

# Thomas Wm. Mayo

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Dedman School of Law  
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## EDUCATION

Syracuse University College of Law, Syracuse, New York  
J.D., *magna cum laude*, 1977  
Editor-in-Chief, Syracuse Law Review, 1976-1977  
Order of the Coif  
Justinian Honor Society

Amherst College, Amherst, Massachusetts  
B.A., 1971, Philosophy

## ACADEMIC POSITIONS

*August 1984 - present:* Southern Methodist University Dedman School of Law

Altshuler University Distinguished Teaching Professor, 2012-14  
Associate Professor, September 1990-present  
Associate Dean for Academic Affairs, August 1992-August 1995  
Assistant Professor, August 1984- September 1990

Courses taught:

Torts I & II (since 2010); Law and Medicine - Bioethics (since 1988); Law and Medicine - Health Care Law (since 1988); Law, Literature & Medicine (since 1992); Nonprofit Organizations (since 2008); Public Health Law & Ethics (since 2016); Election Law (beginning Fall 2012); Administrative Law (1998-2005); Business Torts (1987-90); Civil Procedure I & II (1984-90, 1996); Constitutional Law I & II (1990-96, 2004-05); Family Law (2000-03); Federal Courts (1986-88); Land Use (1984-87); Legislation (1995-2005, 2014)

*September 1994 - present:* University of Texas - Southwestern Medical School, Dallas

Adjunct Associate Professor of Internal Medicine

Courses taught:

Law, Literature & Medicine (jointly with law school); Ethics Facilitator in first- and second-year Colleges program; Clinical Ethics in Medicine; Introduction to Clinical Medicine I

*June 2005 – December 2010:* Director, SMU Maguire Center for Ethics and Public Responsibility

## OTHER LEGAL POSITIONS

*February 1989 - present:* Of Counsel, Haynes and Boone, Dallas (Health Care group)

*September 1980 - August 1984:* Associate, Covington & Burling, Washington, D.C.

*June 1979 - September 1980:* Judicial clerk, U.S. Court of Appeals for the District of Columbia Circuit

*August 1977 – June 1979:* Associate, Nixon, Hargrave, Devans & Doyle (now Nixon Peabody), Rochester, N.Y.

## **OTHER POSITIONS**

1998-2008: Poetry Columnist, Dallas Morning News

## **ACADEMIC-RELATED HONORS**

Altshuler University Distinguished Teaching Professor Award (2012-14) and University Academy of Distinguished Teachers (2012 - 2014) for notable commitment to and achievements in fostering student learning

President's Associates Outstanding Faculty Award (2006-2007) to the tenured faculty member who has sustained high achievement as a teacher and whose scholarship makes a meaningful contribution to student learning

Outstanding University Faculty Volunteer Award, 1988-1989 (for community service)

Dedman School of Law Dr. Don M. Smart Award for Excellence in Teaching: 1986-1987, 1996-1997, 2013-2014.

Dedman School of Law Dr. Don M. Smart Prize for Faculty Supervision of Outstanding Directed Research: 1985-1986, 1987-1988, 1988-1989

Dallas County Medical Society, Heath Award (for outstanding leadership and service to medicine and to the community of Dallas), 2002

## **LAW-MEDICINE-RELATED PROFESSIONAL ACTIVITIES AND MEMBERSHIPS**

American Law Institute, elected 2012

American Health Lawyers Association, 1988-present

Inaugural class of Fellows, 2005

Advisory Board, *Journal of Health and Life Sciences Law*, 2007-present

Board of Directors, 1997-2003

Executive Committee and Secretary, 2001-03

Health Law Council, Health Law Section, Texas Bar Association, 1997-present

Charter member, Exam Commission, Health Law Certification Examination, Texas

Board of Legal Specialization, 2001-07

Charter member, National Board of Advisors, Bureau of National Affairs' *Health Law Reporter*, 1991-present

National Board of Editors, *Health Care Law Monthly* (Matthew Bender), 1995-2010

American Inns of Court, Master, 1992-present

William M. "Mac" Taylor Chapter, Executive Committee, 1992-present

Secretary/Treasurer, 2001-05

President, 2005-07

Serjeants' Inn, elected 2010

American College of Legal Medicine, 1998-present

American Society of Bioethics & Humanities, 1998 - present

American Society of Law, Medicine & Ethics, 1988 - present

American Bar Association, 1977-present

Health Law Section, 1988-present

Section on Science and Technology, 1988-present

Academic Advisory Panel, *Black's Law Dictionary* (8<sup>th</sup> & 9<sup>th</sup> eds., West 2004 & 2009)

**PUBLICATIONS - 2006 to present**

(Publications from prior years are listed in Appendix A)

*Articles:*

1. "Tax-Exempt Hospitals: Renewed Focus on Indigent Care," 4 J. HEALTH & LIFE SCIENCES L. 140-52 (2010)
2. "Health Care Law," *Survey of Texas Law*, 63 SMU L. REV. 607-25 (2010) (co-authored)  
"The Baby Doe Rules and Texas's 'Futility Law' in the NICU," 25 GEORGIA ST. UNIV. L. REV. 1003-17 (2009)
3. "Health Care Law," *Survey of Texas Law*, 62 SMU L. REV. 1245-66 (2009) (co-authored)
4. "Three Ways of Looking at a Health Law and Literature Class," 1 DREXEL L. REV. 512-72 (2009) (co-authored)
5. "Active Surveillance Cultures and Contact Precautions for Control of Multidrug-Resistant Organisms: Ethical Considerations," 47 J. CLIN. INFECT. DIS. 110-16 (2008) (co-authored)
6. "Managing and Reporting Community Incidents: Ethical Considerations," 25 PED. INF.DIS. J. 937-38 (OCT. 2006)
7. "Getting Political With Science," 13 SMU RESEARCH 21, 21 (2006)
8. "Living and Dying in a Post-Schiavo World," 38 J. HEALTH L. 587-608 (2006)

*Book Chapters:*

9. "Bioethics," in FUNDAMENTALS OF HEALTH LAW 515 (AHLA, 6th ed., 2014)
10. "Twyla Tharp Goes to Law School: On the Use of the Visual and Performing Arts in Professional Education," in BEYOND TEXT IN LEGAL EDUCATION – VOL. II: THE MORAL IMAGINATION AND THE LEGAL LIFE (Ashgate Press, 2012)
11. "Futility: *My Life*," in THE PICTURE OF HEALTH: MEDICAL ETHICS AND THE MOVIES 428-32 (H. Colt, S. Quadrelli & L. Friedman, eds.) (Oxford Univ. Press 2011)
12. "Bioethics," in HEALTH LAW PRACTICE GUIDE 15:1-15:43 (Gosfield et al., eds., 3d ed. 2011)
13. "Bioethics," in FUNDAMENTALS OF HEALTH LAW 487-511 (AHLA, 5th ed., 2011)
14. "Bioethics," in HEALTH LAW PRACTICE GUIDE 15:1-15:20 (Gosfield et al., eds., 2d ed. 2009)
15. "Bioethics," in FUNDAMENTALS OF HEALTH LAW 407-28 (AHLA, 4th ed., 2008)
16. "Living Greatly in the Law: Three Lessons," LAW, CULTURE, AND ECONOMIC DEVELOPMENT: A *Liber Amicorum* for Professor Roberto MacLean 292-94, CBE, Studies Series in International Financial, Economic, and Technology Law (Vol. 8 2007: Successor to the Yearbook of International Financial and Economic Law)

*Books - Co-edited:*

17. TELEMEDICINE: SURVEY AND ANALYSIS OF FEDERAL AND STATE LAWS, 207 pp. (AHLA 2007) (co-authored)

**ADDRESSES, SPEECHES, PANEL PRESENTATIONS - 2005 to present**

(Items from prior years are listed on Appendix B)

*National & International Conferences:*

1. "Donation after Circulatory Death: A Lesson in How Not to Make Medico-Legal Policy," Inaugural Stuart Reuter Lecture, Annual Meeting, American College of Legal Medicine, February 28, 2014
2. "The Impact of the Affordable Care Act on Small Businesses," Annual Meeting, Society of Business Editors and Writers, Washington, DC, April 6, 2013
3. "Hot Topics in Bioethics," Special Committee on Bioethics and the Law, ABA Mid-Year Meeting, Dallas, February 9, 2013
4. "The Texas Medical Futility Law," National College of Probate Judges, 2012 Spring Meeting, Tucson, May 4, 2012
5. "Twyla Tharp Goes to Law School: Incorporating Dance (and Painting and Sculpture) in a Course on Professionalism," Beyond Text, University of Edinburgh School of Law, Edinburgh, June 21, 2009
6. "Futile Care Debate and Baby Doe: Resolving difficult cases when further treatment may be considered futile," Georgia State Law Review Symposium, "The 25<sup>th</sup> Anniversary of the Baby Doe Rules: Perspectives from the Fields of Law, Health Care, Ethics, and Disability Policy," Atlanta, February 13, 2009
7. "Ethical and Legal Aspects of End-of-Life Decision-making," American Health Lawyers Association, Annual Hospitals and Health Systems Program, Phoenix, February 10, 2009
8. "Teaching Health Law Through Literature" panel, Association of Law. Medicine & Ethics Annual Health Law Teachers Conference, Philadelphia, June 6, 2008
9. "The Texas Advance Directive Act: A Futile Law?," Annual Meeting, Pediatric Academic Societies, Honolulu, May 5, 2008
10. "Legal and Ethical Aspects of End-of-Life Decision-making for Children with Neuromuscular Disease," 30<sup>th</sup> Annual Carrell-Krusen Neuromuscular Symposium, Dallas, February 20, 2008
11. Panelist, "Town Hall Meeting: Is Uncontrolled DCD An Untapped Resource for Those Waiting on the List?," Annual Meeting, Association of Organ Procurement Organizations, Dallas, June 15, 2007
12. "Treating Eating Disorders: The Ethical and Legal Thicket," 8th Annual Professional Symposium for the Prevention and Treatment of Eating Disorders, The Elisa Project, Dallas, April 20, 2007
13. Panelist, "Data Sharing and the Bioethics of Collaborative Genetic Research," NIH/National Institutes of Allergy and Infectious Disease, Dallas, January 17-18, 2007
14. "Litigating Disputes Over Medical Treatment of Minors," Council of Appellate Staff Attorneys Seminar, Dallas, November 11, 2006
15. Panelist, "Intro to Health Law and Medical Ethics," Health Journalism 2006: National Conference of the Association of Health Care Journalists," Houston, March 17, 2006
16. "DNR, Futility, and the Future after Schiavo," national teleconference, Defense Research Institute, January 31, 2006

