

# ANNOTATED CURRICULUM VITAE

LAWRENCE J. NELSON

## 1. Education

### a) Institutions of Higher Education

Jesuit College, St. Bonifacius, MN, August 1969-June 1970, no major or minor  
St. Thomas College, St. Paul, MN, August 1970-December 1970, no major or minor  
St. Louis University, St. Louis, MO, August 1971-May 1972, philosophy  
Marquette University, Milwaukee, WI, June-July 1972, philosophy  
St. Louis University, St. Louis, MO, August 1972-May 1974, philosophy; A.B., May  
1974  
St. Louis University, St. Louis, MO, August 1974-November 1978, philosophy; Ph.D.,  
November 1974  
Harvard Law School, Cambridge, MA, August 1978-May 1979, law  
Yale Law School, New Haven, CT, August 1979-May 1981, law; J.D., June 1981

### b) Titles of Theses and Dissertations

“Freedom and Embodiment in Paul Ricoeur”, Ph.D., dissertation, St. Louis University,  
1978. Thesis director: James Marsh

### c) Academic Honors

#### Latin Honors

A.B., philosophy, St. Louis University, College of Philosophy & Letters, *summa cum  
laude*

#### Fellowships and Internships

Student Internship, The Hastings Center, Briarcliff Manor, NY. Project entitled "Science  
and the Ethics of Limits" under the direction of Marc Lappe and Daniel Callahan, June-  
August, 1976

Postdoctoral Fellowship in Bioethics, University of California, San Francisco, School of  
Medicine, Division of Medical Ethics, 1977-1978 (dissertation researched, written, and  
completed during this same period)

#### Teaching Awards

Dr. David E. Logothetti Teaching Award, AY 2009-2010, College of Arts & Sciences,  
Santa Clara University  
Santa Clara University, College of Arts & Sciences Summer Teaching Award, 2007

**Grants and Awards** (most recent first, then in reverse chronological order)

Recipient of a Faculty Student Research Assistant Program \$1000 grant from the Provost's Office to fund a student research assistant for "The First Amendment, Expressive Association, and Physicians Involved in Killing." AY 14-15.

Recipient of a Faculty Student Research Assistant Program \$1000 grant from the Provost's Office to fund a student research assistant for "Law, Ethics, Ashley's Case, and the Federal Protection and Advocacy Statutes." AY 2012-13.

Recipient of a \$5000 Hackworth Faculty Research Grant from the Markkula Center for Applied Ethics to support work on a project entitled "Personhood and the Legal and Moral Status of Prenatal Humans" and for research on background for the full-length play *Cross My Heart I am writing*, AY 13-16.

Winner (with Dr. John Mills) of the Nellie Westerman Prize for Research in Ethics 1978, sponsored by the American Federation for Clinical Research, with the paper "Ethics and Research Involving Religious Celibate Groups."

Co-Principal Investigator, Robert Wood Johnson Foundation Substance Abuse Policy Research Program, Grant #030790 for \$99,600, "An Ethical and Legal Analysis of State-Compelled Loss of Liberty as an Intervention to Reduce the Harm of Perinatal Substance Abuse and Drug Addiction," 12/1/96-7/31/98.

Recipient of a Thomas Terry Teaching Grant from the Office of the Vice Provost for Academic Affairs, SCU, for development of a course "Ethics, Cultural Diversity & Human Rights." 4/99-7/99

Recipient of a Thomas Terry Teaching Grant from the Office of the Vice Provost for Academic Affairs, SCU, for the project "Creating Effective and Engaging Social Justice Segments in Four Core Curriculum Ethics Courses." 9/01-9/02

Recipient of grants from the Moran Family Trust Ethics and Social Justice Program and the SCU Dean's Grants Program for the project "Incorporating Social Justice Education into Five Core Curriculum Ethics Courses." 9/03-6/04

Recipient of a grant from The Bannan Center for Jesuit Education at SCU for the project "The Place of Philosophical Ethics in Jesuit Higher Education and Mission." 7/03-6/04

Recipient of a Hackworth Grant for Faculty Research and Teaching in Applied Ethics, Markkula Center for Applied Ethics at SCU, for the project "Towards a Theory of Constitutional Personhood." Summer 2003

Recipient of a \$1000 Faculty Student Research Assistant Program grant to fund research on "Ethics and Physicians Involvement in Capital Punishment by Lethal Injection." AY 06-07.

Recipient of \$2100 grant from the Office of Violence Against Women, U.S. Dept. of Justice; Lisa Millora, SCU Project Director, to develop a course on justice and gender violence, 4/18/06 (taught as PHIL 5 in winter 07).

Recipient of DISCOVER grant from the Ignatian Center in the form of a course release to develop a new course on philosophy and vocation (taught for the first time as PHIL 116, "Ethics, Authenticity, Freedom & Vocation," in winter 09).

Recipient of a \$2500 Hackworth Faculty Research Grant from the Markkula Center for Applied Ethics to support work on a paper entitled "Does Ashley Need Protection from Her Parents?" 6/08.

Recipient of a \$1000 Department of Philosophy Faculty Research Grant to support research on “Ethics and Physicians Involvement in Capital Punishment by Lethal Injection,” AY 08-09 (this work ultimately resulted in the publication of “Rethinking the Ethics of Physician Participation in Lethal Injection Execution” in the *Hastings Center Report* (see below).

Recipient of a \$1000 Department of Philosophy Faculty Research Grant to support research on “The Constitutional and Moral Reach of Feticide Statutes,” AY 09-10.

Recipient of a \$1000 Faculty Student Research Assistant Program (FSRAP) grant to fund research on “The History of Constitutional Personhood and Roe v. Wade.” AY 10-11.

## **2. Teaching and Related Experience**

### **a) Teaching Experience**

August 1974- May 1977, Teaching Assistant, Department of Philosophy, St. Louis University

August 1977-June 1978, I taught in various medical school, pharmacy, and nursing courses during the postdoctoral fellowship at the University of California, San Francisco, part-time

October 1981- May 1986, Adjunct Lecturer, Golden Gate University, Health Services Management graduate program, part-time

January 1983- May 1991, Adjunct Lecturer, I had a variety of teaching responsibilities in the Division of Medical Ethics and the Program in Medical Ethics, University of California, San Francisco, School of Medicine, part-time

1988, Winter semester, Adjunct Faculty, Jesuit School of Theology at Berkeley, part-time

September 1996–August 1997, Quarterly Part-Time Lecturer, Santa Clara University, Department of Philosophy

September 1997– August 2001, Academic Year Lecturer, Santa Clara University

September 2001–August 2004, Adjunct Associate Professor, Department of Philosophy and Program in Women and Gender Studies

September 2004–August 2009, Senior Lecturer, Department of Philosophy

September 2009–2020, Associate Professor, Department of Philosophy

September 2020–present, Professor, Department of Philosophy

### **b) Other Academic Experience**

Chair of the Philosophy Department, June 2017-June 2020

### **c) Relevant Non-Academic Professional Experience**

Consultant to the Department of Health and Human Services, Public Health Service, National Institutes of Health; author of report entitled "Legal and Ethical Aspects of Research on Perinatal Drug Abuse." 4/91-8/91.

Consultant to the American Thoracic Society Bioethics Task Force for its drafting of the American Thoracic Society Statement on Withholding and Withdrawing Life-Sustaining Treatment. Paul Lanken, M.D., Hospital of the University of Pennsylvania, Chair. 1989-1991.

Member of the Hastings Center Project on Maternal-Fetal Relations, 1989-91.

Member, NIH Data and Safety Monitoring Committee, National Herpetic Eye Disease Study, 1989-1992.

Ethics Consultant, Agnews Developmental Center, San Jose, CA, February 1994 to May 1998.

Ethics Consultant, Summit Medical Center, Oakland, CA, 1986 to 1998.

Ethics Consultant, Children's Hospital, Oakland, CA, 1986-1993.

Consultant to the Center for Substance Abuse Treatment, Substance Abuse and Mental Health Services Administration, U.S. Dept. of Health & Human Services, on ethics in substance abuse treatment research, 2000-2001.

### **3. Scholarly and Artistic Work**

**a) Scholarly Publications** (each category in chronological order starting with the most recent; numbered consecutively across categories)

#### **Book Chapters**

1. Lawrence Nelson & E. Ramirez, "Can Suicide in the Elderly Be Rational?" in Rational Suicide in the Elderly: Clinical, Ethical and Sociocultural Aspects, edited by R. McCue & M. Balasubramaniam, Springer (2017), 1-22.

