

LOIS L. SHEPHERD

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PROFESSIONAL EXPERIENCE

Academic

D'Alemberte Professor of Law, Florida State University College of Law, Tallahassee, Florida,
2004 to present
Associate Professor, Florida State University College of Law, Tallahassee, Florida, 1998 to
present
Visiting Professor, Wake Forest University School of Law, Winston-Salem, North Carolina,
Spring 2004
Courtesy Faculty Member, Florida State University College of Medicine, Tallahassee, Florida,
2002 to present
Affiliate, Florida State University Pepper Institute on Aging, 1998 to present
Visiting Professor, Seton Hall School of Law, Newark, New Jersey, Spring 1999
Assistant Professor, Florida State University College of Law, Tallahassee, Florida, 1993-1998

Subjects taught: Bioethics and the Law
Health Law and Policy
Contracts I & II
Professional Responsibility
Genetics, Ethics, and Law (seminar)
Death and Dying (seminar)
Suffering and Rights (seminar)
Human Rights Litigation (seminar)

Private Practice

Associate, Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, 1987-1993

Practice areas included general corporate representation, contracts, secured financing transactions, mergers and acquisitions, securities, consumer protection, banking.

EDUCATION

Yale Law School, New Haven, Connecticut, J.D., 1987
Yale Law Journal, Senior Editor, Member of Slating Committee
Prison Legal Project
Child Advocacy Clinical
Barristers Union, Member of Board of Directors

Duke Law School, Durham, North Carolina, Fall Semester 1986 (visiting student)

University of North Carolina, Chapel Hill, North Carolina, B.A., History, 1984
Graduated with Highest Honors
Phi Beta Kappa
Phi Eta Sigma

SCHOLARSHIP

Books

Bioethics and the Law (with Janet L. Dolgin), Aspen Publishers, Inc., 2005.

Teachers' Manual, Bioethics and the Law, Aspen Publishers, Inc., 2005.

Law Review Articles

Rethinking Health Law: Assuming Responsibility, __ Wake Forest Law Review __ (symposium issue) (forthcoming, 2006), to be reprinted in ICGAI Journal of Healthcare Law (May 2006 issue, forthcoming).

Terri Schiavo and the Disability Rights Community, __ Chicago Legal Forum __ (symposium issue) (forthcoming, 2006).

State Legislative Proposals Following Schiavo: What Are They Thinking? __ Temple Political and Civil Rights Law Review __ (symposium issue) (forthcoming, 2006).

Terri Schiavo: Unsettling the Settled, 37 Loyola U. Chicago L. J. __ (2006 (symposium issue) (forthcoming).

In Respect of People Living in a Permanent Vegetative State—And Allowing Them to Die 16 Health Matrix __ (2006) (forthcoming).

Shattering the Neutral Surrogate Myth in End-of-Life Decisionmaking: Terri Schiavo and Her Family, 35 Cumberland L. Rev. 575 (2005) (symposium issue).

Face to Face: A Call for Radical Responsibility in Place of Compassion, 77 St. John's L. Rev. 445 (2003).

Genes and Disability: Questions at the Crossroads, 30 Florida St. U. L. Rev. xi (2003) (with Mary Crossley).

Looking Forward with the Right of Privacy, 49 Kansas L. Rev. 251 (2001).

HIV, the ADA, and the Duty to Treat, 37 Houston L. Rev. 1055 (2000) (symposium issue).

Dignity and Autonomy after Washington v. Glucksberg: An Essay About Abortion, Death, and Crime, 7 Cornell Journal of Law and Public Policy 431 (1998).

Sophie's Choices: Medical and Legal Responses to Suffering, 72 Notre Dame L. Rev. 103-156 (1996), excerpted in William J. Curran, et al., Health Care Law and Ethics, 5th ed., 1997 (casebook).

Protecting Parents' Freedom to Have Children with Genetic Differences, 1995 U. Ill. L. Rev. 727-812 (1995).