*Regional and Statewide Conferences:*

17. "Practical and Ethical Aspects of DCD," Kidney Transplant and Dialysis Update 2013, UT-Southwestern Medical Center, Dallas, September 13, 2013
18. "Medical Futility in Texas: It Ain't All That It's Cracked Up To Be (And That Might

- Be a Good Thing),” Pedi-Hope 2013, Texas Pediatric Palliative Care Consortium, Austin, August 9, 2013
19. “The Trustee’s Challenge: Mission, Money and Medicine,” Annual Meeting, Texas Healthcare Trustees, Fort Worth, July 29, 2011
  20. “End-of-life Decisions: What Patients and Families Need to Know,” 43<sup>rd</sup> Annual Haltalin Seminar, Children’s Medical Center, Dallas, April 29, 2011
  21. “Is Brain Death Dead?,” Annual Meeting, Texas Association of Neurological Surgeons, San Antonio, TX, March 6, 2010
  22. “Is There a Duty to Die in Texas?,” Dr. Kenneth Street Law Symposium, Austin College, Sherman, TX, February 23, 2010
  23. “Introduction to End-of-Life Decision-making for Elder Law Attorneys,” Advanced Elder Law Course, State Bar of Texas, March 6, 2008
  24. “Ethical and Legal Aspects of Uncompensated Care,” 2008 Spring Orientation and Workshop: Money, Mission, & Medicine, Texas Healthcare Trustees, Dallas, February 29, 2008
  25. “The End-of-Life: Ethical Issues for Surgeons,” Annual Meeting, North Texas Chapter, American College of Surgeons, Dallas, February 23, 2008
  26. “The Texas Advance Directives Act: Legal and Ethical Update,” 2nd Annual End of Life Care Conference, Legal Hospice of Texas, Plano, September 28, 2007
  27. “Legislative and Case Law Update on Futility and Advanced Directives Law,” Annual Meeting, State Bar of Texas, San Antonio, June 22, 2007
  28. “End-of-Life Decision-making After the *Schiavo* Case,” Annual Meeting, Texas Society for Social Work Leaders in Health Care, Dallas, October 27, 2006
  29. “The Trustee’s Challenge: Mission, Money, and Medicine,” Annual Meeting, Texas Healthcare Trustees, San Antonio, August 5, 2006
  30. Panel discussion, “Responding to a pandemic: ethical and public health challenges,” UT- Southwestern Medical School, Seventh Annual Critical Care Conference, Dallas, May 4, 2006
  31. “End-of-Life Decision Making,” Baylor University Medical Center, Great American Health Care Challenge, Dallas, April 29, 2006
  32. “Living and Dying in a Post-Schiavo World,” 2005 Texas Health Law Conference, Texas Hospital Association and State Bar of Texas, Austin, October 26, 2005
  33. “Futility of Care,” 37th Annual Haltalin Pediatric Seminar, UT Southwestern Medical School & Department of Pediatrics, Irving, April 22, 2005

*Medical Grand Rounds:*

34. “Medical Futility: Back to the Future? Or Déjà vu All Over Again?,” Annual Bioethics Grand Rounds, Ochsner Health System, New Orleans, November 26, 2013
35. “Physician Misconduct: Ethical and Legal Considerations,” Ethics Grand Rounds, UT- Southwestern Medical School, February 9, 2010
36. “The Future of ‘Medical Futility’ in Texas After the Schiavo Case,” Grand Rounds, Department of Pediatrics, Children’s Medical Center, May 14, 2008
37. “Legal and Ethical Aspects of End-of-Life Decision-making for Patients with Neuromuscular Disease,” Carrell-Krusen Conference, UT-Southwestern Medical School, February 20, 2008
38. Pediatric Hematology-Oncology Grand Rounds, Children’s Medical Center of Dallas, January 29, 2008
39. “The Future of End-of-Life Decision-making in Texas,” Department of Urology Grand Rounds, UT-Southwestern Medical School, January 11, 2008
40. “Medical Futility and Texas Law,” Medical Ethics and Humanities Seminar, Department of Neurology, UT-Southwestern Medical School, June 26, 2007
41. Grand Rounds, Neonatal Intensive Care Department, Parkland Memorial Hospital, June 14, 2007

42. "Legal and Ethical Aspects of Advance Directives," Medical Humanities Consultation, Department of Medical Humanities, Texas A&M Medical School, Salado, March 19, 2007
43. "Doing What . . . and for Whom? Navigating End-of-Life Decision-making," Ethics Grand Rounds, UT-Southwestern Medical School, January 10, 2006 (with Kathleen Delaney, M.D., and John Sadler, M.D.)
44. "Brain Dead, Medically Dead, Legally Dead, or Really Dead?", University of Arkansas Medical Sciences College of Medicine, Department of Internal Medicine (July 7, 2005), Little Rock
45. "Brain Dead, Medically Dead, Legally Dead, or Really Dead?", University of Arkansas Medical Sciences College of Medicine, Department of Neurology (July 8, 2005), Little Rock
46. "Genetics & Law: The Year in (P)Review," Clinical Genetics Grand Rounds, UT- Southwestern Medical School at Dallas, May 5, 2005
47. "Medico-Legal Update," Neonatology Grand Rounds, UT-Southwestern Medical School at Dallas, June 9, 2005

*Other addresses and panels:*

48. "Rehabbing the Affordable Care Act: Reconciling Rhetoric, Rationality, and Reality," SMU Corporate Counsel Symposium, Dallas, October 10, 2013
49. "Medical Futility in Texas," Academic Provider Clinical Lecture Series, UT- Southwestern Medical Center, Dallas, September 17, 2013
50. "Ethics Consultations: The Good, the Bad, and the Ugly," Doctors Hospital, Dallas, August 27, 2013
51. "Ethics Consultations – the Good, the Bad, and the Ugly," Denton Regional Medical Center, Denton, TX, June 5, 2013
52. "Donation after Cardiac Death and the 'Dead Donor Rule'," Dallas Bar Association, June 20, 2012
53. "The Future of the Affordable Care Act," UT-Southwestern Medical School, July 11, 2012
54. "Ethical Issues in Pediatrics," UT-Southwestern Medical School Pediatrics Interest Group, December 7, 2011
55. "Health Care in [the Supreme] Court: The Patient Protection and Affordable Care Act on Trial," UT-Southwestern Medical School, November 15, 2011
56. Neonatal Intensive Care In-Service, Parkland Memorial Hospital, November 3, 2011
57. "Is There a Duty to Die in Texas?," University of Texas at Dallas, March 29, 2011
58. "Advance Directives: Crossing the T's, Dotting the I's, and Minding your P's & Q's," The Senior Source, Dallas, January 5, 2011
59. "Professionalism & Poetry," Intersections: Literature + Medicine, Texas Health Presbyterian Hospital & SMU, Dallas, October 15, 2010
60. "National Health Insurance: Prospects & Pressure Points," UT-Southwestern Medical Center, Dallas, July 28, 2009
61. "Death & Dying: Ethics & Law," Leadership Dallas, Dallas Chamber of Commerce, March 6, 2009
62. "Religion, Conscience & Controversial Clinical Practices," Dallas Internists' Club, April 24, 2008
63. "An Introduction to End-of-Life Decisions for Probate and Estate Lawyers," Dallas Bar Association, Probate, Estate, and Trust Section, January 22, 2008
64. "End-of-Life Decision-making in Texas after the *Schiavo* Case," CSI Dallas: Social Workers in Health Care/Annual Social Work Conference, Presbyterian Hospital, Dallas, September 21, 2007
65. "Medical Futility at End of Life," Dallas Internists' Club, UT-Southwestern Medical Center, May 3, 2007