*An examination of the conceptual (e.g., what is suicide? What does "rational" mean?) and ethical issues involved when elderly persons express (particularly to mental health clinicians who are increasingly encountering such patients) a desire to end their lives due to profound dissatisfaction with their physical and/or mental functioning, current relationships, or experiences apart from terminal illness or chronic pain. Some of these elderly individuals report they are "tired of life." Several case studies are discussed. 43 references, approx. 10,700 words.*

*I was invited by the editors of this volume to write this and the rational suicide and the law chapter after they attended an invited presentation I made on these subjects at the 2015 annual meeting of the Association for Geriatric Psychiatry. I asked Erick Ramirez to work on the chapter with me given his expertise in the philosophy and ethics of mental health. We shared the research and writing on this chapter equally. Both of these chapters were peer reviewed by the book editors and editors at Springer. This chapter is currently the one in the book that has been downloaded (either by individual purchase or subscription) the most frequently at 740 (per bookmetrix.com). This book has been reviewed three times in the mental health literature.<sup>1</sup> With respect to this particular chapter one reviewer noted that "it usefully set out criteria for what might count as rational in this regard, which were then put to the test in Chapter 2." Google scholar search: 3 citations.<sup>2</sup> Researchgate search: 1 citation and 22 reads.*

2. Lawrence Nelson, "Rational Suicide and the Law," in Rational Suicide in the Elderly: Clinical, Ethical and Sociocultural Aspects, edited by R. McCue & M. Balasubramaniam, Springer (2017), 33-44.

*A review and analysis of the legal considerations facing therapists who encounter an elderly patient who express a wish to end her life and who does not exhibit a*

*recognized mental illness. 19 references, approx. 5600 words.*

*This chapter has been downloaded (either by individual purchase or subscription) 672 times (per bookmetrix.com).*

3. Lawrence Nelson, "ACLU v. Catholic Health Care: An Inquiry into Disputes over Previability Pregnancy Termination," in Conscience and Catholic Health Care, edited by D. DeCosse & T. Nairn, Orbis Books (2017), 121-138.

*A non-partisan ethical, legal, and policy analysis of litigation filed by the ACLU against the US Conference of Catholic Bishops and a Catholic hospital system alleging inadequate reproductive care for women. 47 references, 74 footnotes, approx. 6700 words.*

*This paper was written as part of a conference sponsored by the Markkula Center for Applied Ethics and the Catholic Health Association on the subject of conscience and Catholic health care to which I was invited by Prof. DeCosse. It was revised prior to publication in response to the peer review of the editors. This book received honorable mention from the Catholic Press Association's 2018 Book Award competition.*

4. Lawrence Nelson, "Legal Personhood, Prenatal Humans, and Feticide Laws," in In the Sphere of the Personal: New Perspectives in the Philosophy of Persons, edited by J. Beauregard & S. Smith, Vernon Press (2016), 165-178.

*A study of why prenatal humans should not be considered legal persons with fundamental rights, why the unborn deserve legal protection from wrongful killing by third parties, and why it is ethically and practically problematic for certain philosophical conceptions of personhood to be used to determine legal personhood. 24 references, 32 footnotes, approx. 5000 words.*

*I presented a peer reviewed paper with this title at the 13th International Conference on Persons in the summer of 2015 and submitted a revised version to the editors in response to their call for papers that might be included in a published volume. This revised version of the original paper was accepted for publication after peer review by the editors.*

5. J. Faranoff & Lawrence Nelson, "Ethical Issues in the Perinatal Period," in Care of the High Risk Neonate, edited by A. Faranoff, 6th edition, Elsevier/Saunders (2012), 535-542 (revised version).

*A modestly revised version of the chapter I wrote that appeared in the 5<sup>th</sup> edition of this book in 2001. Dr. Faranoff initiated most of the changes, and I added some changes and collaborated on the final wording of all.*

6. Lawrence Nelson, "Disability Rights and Wrongs in the Terri Schiavo Case," in *Ethics, Politics and Death in the 21st Century: The Strange, Sad Case of Terri Schiavo*, edited by Kenneth Goodman, Oxford University Press (2010), pp. 158-190.

*Invited chapter in a volume peer reviewed by the publisher that discusses the ethics of the involvement of disability rights groups in the Schiavo case and offers a critique of the methods and rhetoric of these groups; one of ten chapters in the book; written during my 2005-2006 sabbatical leave.*

7. Lawrence Nelson, "Preimplantation Diagnosis," in *A Textbook of Perinatal Medicine*, edited by A. Kurjak, 2006 edition, CRC Press-Parthenon Publishers, pp. 179-189.

*Medical textbook chapter invited and reviewed by the editors of the “Ethical and Legal Dimensions” section, Profs. Frank Chervenak and Laurence McCullough; a survey of the ethical problems raised by preimplantation genetic diagnosis including the marketing of PGD services, informed consent, sex selection, and the moral status of extracorporeal human embryos.*

8. Lawrence Nelson, "Ethical Issues in the Perinatal Period," Chapter 19 in *Care of the High Risk Neonate*, edited by M. Klaus and A. Faranoff, 5th edition, W.B. Saunders (2001), 536-545 (revised and expanded version).

*Invited chapter in a medical textbook surveying the ethics of medical treatment of critically ill newborns, especially those born prematurely, and commenting on developments since the previous edition.*

9. Lawrence Nelson, "Ethical Issues in the Perinatal Period," Chapter 19 in *Care of the High Risk Neonate*, edited by M. Klaus and A. Faranoff, 4th edition, W.B. Saunders (1993), 464-470.

*Invited chapter in a medical textbook surveying the ethics of medical treatment of critically ill newborns, especially those born prematurely; includes discussion of the significance of the federal “Baby Doe laws” for neonatology practice.*

10. Lawrence Nelson & Marty Jessup, "Advocacy, Ethics, and the Law," in *Drug Dependency in Pregnancy: Managing Withdrawal*, edited by M. Jessup, California Department of Health Services, Maternal and Child Health Branch (1992), 269-284.

*Invited chapter discussing the ethical and legal aspects of drug abuse and use by pregnant women and the effects of drugs on unborn humans; I did all of the ethical and legal research and wrote the clear majority of the manuscript text, while Ms. Jessup contributed the clinical information used in the paper.*

11. Lawrence Nelson, "And the Truth Shall Set You Free: The Case of Baby Boy Cory," in *Ethics at the Bedside*, edited by Charles Culver, M.D., University Press of New England (1990), 40-70.

*Invited chapter in a book collecting reports of cases by the clinical bioethics consultants involved in them; discusses a case in which I was retained by the parents of a prematurely born infant to consult on the ethical and legal raised by the parents’ wishes and the views of the health care providers on forgoing life-sustaining treatment.*

### Articles

12. Lawrence Nelson, “Response to Open Peer Commentaries on Provider Conscientious Refusal of Abortion, Obstetrical Emergencies, and Criminal Homicide Law,” American Journal of Bioethics, Vol.18, #9, 2018, W9-W10.

*A response, reviewed by the editor, to the 10 Open Peer Commentaries (these are peer reviewed by the editor) on my target article “Provider Conscientious Refusal of Abortion, Obstetrical Emergencies, and Criminal Homicide Law.” 5 references, approx. 1340 words. See below for more about this journal.*

13. Lawrence Nelson, “Provider Conscientious Refusal of Abortion, Obstetrical Emergencies, and Criminal Homicide Law,” American Journal of Bioethics, Vol.18, #7, 2018,

43-50.

*An argument that (1) conscientious refusals to end a pregnancy in a life-threatening emergency can constitute murder or reckless homicide; (2) such refusals are not immunized from criminal liability by the constitutional right to the free exercise of religion; and (3) conscientious objection to abortion statutes that either expressly or implicitly confer immunity from criminal liability on providers who refuse to perform abortions in an emergency are unconstitutional. 54 references, 2 footnotes, approx. 5400 words. 10 citations (the peer-reviewed Open Peer Commentaries published in the same issue as the article).*

*AJOB is a refereed, national journal of research in bioethics; acceptance rate: circa 16%. Ranked #2 journal for issues in ethics and legal aspects (Scimago Journal and Country Ranking). According to the 2016 report of the Bioethics Research Library at Georgetown University, it is the #3 ranked bioethics journal. 2018 journal impact factor: 5.8, 5 year impact factor: 6.789 (InCites Journal Citation Reports). According to a ranking produced by bioethicist Udo Schuklenk based on 2019 Google Scholar metrics using a “h-5 index” and a “h5-median,”<sup>1</sup> AJOB is the #4 bioethics journal. It is noteworthy that I had to respond to the (sometimes conflicting) comments of five referees in addition to those of the associate editor when I was revising the manuscript prior to its final acceptance. In philosophy it is typical to be required to respond to the comments of only two referees when being asked to revise a manuscript prior to resubmission.*

14. Lawrence Nelson, “A Crisis for Women’s Rights? Surveying Feticide Statutes for Content, Coverage, and Constitutionality” University of Denver Criminal Law Review, Vol. 6, 2016, 63-99.