Other Scholarly Publications

Changing the Rules on Withdrawing Nutrition and Hydration: From "Terri's Law" to the "Starvation and Dehydration" Bill, Florida Bar Public Interest Law Section Reporter, April 2004, at 1.

Prenatal Genetic Testing and Narrative, with Aline Kalbian, American Journal of Bioethics 3(4):W15-W21 (2003), available at www.ajobonline.com.

Stenberg v. Carhart: Supreme Court Invalidates Nebraska's "Partial Birth" Abortion Law, Health Law News, Sept. 2000, at 8.

A Right to Palliative Care? What the U.S. Supreme Court Did and Did Not Say in the Physician-Assisted Suicide Cases, 16 J. Pall. Care 48 (2000) (peer review journal).

Abortion Cases: Court Upholds Both Fixed Buffer Zones and Parental Notification, Health Law News, Sept. 1997, at 6.

Chapter, "Organ Procurement and Transplantation" in Healthcare Facilities Law; Critical Issues for Hospitals, HMOs, and Extended Care Facilities, Anne Dellinger, ed., Little, Brown and Company, 1991, with supplements for 1992, 1993 and 1995.

The Risk of Transfusion-Associated AIDS: Offering Patients an Active Role in their Care, American Journal of Medical Quality, Vol. 7, No. 4 (Winter 1992).

Related Publications

Legislation Goes Beyond Terri Schiavo, Tallahassee Democrat, Mar. 16, 2005 (commenting on proposed legislation in Florida).

Gov. Bush: Health Care Surrogate, Tallahassee Democrat, Oct. 26, 2003 (commenting on the Terri Schiavo case).

Peer Reviewer

Journal of Philosophy, Science & Law, 2004

Journal of Religious Studies, 2005

PRESENTATIONS AND RELATED ACTIVITIES

Presenter and Moderator, “Rethinking Health Law,” American Society of Law, Medicine, and Ethics, Annual Health Law Teachers’ Conference, University of Maryland School of Law, June 2006.

Presentation, “Using Genetic Information: Future Directions,” as part of the “Genome Justice” program for the National Association of Women Judges, San Juan, Puerto Rico, March 25, 2006.

CLE Presentation, “Terri Schiavo—One Year Later,” Tallahassee Women Lawyers, Feb. 20, 2006, Tallahassee, Florida.

Presentation, “Assuming Responsibility,” at an academic workshop entitled “Where Should Health Care Law Go From Here?” Wake Forest University School of Law, Winston-Salem, North Carolina, December 10, 2005.

Presentation, “Body Ownership and Refusals of Life-Sustaining Treatment for Individuals with Profound Developmental Disabilities,” at The University of Chicago Legal Forum 20th Annual Symposium entitled “Life & Law: Definitions & Decisionmaking,” Chicago, Illinois, October 28-29, 2005.

Presentation, “State Legislative Proposals Following Schiavo: What Are They Thinking?” at the Temple Political and Civil Rights Law Review Symposium entitled “End of Life Decision Making: The Right to Die?” Temple University James E. Beasley School of Law, Philadelphia, Pennsylvania, October 22, 2005.

Guest Speaker, End of Life Choices Florida, Tallahassee, FL, October 15, 2005

Invited Speaker and Facilitator, “End of Life: Who Decides? The Legislative Response to Schiavo,” The Honorable James J. Gilvary Symposium on Law, Religion & Social Justice, University of Dayton School of Law, Dayton, Ohio, October 11, 2005.

Presentation on the law of end-of-life decision-making for panel on “Current Human Rights Issues” at the 57th Annual Conference of the International Association of Official Human Rights Agencies, Palm Beach Gardens, Florida, Aug. 2005.

Invited Speaker, “The Schiavo Case and the Future of End of Life Decision-making in Florida,” Presentation before the Escambia-Santa Rosa Bar Association, Pensacola, Florida, June 2005.