66. "Religion, Conscience, and Controversial Clinical Practices," Ethics Discussion Forum, Children's Medical Center of Dallas, April 4, 2007
67. "Ethical and Legal Responsibilities of Medical Leaders and Hospital Trustees," Inaugural William Courtney Lecture, Scott & White Clinic, Temple, March 19, 2007
68. "Medical Privacy: DOA?," The Institute for the Humanities at Salado, Salado (TX), March 18, 2007
69. "Mission, Money, and Medicine," Leadership Dallas healthcare program, March 2, 2007
70. "Medical Futility at End of Life," Hermann Memorial Hospital, Beaumont, Texas, February 1, 2007
71. "Ethics of Clinical Decision Making Under Extreme Conditions: Lessons from Hurricane Katrina," Children's Medical Center Dallas, January 4, 2007 (with Robert Bash, M.D.)
72. "'Doing What . . . And for Whom?,' Navigating End-of-Life Decision-Making," Parkland Nursing Leadership Academy, Dallas, December 11, 2006 (with John Sadler, M.D., and Katherine Delaney, M.D.)
73. "Medical Futility," Parkland Memorial Hospital Leadership Breakfast, Dallas, November 9, 2006 (with John Sadler, M.D.)
74. "Anatomy of an Ethics Consult," Ethics Discussion Forum, Children's Medical Center of Dallas, November 2, 2006
75. Lecture, "Public Policy and Research in Science and Medicine," in Regulatory and Public Policy Considerations in Research (BSCI 520304), UT-Southwestern Medical Center at Dallas, August 8, 2006
76. "Darwin, Intelligent Design, and Mr. Jefferson's Wall," Dallas Institute of Humanities and Culture, "The Meaning & Value of Life: Evolutionary Biology and Intelligent Design," March 22 & 29 and April 5, 2006
77. "The Ethics of Espionage," Prestonwood Rotary Club, Dallas, March 30, 2006
78. "Ethical Aspects of Brain Death," Ethics Discussion Forum, Children's Medical Center of Dallas, March 1, 2006
79. "Privacy, the Constitution, and Your Health," panelist, Planned Parenthood of North Texas, Fort Worth, February 27, 2006
80. "Medicine, Literature & Ethics," Ethics Discussion Forum, Children's Medical Center of Dallas, January 4, 2006
81. "Living and Dying in a Post-Schiavo World," invited lecture, Texas Tech University School of Law, Lubbock, October 25, 2005

*Additional Media Appearances* are listed in Appendix C

*Other Publications including Op-Eds and Poetry Columns* are listed in Appendix D

## **EXTERNAL LAW AND MEDICINE-RELATED ACTIVITIES**

### *Current:*

1. Member, Institutional Ethics Committee, Parkland Memorial Hospital, Dallas, Texas, since 1989; co-chair, since 1992
2. Institutional Ethics Committee, Children's Medical Center of Dallas; member and co-chair since January 2001
3. Dallas County Medical Society/North Texas Policy Task Force, Pandemic Flu, 2010-present
4. TMA/THA Advance Directive Act Task Force, 2006-present
5. Member, Advisory Committee, Program in Ethics in Science and Medicine, University of Texas - Southwestern Medical Center, 1998-present
6. Conference of the Professions (SMU/Dedman School of Law, Perkins School of Theology, UT-Southwestern Medical School, Dallas County Bar Association, Dallas County Medical Society), Dallas; Task Force, since 1988-present

*Other:*

1. Co-founder, Dallas Legal Hospice (first pro bono legal aid clinic in Texas for persons with AIDS and terminally ill patients); Vice-chair of the Board, 1988-1996
2. Member, Institutional Ethics Committee, Baylor University Medical Center, 1992-2012
3. Member, Institutional Ethics Committee, RHD Memorial Medical Center, Dallas, 1994-2008
4. Member, Institutional Ethics Committee, Trinity Medical Center, Carrollton, 2002-2008
5. Member, Community Oversight Committee, Xenotransplantation (Transgenic Pig) Project, Baylor Institute of Transplantation Sciences, 1997-2005
6. Member, Steering Committee & Chair, Ethics Committee of Community Advisory Board, Research Protocol: Controlling Risk Factors for Atherosclerotic Heart Disease, UT-Southwestern Medical School, since 1999-2004
7. Member, Board of Trustees' Breast Health Advisory Committee, Susan G. Komen Breast Cancer Foundation, 999-2005
8. Member, Texas Department of Health Task Force on End of Life Issues in Long Term Care Settings, 1995
9. Member, Medical Advisory Committee, Breast Health Alliance of North Texas, 1997-1999
10. Member, Monthly Ethics Conference, Intensive Care Unit, Children's Medical Center of Dallas, 1988-1995
11. Member, Governor's Task Force to Revise Advance Directive Laws, 1998-1999 (76<sup>th</sup> Leg., S.B. 1260); Texas Advance Directives Coalition, 2002-2003 (78<sup>th</sup> Leg., S.B. 1320)
12. Facilitator, "Introduction to Clinical Medicine I," University of Texas Southwestern Medical Center, Dallas, 1994-1995; senior facilitator, 1995- 99
13. Member, Steering Committee, Alliance of Hospital Ethics Committees of Greater Dallas, Dallas-Fort Worth Hospital Council, 1989-1995
14. Member, Institutional Ethics Committee, Zale-Lipshy University Hospital, Dallas, 1998-2001
15. Member, Institutional Review Board (IRB), Texas Oncology Group, Dallas, 1992-1994
16. Discussion leader, First-year Medical Ethics Course, University of Texas Southwestern Medical Center, Dallas, Texas, Spring 1991, Spring 1992, Spring 1993
17. Member, Human Research Committee (IRB), Presbyterian Hospital, Dallas, Texas, 1988-1992
18. Member, Institutional Review Board, Nelson-Tebedo AIDS Clinic, Dallas, Texas, 1990-1991
19. Member, Kaiser-Permanente Institutional Ethics Committee, 1990-1991
20. Member, University of Texas – Southwestern Medical School, Medical Education and Curriculum Committee, Ethics Subcommittee, 2002-2003



**APPENDICES TO PROFESSOR MAYO'S CV**

- A. Additional Publications- 2005-1976**
- B. Additional Speeches/Presentations- 2005-1985**
- C. Media Appearances**
- D. Other (Op-Eds, Miscellaneous, Poetry Columns)**

## Appendix A. Additional Publications- 2005-1976

### Articles:

1. Medical Futility in the NICU: Hope for a Resolution,” 116 PEDIATRICS 1219 (2005) (co- authored)
2. “Health Insurance and Cardiac Transplantation: A Call for Reform,” 45 J AM. COLL. CARDIOLOGY 1388 (2005) (co-authored)
3. “Supreme Court To Decide Whether HMOs Can Be Sued for Negligent Treatment Decisions,” 8 MEALEY’S MANAGED CARE LIABILITY REP’T 14 (March 12, 2004)
4. “Commentary -- Changing Professional Values,” 22 PED. INFECT. DIS. J. 1096 (Dec. 2003) (invited editorial)
5. “Health Care Law,” *Survey of Texas Law*, 56 SMU L. REV. 1767 (2003)
6. “Sex, Marriage, Medicine, and Law: ‘What Hope of Harmony?’,” 42 WASHBURN L.J. 269 (2003)
7. “Resolution of Futility by Due Process: Early Experience with the Texas Advance Directives Act,” 138 ANNALS OF INTERNAL MEDICINE 743 (May 6, 2003) (with Robert Fine, M.D.)
8. “U.S. Supreme Court to Review Kentucky’s ‘Any Willing Provider Law,’” 6 MEALEY’S MANAGED CARE LIABILITY REP’T 1 (Sept. 27, 2002)
9. “Health Law,” *Survey of Texas Law*, 55 SMU L. REV. 1113 (2002), *cited in* JANET DOLGIN & LOIS SHEPHERD, *BIOETHICS & THE LAW* 651 (3rd ed. 2013).
10. “Health Law,” *Survey of Texas Law*, 53 SMU L. REV. 1101 (2000)
11. “The First Fifty Years: Health Law’s Greatest Hit,” 50 SYR. L. REV. 1261 (2000), *cited in* MARK A. HALL, ET AL., *HEALTH CARE LAW AND Ethics* xxxi (6<sup>th</sup> ed. 2003)
12. “Statutory Interpretation Symposium: Introduction,” 53 SMU L. REV. 3 (2000)
13. “*Qui Tam* on the Lam: Fifth Circuit Fires the First Salvo – Will the Supreme Court be Next?,” *Matthew Bender Health Care Law Monthly* 3 (December 1999)
14. “Life-and-Death Decisions,” 75 TEXAS MEDICINE 64 (November 1999) (with Robert Fine, MD.)
15. “Texas’ New Advance Directives Act,” 85 DALLAS MED. J. 397 (Sept. 1999)
16. “Health Law,” *Survey of Texas Law*, 52 SMU L. REV. 1259 (1999)
17. “Texas’ New Physician Collective-Bargaining Statute: Helping to Fatten Physicians’ Wallets and Make Patients’ Leaner,” *Matthew Bender Health Care Law Monthly* 3 (Sept. 1999) (with Jeff King)
18. “Treatment alternatives for the dying patient: medical ethics and the law,” 11 BUMC Proceedings 175-82 (1998) (with Robert L. Fine, M.D.).
19. “Health Law,” *Survey of Texas Law*, 50 SMU L. REV. 1275 (1997) (with Max Maxwell).