*A comprehensive survey of the statutory and case law of all 50 states regarding feticide (the wrongful killing of an unborn human at any point in gestation or prior to gestation expressly made criminal by statute); a survey and analysis of the litigation challenging the constitutionality of feticide statutes; an examination of 4 distinct constitutional problems with feticide statutes (unequal treatment of the unborn, misapplication of supposed implications of such states in other legal contexts, their application to extracorporeal human embryos, and their application to pregnant women’s behavior outside of a legal abortion); and a moral justification for such statutes. Approx. 272 references, 271 footnotes, approx. 17,700 words (excluding substantive footnotes).*

*The University of Denver Law School is ranked 67<sup>th</sup> by US News. Its Criminal Law Review is a national publication that is peer-reviewed and edited, as are all American law reviews, by law students with faculty assistance; acceptance rate & impact factor: n/a. This journal is in a specialty area (criminal law) that is not evaluated and ranked as are general law reviews.*

15. Lawrence Nelson, “It Matters that Prenatal Humans Are Not Constitutional Persons,” American Journal of Bioethics, vol. 16, #2, 2016, 15-17.

*Commentary on H. Minikoff & M.F. Marshall, “Fetal Risks, Relative Risks, and*

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<sup>1</sup><http://ethxblog.blogspot.com/2019/08/2019-google-metrics-for-bioethics.html>.

*Relatives' Risks," American Journal of Bioethics 16(2):3-11, 2016. 11 references, approx. 1600 words.*

16. Report of Panel Discussion among Lawrence Nelson, A. Caplan, and R. Scott, "The Ethical Implications of Preimplantation Genetic Diagnosis," Clinical Chemistry, vol. 60, #1, 2014, 25-28.

*Brief comments on the title subject from three bioethics experts. 5 citations.<sup>3</sup>*

17. J. Brinkmann, R. Sims, Lawrence Nelson, "Business Ethics Across the Curriculum?" *Journal of Business Ethics Education*, vol. 8, January 2011, 83-104. [As this paper was not actually accepted in final form and published until late 2011, it was not listed on my annotated CV that accompanied my application for tenure and was not available to the senior faculty or the accompanying R&T process.]

*A peer-reviewed journal, acceptance rate not available, impact factor 1.326, published by Neilson Journal Publishing, has an international editorial board and is the only journal dedicated to the teaching of business ethics. The Australian Business Deans Council Journal Quality List for 2016 places it in about the top 50%. Full text PDF downloads in 2018: 8488 I was responsible for creating about 30% of the text (outside of the pilot study) and for making the revisions suggested by the referees. The article is primarily about the process of teaching business ethics.*

18. Lawrence Nelson and Brandon Ashby, "Rethinking the Ethics of Physician Participation in Lethal Injection Execution," *Hastings Center Report*, vol. 41, #3 (May-June 2011), 28-37.

*Peer-reviewed journal with an acceptance rate of 10%, ranked 3<sup>rd</sup> among ethics journals and 1<sup>st</sup> among medical ethics journals which has the highest Journal Influence Index in both categories and is the top journal in my field of bioethics. The original idea for the article was mine, and I wrote about 85% the manuscript and was responsible for putting the manuscript into final form after receiving comments from the referees and the editors. Mr. Ashby generated the remainder of the text and assisted in the research of the medical literature relevant to our subject. This paper started as a collaboration with Mr. Ashby (the SCU valedictorian in 2009) when he was an undergraduate and was finished after his graduation while he was attending graduate school in philosophy at Oxford University. This research was supported by a FSRAP grant and a faculty research grant from the Department of Philosophy. The paper, while taking no position on the ethics of the death penalty itself, argues that the mainstream ethical position against physician participation in executions is inadequate and that the case in favor of participation is sufficiently strong that the profession ought to allow physicians to participate if they conscientiously choose to do so. The subject of this paper fits in with my ongoing scholarly interest in the role of conscience in the professional practice of medicine. 6 citations.*

18. Lawrence Nelson, "If These Walls Could Talk' and Abortion," in *The Picture of Health: Medical Ethics at the Movies*, Oxford University Press, 2011, 336-340.

*I was invited to submit this essay by the primary editor, Dr. Henri Colt, a pulmonologist and clinical professor at UC Irvine School of Medicine, probably because of my longstanding work in bioethics. This short paper is an examination*

of a film, "If These Walls Could Talk," that I use in my teaching of bioethics, and of ethics and gender, for its ethical content and pedagogical utility.

19. Lawrence Nelson, "Of Persons and Prenatal Humans: Why the Constitution Is Not Silent on Abortion," *Lewis and Clark Law Review*, vol. 13, #1, Spring 2009, 155-207.

*As law reviews are edited by law students with broad assistance from law faculty, this article did go through a form of peer review; the Lewis and Clark law school is currently ranked in the top third of ABA accredited law schools, and its Law Review accepts about 5% of all submissions. The article develops a theory of constitutional personhood to argue that the U.S. Constitution is not silent on abortion (as argued by Justice Scalia, inter alia) because unborn humans must either be constitutional persons or not and, either way, their constitutional status has a direct effect on the constitutional permissibility of induced abortion. This article will provide a foundation for my future work on the legal and moral status of the unborn, and is related to my interest in creating a philosophical theory of moral status. A search of law reviews on LexisNexis found 7 references to this article; Google Scholar search: 5 citations.*

20. Lawrence Nelson, "United States Law and Managing the Terminally Ill Fetus and Newborn." *Seminars in Fetal and Neonatal Medicine*, vol. 5, 301-304, 2008.

*Articles for this journal are edited by an authority on the subject of the particular issue, in this case, David Field. Its acceptance rate was not made available to me. This invited article examines the main legal and ethical issues relating to abortion of fetuses with lethal anomalies and forgoing medical treatment of critically newborns.*

11. Lawrence Nelson and Michael Meyer, "Confronting Deep Moral Disagreement: The President's Council on Bioethics, Moral Status, and Human Embryos," *The American Journal of Bioethics*, vol. 5, #6, 33-42, 2005.

*Peer-reviewed article in a journal ranked 4<sup>th</sup> among ethics journals and 2<sup>nd</sup> among medical ethics journals. Its acceptance rate was not made available to me. Prof. Meyer and I shared all of the work on this paper equally. The paper analyzes the Council's report on the moral status of human embryos and criticizes the Council for not making better use of publicly available reasons and moral status theory in justifying its various conclusions. A search of law reviews on LexisNexis found 1 reference to this article; Google Scholar search: 21 citations.*

12. Lawrence Nelson, "Is There an Indication for Ethics Evidence? An Argument for the Admissibility of Some Expert Bioethics Testimony," *The Journal of Law, Medicine & Ethics*, vol. 33, #2, 2005, 248-263.

*Peer-reviewed article in a journal with an acceptance rate of 15% and ranked 10<sup>th</sup> among ethics journals and 6<sup>th</sup> among medical ethics journals. This invited paper, part of a collection of essays on bioethicists as expert witnesses, makes a case for distinct limits on the use of bioethicists as expert witnesses in litigation. Google Scholar search: 2 citations.*

13. Lawrence Nelson, "Ethics Consultations Reduce Time and Procedures in Intensive Care," *Evidence-Based Healthcare*, vol. 8, #2, April 2004, 63-64.

*A short, invited article on empirical research related to the effectiveness of*

*clinical ethics consultations in reducing utilization in ICUs.*

14. Lawrence Nelson, "The Wendland Case: On Families and Fantasies," *Lahey Clinic Medical Ethics*, vol. 10, #2, Spring 2003, 8, 10.

*Invited article in a regular publication (circulation 27,000) of the Lahey Clinic, a large teaching hospital affiliated with Tufts University School of Medicine; the paper is about the California Supreme Court's opinion in Conservatorship of Wendland; I was the attorney for Rose Wendland, the wife of a seriously brain damaged patient, in litigation over her power as her husband's conservator and next of kin to refuse medical treatment on his behalf; the Wendland case had an important, although quite limited in scope, impact on the national jurisprudence related to the so-called "right to die."*

15. Lawrence Nelson, "Preimplantation Diagnosis," *Clinics in Perinatology* 30 (March 2003) 67-80.

*Invited article in a medical journal published by Elsevier, an international publisher of science and health information, a survey of the ethical problems raised by preimplantation genetic diagnosis (see related entry 2 above); a search of law reviews on LexisNexis found 1 reference to this article; Google Scholar search: 5 citations.*

16. Lawrence Nelson, "Respect for the Developmentally Disabled and Forgoing Life-Sustaining Treatment," *Mental Retardation and Developmental Disabilities Research Reviews*, 9 (2003) 3-9.