Poster Session, “Responsibility in Health Law and Policy,” American Society of Law, Medicine & Ethics, Annual Health Law Teachers Conference, Houston Law Center, June 2005.

Invited Speaker, Conference entitled “The Right to Die: An Examination of End of Life Issues 30 Years after Quinlan,” Loyola University Chicago, Chicago, Illinois, April 8-9 (2005).

Invited Speaker, Conference entitled "Does the Field of Bioethics Possess Answers or Expertise?: An Exploration of Secular and Religious Bioethics Methodologies," Center for Biotechnology, Law & Ethics at Cumberland Law School of Samford University, Birmingham, Alabama, March 14, 2004.

Presentation, “The Case of Terri Schiavo: Decision-makers and Decision-making,” American Society of Law, Medicine & Ethics, Annual Health Law Teachers Conference, Seton Hall University, June 2004.

Faculty Presentation, “Hand Feeding and Tube Feeding,” Wake Forest University School of Law, Winston-Salem, North Carolina, April 2004

Faculty Presentation, “The Schiavo Case: Nutrition and Hydration,” Houston Law Center Faculty Talk, Houston, TX, February 2004.

Organizer and presenter, Community Workshop on Legal Issues in End-of-Life Planning, St. Stephen Lutheran Church, December 2003.

Co-organizer and panelist, Interdisciplinary Panel on the Terri Schiavo Case, Florida State University College of Law, November 2003.

Panelist, Workshop on Confidentiality, Florida State University College of Medicine, July 2003.

Presentation, “Compassion and Responsibility,” American Society of Law, Medicine & Ethics, 24th Annual Health Law Teachers Conference, Widener University, June 2003.

Lecturer, “Informed Consent,” Florida State University College of Medicine, Spring 2003.

Presentation, “Prenatal Selection Against Down Syndrome,” American Society of Law, Medicine & Ethics, 23rd Annual Health Law Teachers Conference, University of Indiana—Indianapolis, June 2002.

Co-director and Moderator, Symposium, “Genes and Disability: Defining Health and the Goals of Medicine,” Florida State University College of Law, March 2, 2002 (papers published in vol. 30 of the Florida State University Law Review (2003)).

Panelist, Premiere of “Justice and the Generals,” (a documentary of the legal case of the American church women murdered in El Salvador in 1980), sponsored by the Florida State University Center for the Advancement of Human Rights, Tallahassee, Florida, February 2002.

Panelist, Forum on Pain Policy: Balancing Patient Care and Drug Abuse Prevention, sponsored by The Florida Partnership for End-of-Life Care, Tallahassee, Florida, January 2002.

Presentation, “Prenatal Genetic Testing and Narrative,” 2001 Human Genome Odyssey Conference, Akron, Ohio, April 2001.

Faculty Colloquium, “The Right of Privacy,” Florida State University College of Law, Spring 2000.

Presentation, “Racial and Ethnic Disparities in Health Care Access,” Race Relations Summit, Tallahassee, Florida, January 2000.

Presentation, “Suffering and Liberty in Constitutional Law,” Pepper Institute on Aging, Tallahassee, Florida, October 1999.

Presentation, “Patients’ Rights at the End of Life—Emerging Issues,” Florida Bar Convention, Health Law Section, Boca Raton, Florida, June 25, 1999.

Presentation, “The Law of Organ Donation,” Funeral and Memorial Society of Leon County, Inc., 25th Annual Meeting, May 1999.

Faculty Colloquium, “Suffering and Rights,” Florida State University College of Law, Spring 1998.

Presentation, “Sophie’s Choices: Medical and Legal Responses to Suffering,” Florida State University Religious Ethics Group, Fall 1998.

Invited Participant, Liberty Fund Colloquium, “Liberty, Tolerance and Social Sanction,” Feb./Mar. 1998, Columbia, S.C.

Panel Moderator, The Florida Tobacco Litigation: Fact, Law, Policy and Significance, Florida State University College of Law, November 1997 (one-day seminar).