20. "Forgoing Artificial Nutrition and Hydration: Legal and Ethical Considerations," 11 NUTRITION IN CLINICAL PRACTICE 254-65 (1996).
21. "Health Law," *Survey of Texas Law*, 49 SMU L. Rev. 1089 (1996).
22. "Nonfinancial Barriers to Access to Health Care: Introduction," 32 HOUS. L. REV. 1187 (1996).
23. "Medical Futility: A Comment," 82 J. MED. LICENSURE & DISCIPLINE 98 (1995).
24. "The Medical Futility Police: Head 'Em Off at the Impasse," 9 TRENDS IN HEALTH CARE, LAW & ETHICS 23 (1994).
25. "The Parkland Approach to Demands for 'Futile' Treatment," 5 HEC FORUM 35 (Jan. 1993) (with John Z. Sadler, M.D.).
27. "Abortion and Speech: A Comment," 46 SMU L. Rev. 309 (1992); cited in National Family Planning & Reproductive Health Ass'n, Inc. v. Sullivan, 979 F.2d 227 (D.C. Cir. 1992).
28. "Allocating health care resources: balancing the interests of the child and society," 10 PED. INFECT. DIS. J. 175 (March 1991).
29. "Constitutionalizing the 'Right to Die'," 49 MD. L. REV. 103 (1990); reprinted in GLENNON, A CONSTITUTIONAL LAW ANTHOLOGY (1992); discussed in LOCKHART, KAMISAR, CHOPER & SHIFFRIN, CONSTITUTIONAL LAW: CASES--COMMENTS-- QUESTIONS 560, 562 (7th ed. 1991); cited in , cited in MARK A. HALL, ET AL., HEALTH CARE LAW AND ETHICS 539 (6<sup>th</sup> ed. 2003); GUNTHER & SULLIVAN, CONSTITUTIONAL LAW 609 (13<sup>th</sup> ed. 1997); FURROW, GREANEY, JOHNSON, JOST & SCHWARTZ, HEALTH LAW 687 (1995); J. BARRON, C. DIENES, W. MCCORMACK & M. REDISH, CONSTITUTIONAL LAW: PRINCIPLES AND POLICY 508 (4th ed. 1992), GARVEY & ALEINIKOFF, MODERN CONSTITUTIONAL THEORY: A READER 559 (2d ed. 1991), D. KMIEC & S. PRESSER, THE AMERICAN CONSTITUTIONAL ORDER 1529 (1998), and FURROW, JOHNSON, JOST & SCHWARTZ, HEALTH LAW: CASES, MATERIALS AND PROBLEMS 1154 (2d ed. 1991).
30. Review Essay, Between Strangers: Surrogate Mothers, Expectant Fathers, & Brave New Babies, 10 J. LEGAL MED. 385 (1989).
31. "Medical Decision Making During a Surrogate Pregnancy," 25 HOUSTON L. REV. 599 (1988).
32. Book Review, Butterworths Medico-Legal Encyclopaedia, by J.K. Mason & R.A. McCall-Smith, 22 INT'L LAW. 599 (1988).
33. "The Local Government Antitrust Act: A Comment on the Constitutional Questions," 50 J. AIR L. & COMM. 805 (1985); cited in 15 U.S.C.A. §§ 34, 35, 36 (1988 Supp.)
34. "Land Use Control," 1984 *Survey of New York Law*, 36 SYRACUSE L. REV. 439 (1985).
35. "Land Use Control," 1983 *Survey of New York Law*, 35 SYRACUSE L. REV. 485 (1984) (with R. Anderson); cited in Asian Americans for Equality v. Koch, 72 N.Y.2d 121 (1988).
36. "Land Use Control," 1981 *Survey of New York Law*, 33 SYRACUSE L. REV. 401 (1982); cited in Pittsford Plaza Associates v. Spiegel, 66 N.Y.2d 717, 487 N.E.2d 902, 496 N.Y.S.2d 992 (1985).
37. "Land Use Control," 1980 *Survey of New York Law*, 32 SYRACUSE L. REV. 421 (1981).
38. "Land Use Control," 1979 *Survey of New York Law*, 31 SYRACUSE L. REV. 371 (1980) (with R. Anderson).
39. "Exclusionary Zoning, Remedies, and the Expansive Role of the Court in Public Law Litigation," 31 SYRACUSE L. REV. 755 (1980); cited in Southern Burlington County NAACP v. Township of Mount Laurel ["Mount Laurel II"], 92 N.J. 158, 456 A.2d 390 (1983); semi-finalist for 1982 Land Use & Envir. L. Rev. "best of

- year"
40. "Land Use Control," *1978 Survey of New York Law*, 30 SYRACUSE L. REV. 161 (1979) (with R. Anderson).
  41. "Charles D. Breitler -- Judging in the Grand Style," 47 FORDHAM L. REV. 5 (1978), reprinted in *New York Law Journal*.
  42. Note, "Enforceability of Interest Arbitration Agreements under Section 301(a) of the Labor Management Relations Act," 27 SYRACUSE L. REV. 985 (1976)

*Book Chapters:*

43. "Bioethics," in FUNDAMENTALS OF HEALTH CARE LAW (AHLA, 2<sup>nd</sup> ed., 2004)
44. "Ethical Aspects of Neurosurgical Practice," in 4 TEXTBOOK OF NEUROLOGICAL SURGERY ch. 326, Batjer & Loftus, eds. (Lippincott Williams & Wilkins, 2002) (with Howard Morgan, M.D.)
45. "Bioethics," in FUNDAMENTALS OF HEALTH CARE LAW (AHLA, 2000)
46. "Determination of Death: Legal and Ethical Issues" (ch. 117), ESSENTIALS OF PEDIATRIC INTENSIVE CARE, Levin & Morriss, eds. (2d ed. 1997)
47. "Withholding and Withdrawing Life-Sustaining Care: Legal Issues" (ch. 119), ESSENTIALS OF PEDIATRIC INTENSIVE CARE, Levin & Morriss, eds. (2d ed. 1997)
48. "Fifth Circuit," SANCTIONS UNDER RULE 11 AND OTHER POWERS (ABA 2d ed. 1988) (covering period from 1985-1987)
49. "Fifth Circuit," SANCTIONS UNDER RULE 11 AND OTHER POWERS (ABA 1986) (covering period from 1983-1985).

*Monograph:*

50. "State Illegal Remuneration and Self-Referral Laws," National Health Lawyers Association (Washington, D.C. 1996)

**Appendix B. Additional Speeches/Presentations- 2005-1985**

- 1 "Bioethics: Ethical, Legal, and Medical Issues Implicated in End-of-Life Cases," Council of Appellate Staff Attorneys Seminar, July 27, 2005, Dallas
- 2 "Ethical and Legal Aspects of End-of-Life Treatment in the Institutional Setting," Annual Meeting, American Health Lawyers Association, San Diego, June 28, 2005
- 3 Presenter, "They Were Never Wrong, The Old Masters," Duke University, Center for the Study of Medical Ethics and Humanities: Beyond Measure: Accounting for Suffering in the Context of Illness, April 29, 2005, Durham
- 4 "Legal Ethics and Clinical Decision Making in a Technologically Advanced World," Health and Hospital Systems Legal Institute, American Health Lawyers Association, Tucson, February 10, 2005
- 5 "Ethics and the Trauma Patient," Keynote Address, General Opening Session, National Trauma Conference, Association of Operating Room Nurses, October 31, 2004
- 6 "Bioethics," Fundamentals in Health Law Conference, American Health Lawyers Association, Chicago, November 13, 2003
- 7 "What Every Operating Room Nurse Needs to Know: Ethical and Legal Considerations," National Congress, Association of Operating Room Nurses, Anaheim, April 21, 2002
- 8 "The Ethics of Emerging Surgical Technologies," Pre-Congress, Association of Operating Room Nurses National Convention, Anaheim, April 20, 2002
- 9 "Biotechnology: What Every Health Lawyer Needs to Know," Annual Meeting, American Health Lawyers Association, Orlando, June 18 & 20, 2001
- 10 "Ethical Issues Related to the Use of New Technology," 48<sup>th</sup> Association of Operating Room Nurses Precongress, Dallas, March 10, 2001
- 11 "Developments in Biotechnology," Annual Meeting, American Health Lawyers Association, Washington, D.C., June 19, 2000
- 12 "What Every Health Care Practitioner Needs to Know About Right to Die and Futility of Treatment Decision Making," National CLE Conference, ABA Health Law Section, Vail, January 11, 2000
- 13 Panelist, Ethics and Innovations in Surgery, American College of Surgeons, Annual Meeting, San Francisco, October 14, 1999
- 14 Advanced WWW Legal Research Workshop, Annual Meeting, American Health Lawyers Association, Chicago, June 28-29, 1999
- 15 "Electronic Health Law Resources," Annual Meeting and Update, American Health Lawyers Association, San Diego, July 1, 1998
- 16 "Electronic Research Resources," Health Law Update & Annual Meeting, National Health Lawyers Association, Dallas, June 4, 1997
- 17 "Illegal Remuneration and Self-Referral Bans: A 50-State Survey," National Health Lawyers Association Annual Meeting, San Francisco, June 7-9, 1995
- 18 "Promises, Promises, Promises: Does Contract Trump Tort in a Managed Care Environment?," Maguire Center for Ethics and Public Responsibility, Inaugural Symposium, "Ethical Aspects of Managed Care," Dallas, February 23, 1996
- 19 "State Initiative and Developments," National Health Lawyers Health Care Fraud and Abuse Conference, Washington, D.C., October 13, 1995
- 20 "Managed Care, Rehabilitation and Ethics," Managed Care Conference, National Association of Rehabilitation Facilities, Dallas, May 16, 1992
- 21 "Advance Directives: Implementation of the Patient Self-Determination Act," Association of Operating Room Nurses, 39th Annual Congress, Dallas, March 18, 1992

