



AUA Staff Liaison	Nancy Waid
Chair	Christian Twiss, MD (2019-2021)
Terms of Office	Members 4-year term (renewable once) Chair 2-year term (non-renewable)

Committee Makeup

The Committee shall consist of at least one member from each of the Association's Sections. All Section appointments to the Committee shall be staggered terms of four years each (renewable once), from among the Section's Active or Senior Members. Of those members, the President shall appoint a Chair to serve a two-year term. (AUA Bylaws Article V, Section 1.3.1 May 2018)*

*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 the Association and its members, or pertaining to ethics of medical practice, education and research. Specifically, the Committee may address:

- 1) legal issues arising under the Association Articles of Incorporation and Bylaws;*
- 2) issues of medical ethics;*
- 3) issues of membership and standing within the Association, including disciplinary matters;*
- 4) potential conflicts of interest;*
- 5) issues of potential medical malpractice and risk management;*
- 6) issues of expert witness testimony;*
- 7) issues of alleged plagiarism or copyright infringement; and*
- 8) 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 IX of these Bylaws (AUA Bylaws Article V, Section 1.3.2 May 2018)

Jurisdiction

The Committee shall be empowered to request the voluntary attendance of members or other witnesses at meetings or hearings to consider matters of membership, discipline or Association policy. 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.



Jurisdiction (continued)

The Committee shall lack jurisdiction to take final action regarding serious matters of discipline, but may first attempt mediation or other informal resolution where appropriate, and failing such resolution shall recommend appropriate action to the Board of Directors. However, in less serious matters not deemed to warrant recommendation for discipline to the Board of Directors, the Committee may issue an admonition or warning to a member as may be deemed appropriate. For more serious offenses, the J&E Committee may ask the Board of Directors to issue a censure, rebuke or expulsion in accordance with Article IX of these Bylaws.

Should issues arise regarding the possible disability or disqualification of an Association Officer, Director, Section Representative or Committee Chair, then the Board of Directors may 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 Bylaws Article V Section 1.3.3 May 2011)

Committee Meetings

The committee meets as required by the level of cases received. A face-to-face meeting may occur at the Annual Meeting and a second in person meeting at the AUA headquarters may be held in the late fall (pending sufficient agenda items). The J&E Executive Committee meets periodically via teleconference. The committee meets via teleconference at regular intervals (usually fall and spring).

Other Responsibilities

In order to raise AUA members' awareness of ethical issues and the committee's mission, committee members author articles on current ethics issues for publication periodically in the *AUA News*. In addition, committee members provide assistance in updating comprehensive ethics modules available to members in AUA University. The Committee also oversees any changes to and enforcement of the AUA's *Principles, Policies & Procedures for Managing Conflicts of Interest*.

Time Commitment

Chair: 6-10 hours per month

Exec. Com. 20 hours a year

Member: 10 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 assigns smaller teams of Council members to review testimony, research complaints, etc. and communicate regularly with Executive Committee. The Chair may be selected from the Executive Committee or be a senior member with a minimum of two years of service.

Executive Committee:

The J&E Executive committee is comprised of the J&E Chair, AUA Committee and Society Affairs Director, AUA Legal Counsel, AUA Committees and Society Affairs Staff Liaison, two members of the J&E Committee (preferably one junior and one senior member). Members of the Executive Committee are selected at the discretion of the Chair and are renewed on an annual basis. Executive Committee members hold periodic telephone conferences to review all materials, provide summaries and develop options to the full Committee for discussion. It is not empowered to make decisions independent of the J&E but serves to expedite materials for ratification or rejection by the full committee.

Members: Members typically serve concurrently on their AUA Section ethics committees, and should have additional 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 ethical, legal and risk management issues Association 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 demonstrate the courage of their convictions.

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. Vacant positions are filled by AUA Sections in accordance with AUA Committee guidelines.

Recent Accomplishments 2019

Committee discussions prompted three *AUANews* articles scheduled for publication in 2019 on the following topics

- Expert Witness
- Practicing in the Age of Social Media
- Informed Consent

The committee is also working on revising the ethics modules for publication on the *AUAUniversity*