Presentation, “Prenatal Planning and Attachment,” American Society of Law, Medicine & Ethics 18th Annual Health Law Teachers Conference, Seton Hall Law School, June 1997.

Participant, Florida State University Health Care Forum 1996: A Forum on the Future of Health Care (University-wide panel exploring opportunities for post-graduate education in health care administration).

Participant, 1994 Medical Institute for Law Faculty, Cleveland-Marshall College of Law, June 1994 (ten-day clinic for health law professors).

Grant, First-Year Assistant Professor Summer Award, Florida State University Council on Research and Creativity, Summer 1994.

Presentation, "New Organ Procurement Regulations" sponsored by North Carolina Kidney Association, Greensboro, North Carolina, Summer 1991.

MEDIA AND LEGISLATIVE APPEARANCES

Presented testimony on embryonic stem cell research for the Health Committee of the Florida Senate, April 4, 2006.

Guest, Science Friday, National Public Radio, April 8, 2005, speaking about the Terri Schiavo case.

Legal Expert Guest on Perspectives, a radio talk show on WFSU Radio, Tallahassee, Florida, March 25, 2005, speaking about the Terri Schiavo case and living wills.

Legal Expert Guest on Nighthawk, a radio talk show on CJOB, Winnipeg, Canada, March 18, 2005, speaking about the Terri Schiavo case.

Legal Expert Panelist on American Medicine Today, Florida News Channel, June 14, 2004, speaking on a proposed amendment to the Florida Constitution limiting attorneys' fees in medical malpractice liability cases.

PROFESSIONAL ASSOCIATIONS

Member, North Carolina State Bar, American Bar Association

SERVICE

University Governance

Faculty Senate Parliamentarian, 2005-present; Faculty Senate Library Committee (and Patron Services Subcommittee), 2004-2005; Committee on Student Welfare, 1999-2000; Faculty Senate, 1997-1999; Committee on Faculty Research Support, 1994

Law School Governance

Ad hoc Bar Passage Committee, 2005-2006
Student Affairs Committee, 2003, 2004-2006
Academic Enrichment Committee, 1995-1997, 2002-2003
Admissions Committee, 1997-1998, 2001-2002
Appointments Committee, 1993-1994, 2000-2001
Clinical Evaluation Committee, 2000, 2005
Curriculum Committee, 1996-1998
Judicial Clerkship Selection Committee, 1998, 2001
Legal Writing Committee, 2001-2002
Legal Writing Hiring Committee, 2002
Self-Study Committee, 1999-2001
Simon Chair Search Committee, 1999-2001, 2001-2002
Technology Policy Committee, 1997-1998
Long-Range Planning Committee, 1995-1996

Other University Service

Guest Lecturer at the FSU Medical School, 2002 to present
Guest Lecture, Broward Hall Public Affairs Learning Community, Florida State University, April 2005
Advisor to FSU College of Law Women's Law Symposium, 2000-to present
Nominated for a University-wide Advisor of the Year Award, 2002
Mentor for new faculty, 1999 to 2001
Faculty, Summer Law Program for Undergraduates, 2002
Supervising Professor for Human Rights Center research, Fall 1999
Law School Coordinator for Joint Degree Program with School of Social Work, 1999 to present
Summer Law Program for Undergraduates, Summer 2002
Faculty, Pre-orientation program, Summer 1998
Participant, University-sponsored mentoring program for Florida State University undergraduate women, 1998
Participant, FSU Law and Sociology Colloquium, 1997-1998

Community Service

Recent: Member of area hospitals' bioethics committee (2003 to present)
Member, Florida Patient Safety Corporation Litigation Alternatives Committee, 2006 to present
Consultant to the Florida Developmental Disabilities Council on policies relating to end of life decision-making, Fall 2005

Past: Secretary and board member of ECHO, a local emergency care and help organization
Chairperson of board of directors of International Quarterly, Inc. (a literary

Board of directors of the House of Mercy, an assisted living facility for
homeless people with AIDS, located in Belmont, NC