22. "Silent Rationing: Balancing the Interests of the Child and Society," National Pediatric Infectious Disease Seminar, New Orleans, April 19, 21, 1990
23. "Rule 11 Sanctions: A Lawyer's Nightmare," American Bar Association, Litigation Section, Fall Meeting, Washington, D.C., October 21, 1988
24. "Ethics Consultations in the PICU," Making A World of Difference, Children's Medical Center Dallas, May 14, 2004
25. "Ethical Dilemmas in the NICU," Past, Present and Future: A Celebration of a Century of Neonatal Care, Dallas, October 10, 2003
26. "End of Life Care: What Every Physician in Texas Needs to Know," Texas Academy of Family Physicians, Irving, October 4, 2003
27. "Issues in Clinical Ethics," Cardiac Update Symposium 2003, Cardiopulmonary Research Science & Technology Institute, Las Colinas, September 6, 2003
28. "Human Tissue and Money," 21st Annual Current Issues in Surgical Pathology, UT- Southwestern Medical School, Dallas, May 16, 2002
29. "Out-of-Hospital DNR Orders in Schools," Child Developmental Conference, Scottish Rite Medical Center, Dallas, April 27, 2002 (with Nancy Dodge, M.D.)
30. Ethics Panel Discussion, "Current Topics in General Surgery 2001," UT-Southwestern Medical Center at Dallas, May 4, 2001
31. "Clinical Ethics," 24<sup>th</sup> Annual Conference in Women's Health Care, Dallas-Fort Worth, April 5, 2001
32. "Developments in Biotechnology," State Bar of Texas, Health Law Section, Annual Health Law Conference, Austin, October 21, 2000
33. "Legal and Ethical Bases for Constraints on Medical Expenditures," "Legal Liability for Physicians and Managed Care Organizations," and "Osler in Wonderland: Pediatrics in a Managed Care Environment," for the Annual Meeting, Texas Pediatric Society, Dallas, September 23-24, 2000
34. "Ethical Issues Related to Use of New Technology," Nursing Update for Minimally Invasive Surgery, UT-Southwestern Medical Center at Dallas, January 22, 2000
35. Advance Directives Workshop, "Human Dimensions in Cancer Care: Issues at the End of Life," University of Texas M.D. Anderson Cancer Center, Houston, June 5, 1999
36. "Pediatrics and Patient Confidentiality," Children's Medical Center of Dallas, Haltalin Lecture Series, March 19, 1999
37. Panel participant, Ethics in Surgery, Inaugural Sparkman Lecture, Department of Surgery, University of Texas - Southwestern Medical School, October 14, 1998
38. "Transplantation Ethics," Baylor University Medical Center, Transplantation '98, Dallas, May 1, 1998
39. Panelist, "Ethical Issues in Higher Education," National Higher Education Roundtable, Dallas, March 28, 1998
40. "End-of-Life Decision Making: Ethics and Law," American Women's Medical Association, Dallas, September 19, 1998
41. "Defining a Framework for Ethical Decision Making," Walking a Tightrope: Ethical Dilemmas in Cancer Care, American Cancer Society, Dallas, June 20, 1997
42. "Legal and Ethical Issues in the Management of Geriatric Patients: Durable Powers of Attorney & Living Wills," Geriatrics Update for Primary Care Physicians: A Didactic & Skills Symposium, UT-Southwestern Medical Center at Dallas & Zale-Lipshy Hospital, Dallas, December 7, 1996
43. "Recent Developments at the Crossroads of Ethics and Law," Annual Meeting, Texas Society of Social Work Administrators in Health Care, Dallas, September 30, 1996

44. "Health Reform: Legal/Ethical Issues," Annual Educational Conference, Texas Chapter, Society for Social Work Administrators in Health Care of the American Hospital Ass'n, Dallas, November 8, 1993
45. Panelist, "A Good Death," Capital Area AIDS Legal Project Seminar, Austin, November 11, 1995
46. "Theatres of Medicine: Medicine on the Stage of Literature and the Law," Theatres of Medicine: Medicine in the History and Imagination of the West, Higher Education Cultural Roundtable/Arts and Humanities Council of Tulsa, October 23, 1993
47. "Ethics and Administration," Fifth Annual Healthcare Administrative Residents Forum, American Hospital Association - Region 7, Irving, Texas, July 8, 1993
48. "Impact of Changes in the Health Care System Upon Transplantation," Barriers to Transplantation Access: Ethical Considerations from a Southwestern Perspective, Dallas, May 1, 1993
49. "What is the Health of the American Dream? Health Care in America Today," 1992 Issues Forum and Annual Meeting, American Jewish Congress, Southwest Region, Dallas, August 23, 1992
50. "Pediatric Critical Care and the Right to Die," Children's Medical Center of Dallas, Pediatric Critical Care -- State of the Art, Dallas, April 6, 1991
51. "Ethical Issues in Tissue and Organ Recovery and Transplantation," Southwest Organ Bank 6th Annual Nursing Seminar on Organ Recovery and Transplantation, Dallas, December 7, 1990
52. "Ethics in Healthcare," Texas Healthcare Financial Management Association 7th Annual Forum on Current Healthcare Issues, Austin, October 25, 1990
53. "Update -- Legislative/Regulations," Texas Health Law Conference, "Hospital-Physician Relationships," sponsored by Texas Bar Association, Texas Hospital Association, Texas Medical Association, Austin, October 20, 1990
54. "Can Professionalism Survive Rule 11?," SMU Fifth Circuit Appellate Practice and Advocacy Seminar, New Orleans, October 6, 1988

*Medical Grand Rounds:*

55. "Ethics Consultation at Parkland, Baylor, and Children's Medical Center," Ethics Grand Rounds, UT-Southwestern Medical School at Dallas, May 13, 2003 (with John Sadler, M.D., and Robert Fine, M.D.)
56. "Genetic Testing and Screening," Grand Rounds, Department of Cardiology, UT-Southwestern Medical School at Dallas, May 17, 2002
57. Neurosurgery Visiting Professor Grand Rounds, UT-Southwestern Medical School, Dallas, December 8, 2000
58. "The Court-Ordered Involuntary Patient: A Guide for Dallas Clinicians," Parkland/UT- Southwestern Medical School Ethics Grand Rounds, Dallas, April 11, 2000 (with John Sadler, M.D.)
59. "End-of-Life Decision Making: The Promise and Perils of Hospital Ethics Committees," Grand Rounds, Department of Pediatrics, Children's Medical Center of Dallas, March 15, 2000
60. "An Ethical and Legal Examination of Treatment Options at the End of Life," Grand Rounds, Department of Internal Medicine, UT-Southwestern Medical School, Dallas, June 17, 1999
61. Panelist, Grand Rounds, Department of Surgery, University of Texas - Southwestern Medical School, Dallas, April 8, 1998

62. "Treatment Alternatives at the End of Life: Medical Ethics and Law," Medical Ethics Grand Rounds, Baylor University Medical Center, Dallas, March 31, 1998 (with Robert L. Fine, M.D.)

*Other addresses:*

63. "Advance Directives: Problems and Solutions," Tarrant County Academy of Medicine, Fort Worth, October 28, 2004
64. "Brain Dead, Medically Dead, Legally Dead, or Really Dead?," UT-Southwestern/Dallas Institute of Humanities and Culture, Dallas, May 12, 2004
65. "Three Problems in Contemporary Bioethics," SMU Godbey Lecture Series, Dallas, March 30, April 6 & 13, 2004
66. "Ethical Dilemmas in the NICU," North Texas Association of Neonatal Nurses, Dallas, December 4, 2003
67. "End of Life Care: What Every Physician in Texas Needs to Know," Annual Medical Staff Meeting, Plaza Medical Center, Fort Worth, December 3, 2003
68. "Baby Doe in the NICU," Pediatric Society of Greater Dallas, August 12, 2003
69. "Medical Ethics & Literature," Ethics Discussion Forum, Children's Medical Center of Dallas, March 4, 2003
70. Panelist, "Hospital Ethics Committees," North Texas Association for Ethics, Character & Values, February 21, 2003
71. Ethics panel, Specialty Pediatrics for the Primary Care Physician, Medical City Dallas Hospital & North Texas Hospital for Children, Dallas, October 26, 2002
72. "Human Research Protection and Minors: An Overview," Children's Medical Center Bioethics Forum, Dallas, September 3, 2002 (with Leah Hurley, Esq.)
73. "Baby Doe in the NICU," Neonatal/Perinatal Conference, Parkland Memorial Hospital/UT-Southwestern Medical School, May 23, 2002
74. "*Wit* and the Chronically Ill Patient," St. Michael and All Angels Episcopal Church, Dallas, April 17, 2002
75. "Baby Doe in the ICU," Children's Medical Center Bioethics Discussion Group, Dallas, April 11, 2002
76. "Baby Doe in the NICU," UT-Southwestern Medical Center, Program in Ethics in Science and Medicine, Works-in-Progress Series, Dallas, March 8, 2002
77. "Spiritual Challenges in Chronic Illness," St. Michael and All Angels Episcopal Church, Dallas, December 9, 2001
78. "End-of-Life Decision Making," RHD Memorial Medical Center, Dallas, December 4, 2001
79. Ethics panel, Dallas-Fort Worth Pediatrics Society, Dallas, October 12, 2001
80. "Ethics of Managed Care," Managed Care Association, Dallas, October 4, 2001
81. "Stem Cell Research," UT-Southwestern Medical School, Clinical Ethics in Medicine, September 18, 2001
82. "Confidentiality," NICU Ethics Rounds, Baylor University Medical Center, Dallas, August 12 & 19, 2001
83. "Law, Literature & Medicine: Teaching Poetry to Professionals for Fun and Profit," The United Methodist Church, North Texas Annual Conference, Plano, June 5, 2001
84. "*Wit*: In Perspective," Dallas Theater Center, April 22, 2001
85. "The Texas Advance Directive Act of 1999," Vencor Hospitals' Annual Medical Staff Meeting, Arlington, Texas, December 7, 2000
86. "Hippocrates, Meet Your New Business Manager: Old-Time Ethics in a Dot Com World," Ethics 2000, Presbyterian Hospital, Plano, November 30, 2000
87. "Medical Futility: Ethical and Legal Aspects," Penobscot Bay Medical Center, Rockport, Maine, November 10, 2000
88. "Biotechnology," Dallas Assembly (panel), September 19, 2000
89. KERA-TV Town Hall Meeting, "On Our Own Terms," Dallas, August 31, 2000