*This article appeared in an issue devoted to ethics and developmental disability and edited by a leading bioethicist, Robert Nelson (no relation), who reviewed and accepted it; the journal's content is intended for use by scientists and clinical practitioners in the field of developmental disability; the paper argues that incompetent, developmentally disabled patients have a right to receive respectful medical treatment and to have it withdrawn or withheld when doing so is consistent with their best interests; Google Scholar search: 4 citations.*

17. Lawrence Nelson, "The Wendland Case" in *Ethical Issues in Modern Medicine* (6<sup>th</sup> ed.), B. Steinbock, J. Arras, & A. J. London, eds., McGraw Hill, 2002 (in Part 3, Section 4 "Choosing for Others"), 353-356.

*The editors of this undergraduate/graduate bioethics textbook invited me to submit this piece on the Wendland case (see entry 14 above).*

18. Lawrence Nelson, "Wendland and Forgoing Life-Sustaining Treatment for the Incompetent," *The Health Lawyer*, vol. 14, #3, April 2002, 12-18.

*Invited article in a publication of the Health Law Section of the American Bar Association; a summary and critique of the California Supreme Court's opinion in Conservatorship of Wendland (see entry 14 above); a search of law reviews on LexisNexis found 1 reference to this article. .*

19. Michael Meyer and Lawrence Nelson, "Respecting What We Destroy: Reflections on Human Embryo Research," *Hastings Center Report*, vol. 31, #1, Jan/Feb 2001, 16-23. Reprinted in *At Issue: Human Embryo Experimentation*, Gale Group, 2002. Excerpted and reprinted in C. Coleman, et al., *The Ethics and Regulation of Research with Human Subjects*, Newark: Matthew Bender, 2005.

*Peer-reviewed journal, very highly ranked (see entry 7 above); this paper applies Mary Anne Warren's criteria for moral status to extracorporeal human embryos and argues that such embryos have a modest moral status that permits them to be destroyed for good cause and with moral respect; Prof. Meyer and I shared all of the work on this paper equally; a search of law reviews on LexisNexis found 4 references to this article; Google Scholar search: 39 citations.*

20. Lawrence Nelson and Ronald Cranford, "Michael Martin and Robert Wendland: Beyond the Vegetative State," *The Journal of Contemporary Health Law and Policy*, 15 (1999) 427-453.

*A law review article published by the School of Law at The Catholic University of America (see entry 9 above regarding law reviews); Catholic University law school is currently ranked in the top 40%; this article discusses the ethical and legal problems surrounding forgoing life-sustaining medical treatment of persons in the minimally conscious state and distinguishes this group of patients from those in the permanent vegetative state; I wrote the great majority of the text of this article with Dr. Cranford contributing many ideas and some portion of the text; a search of law reviews on LexisNexis found 8 references to this article; Google Scholar search: 23 citations.*

21. Lawrence Nelson, "Bioethics and the Clinician's Conscience: Editor's Introduction," *HEC Forum*, vol. 10, #1, March 1998, pp. 2-8.

*I was the Guest Editor of this thematic issue, "Bioethics and the Clinician's Conscience"; this is an international peer-reviewed publication for members of hospital ethics committees, but in part due to its relatively narrow focus, it is not generally considered a top tier bioethics journal; this article introduces the articles in the issue and offers a preliminary analysis of the ethical foundations of the exercise of conscience in clinical practice.*

22. Lawrence Nelson & Mary Faith Marshall, Co-Principal Investigators, Robert Wood Johnson Foundation Substance Abuse Policy Research Program, Grant #030790 for \$99,600, on a project entitled "An Ethical and Legal Analysis of State-Compelled Loss of Liberty as an Intervention to Reduce the Harm of Perinatal Substance Abuse and Drug Addiction," 12/1/96-7/31/98. Final report from this project, entitled "Ethical and Legal Analyses of Three Coercive Policies Aimed at Substance Abuse by Pregnant Women," published and released to the public on 8/12/98 at a national press briefing, National Press Club, Washington D.C.

*Although not published by an established press, this report has been cited frequently in the bioethics literature (see e.g., ACOG Committee on Ethics Opinion #321, 11/2005*

*[[http://www.acog.org/from\\_home/publications/ethics/co321.pdf](http://www.acog.org/from_home/publications/ethics/co321.pdf)]; Philip Jos et al, "Substance Abuse During Pregnancy: Clinical and Public Health Approaches, *Journal of Law, Medicine and Health Care*, vol 31, 340, 2005; Lynn Paltrow, "Pregnant Drug Users, Fetal Persons, and The Threat to Roe v. Wade," *Albany Law Review*, vol. 62, 999, 1998-99. I wrote the legal sections of the report (about 55% of the total) while Prof. Marshall wrote those on ethics (about 45%). The report criticizes use of the criminal law or child abuse/neglect law to punish women who take both illegal and legal drugs during pregnancy and urges that the*

*state use a public health approach instead; a search of law reviews on LexisNexis found 7 references to this article. .*

23. Lawrence Nelson, Cynda Rushton, Ronald Cranford, Robert Nelson, Jacqueline Glover, & Robert Truog, "Forgoing Medically Provided Nutrition and Hydration in Pediatric Patients," *The Journal of Law, Medicine & Ethics*, 23:1 (Spring 1995) 33-46. Reprinted as edited in *Compendium of Resources for Pediatric Hospice Care*, National Hospice Organization, 1999.

*I did the legal and ethical research for this paper, and wrote around 80-85% of the text with Dr. Rushton writing the remainder; the other authors contributed clinical information for some of the case studies and helped edit the text; we sought them as co-authors in part to show that the paper represented a consensus among a variety of individuals involved in pediatric bioethics as well as general bioethics; see entry 12 above for information about this peer-reviewed venue; this article claims that despite widespread clinical reluctance to do so, it is ethical to forgo medically provided nutrition and hydration in pediatric patients in certain types of cases identified in the article; a search of law reviews on LexisNexis found 1 reference to this article; Google Scholar search: 54 citations.*

24. Lawrence Nelson, "Medical Futility and the Clinician's Conscience," in *Health Care Crisis? The Search for Answers*, R. Misbin, et al., eds. University Publishing Group (1995) 60-70.

*This article was accepted for inclusion in this book after being submitted to a peer-reviewed competition; the paper argues that medical futility is a morally legitimate ground for clinicians to conscientiously refuse to provide certain interventions.*

25. Mary Faith Marshall & Lawrence Nelson, "Update on Criminal Prosecution of Substance Abusing Pregnant Women," *BioLaw* 5:3-4 (March-April 1995) 17-19.

*A short analysis of recent cases; Dr. Marshall and I shared the work equally.*

26. Lawrence Nelson, "The Mother and Fetus Union: What God Has Put Together, Let No Law Put Asunder?" in *The Beginning of Human Life*, F.K. Beller and R.F. Weir, eds. Kluwer Academic Publishers (1994) 301-317.

*Invited article in a book focused on ethical and legal issues involving unborn humans; it proposes that the state should not force medical treatment or other interventions upon pregnant women for the sake of their fetuses using the common law and in the absence of a constitutionally valid statute; a search of law reviews on LexisNexis found 2 references to this article. .*

27. Lawrence Nelson. "Effects of Changes in Health Care Financing and Allocation of Resources," *AACN Clinical Issues in Critical Care Nursing*, 5:3 (August 1994) 357-359.

*Short invited article.*

28. Lawrence Nelson, "Effects of In Utero Exposure to Street Drugs: Ethical and Legal Problems; Recommendations for Changes in Legal Practice," *American Journal of Public Health*, 83 Supp. (December 1993) 29, 32.

*Short invited article in a journal ranked in the top 15% of public health journals.*

29. Lawrence Nelson, "Legal Dimensions of Maternal-Fetal Conflict," *Clinical Obstetrics and Gynecology*, 35:4 (December 1992) 738-748.

