



AUA Staff Liaison	Drew Shifflet, CAE
Chair	Patrick McKenna, M.D. (2011-2013)
Vice Chair	TBD
Terms of Office	4-year term; Vice Chair for two years ascending to Chair for 2-year term.

Committee Makeup

The Committee shall consist of at least one member from each of AUA/ER's Sections, and the President and Secretary, ex officio. All Section appointments to the Committee shall be made by the President, for staggered terms of four years each, from among Active or Senior Members nominated by the Section Representatives on the Board of Directors. Of those members, the President shall appoint to serve a two-year term, the Vice-Chair, who will then ascend to Chair for an additional two-year term.

*800 Rule applies

Mission Statement

The Judicial & Ethics Committee shall be charged with consultation, monitoring, mediation, recommendation and advice regarding current matters of controversy pertaining to AUA/ER and its members, or pertaining to the ethics of medical practice, education and research. Specifically, the Committee may address:

- (1) legal issues arising under AUA/ER's Articles of Incorporation and Bylaws;*
- (2) issues of medical ethics;*
- (3) issues of membership and standing within AUA/ER, including disciplinary matters;*
- (4) potential conflicts of interest; issues of potential medical malpractice and risk management;*
- (5) issues of expert witness testimony;*
- (6) issues of alleged plagiarism or copyright infringement; and*
- (7) any other matters referred for consideration or resolution by a member, a Section or by the Board of Directors.*

The Committee may serve in an appellate capacity over matters arising within a Section or first referred by the Board to a Section for consideration or resolution. The Committee may publish occasional advisories to the membership on legal and ethical issues of concern and shall have the major responsibility for revisions to and enforcement of AUA's conflict of interest policies. Finally, the Committee is charged with the investigation, consideration, and recommendation to the Board of Directors of measures for discipline of members prescribed under Article X of these Bylaws. (AUA/ER Bylaws, May 2011)

Jurisdiction

Persons requested to appear shall be advised of the subject matter of such inquiry, and shall be invited to present such evidence or data as may be pertinent to the Committee's deliberations. The Committee shall lack jurisdiction to take final action regarding any such matters, but shall first attempt mediation or other informal resolution where appropriate, and failing such resolution shall recommend appropriate action to the Board of Directors. Should issues arise regarding the possible disability or disqualification of an AUA/ER Officer, Director, Section Representative or Committee Chair, then the Board of Directors shall refer and delegate to the Committee the task of reviewing such matters under appropriate procedures, after which the Committee will report its findings and recommendations for appropriate Board action. (AUA/ER Bylaws May 2011)



Judicial & Ethics Committee Profile

Committee Meetings

The committee meets triannually. A face-to-face meeting occurs at least once per year at the AUA Annual Meeting and a second in-person meeting at the AUA headquarters (typically in late summer/early Fall). A third meeting via teleconference typically occurs in February/March. Additional teleconferences may be convened as necessary at the request of the Chair and the AUA staff.

Time Commitment

Chair: 4 hours per week

Member: 30 hours per year

Qualifications/ Responsibilities

Chair: The Chair and all its members should have integrity, honesty, and fairness. The Chair information pertinent to the Committee's area of and leads the discussion among committee members during meetings. The Chair works closely with AUA General Counsel in reviewing complaints from and/or about AUA members, and legal matters involving the Association and/or its members. The Chair ensures that due process is followed per AUA's disciplinary procedures relating to appeals, sanctions, rebukes and expulsions, and communicates such to the membership. The Chair also reviews AUA policies and Bylaws language pertinent to current issues and discussion items brought before the Council. The committee is charged with communicating issues, concerns and policies with the members of the AUA utilizing official AUA publications through the office of the Chair. The Chair will report to the Board of Directors as needed and as requested. The Chair should be prepared to assign smaller teams of Council members to review testimony, research complaints, etc. and communicate regularly with Vice Chair.

Vice Chair: All qualifications as required of the Chair, as the Vice Chair succeeds.

Members: Members are typically those same individuals serving on their AUA Section ethics committees, and should have experience in participating on their hospital/institution's medical ethics committee or review board, and/or a similar entity within their state. Willingness to attend meetings and conference calls; general awareness of the types of legal and risk management issues the Association and/or its members faces. Must be responsive via email. Must be willing to review relevant materials involving activities of other AUA members (such as Expert Witness Testimony) and render judgements about those activities. Members are responsible for bringing to the Committee any Section issues or requests pertaining to the Committee's area of responsibility. Likewise, members are responsible for reporting back to the Section the Report to the Sections prepared for them by the Chair. All deliberations are confidential and members are responsible for that confidentiality in all venues and at all times. Members must be willing to have the courage of their convictions and be willing to demonstrate that.

Removal for non-performance or violation of policies and procedures, including confidentiality, occurs at the direction of the Chair and /or BOD after consultation with the AUA staff. Interim replacement of members may occur as directed by the individual section, interim replacement of the Chair is by the Vice-Chair.



Recent Accomplishments as of 12-31-10

- Committee has taken an active role in establishing policy, review and procedure in the area of medical expert witnesses and educating our members of our position/procedures. Various refinements were made to evaluation tools and a protocol has been drafted for managing complaints specific to expert witness testimony.
- Posting of disciplinary actions on AUA.net.org.
- Committee has completed 2nd year of reviewing all disclosure/conflicts of interest issues of all AUA committees. This requires that all prospective members of AUA committees be vetted prior to their appointment.
- Committee worked significantly on CMSS “Guidelines for Interaction with Industry” ensuring compliance in a number of areas, with special focus on guidelines.
- Committee has produced an AUA News article for member guidelines for interaction with industry.
- Committee has produced and garnered BOD approval of changes to the COI for Guidelines panel participants consistent with CMSS guidelines.
- Committee Chair has drafted an article for *AUA News* on plagiarism.
- Committee Chair has taken on a project to work in concert with the Office of Education to incorporate expert witness testimony guidelines into the AUA Ethics Module.