90. "Research Ethics and Law," Clinical Research Managers' In-service, UT-Southwestern Medical Center, Dallas, July 12, 2000
91. "Brain Dead, Medically Dead, Legally Dead, or Really Dead?," Baylor University Medical Center Neonatal Intensive Care Unit, Dallas, July 8, 2000
92. "Brain Dead, Medically Dead, Legally Dead, or Really Dead?," Ethics Rounds, Neonatal Intensive Care Unit, Parkland Memorial Hospital, Dallas, May 25, 2000
93. "The 1999 Texas Advance Directive Law," Arlington Memorial Hospital Medical Staff Annual Meeting, Arlington, Texas, May 23, 2000
94. "Poetic Expression of Loss & Healing: Literature, Theology & Medicine," St. Michael & All Angels Episcopal Church, Dallas, March 26/April 2/April 9, 2000
95. "Lawyers Under Siege," Federal/State Interagency Health Care Task Force, Dallas, October 21, 1999
96. "Baby Doe in the NICU," Baylor University Medical Center Neonatal Intensive Care Unit Rounds, October 7, 1999
97. "Physician-Assisted Suicide and Active Euthanasia," Presbyterian Healthcare System Ethics Committees, September 14, 1999
98. "Advance Directives in Texas After S.B. 1260," Presbyterian Healthcare System Ethics Committees, August 10, 1999
99. Panelist, Emergency Department Grand Rounds, UT-Southwestern Medical School, June 1, 1999, Dallas
100. "Baby Doe in the NICU," Neonatal Intensive Care Unit/Obstetrics in-service, Parkland Memorial Hospital, May 13, 1999, Dallas
101. "Law, Literature & Medicine," Dallas Hall Society, SMU, Dallas, April 9, 1999
102. Panelist, "Pediatric Ethics," Pediatric Society of Greater Dallas, April 6, 1999
103. "The Ethics of Human Growth Hormone Use," Scott & White Foundation, Austin, February 6, 1999
104. "Medicine & Literature;" "Law & Literature;" "Law, Literature & Medicine," 1999 Godbey Lectures, January 25, February 1 & 8, 1999, Dallas
105. "Ethics and Law at the End of Life," Temple Shalom, Dallas, November 16, 1998
106. "Genetic Risk Assessment and Counseling: Legal and Ethical Issues," University of Texas -Southwestern Medical School, Dallas, November 14, 1998
107. "Advance Directives and Medical Futility," Social Work in-service, Childrens Medical Center, Dallas, October 16, 1998
108. "Not Just Cloning Around Anymore," Godbey Lecture Series, SMU, Dallas, March 23, 1998
109. Panelist, "Medical Technology and Ethics," Second Annual University of Texas at Dallas/Health Care
110. Financing Administration Health Care Conference, Meeting the Health Care Needs of the 21<sup>st</sup> Century, Dallas, March 18, 1998
111. "Death and Dying: Getting the Paperwork Right," Godbey Lecture Series, SMU, Dallas, March 16, 1998
112. "Treatment Decisions at the End of Life: Ethical and Legal Issues," Arlington Memorial Hospital Medical Staff In-Service, Arlington, March 14, 1998
113. "Physician-assisted Suicide: The View from the United States," University of Edinburgh, Faculty of Law, October 16, 1997
114. "Thoughts on Death and Dying and Law and Ethics," Conference on Death and Dying, Isthmus Institute, Dallas, June 6, 1997
115. "Ethical and Legal Considerations in Palliative Care," Pediatric Intensive Care In-Service, Children's Medical Center, Dallas, March 27, 1997

116. "End-of-Life Decision Making," Presbyterian Healthcare System, Dallas, March 12, 1997
117. "Medical Ethics of Aging," panelist, Temple Shalom, Dallas, March 1, 1997
118. "Health-Care Reform," First United Methodist Church of Richardson, Richardson, February 2, 1997
119. "Medico-Legal Aspects of Decisions at the End of Life," Medical Staff In-Service, Arlington Memorial Hospital, Arlington, January 11, 1997
120. "Law, Literature & Medicine," Medical Humanities Society, University of Texas, Southwestern Medical School, Dallas, November 22, 1996
121. "Alzheimer's and Ethics: Making Decisions," Alzheimer's Caregiving Conference for the Family and the Professional, Alzheimer's Association, Dallas Chapter, November 15, 1996
122. "Advance Directives," Doctors Hospital Community In-Service, Dallas, November 9, 1996
123. "Medical Futility: The New Right to Die," SMU Godbey Lecture Series, Dallas, March 4, 1996
124. "Conflicts of Interest," Dallas Retina Associates, Dallas, January 10, 1996
125. "Medical Futility: The New Right to Die," SMU Town & Gown, Dallas, November 20, 1995
126. "Age-Based Rationing of Health Care: Legal Considerations," St. Paul Medical Center Conference on Age-Based Rationing, Dallas, October 25, 1995
127. "Advance Directives: Beyond the Basics," Fall Medical Staff Meeting, RHD Memorial Medical Center, Dallas, October 17, 1995
128. Panelist, "The Human Genome Project: Legal, Ethical, and Medical Issues," 10th Annual Conference of the Professions, Dallas, October 17, 1995
129. "Federal Medical Liability Claims," The Cutting Edge of Medical Liability, SMU CLE Conference, Dallas, September 7, 1995
130. "The Legal Issues in Medical Futility," Symposium on Medical Futility, Charlestown (W.Va.) Area Medical Center, March 8, 1995
131. "Medical Futility," Yale Club of Dallas, March 3, 1995
132. "Legal Aspects of Surrogacy," Baylor University Medical Center, Social Work Department In-Service, Dallas, September 20, 1994
133. "Withdrawing Nutrition and Hydration," Parkland Hospital Nursing Education Ethics Forum, Dallas, June 3, 1994
134. "Health Care Reform: How Will It Affect You?," forum moderator, co-sponsored by civic and health-care organizations, Dallas, June 2, 1994
135. "Health Care Reform," The Caduceus Society, Baylor University Medical Center, Dallas, May 12, 1994
136. "End-of Life Decision Making and Children," Association for the Care of Children's Health -- Ethics Mini-Conference, Dallas, April 25, 1994
137. "Medical Futility and the Right to Die," Hemlock Society of North Texas, Dallas, April 10, 1994
138. "Health Care Reform: Some Ethical and Legal Considerations," Social Work Department In-Service Training, Children's Medical Center, Dallas, March 29, 1994
139. "A Case for Change in National Health Care," Ethical Choices: Reforming the Health Care System, Church Women United, Dallas, January 26, 1994
140. "Litigating the Medical Malpractice Case," program chair, SMU Continuing Legal Education, Dallas, November 18-19, 1993
141. "Ethics in Practice," Dallas Chapter, National Association of Nursing Associates and Practitioners, Dallas, November 17, 1993

142. "Health Care Reform and the Elderly," Senior Citizens of Greater Dallas, Dallas, November 11, 1993
143. "Hillary's Heresy: Health Care Reform in the 1990s," SMU Alumni Reunion/Homecoming Weekend, Dallas, November 5, 1993
144. "Legal-Historical Context for Advance Directives," Advocates' Training Program, Choice In Dying, Dallas, September 11, 1993
145. "Legal Protection of Reproductive Liberty," The Religious Roots of Reproductive Freedom, Planned Parenthood of Northeast Texas, Inc., Dallas, April 29, 1993
146. "Advance Directives," Elderlaw: Preparing for the Legal Challenges of an Aging Society, Texoma Council of Governments, Sherman, Texas, April 16, 1993
147. "Euthanasia and Euphemisms," First Unitarian-Universalist Church, Dallas, March 21, 1993
148. "Emerging Ethical Issues in Health Care Management: Resource Utilization in the 1990s," Medical Staff Ethics Rounds, Memorial Hospital, Midland, Texas, March 19, 1993
149. "Ethics," Critical Care and Trauma Nurse Internship Program, Parkland Memorial Hospital, Dallas, March 11, 1993
150. "Working with the Law," Decisions Near the End of Life, Baylor University Medical Center, Dallas, January 22, 1993
151. Speakers' Bureau Training Program, Choice in Dying, Dallas, December 6, 1992
152. "Physician-Assisted Dying," Alpha Epsilon Delta Premedical Honor Society, SMU, Dallas, December 2, 1992
153. "The Ethics of Health Care Reform," Communities Foundation of Texas, Dallas, November 17, 1992
153. "Medical Malpractice and Its Effect on Health Care," The Caduceus Society, Baylor Medical Foundation, Dallas, November 12, 1992
154. "Euthanasia: Where Are We Now and Where Do We Go From Here?," Dallas Area Gerontological Society, Dallas, September 25, 1992
155. "Doctor Deals -- Pitfalls to Avoid," 1992 Seminar of Tax and Business Planning for Professionals and Executives -- Asset Protection, Fort Worth (July 23, 1992), Dallas (July 30, 1992), San Antonio (August 27, 1992)
156. "AIDS and the Physician: A Look at its Ethical and Legal Implications in 1992," Pediatric Society of Greater Dallas, June 17, 1992
157. "Critical Condition: Healthcare Issues in the '92 Campaign," SMU Regional Council of Alumni and Parents, Denver, April 16, 1992
158. "Ethical Aspects of Pediatric Bone Marrow Transplantation and Phase I Drug Studies," Children's Medical Center & University of Texas Southwestern Medical Center, Dallas, April 9, 1992
159. "Issues in Election 1992 -- Health Care," SMU University Lecture Series, Dallas, April 1, 1992
160. "The 'Gag Rule': Privacy and the Patient-Physician Relationship," Ethical Dilemmas in Medicine, Special Lecture Series, University of Texas-Southwestern Medical Center, Dallas, January 30, 1992
161. "Second Symposium on Advance Directives," Dallas-Fort Worth Hospital Council, Dallas, December 4, 1991
162. "The New Responsibilities and Liabilities of Quality Professionals and Managers," Southwestern Regional Seminar, "The New GMP Regulations for Medical Devices and *In-Vitro* Diagnostics," Dallas, December 3, 1991
163. "The Cruzan Case and the 'Right to Die,'" Parkland Memorial Hospital, Nursing

