



A PUBLICATION OF THE AMERICAN BAR ASSOCIATION
SPECIAL COMMITTEE ON BIOETHICS AND THE LAW

2005 ANNUAL MEETING GUIDE TO BIOETHICS RELATED PROGRAMS

CHICAGO, ILLINOIS • AUGUST 4–9

THE AMERICAN BAR ASSOCIATION
Special Committee on Bioethics and the Law

presents a FREE CLE program

MAKING THE PERFECT BABY: THE PROMISE AND PERIL OF "DESIGNER BABIES"

Saturday, August 6, 2005

3:45 p.m. to 5:15 p.m.

Water Tower Room, Bronze Level, West Tower
Hyatt Regency Chicago

Should prospective parents be able to change their children's genetic characteristics or predispositions? What are the appropriate roles of the medical and legal communities and the government in promoting or restricting parental choices? What is the current landscape of the possibilities, realities, and economics of such alterations? This panel will address, from an ethical, medical and legal perspective, the nexus of innovations in medicine and science as they relate to genetic "enhancements" of children. In light of the potential for dramatic changes in pre-natal thinking, these experts will take a sober look at all of the issues that must be considered in this timely and important debate.

Moderator: *Hon. Gladys Kessler, Washington, DC*
Panelists: *Professor Lori Andrews, Chicago, Illinois*
Dr. Joel Frader, Chicago, Illinois
Professor Laurie Zoloth, Chicago, Illinois

Additional Co-Sponsors:

Section of Individual Rights and Responsibilities
Section of Science and Technology Law
National Association of Women Judges
National Association of Women Lawyers



The Premier Educational Forum For Legal Professionals

Please note that for the 2005 Annual Meeting, CLE ticket prices are generally \$75.00 for Lawyers; \$35.00 for Judges and Government Attorneys; and Free for Law Students, unless listed otherwise.

Friday, August 5

2:00 p.m. to 5:15 p.m.

The Right to Die: Do Americans Have the Right to a Good Death?

Regency Ballroom A, Gold Level, West Tower, Hyatt Regency Chicago

Arthur Miller and a panel of legal and medical professionals will participate in "The Right to a Good Death" panel discussion. The panelists will discuss the role of medical professionals, should they be advocates or remain neutral? What role, if any, should the legislative branch play? To what degree can living wills or health-care directives solve problems like the Schiavo case in Florida? Should third-party advocacy groups have a voice?

Speakers: John DiMugno, Berkeley, California; Michael Jordan, Hilton Head, South Carolina; Arthur Miller, Cambridge, Massachusetts

Primary Sponsor: Tort Trial and Insurance Section

the grittiest crime labs -- as well as an executive producer from CSI, a prominent federal judge, and a former prosecutor, now an expert on experts. Using video clips from actual CSI episodes, the panel will also discuss the scientific, legal, and ethical implications of the CSI effect and preview the latest technologies being used by forensic scientists. The program is designed for judges, attorneys, and anyone seeking a better understanding of what's real, what's not, and the effect of popular media on our justice system.

Speakers: Dr. Michael Baden, New York, New York; Honorable Andre M. Davis, Baltimore, Maryland; Elizabeth Devine, Los Angeles, California; Carol Henderson, Gulfport, Florida; Dr. Cyril Wecht, Pittsburgh, Pennsylvania

Moderators: Heather Rafter, Daly City, California; Anjali Swinton, Germantown, Maryland

Primary Sponsor: Section of Science & Technology Law

Additional Sponsors: Judicial Division, Section of Litigation, American Association for the Advancement of Science

Saturday, August 6

8:30 a.m. to 10:00 a.m.

CSI Meets the Courts: The Brave New World of Forensic Technology (ABA Plenary Session)

Grand Ballroom A/B, Gold Level, East Tower, Hyatt Regency Chicago

Over the past several years, CSI has become one of the most popular network television shows. Each week the public eagerly watches the characters on CSI solve a different crime using the tools of forensic science. But how real is the program? How accurate is the depiction of what forensic scientists do and the underlying science? Can crimes really be solved in 44 minutes? This program examines the impact of the CSI effect on how crimes are actually investigated, tried, and resolved by judges and juries. The panel will include two leading forensic scientists -- medical examiners who have been in the trenches of

10:30 a.m. to 12:00 p.m.

Unique Considerations of Being a Director of a Health-Care Entity -- Health and Biotechnology

Regent 1, 3rd Floor, Westin Michigan Avenue

This program will provide an oversight of executive compensation and the IRS's Tax Exemption Compensation Enforcement Project; discuss the impact of Sarbanes-Oxley on nonprofit health care, and cover charity care, its legal requirements, economics reality, and public perception.

Speakers: Bonnie Brier, Philadelphia, Pennsylvania; Ralph E. DeJong, Chicago, Illinois; Linda S. Moroney, Milwaukee, Wisconsin

Moderator: Neville M. Bilimoria, Chicago, Illinois

Primary Sponsor: Section of Business Law

2:00 p.m. to 3:30 p.m.

**Stem Cell Research: Legislative Update
-- Who Will Control the Future of
Medicine**

*Columbus Hall EF, Gold Level, East Tower,
Hyatt Regency Chicago*

Recent legislative efforts by states illustrate our societal attitude towards stem cell research: some encourage and fund it, while others prohibit or limit it. Leaders in bioethics, science, and policy will explain the positions that underlie these efforts. You will also come away with a clear understanding of the terminology and scientific techniques that make up this research.