*Article in a medical journal ranked in the top 25% of OB/GYN journals invited by the guest editors of an issue devoted to bioethics, Profs. Chervenak and McCullough; a search of law reviews on LexisNexis found 1 reference to this article; Google Scholar search: 9 citations.*

30. Lawrence Nelson & Robert Nelson, "Ethics and the Provision of Futile, Harmful, or Burdensome Treatment to Children," *Critical Care Medicine*, 20:3 (March 1992) 427-433.  
*Peer-reviewed article in the 2<sup>nd</sup> ranked journal in critical care medicine; Dr. Nelson (no relation) and I shared the research and writing of this paper equally; a search of law reviews on LexisNexis found 7 references to this article; Google Scholar search: 56 citations.*

31. Lawrence Nelson, "Intervention Does More Harm Than Good," *Journal of Interpersonal Violence* 5:4 (December 1990) 530-532.  
*Short invited article on the use of the criminal law to address prenatal substance abuse by pregnant women.*

32. Lawrence Nelson, H. Westley Clark, Robert Goldman, & Jean Schore, "Taking the Train to a World of Strangers: Health Care Marketing and Ethics," *Hastings Center Report*, 19:5 (Sept./Oct. 1989) 36-43.  
*Peer-reviewed journal, very highly ranked (see entry 7 above); I wrote about 75% of this paper with Dr. Clark writing the remainder; Mr. Goldman and Ms. Schore contributed information and practical applications about health care marketing and helped edit the manuscript; a search of law reviews on LexisNexis found 2 references to this article; Google Scholar search: 13 citations.*

33. Lawrence Nelson & Ronald Cranford, "Legal Advice, Moral Paralysis, and the Death of Samuel Linares," *Law, Medicine & Health Care*, 17:4 (Winter 1989) 316-324.  
*This is the predecessor journal to The Journal of Law, Medicine and Ethics (see entry 12 above); I did all of the research and wrote about 85% of the text of this paper with Dr. Cranford writing the remainder; the paper criticizes the legal advice given by a hospital attorney that led to a father taking a gun to the PICU in order to have his nearly brain dead son taken off the ventilator; a search of law reviews on LexisNexis found 3 references to this article; Google Scholar search: 26 citations.*

34. Lawrence Nelson, "Law, Ethics, and Advance Directives Regarding the Medical Care of AIDS Patients," in *The Meaning of AIDS*, E. Juengst and B. Koenig, eds. (New York: Praeger Pub., 1989), pp. 94-100.  
*Invited article in one of the first books about ethics and AIDS.*

35. Lawrence Nelson, "Perinatology/Neonatology and the Law: Looking Beyond Baby Doe," in *1988 Year Book of Perinatal/Neonatal Medicine*, 5-10 (M. Klaus and A. Fanaroff, eds.), Year Book Medical Publishers 1988.  
*Invited article in a yearly medical publication about the ethics and law pertaining to forgoing medical treatment of critically ill newborns.*

36. Lawrence Nelson & Nancy Milliken, "Compelled Medical Treatment of Pregnant Women: Life, Liberty, and Law in Conflict," *Journal of the American Medical Association*, 259 (February 19, 1988) 1060-1066.

*Peer-reviewed article in a general medical journal ranked 2<sup>nd</sup> with an acceptance*

*rate of around 6%; I did almost all of the ethical and legal research for this paper and wrote some 85% of the text with Dr. Milliken writing the remainder; the article argues that the law ought not to compel competent pregnant women to undergo treatment for the sake of their fetuses and that physicians ought not to seek such legal intervention; a Google Scholar search indicates that this article has been cited by 70 others; a search of law reviews on LexisNexis found 20 references to this article; Google Scholar search: 70 citations.*

37. Lawrence Nelson, "How Should Ethics Committees Treat Advance Directives?" *Hastings Center Report* 18 (August/September 1988) 26-27.

*Short invited article.*

38. Lawrence Nelson & H. Westley Clark, "AIDS Confidentiality: An Ethical Dilemma," *California Physician* 3 (December 1986) 19-21.

*Short invited article; I wrote some 60% of the text with Dr. Clark writing the remainder.*

39. Lawrence Nelson, Brian Buggy & Carol Weil, "Forced Medical Treatment of Pregnant Women: 'Compelling Each to Live as Seems Good to the Rest'," *Hastings Law Journal*, 37 (May 1986) 703-763.

*A law review article published by the Hastings Law School (see entry 9 above regarding law reviews); Hastings Law is currently ranked 42<sup>nd</sup>; this article discusses the legal and ethical problems with using the common law to force treatment on pregnant women; I did about 75% of the research for this article with Ms. Weil doing the remainder, and wrote about 80-95% of the text with Dr. Buggy writing the section on clinical obstetrics; a search of law reviews on LexisNexis found 39 references to this article; Google Scholar search: 124 citations.*

40. Lawrence Nelson, "The Law, Professional Responsibility, and Decisions to Forgo Treatment," *Quality Review Bulletin*, 12 (January 1986) 8-15.

*Invited article in a publication of the Joint Commission on the Accreditation of Hospitals.*

41. Lawrence Nelson & John Mills, "Ethics and Research Involving Religious Celibate Groups," *Clinical Research*, 26 (October 1978) 322-329.

*This journal is now called the Journal of Investigative Medicine and is the publication of the American Federation for Clinical Research, and it is ranked in the top 50% of medical research journals; Dr. Mills and I shared equally in the writing of this paper which one the Nellie Westerman Prize for Research Ethics in 1978.*

42. Lawrence Nelson, "Primum Utilis Esse: The Primacy of Usefulness in Medicine," *The Yale Journal of Biology and Medicine* 51 (November/December 1978) 655-666.

*Article in a journal reviewed and edited Yale biomedical faculty and students.*

*Google Scholar search: 15 citations; Nexus Uni search: 1 citation; PubMed search: 2 citations.*

43. Lawrence Nelson, "The Nurse as Advocate: For Whom?" *American Journal of Nursing* 77 (May 1977), 851.

*Short invited article in a leading nursing journal.*

## **b) Artistic Performances and the Like**

The full length play I wrote during my sabbatical leave in 2015-16, *Cross My Heart*, under the direction of the Theatre Department's playwriting instructor, Brian Thorstenson. It was performed as part of The New Playwrights' Festival at the University on May 29, 2016 with SCU student actors, Michael Zampelli, S.J. as director, and Aldo Billingslea as assistant director and actor. I participated in all of the rehearsals. The writing of this play was a formal part of my scholarship plans for my 15-16 sabbatical leave as listed in my approved application. The current text of this play can be found in Scholarly or Creative Work section of my application as can letters from Profs. Thorstenson and Billingslea regarding my work on the play.

## **c) Works in Progress**

1. "Reconsidering Respect for Fetal Life as a Justification for State Regulation of Abortion," with Brian Buckley.
2. "*Roe v. Wade* and the History of the Status of Unborn Humans under American Law"
3. "Was the "Ashley Treatment" Illegal? An Analysis of State and Federal Protection of the Rights of the Developmentally Disabled"
4. "All the (President's) Misogynists and the Self-Developing Fetus."
5. "Moral Status Theory and the Principle of Evaluative Respect and Accommodation"
6. "The Moral and Legal Status of Prenatal Humans" (a book)
7. "Moral Status Theory: Why Beings Matter Morally" (a book)
8. "The Constitutional and Moral Authority of Protection and Advocacy."

## **d) Presentations and the Like (from most recent)**

1. Presented paper "Reproductive Medicine in the United States, Women's Rights, and the Ragged Edge of Legal Personhood for the Unborn," August 8, 2019 at the 33<sup>rd</sup> European Conference on Philosophy of Medicine and Healthcare, sponsored by the European Society for Philosophy of Medicine and Healthcare and the Center for Medical Ethics, Faculty of Medicine, University of Oslo. Abstract peer-reviewed prior to acceptance.
2. "Conscientious Refusal, the Principle of Evaluative Respect, and Abortion," June 7, 2019 at Clinical Ethics and Conscience Rights, a conference sponsored by the Center for Bioethics at Cedarville University, Cedarville, OH. Abstract peer-reviewed prior to acceptance.
3. "Top 10 Reasons Why *Barber v. Superior Court* Still Matters in the History of the Jurisprudence of Bioethics," on October 21, 2018 at the annual meeting of the American Society for Bioethics and Humanities. Abstract peer-reviewed prior to acceptance.
4. "The Troublesome Intersection of Religious Conscientious Objection, Abortion, Ethics, and the Law," on April 14, 2018, at the 2018 Conference on Medicine and Religion. Abstract peer-reviewed prior to acceptance.
5. Poster presentation on the creation and content of *Cross My Heart* presented at "Euthanasia 2016," an international conference sponsored by the Dutch Voluntary Euthanasia Society, Amsterdam, May 11-14, 2016. Abstract peer-reviewed prior to acceptance.
6. "Self-Induced Abortion and Feticide Liability: Book Her, Dano. Murder One" on

October 7, 2016 at the annual meeting of the American Society for Bioethics and Humanities. Abstract peer-reviewed prior to acceptance.

7. "The Curious Connection between Physician Assisted Suicide for the Terminally Ill and Rational Suicide among the Elderly" on October 7, 2016 at the annual meeting of the American Society for Bioethics and Humanities. Abstract peer-reviewed prior to acceptance.

8. "Legal Personhood, Prenatal Humans and Feticide Laws" on August 6, 2015 at the 13th International Conference on Persons. Abstract peer-reviewed prior to acceptance.