- Education Department, Dallas, November 22, 1991
164. "Euthanasia," Southwest Society on Aging, 13th Annual Conference, San Antonio, September 16, 1991
  165. "The Battle Over Abortion: Seeking Common Ground in a Divided Nation," SMU Young Alumni Associates, National Issues Forum, Dallas, September 9, 1991
  166. "First Symposium on Advance Directives," Dallas-Fort Worth Hospital Council, Dallas, July 17, 1991
  167. "Medicine, Law, and Literature," SMU Golden Mustangs Reunion Class Address, Dallas, May 24, 1991
  168. "Medicine and Law at the Crossroads," SMU Regional Council of Alumni and Parents, Houston, March 5, 1991
  169. "Ethics and Law," Alliance of Ethics Committees of Dallas/Fort Worth & Dallas/Fort Worth Hospital Council, Conference on Rationing Health Care, Dallas, January 30, 1991
  170. "Euthanasia," Northaven United Methodist Church, Dallas, January 13, 1991
  171. "Pediatric Care and The Right to Die," Children's Medical Center of Dallas, The Grieving Process: Effects on Children, Families, and Professionals, Dallas, January 10, 1991
  172. "The Right To Die: A Legal Analysis," Episcopal Diocese Conference on the Right to Live and Die, Dallas, December 8, 1990
  173. "Can Law Protect Ethical Pluralism?," American Medical Student Association Conference on Reproductive Rights, Southwestern Medical School, Dallas, Nov. 3, 1990
  174. "Active Euthanasia," Baylor University Medical Center Media Symposium, Dallas, October 19, 1990
  175. Panelist, "Before Their Time: Disturbing Trends in Elderly Suicide," The Dallas Elderly Suicide Consortium, Temple Emanu-El, Dallas, October 19, 1990
  176. "Medicine and Law at the Crossroads," SMU Pre-Law and Pre-Med Honor Societies, Dallas, Oct. 10, 1990
  177. "Infection Control -- Existing Requirements," "Liability Issues," HIV and Hepatitis B in the Dental Office -- Living Under the New OSHA Rules, Dallas, September 21, 1990
  178. "Ethical and Legal Aspects of Organ and Tissue Transplantation," Nurse Advisory Council, Transplant Services Center, Southwestern Medical School, Dallas, September 19, 1990
  179. "Tax-Exemption and Fraud and Abuse: Selected Issues," Presbyterian Healthcare System Management Council In-Service, Dallas, August 30, 1990
  180. "Nancy Beth Cruzan and Baby L," Social Workers' In-Service, Children's Medical Center, Dallas, August 7, 1990
  181. SMU-Dallas Lecture Series, "Medicine and Law at the Crossroads: Opportunities and Obligations for the 1990s," February 1, 1990
  182. "AIDS and the Law," speaker and organizer, Dallas County Bar Association, October 26, 1989
  183. "Medicine and Law at the Crossroads," SMU Regional Councils of Alumni and Parents
  184. New York City, October 19, 1989, Washington, D.C., October 18, 1989
  185. "Professionalism and Dentistry: Ethical and Legal Concerns," Dallas County Dental Society, Annual "Eat and Learn" Banquet, April 11, 1989

186. "Ethics, Law and the Practice of Dentistry: Advertising and the Duty to Treat Persons with AIDS," Dallas County Dental Society, Oak Cliff Study Group, March 10, 1989
187. "AIDS and the Law," speaker and organizer, Dallas County Bar Association, February 28, 1989
188. Panelist and organizer, "AIDS: The Emerging Medical and Legal Issues," Dallas County Bar Association, December 2, 1988
189. SMU Ethics Colloquy, "Medical Decision Making During a Surrogate Pregnancy," November 16, 1988
190. "Post Employment Covenants Not To Compete," SMU Modern Trends in Business Torts Litigation Seminar, Dallas, November 11, 1988
191. "The Beginning of Life -- Ethical Considerations," The American Jewish Committee, Dallas Chapter, July 26, 1988
192. "Recent Developments in the Law of Post-Employment Covenants Not to Compete," Dallas County Bar Association, February 26, 1988
193. "Federal Jurisdiction and Venue," Federal Bar Association, Fort Worth Chapter, February 25, 1988
194. "Ethical and Legal Aspects of AIDS," Third Conference on the Professions, "AIDS, The Emerging Crisis," January 20, 1988
195. University Distinguished Lecture Series (panelist), "Baby M and the Future," Southern Methodist University, October 28, 1987
196. "Civil Procedure," SMU Course on Psychiatric and Psychological Evidence, March 26, 1987
197. "Federal Jurisdiction and Venue," Federal Bar Association, Fort Worth Chapter, February 22, 1987
198. "Removal," SMU Advanced Civil Trial Short Course, March 13, 1986
199. "Federal Jurisdiction and Venue," Federal Bar Association, Fort Worth Chapter, January 23, 1986
200. "Federal Jurisdiction and Venue," Federal Bar Association, Dallas Chapter, February 21, 1985

## Appendix C – Media Appearances

### *International:*

1. The Economist, 1/25/14
2. Canadian Medical Association Journal, 1/9/14
3. BBC World Service Radio News, 1/9/14
4. El Pais, 1/8/14
5. Asian News International, 4/13/09
6. Hindustan Times, 4/13/09
7. Mirror (UK), 4/13/09
8. London Free Press, 1/2/99

### *National:*

9. “On Point,” NPR, 1/28/14
10. MSNBC, 1/27/14
11. “All Things Considered,” NPR, 1/23/14
12. CBS Evening News, 1/14/14
13. Anderson Cooper 360 (CNN), 1/08/14
14. New York Times, 1/07/14, 1/23/00, 12/27/99, 12/21/88, 8/18/00 (letter), 4/18/00 (letter)
15. BioNews, 4/13/09
16. CNN Live, 3/23/05
17. CNN International, 3/23/05
18. Associated Press Newswires, 1/24/14, 3/22/05
19. Washington Post, 3/22/05, 1/9/14
20. NBC “Today” show, 10/12/03
21. NBC Nightly News, 10/11/03
22. Medical Economics, 5/10/02
23. General Surgery News, August 7, 2001
24. Christian Science Monitor, 11/30/01
25. Modern Physician, 1/15/01
26. BNA Health Law Reporter, 1/09/14, 1/10/13, 1/4/12, 10/21/10, 1/7/10, 1/3/08, 5/28/07, 1/4/07, 9/28/06, 1/05/06, 1/13/05, 1/06/05, 1/1/04, 10/23/03, 1/02/03, 7/10/02, 2/1/02, 1/21/02, 1/03/02, 11/29/01, 9/20/01, 8/12/01, 1/4/01, 10/05/00, 5/4/00, 2/3/00, 1/6/00, 1/7/99, 10/8/98, 1/1/98, 1/2/97, 1/4/96, 12/14/95, 8/17/95, 1/5/95
27. BNA Health Care Daily Report, 1/25/02
28. New England Journal of Medicine, 11/23/00
29. Scripps-Howard News Service, 4/11/00
30. Journal of Law, Medicine & Ethics, 9/22/00
31. Associated Press Newswires, 4/11/00
32. BNA Health Care Fraud Report, 5/17/00
33. BNA Health Insurance Report, 1/12/05, 1/14/04, 1/09/02, 5/10/00
34. American Health Line, 10/12/99, 6/28/99, 5/24/99
35. “Morning Editions,” NPR, 4/11/96

### *Regional and Local:*

36. Seattle Times, 4/12/09, 3/20/05, 10/06/99
37. Baltimore Sun, 6/4/05
38. Sunday Gazette (Charleston, WV), 4/12/09
39. Virginia Pilot & Ledger-Star (Norfolk, VA), 4/12/09
40. Herald (Rock Hill, S.C.), 4/13/09
41. Press-Register (Mobile, AL), 6/23/07