Speakers: Prof. Rebecca Dresser, St. Louis, Missouri; Prof. Elizabeth Price Foley, Detroit, Michigan; Dr. Steven L. Teitelbaum, St. Louis, Missouri

Moderators: G. Melissa Ince, Kansas City, Missouri; Mark C. Nelson, Dallas, Texas

Primary Sponsor: Section of Science & Technology Law

Additional Sponsors: Health Law Section, Section of Individual Rights and Responsibilities, Special Committee on Bioethics and the Law

3:45 p.m. to 5:15 p.m.

Prescription for Controversy: The Re-importation of Prescription Drugs

*Columbus Hall KL, Gold Level, East Tower,
Hyatt Regency Chicago*

The free market appears to have outpaced the legal regulation of prescription drugs. Increasingly, consumers are taking to foreign markets to secure needed medicines at below market prices. Technically, this practice is illegal. Now states, including Illinois and Missouri, have gone so far as to establish programs to facilitate this trade. In this program, the Customs Law Committee will explore the law and policy behind the regulations and the movement to allow re-importation of medicine.

Speakers: Governor Rod Blagojevich, Springfield, Illinois; Rahm Emanuel, Chicago, Illinois; Benjamin England, Miami, Florida; Steve Schorr, Washington, D.C.; Billy Tauzin, Washington, D.C.; Chris

Ward, Hamilton, Ontario, Canada

Primary Sponsor: Section of International Law and Practice

Sunday, August 7

1:30 p.m. to 4:00 p.m.

Health-Care ADR: The Tidal Wave Arrives - Ad Hoc Committee on Consumer Arbitration

French Room, Upper Level, Drake

As the cost of resolving health-care disputes continues to rise, health-care organizations are increasingly turning to legal counsel and risk managers for advice on how to implement mediation and arbitration programs. This program provides a legal and practical overview from some of the most respected experts in the health-care field.

Speakers: Mary Anne Hilliard, Washington, DC; Karen Ignagni, Washington, DC; Peter Leipold, Washington, DC; Dr. John Nelson, Chicago, Illinois; Susan Schmid, Los Angeles, California

Primary Sponsor: Section of Business Law

2:00 p.m. to 3:30 p.m.

Welcome Back Fluffy: The Legal, Ethical, and Economic Issues of Pet Cloning

*Columbus Hall KL, Gold Level, East Tower,
Hyatt Regency Chicago*

On its Web site, Genetic Savings and Clone proudly claims: Genetic Savings and Clone employs some of the best minds available in cellular biology, genetics, micro-engineering, computer science, project management, and other fields relevant to cloning pets. This newly formed company recently made the news for its successful cloning of an older woman's now deceased cat, all for a mere \$50,000. This program will bring together Lou Hawthorne, founder of Genetic Savings and Clone, a leading scientist, an attorney, and a bio-ethicist to discuss the business of cloning and the myriad of ethical, scientific, and legal issues it raises, not just now but with an eye to the future.

Speakers: Dr. Phil Damiani, San Francisco, California; Lou Hawthorne, San Francisco, California

Moderator: Gilbert F. Whittemore, Boston, Massachusetts

Primary Sponsor: Section of Science and Technology Law

Additional Sponsors: Health Law Section, Section of Individual Rights and Responsibilities, Section of Intellectual Property Law, Section of Litigation, Special Committee on Bioethics and the Law

2:00 p.m. to 5:15 p.m.

Medicolegal Images of the Present and Future: How Advances in Medicine and Technology Intersect with Tort Law

Regency Ballroom B, Gold Level, West Tower, Hyatt Regency Chicago

Medical technology is moving into new areas at an ever-increasing pace—as are the new legal theories related to them. Discover the complex tort liability issues arising with the latest technological and medical advancements and their respective applications. Tort issues ranging from fetal ultrasound and full body scans to telemedicine and telerobotic surgery will be addressed. Medical and technological experts will supply the clinical scenarios including demonstrations of cutting-edge techniques and legal experts will explore the ethical considerations and the plaintiff's and defendant's perspectives. This will be an interactive seminar, with audience participation encouraged.

Speakers: David Cooner, Newark, New Jersey; Russell A. Faust, Detroit, Michigan; Raymund King, Arlington, Texas; Janice Mulligan, San Diego, California; Yulun Wang, Goleta, California

Primary Sponsor: Section of Tort, Trial, and Insurance Policy

Monday, August 8

9:00 a.m. to 10:30 a.m.

Implementing the New Medicare Drug Benefit (Part I)

Columbus Hall AB, Gold Level, East Tower, Hyatt Regency Chicago

Primary Sponsor: Health Law Section

10:30 a.m. to 12:00 p.m.

Implementing the New Medicare Drug Benefit (Part II)

Columbus Hall AB, Gold Level, East Tower, Hyatt Regency Chicago

Primary Sponsor: Health Law Section

Tuesday, August 9

10:45 a.m. to 12:15 p.m.

Medicare and Prescription Drug Benefits

Grand Ballroom III, Ballroom Level, Swissotel

For employers who offer retiree medical benefits, the passage of the Medicare Modernization Act, establishing a new Part D providing prescription drug coverage, is an opportunity to reduce costs while maintaining coverage. The Act provides opportunities for employers to claim tax-free subsidies if they substantially contribute to retiree drug costs under their own plans. The Act also provides options for reducing costs through benefit design changes aimed at coordinating employer-provided benefits with new prescription drug benefits. The new Part D rules went into effect on January 1, 2005. This session will analyze the new Part D program and outline the possible coverage options for retirees, employers, and unions.

Speakers: Kathryn L. Bakich, Washington, DC; Phyllis C. Borzi, Washington, DC; Charles K. Kerby III, Washington, DC

Primary Sponsor: Section of Labor and Employment Law

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