9. Invited by the Director of the Vann Center for Ethics, Davidson College, Charlotte, NC, to teach 2 classes and deliver a public presentation, "Current Controversies at the Intersection of Law and Bioethics: Futility, Feticide & Fairness." October 7, 2015.

9. "Ethics and the State's Interests in Protecting Prenatal Humans" on October 20, 2013 at the annual meeting of the American Society for Bioethics and Humanities. Abstract peer-reviewed prior to acceptance.

10. "The First Amendment, Expressive Association, and Physicians Involved in Killing" on October 19, 2012 at the annual meeting of the American Society for Bioethics and Humanities. Abstract peer-reviewed prior to acceptance.

11. Presented paper "Hijacking the Dead," *American Society for Bioethics and Humanities Annual Meeting*, October 22, 2010. Abstract peer-reviewed prior to acceptance.

12. Invited Speaker, Stanford Children's Hospital Ethics Committee, "Bioethics, the Law and Medical Futility," February 16, 2011

13. Invited Speaker, *Facing Ethical Challenges in Health Care*, conference sponsored by the Washington Hospital Healthcare System, "Medical-Legal Issues in Bioethics," October 30, 2010

14. Presented paper "Ethics and Physician Participation in Capital Punishment by Lethal Injection," *American Society for Bioethics and Humanities Annual Meeting*, with responses from G. Agich and M. Wynia, October 16, 2009. Abstract peer-reviewed prior to acceptance.

15. Invited Speaker, Kaiser Northern California Ethics Symposium, "Ethics and Clinically Engaging the Disabled from Terri Schiavo to Prenatal Humans," March 8, 2008.

16. Invited Speaker, Kaiser Northern California Ethics Symposium, "Who's On First? Ethical Responsibilities of Health Care Workers During a Pandemic." March 3, 2007.

17. Invited Speaker, Annual Bioethics Lecture, Seton Medical Center, *Medically Ineffective Treatment and End of Life Decisions*, October 19, 2006.

18. Invited Speaker, Ethics Committee of Salinas Valley Memorial Hospital, *Ethics, Law, and Medical Futility*, June 1, 2006.

19. Invited Speaker, Ethics Committee of O'Connor Hospital, San Jose, *Ethics, Law, and Medical Futility*, April 28, 2006.

20. Invited Speaker, *Challenges in Pediatric Ethics: Keeping Abreast in a Changing Field*, "Medical Decision Making and Respect for the Individuality of the Developmentally Disabled," conference sponsored by the Stanford University Lucille Packard Children's Hospital, 3/4/06.

21. Invited speaker, Salinas Valley Memorial Hospital Ethics Committee, *Ethics, Assisted Death, and Million Dollar Baby*, April 27, 2005.

22. Invited speaker, Inns of Court (lawyers' organization), San Jose, on the Schiavo case, April 13, 2005.

23. Invited speaker, Ethics Committee retreat, Salinas Valley Memorial Hospital, *PVS and Advance Directives*, December 14, 2004.
24. Plenary session speaker, *American Society for Bioethics and Humanities Annual Meeting*, "The New Vitalism," as part of the session "Protection or Disrespect? Courts and the Conscious Incompetent Patient." October 25, 2002.
25. Speaker, *American Society for Bioethics and Humanities Annual Meeting*, "Bioethics Testimony: Helpful Expert Opinion or Legal Error?" October 28, 2001. Abstract peer-reviewed prior to acceptance.
26. Invited Speaker, California Medical Association Council on Ethical Affairs, "The Wendland Litigation," Oakland, CA, October 10, 2001.
27. Presented invited paper "Respecting What We Destroy: The Moral Status of Extracorporeal Human Embryos," at the conference *California Cloning: A Dialogue on State Regulation*, hosted by the Markkula Center for Applied Ethics, Santa Clara University, October 12, 2001.
28. Invited Speaker, *30<sup>th</sup> International Educational & Scientific Symposium of the Society for Critical Care Medicine*, "Ethics of Forgoing Medically Provided Nutrition and Hydration in Children," concurrent session "Children at the End of Life." February 12, 2001, San Francisco, CA.
29. Presented paper "Too Far Beyond the Vegetative State? Medicine, Ethics, Law, and the Minimally Conscious State," *Third International Symposium of Coma and Death*, February 24, 2000, Havana, Cuba. With Ronald Cranford. Abstract peer-reviewed prior to acceptance.
30. Invited Faculty, *Second National Conference on Women* sponsored by the Substance Abuse and Mental Health Services Administration of the Dept. of Health and Human Services, "Prejudice and Punishment: Judging Pregnant Women Who Use Drugs." 6/29/99, Los Angeles, CA. With Lynn Paltrow.
31. Invited Speaker, First Joint Institute of the Southern and Northern California Association of Law Libraries, "Bioethics." Monterey, CA, 2/27/99.
32. Presented invited paper "Medical Futility, Ethics, and the Law" at a conference entitled "Developing Standards of Practice" sponsored by the School of Medicine, University of California, San Diego, San Diego, CA, 1/19/98.
33. Invited Faculty at conference *Developmental Interventions in Neonatal Medicine*, presentation entitled "Ethical Dilemmas with Multiple Gestation," sponsored by Contemporary Forums, San Francisco, 11/16/98.
34. Invited Faculty, *Ethics in the 20th Century*, "Physician-Assisted Suicide: Tough Cases Make Bad Laws?" Santa Clara University School of Law, Markkula Center for Applied Ethics. Santa Clara, CA, 3/19/98.
35. Invited Lecture, "Euthanasia, Physician Assisted Suicide, and the Right to Die," Contra Costa Bar Association MCLE, Walnut Creek, CA, November 14, 1997.
36. *Visiting Professor of Bioethics*, University of Pittsburgh; Pediatric Grand Rounds: "Messing with Mortality and Morality: Forgoing Nutrition and Hydration in Children"; Ethics Grand Rounds: "Religious Belief as Ethical Distraction and Decoy in Medical Treatment Disputes"; Center for Medical Ethics Faculty Colloquium: "Deja Vu All Over Again: Is Universal Access the Vietnam of Bioethics?" Pittsburgh, PA, 12/5/96
37. Invited Speaker, *Annual Meeting of the American Association of Bioethics*, "Genes,

Drugs, and (Reproductive Ethics That Don't) Rock 'n Roll," San Francisco, CA, 11/21/96. Abstract peer-reviewed prior to acceptance.

38. Invited Faculty, *Just Limits, Just Goals: Managed Care and the Ethics of the New Medicine*, conference sponsored by the Southern California Region of Kaiser Permanente, "The Tower of Babel Revisited? Diagnosing and Interpreting Medical Goals and Public Limitations on Medical Treatment," Pasadena, CA, 11/5/96

39. Invited Faculty, *Annual Meeting, Calif. Assoc. of Medical Directors*, "Resolving the Tough Questions: Ethics in Long-Term Care." Anaheim, CA, 5/5/96.

40. Guest lecturer, Ethics Grand Rounds, Program in Biomedical Ethics, Medical University of South Carolina. "Difference, Discrimination & Desegregation: Bioethics and the Developmentally Disabled." Charleston, SC, 1/22/96.

41. Invited Faculty, *Annual Meeting, Calif. Assoc. of HMOs*. "Ethics and Limiting Patient Access to Possibly Life-Sustaining Treatment." Monterey, CA, 3/23/1995.

42. Invited Faculty, *Hospice Approaches to Physician-Assisted Suicide*, sponsored by Kaiser Permanente. "Oregon's Measure 16, Ethics, and Hospice." Oakland, CA, 9/22/95.

43. Invited guest lecturer, Program in Biomedical Ethics, Medical University of South Carolina. *Ethics Grand Rounds*. "The Physician's Conscience, Medical Futility, and the Grand Inquisitor of Patient Autonomy." Charleston, SC, 11/7/94.

44. Keynote Speaker, *Summer Meeting of AOAC International, Pacific Northwest Region*. "From Pandora's Box to Heavenly Blessing: A Look at Ethics in Human Reproductive Research." Olympia, WA, 6/22/94.

45. Invited Faculty, *Sinners, Saints and Health Care: Individual Responsibility for Health--Ethical, Legal and Economic Questions*. "Responsibility and Childbearing Choices." Minneapolis, MN, 5/19/94.

46. Invited Faculty, *American Lung Association/American Thoracic Society International Conference*. "Ethical Issues in Pediatric Critical Care." San Francisco, CA, 5/16/93.

47. Invited Faculty, *Health Care Ethics Forum '93*. Conference sponsored by the American Association of Critical-Care Nurses and the Society of Critical-Care Medicine. "Legal Myths about Terminating Life Support" and "Abandonment vs the Right to Refuse to Treat." Chicago, IL, 3/27-28/93.