42. Star-Ledger (Newark, NJ), 6/21/07
43. Kansas City Star (MO), 5/16/06, 3/22/05
44. Cherry Hill Courier-Post (NJ), 1/8/06
45. Duluth News-Tribune (MN), 6/12/05
46. Alameda Times-Star (CA), 3/23/05
47. Argus (Fremont-Newark, CA), 3/23/05
48. San Mateo County Times (CA), 3/23/05
49. Tri-Valley Herald (Pleasanton, CA), 3/23/05
50. Chicago Tribune, 3/22/05
51. Philadelphia Inquirer, 3/22/05
52. Miami Herald, 3/22/05
53. Orlando (FL) Sentinel, 3/22/05, 10/24/98, 10/11/98
54. Long Beach (CA) Press Telegram, 3/22/05
55. Belleville News Democrat (IL), 3/22/05
56. Bucks County Courier Times, 3/22/05
57. Charlotte Observer (NC), 3/22/05
58. Contra Costa Times (Walnut Hill, CA), 3/22/05, 3/20/05
59. Louisville Courier Journal, 7/22/04
60. Knoxville News-Sentinel, 4/12/00
61. Chattanooga Times, 4/12/00
62. Springfield (Ill.) State Journal-Register, 4/12/00
63. Memphis Commercial Appeal, 4/12/00
64. Hartford Courant, 1/5/00, 10/10/99, 10/2/99
65. News and Observer (Raleigh, NC), 6/30/99
66. Times-Picayune (New Orleans), 6/30/99,
67. Sunday Gazette Mail (Charleston), 6/6/99, 9/20/98, 8/30/98
68. Buffalo News, 6/5/99
69. Augusta (Ga.) Chronicle, 12/23/98
70. News & Record (Greensboro, NC), 12/13/98
71. Sun-Sentinel (Fort Lauderdale, FL), 10/24/98
72. Bangor Daily News (Bangor, Maine), 10/10/98, 6/26/98, 3/28/98
73. Florida Times-Union (Jacksonville, FL), 9/15/98
74. Arkansas Democrat-Gazette, 4/15/96

*Texas:*

75. KUT-FM, Austin, 1/15/14
76. Dallas Morning News, 12/25/10, 4/30/09, 1/24/08, 6/18/07, 6/16/07, 2/8/07, 2/7/07, 1/9/07, 6/10/06, 5/30/06, 11/13/05, 11/6/05, 6/22/05, 3/22/05, 3/19/05, 2/21/05, 8/8/04, 5/12/04, 5/10/04, 10/11/03, 7/11/02, 8/12/01, 4/29/01, 4/25/01, 4/18/01, 7/2/00, 10/5/99, 6/29/99, 6/2/99, 6/1/99, 5/23/99, 5/22/99, 12/23/98, 10/28/98, 10/10/98, 8/13/98, 7/19/98, 3/9/98, 2/24/98, 8/19/97, 2/2/97, 9/26/97, 4/14/96, 4/11/96, 9/22/95, 3/26/95, 6/28/94, 9/21/93
77. Houston Chronicle, 4/11/09, 3/27/05, 6/6/99
78. Fort Worth Star-Telegram, 4/14/06, 6/11/05, 3/24/05, 3/22/05, 6/27/01, 9/13/00, 4/18/00, 10/22/98
79. Austin American-Statesman, 11/15/02
80. Texas Lawyer, 10/8/01, 8/27/01, 7/16/01, 8/14/00
81. KFAA-TV (Ch. 8, ABC affiliate, Dallas), 1/27, 14, 8/9/01, 6/26/00, 4/16/00
82. KTVT-TV (Ch. 11, CBS affiliate, Dallas), 8/9/01
83. KERA-FM (PBS affiliate, Dallas), 4/18/2001, 8/1/2001, 5/24/2004, 9/16/2005, 2/6/2007, 4/4/2007, 1/14/14
84. KXAS-TV (Ch. 5, NBC affiliate, Dallas), 7/9/12

## Appendix D - Other (Op-Eds, Miscellaneous, Poetry Columns)

### *Op-eds and Misc.:*

1. "Advance Directives, Due Process, and Medical Futility," *Ann Intern Med.* 2004;140(5):404, In Response (with Robert L. Fine, MD)
2. Op-ed piece, "*Wit* sets high bar for audiences," Dallas Morning News, April 14, 2001, at 19A
3. "Bill won't help ease pain for dying patients," Dallas Morning News, August 7, 1998, at 37A (with Bob Fine, M.D.)
4. "On Death and Living," 41 *SMU Magazine* 15 (Winter 1993).
5. "Teacher, Scholar, Colleague, Friend," 55 J. AIR L. & COMM. v (1989).
6. "Are We Our Brothers' Keeper? Determining Access to Health Care in the 1990s," 39 *SMU Magazine* 19 (Spring 1989).
7. "Scarcity Amidst Plenty Creates New Problems for Law and Medicine," 21 *The Brief* 22 (1989).
8. "Pro Bono Clinic Opens in Dallas to Help Persons With AIDS," TEX. B.J. 478 (April 1989) (with S. Fagin).
9. Op-ed piece, "Bill won't help ease pain for dying patients," Dallas Morning News, August 7, 1998, at 37A (with Bob Fine, M.D.)
10. Op-ed piece, "A tragedy that's legal but senseless," Dallas Morning News, December 28, 1992, at 11A (commentary on *McGann v. H & H Music Co.*)
11. Op-ed piece, "Medical futility could be the next frontier in controversy over the 'right to die,'" D/FW Health Care News, July 1992, at 12.
12. Op-ed piece, "Key ruling is overshadowed," Dallas Morning News, July 9, 1992, at 25A (commentary on *Planned Parenthood v. Casey* and *Lucas v. South Carolina Coastal Council*)
13. Op-ed piece, "Answers to questions on living wills, directives," Dallas Morning News, December 15, 1991, at 4J (commentary on advance directives for health care)
14. Op-ed piece, "Cases show how -- and how not -- to ration health care," Dallas Morning News, March 17, 1991, at 4J (commentary on Oregon's rationing plan for Medicaid and the case of Helga Wanglie in Minnesota)
15. Op-ed piece, "Court assured worst of both worlds in Cruzan decision," Dallas Morning News, July 16, 1990, at 9A (critique of Supreme Court's first right-to-die decision).
16. Op-ed piece, "Where the court may go from here," Dallas Morning News, July 10, 1989, at 13A (the future of abortion cases after the Supreme Court's *Webster* decision).
17. Op-ed piece, "Legislative proposal runs roughshod over medical consent," Dallas Morning News, May 7, 1989, at 37A (with S. Steeg).

### *Poetry Columns:*

18. "Some winning works for poetry lovers," Dallas Morning News, December 21, 2003
19. "Confronting illness with a poet's pen," Dallas Morning News, November 9, 2003



20. "Healthcare Haiku," AHLA Health Lawyers Weekly, May 2, 2003
21. "'Texas in Poetry 2' heeds a calling that's sprawling," Dallas Morning News, April 20, 2003
22. "I'd say April is the coolest month," Dallas Morning News, April 20, 2003
23. "2002 exceptionally rich for poetry," Dallas Morning News, December 15, 2002
24. "Poems to tickle the funny bone," Dallas Morning News, April 7, 2002
25. "Holiday presents that will add the sound to poetry's sense," Dallas Morning News, December 16, 2001
26. *Preface*, THE BIG ROUNDUP: CLASSIC AND CONTEMPORARY POETRY FROM COWBOYPOETRY.COM (Margo Metegrano, ed. 2001) (winner of 2002 Academy of Western Artists' Buck Ramsey Best Poetry Book Award)
27. "Poetry lovers, let us celebrate independents," Dallas Morning News, October 21, 2001
28. "Plenty of guidebooks through poetic thickets," Dallas Morning News, August 26, 2001
29. "Billy Collins' muse is a spirit familiar to us all," Dallas Morning News, July 1, 2001
30. "Moving words inspire moving pictures," Dallas Morning News, April 29, 2001
31. "Learning the pleasant truth about cowboy poetry," Dallas Morning News, April 1, 2001
32. "A fine present for the present," Dallas Morning News, January 7, 2001
33. "Daily lives, deaths fuel creativity of poet laureate/funeral director," Dallas Morning News, December 3, 2000
34. "Poems rooted in Hispanic heritage," Dallas Morning News, October 1, 2000
35. "World Wide Web gives poets, poetry, room to grow," Dallas Morning News, July 30, 2000
36. "Poets revisit moments of revelation," Dallas Morning News, May 7, 2000 (book review)
37. "Poets writing on poetry are last word in hybrid vigor," Dallas Morning News, April 23, 2000
38. "Meter runs on romances between rhyming couples," Dallas Morning News, February 27, 2000
39. "War and peace alike give rise to verse of first rank," Dallas Morning News, January 16, 2000
40. "New study focuses on the living power of poetry," Dallas Morning News, December 5, 1999
41. "There's an art - a language art - to mathematics," Dallas Morning News, September 26, 1999
42. "Vacation no time to be averse to poetry's charms," Dallas Morning News, June 27, 1999
43. "For poets and poetry, April is the kindest month," Dallas Morning News, April 25, 1999
44. "'Tis love, 'tis love that makes the rhymes go 'round," Dallas Morning News, February 14, 1999
45. "Time for poetry lovers to stanza up and be counted," Dallas Morning News, January 24, 1999
46. "Popular poems find strength in numbers," Dallas Morning News, December 6, 1998
47. "Adair throws a curve with 'Beliefs and Blasphemies,'" Dallas Morning News, September 6, 1998
48. "Powerful poems carry readers for beyond rhyme," Dallas Morning News, April 19, 1998, at 8J.