the self-employed (record-keeping, income-splitting, retirement age and failure rates of businesses)”**
September 2011, vol. 8, issue #7
- **“Self-employment: analyzing wages and profits when employment status determines compensation levels”**
June 2011, vol. 8, issue #5
- **“Measures of low income in Canada”**
February 2010, vol. 7 issue #2
- **“PART II: Non-CEO remuneration: Benchmarks and Trends”**
September 2009, vol. 6, issue #7
- **“PART I: Executive Compensation and announcement about *Russell v. Turcott* 2009 ABQB 19: released Feb. 6, 2009”**
August, 2009, vol. 6, issue #6

[Wage trends, continued]

- **“Wage inflation data: CPI versus SEPH”**
April 2009, vol. 6, issue #3
- **“Matching data sources to plaintiff salaries”**
March 2009, vol. 6, issue #2
- **“Trends in wages, 1981-2004: emphasis on low-paid workers”**
July 2007, vol. 4, issue #6
- **“Earnings in Perspective”**
August/September 2006, vol. 3, issue #8
- **“Average wages of childcare & home support workers, by province, 1997 to 2004”**
February 2005, vol. 2, issue #2

Brown’s Economic Loss Calculators

- **“Income Damages Calculator™ (“IDC”): Improved features since 2007”**
October/November 2009, vol. 6, issue #9
- **“Income Damages Calculator™: Release of newest calculator (IDC) @ www.browneconomic.com”**
April/May 2007, vol. 4, issue #4
- **“Economic loss calculators” [showcases the *Housekeeping Damages Calculator*]**
November 2005, vol. 2, issue #9
- **“Present value damages calculator ... launch date September 15, 2003”**
August 2003, vol. 1, issue #96
- **“New Calculators, enhanced website and electronic version of The Economics Editor; introduce Frank Strain: Feature #2: The working life/life expectancy calculator”**
July 2003, vol. 1, issue #95
- **“BEA’s Interactive Online Calculators—Feature #1 The Non-Pecuniary Damages Calculator”**
June 2003, vol. 1, issue #94



Brown Economic Consulting Inc.

HEAD OFFICE

#216, 5718-1A Street South West
Calgary, AB T2H 0E8
T 403.571.0115 F 403.571.0932

#907, 1128 Sunset Drive
Kelowna, B.C. V1Y 9W7
Toll 1.800.301.8801

1791 Barrington St., Suite 300
Halifax, NS B3J 3R7
Toll 1.800.301.8801

Email help@browneconomic.com
Web www.browneconomic.com