48. Invited Faculty, *Controversies in Critical Care*. Conference sponsored by the Society of Critical Care Medicine. "Ethics in Critical Care: Do Physicians Have a Responsibility to Provide Futile Care if a Patient or Family Insists?" Lake Tahoe, CA, 3/18/93.

49. Invited Faculty, *The Neurologically Impaired Individual*. "Ethical and Legal Significance of Cognition: Is There Brain Birth?" Sponsored by The Center for Biomedical Ethics, University of Virginia, and Richmond Mem. Hospital. Richmond, VA, 3/5/93.

50. Invited Faculty, *Managing Mortality: Ethics, Euthanasia, and the Termination of Medical Treatment*. Conference sponsored by the Center for Biomedical Ethics, University of Minnesota. "Desperately Seeking Death: Letters to a Dutch Doctor." Minneapolis, MN, 12/3-5/92.

51. Invited Faculty, *Ethics in Critical Care: An Interdisciplinary Approach*. Conference sponsored by the Society of Critical Care Medicine and American Association of Critical-Care Nurses. "Patient Abandonment--Legal Issues." Chicago, IL, 10/6/91.

52. Invited Faculty, *Economic Realities and Ethical Decision Making*. Sixth Annual

Bioethics Seminar of the Washington Hospital Center, Washington D.C. "Apocalypse Now? Moral Values, Medicine, and Money" and "Legal Realities vs. Legal Fiction in Medical Malpractice." 10/3/91.

53. Invited Faculty, *Cocaine in Pregnancy: Is the Fetus Affected?* Conference sponsored by Georgetown University Department of Pediatrics, NICHD, NIDA, and OSAP. "Legal Responses to Perinatal Cocaine Abuse." Washington D.C., 3/4-5/91.

54. Presented paper "On Killing the Innocent." *Controversies in the Care of Dying Patients*. Conference presented by the University of Florida School of Medicine, 2/14-16/91. Abstract peer-reviewed prior to acceptance.

55. Invited Faculty, *Symposium on Withholding and Withdrawing Life Support*, Annual Meeting of the American Thoracic Society, Boston, MA, 5/20/90 and 5/17/87, New Orleans, LA.

56. Invited Faculty, *Drug Babies: A Generation at Risk*, presented by the University Extension of the University of California at Davis. "The Social, Legal, and Medical Issues of Perinatal Substance Abuse." Sacramento, CA, 11/14/89.

57. Invited Faculty, *California Medical Association 1989 Annual Session*. "Ethical Issues for the Medical Staff in 1989: Reproductive Decisions." Anaheim, CA, 3/3/89.

58. Invited Faculty, *1989 Annual Meeting* of the Virginia Chapter of the American Academy of Pediatrics and the Virginia Pediatric Society. "Baby Doe Sequel--1989," "Bioethical Analysis in Clinical Pediatrics," "Pitfalls in Bioethics," "Informed Consent in Adolescence," and "The Involvement of Pediatricians in Maternal-Fetal Conflict." Williamsburg, VA, 2/24-25/89.

59. Invited Faculty, *Hospice 1988: Continuing the Commitment to Excellence*, presented by the National Hospice Organization and the California State Hospice Association. "Legal and Ethical Issues in the Care of the Terminally Ill," San Diego, CA, 4/23/88.

60. Invited Faculty, *20th Annual Medical Symposium of the National Kidney Foundation*. "Living Unrelated Renal Transplantation," Stanford, CA, 9/16/87.

61. Invited Faculty, *Reproductive Ethics: Maternal-Fetal Conflict*, conference sponsored by the Hastings Center and Northridge Hospital. "Law and Social Policy Issues," San Mateo, CA, 9/9/87 and Universal City, CA, 9/11/87.

62. Keynote Speaker, *Technological Approaches to Obstetrics: Benefits, Risks, Alternatives VI*, "Court-Ordered Caesareans and Incarceration for Failing to Follow Medical Advice." Conference sponsored by the journal, *Birth*, the University of California, Berkeley, School of Public Health, and Marin General Hospital, 2/20/87.

63. Invited Faculty, *Institutional Ethics Committees and Healthcare Decisionmaking*. Conference sponsored by the American Society of Law and Medicine. "Legal Aspects of Ethics Committees." 2/16-17/84.

64. Invited Faculty, *Ethical Issues in the Treatment of HIV+ Substance Abusers*. Conference sponsored by the UCSF and Veteran's Affairs Treatment Research Unit. "Reproductive Rights, Moral Obligations, and Social Responses." San Francisco, CA, 5/21/92.

65. Speaker, *Legal Aspects of Rational Suicide*, San Francisco Veteran's Affairs Hospital, 4/27/92.

66. Keynote address, *The Washington Hospital Center's Bioethics Committee Appreciation Dinner and Educational Seminar*. "Ethics Committees 1999: Supervising Death by Choice and Scrutinizing Resource Allocation." Washington DC, 6/15/93.

67. Invited Faculty, *Preventing the Consequences of Alcohol and Other Drug Abuse for*

*Pregnant Women and Their Families.* Conference sponsored by Office for Substance Abuse Prevention. "Ethical Issues." Washington D.C., 7/15/92.

68. Invited Faculty, *Emerging Issues Program for State Legislative Leaders: The Graying of America*, presented by the University of California and the State Legislative Leaders Foundation. "The Ethical and Legal Considerations of State Policy for the Elderly: Prospects and Challenges for the Future," San Francisco, CA, 10/16/87.

69. Keynote speaker, "Legal and Ethical Aspects of Health Care," Medical Health Practice Council, Pennsylvania chapter of the National Association of Social Workers, 5/15/80.

70. Panel member, Conference on Bioethical Issues in Medical Care, Lexington KY, 10/27/79.

71. Lecture, *Patient Care: Ethical and Legal Restraint*, Newman Center, University of Kentucky, Religion and Medicine Seminar, 10/29/79.

72. Invited Faculty, *Ethical Dilemmas in Nursing Workshop*, Tennessee Hospital Association, 11/7/79.

73. Invited Faculty, *National Conference on Discharge Planning*, American Hospital Association, Niagra Falls, NY, 4/17-19/79; Memphis, TN, 7/15-17/78; Colorado Springs, CO, 5/5-6/78.

#### **e) Grants**

Lawrence Nelson & Mary Faith Marshall, Co-Principal Investigators, Robert Wood Johnson Foundation Substance Abuse Policy Research Program, Grant #030790 for \$99,600, on a project entitled "An Ethical and Legal Analysis of State-Compelled Loss of Liberty as an Intervention to Reduce the Harm of Perinatal Substance Abuse and Drug Addiction," 12/1/96-7/31/98. Final report from this project, entitled "Ethical and Legal Analyses of Three Coercive Policies Aimed at Substance Abuse by Pregnant Women," published and released to the public on 8/12/98 at a national press briefing, National Press Club, Washington D.C.

#### **f) Non-Scholarly Publications**

1. "Ethics and Seniors with Diminished Mental Capacity," *Senior Living Exec.*, March-April 1999, 9-11.

2. "Beneficence or Bucks? Ethics and Health Care Advertising," *Health Care Marketing and Public Relations*, 17:1 (January-February 1991) 13-14.

3. "To See or Not to See," *The Recorder* (March 26, 1990) IV (part of a special section entitled "Seeing Death: Should Executions Be Photographed?").

*This publication is one of the legal newspapers in San Francisco.*

4. "Durable Powers of Attorney for Right to Die," *The Recorder*, (October 19, 1987) 4.

5. "The Baby Doe Regulations," *California Health Law News*, 4 (Spring 1984) 103-105.

*Publication of the California Society for Healthcare Attorneys.*

6. "Ethics and Ambiguity: Health Law Practice and the Representation of Potentially Conflicting Interests," *California Health Law News*, 3 (Spring 1983) 28-31.

7. "Not for Physicians Only," *Ethics and Medics*, 2 (March/April 1977), 2-4.

*Publication of the Pope John XXIII Center for Medical Ethics.*

## **4. Service to the University, the Profession, and the Community**

### **a) Service to the University**

#### *University*

1. Member of the Faculty Judicial Board, 2016-2019. Served on a committee of the FJB in March 2018 that presided over a 3 day, adversarial hearing on an appeal of the imposition of a serious sanction imposed by the Provost on a faculty member; I served as chair of the committee for half of the hearing, ruling on objections from the attorneys and handling other procedural matters. About 75 hours devoted to the hearing and reviewing all the documents associated with the case, reviewing the FJB decision and opinion, and writing a dissenting opinion.

