



PRESIDENT'S POLICY FOR THE NOTES

It is the intention of the president to use the Notes from the President to make the decisions of the Executive Committee and Board of Governors more open to the members of the ACLM. This will make it easier for the members to understand what is occurring within the organization. The organization gains by the involvement of as many members as possible in what is occurring in the College.

ACLM PAST PRESIDENT HAROLD HIRSH, MD, JD, FCLM

I was greatly saddened when I was informed that ACLM past president Harold Hirsh died on March 25, 2009 at the age of 91, following a prolonged illness. He contributed so very much to the American College of Legal Medicine not only as president, but as a dedicated member and friend to all. His endowment for the Hirsh Award has been deeply appreciated. I have extended condolences from the ACLM Board of Governors and membership to his wife, Jean, and other family members.

ABLM SEMINARS CO-SPONSORED BY ACLM

The Executive Committee has approved the co-sponsoring of seminars by the American Board of Legal Medicine (ABLM) with ACLM. The ACLM will also provide CME and CLE for those seminars after this year.

HOFFMAN BIOETHICS AWARD

I would like to extend thanks to Alan Hoffman for having sustained the Hoffman Bioethics Award for the last three years in accordance with his original commitment to ACLM. If you are interested in furthering this named competition, please contact the ACLM executive office.

COMBINED LAW AND MEDICINE DEGREES

It is estimated that 1% of the nation's 600,000 physicians hold dual degrees in law and medicine. ACLM has been maintaining a list of combined degrees in law and medicine and has collected about 1,500 names. It would be appreciated if any member who comes across a name with combined degrees in law and medicine send the information (name, address, telephone number, and e-mail address – whatever is available) to:

Attention: Sue O'Sullivan, American College of Legal Medicine
Two Woodfield Lake, 1100 E Woodfield Road, Suite 520
Schaumburg, IL 60173
Phone: (847) 969-0283 Fax: (847) 517-7229
Email: info@aclm.org

POLICY ON DEATH AND DYING

The Board of Governors has approved the policy that states:

BE IT RESOLVED:

That the ACLM recognizes patient autonomy and the right of a mentally

competent, though terminally ill, person to hasten what might otherwise be objectively considered a protracted, undignified, or painful death, provided, however, that such person strictly complies with law specifically enacted to regulate and control such a right; and

BE IT FURTHER RESOLVED:

That the process initiated by a mentally competent, though terminally ill, person who wishes to end his or her suffering and hasten death according to law specifically enacted to regulate and control such a process shall not be described using the word "suicide", but, rather, as a process to hasten the end of life.

BE IT FINALLY RESOLVED:

The ACLM continues to strongly support the use of palliative and hospice care for mentally competent though terminally ill persons.

ACLM MENTIONED IN ARTICLE

ACLM has been mentioned as one of the organizations adopting a policy in support of aid in dying in the article "At the Very End of Life" by Kathryn Tucker published in the Harvard Health Policy Review 2009:10(1):43-45. There is an emerging policy among mainstream medical and health policy associations to support aid in dying.

DELAWARE LAW REGARDING ACLM

In response to a number of questions I proposed to Mr. Sullivan, ACLM Counsel, the following is a brief summary of his opinions.

No provision of Delaware law was found that would preclude the ACLM Board of Governors (BOG) from going into "Executive Session" and excluding, or inviting to stay, any non-members that the BOG chooses. Executive sessions are generally used to discuss, inter alia, matters of personnel, member discipline and threatened or pending litigation. No provision of ACLM By-Laws precludes the BOG from entering executive session.

Delaware code provides that the BOG shall be charged with full management authority over the internal affairs of the ACLM and the management and use of the assets of the ACLM. The Executive Committee (EC) of the BOG of the ACLM is permitted to act for the BOG between regular BOG meetings and in doing so may exercise the powers of the BOG unless limited by the By-Laws. While the EC may run the day-to-day business of the ACLM, it must act in a way that does not contravene, nor usurp, specific powers of the full BOG as granted in the By-Laws.

The BOG is the ultimate governing body of the ACLM pursuant to the Delaware code and the ACLM By-Laws. The Judicial Council (JC) has only those powers that are specifically delegated to it under the By-Laws. Pursuant to the By-Laws, the BOG has a duty to review and ratify,

or decline to ratify, the findings of the JC. The JC has the inherent power to create rules to facilitate the duties assigned to it under the By-Laws, provided that such rules do not violate the ACLM By-Laws and contravene fundamental due process rights of any member(s). Any rule that the JC would promulgate that either violates the ACLM By-Laws or abridges the fundamental due process rights of a member would be void ab initio.

Courts have repeatedly made it clear that members of an association have no inherent right to dictate to the board of that association. The sole recourse for disgruntled members is to remove directors with whom they are displeased and/or elect different directors. Beyond the power to vote for directors and to participate in annual meetings as provided by the By-Laws, members have very limited direct authority over association governance.

Melvin A. Shiffman, MD, JD, FCLM
ACLM President



INTRODUCING THE ACLM RESOURCE CENTER

At the present time Dr. Buckman, chair of the ACLM Internet Committee, is formatting for the ACLM website a medical/legal resource center whereby a visitor to the College's website can access key medical and legal resources.

You are asked, at this formative period, to send in your favorite reference medical journal cites such as NEJM.com and your most useful legal reference resource. With your cooperation, we should easily build an excellent reference base so that members and visitors will be able, with one stop searching, to research most medical and legal topics. Your assistance is very much appreciated by the Internet Committee.

Please forward your reference material to Stephanie Bodanyi at the College's office: stephanie@wjweiser.com.

CALLING ALL ACLM AUTHORS AND EDITORS

If you have authored or edited a book in the last year, please use the ACLM website to help spread the word! ACLM will post member book announcements on the website, free of charge. If you are interested, please send a short book summary and bio (limit 300 words), as well as all proper citation information and an electronic image of the cover to:

Attention: Stephanie Bodanyi, American College of Legal Medicine
Two Woodfield Lake, 1100 E Woodfield Road, Suite 520
Schaumburg, IL 60173
Direct Line: (847) 264-5923 Fax: (847) 517-7229
Email: stephanie@wjweiser.com

ACLM HISTORY PROJECT FOR THE 2010 50TH ANNUAL MEETING

The 2010 Annual Meeting of the American College of Legal Medicine will be the College's 50th annual meeting. To celebrate this milestone, we would like to request from the membership their help on a project that will catalogue the history of the ACLM. Please send any photos, anecdotes or information that you feel would assist the ACLM executive office in its efforts to compile the history of our great College. Hopefully with your help, we will be able to create something truly special to present at the meeting.

2010 ACLM GOLD MEDAL AWARD SUBMISSIONS

The ACLM Board of Directors and executive office would like to ask the members of the College to please submit names for the 2010 ACLM Gold Medal Award. The Gold Medal is the organization's highest award for service, professionalism, dedication and contribution.

Please send any **materials and questions for the history project**, as well as submissions for the **Gold Medal Award** to:

Attention: Sue O'Sullivan, American College of Legal Medicine
Two Woodfield Lake, 1100 E Woodfield Road, Suite 520
Schaumburg, IL 60173
Phone: (847) 969-0283 Fax: (847) 517-7229
Email: info@aclm.org

Plan to Attend . . .

ACLM 50th Annual Meeting

March 4 - 7, 2010

Caribe Royale Suites

Orlando, Florida

Back by popular demand a concurrent Dental Symposium will be included as part of the 2010 annual meeting!