2. Member of the Animal Care and Use Committee, 2005-present.

3. Member of the Human Subjects Committee, 2008-present.

4. Member of the Sabbatical Review Committee, fall 2017.

5. Discussion leader for the Johnson Scholars selection process, 2016 & 2017.

6. Faculty participant in the preparation process for a student who was a finalist for the Truman Scholarship, 2018.

7. Member of a subcommittee of the Faculty Affairs Committee charged by the Trustees with revising the University's policy on managing claims of sexual harassment and other forms of invidious discrimination as well as sexual assault, AY 2006-2014.

8. Director of the Pre-Law Advising Program, 2010-12).

9. Participant in the Ignatian Faculty Forum, AY 2007-08; AY 2010-11, 2011-12, & 2012-13.

10. Member of the Provost's Task Force on the Evaluation of Teaching Effectiveness, AY 2011-12.

11. University delegate to the Western Conversations meeting of Jesuit Colleges and Universities, fall 2012, fall 2014.

12. Faculty for the Johnson Scholars Program's candidate book discussion, AY 2012-14, 2014-15, AY 18-19 at the request of the Honors Program and Provost's office.

13. Creator of and consultant to the Ethics Across the Curriculum project of the Markkula Center and the Vice Provost for Faculty Development, 9/06-8/09.

14. Member, Advisory Committee on Co-Curricular Diversity, 9/08-8/10

15. Summer 06 and 07, presented a mini-class based on my Phil 4A, Ethics and Gender class, for all 6 summer orientation sessions for freshman students (all incoming students attending the orientation program were in attendance).

16. Member, Faculty Salary Committee, 9/04-6/05

17. Participated in interviewing all candidates for the Dean of Academic Support Services, summer10

18. Presentations at the Markkula Center's "Ethics at Noon": "Ethics of the Schiavo case," 9/28/05; "Ethics of the University's Contraceptive Distribution Policy," 2/07; "Ethics and the HPV Vaccine," 1/17/08; "Ethics of Stem Cell Research," 10/04.

#### *College*

1. Chair, Ethics Faculty Core Committee, 9/07-6/11.
2. Member of the Advisory Board of the Program for the Study of Women and Gender, 9/04-8/05.
3. Member of the discussion panel on “A Number,” a play presented as part of the DiNardo lecture series, 4/07; discussion panel member for the screening of “Wit,” as part of the DiNardo lecture series, 4/11.
4. Member of the selection committee for the Provost’s summer scholarships, spring 09, 10 & 11.
5. Gave two presentations on the pre-law program at Preview Days, 4/12, 4/13/08
6. Rubric scorer for assessment of the Core Ethics requirement, 4/11.

*Department*

1. Search Committee Chair for faculty search AY 17-18, 18-19.
2. Member of the Assessment Committee, 2015-16.
3. Filled in for the chair at the 2016 Chair’s Retreat and several Council of Chairs meetings, 2015-17.
4. Member AYAL search committee 2017.
5. Chair of the Philosophy Department’s Assessment Committee, 2014-15; member of this Committee 2012-2014.
6. Preview Days representative for the Philosophy Department and the Pre-Law Advising Program, AY 2010-11, 2011-12, 2012-14, 2014-15.
7. Acting Chair of the Philosophy Department, fall 2012.
8. Assessment coordinator, 2012-2015.
9. Director of Philosophy Department Annual Fagothey Conference, “The Philosophy of Robert Nozick,” 5/7/05.
10. Director of Philosophy Department Annual Fagothey Conference, The Metaphysics of Physics, 5/13/06.
11. Director of the Department’s Annual Fagothey Conference, “Heidegger & Death,” 4/28/07.
12. Represented the Department at Preview Days, 4/05, 4/07, 4/08.
13. Attended Jesuit Philosophy Summit at Seattle University as SCU representative, 4/15-4/17/09
14. Member of the Department’s Committee on Assessment of Student Learning in the Major and wrote the Assessment Report, AY 07, 08, 09.
15. Guest faculty at Café Socrates approximately 10 times from 04 through 11.
16. Participated in lecturer searches from 04 through 11.

**b) Service to the Profession**

1. Peer reviewer for abstracts submitted to the Law, Public Health Policy, and Organizational Ethics category for both the 2017 and 2018 annual meeting of the American Association for Bioethics and Humanities.
2. Peer reviewer for the journal BMC Medical Ethics. 2018.
3. Referee, *Journal of Business Ethics Education*, 2017.

4. Served as referee for the *Journal of Criminal Justice*, 2017.
5. Served twice as a referee for an article submitted to the *Journal of Philosophy, Science & Law*, 2014, 2016.
6. Referee, *Medicine, Health Care and Philosophy* (a European journal published by Springer), 2016.
7. Served twice as a referee for an article submitted to the *Journal of Law, Medicine & Ethics*, 2013, 2015.
8. Peer reviewer for the American Society for Bioethics and Humanities 2015 annual meeting, section of Law, Public Health Policy, and Organizational Ethics.
9. Served as a reviewer for Oxford University Press of a book proposal on the dual use dilemma, 2013.
10. Peer reviewer for the American Society for Bioethics and Humanities 2012 annual meeting, section of Arts, Literature, and Cultural Studies.
11. Peer reviewer, American Society for Bioethics and Humanities, of abstracts for the Interdisciplinary Group, 2010.
12. Elected to the Nominating Committee of the American Society for Bioethics and Humanities; appointed Chair of the Nominating Committee by the ASBH President, Arthur Derse, 9/04-8/05
13. Chairman of the 2005 Nominating Committee of the American Society for Bioethics and Humanities, 9/05-8/06
14. Accepted the Lifetime Achievement Award from the American Society for Bioethics and Humanities on behalf of my late friend, Dr. Ronald Cranford, 10/28/06.

**c) Service to the Community**

1. Member of the Lucille Packard Children's (Stanford) Hospital Ethics Committee, 2006-present.
2. Ethics consultant for the Salinas Valley Memorial Hospital Bioethics Committee, 2008-present.
3. Invited lecturer, Raising the Bar, San Francisco, February 25, 2015, "A Smorgasbord of Bioethics."
4. Member, Santa Clara County Medical Society Public Service Committee, AY 04-05.
5. Invited speaker, Ethics Committee retreat, Salinas Valley Memorial Hospital, PVS and Advance Directives, 12/14/04.
6. Interviewed on Wisconsin Public Radio regarding ethics and the disposition of frozen embryos, 2/10/05.
7. Invited speaker, Inns of Court (lawyers organization), San Jose, on the Schiavo case, 4/13/05.
8. Invited speaker, Salinas Valley Memorial Hospital Ethics Committee, *Ethics, Assisted Death, and Million Dollar Baby*, 4/27/05.
9. Member of the Task Force on the Ethics of Pediatric Solid Organ Transplantation of Stanford University Medical School & Packard Children's Hospital, 9/04-8/05
10. Featured speaker, Annual Medical Staff Meeting, St. Rose Hospital, Hayward, *Ethics at the End of Life*, 10/6/05.

11. Professional bioethics expert witness for the Habush law firm in Wisconsin regarding the wrongful death of a fetus, 9/05-1/06.
12. Member of the Task Force on the Ethics of Pediatric Solid Organ Transplantation of Stanford University Medical School & Packard Children's Hospital, 9/04-8/05
13. Speaker, Ethics Committee of O'Connor Hospital, San Jose, *Ethics, Law, and Medical Futility*, 4/28/06.
14. Speaker, Ethics Committee of Salinas Valley Memorial Hospital, *Ethics, Law, and Medical Futility*, 6/1/06.
15. Speaker, Annual Bioethics Lecture, Seton Medical Center, *Medically Ineffective Treatment and End of Life Decisions*, 10/19/06.
16. Featured speaker, Kaiser Northern California Ethics Symposium, *Ethics and Pandemic Flu*, 3/3/07.
17. Director, retreat for the Monterey Peninsula Hospital Ethics Committee, 5/19/07.
18. Speaker, *Ethics and Responses to Pandemic Flu*, El Camino Hospital Bioethics Conference, 9/29/07
19. Featured speaker, *Ethics and Disability*, Kaiser Northern California Ethics Symposium, 3/8/08
21. Expert bioethics witness in the Tulane Willed Body litigation, 10/08-8/10.

1. Amy Fiske, PhD Julie Lutz, MS *The Gerontologist*, Volume 57, Issue 5, 1 October 2017, 1004–1006, <https://doi.org/10.1093/geront/gnx130>; Julian C. Hughes. *The British Journal of Psychiatry*. (a1) <https://doi.org/10.1192/bjp.bp.116.197806P>; Ira Lesser. *Am J Psychiatry* 174:6, June 2017.
2. [https://scholar.google.com/scholar?cites=5228003799933355757&as\\_sdt=2005&sciodt=0,5&hl=en](https://scholar.google.com/scholar?cites=5228003799933355757&as_sdt=2005&sciodt=0,5&hl=en)
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