Are Physicians Fiduciaries for Their Patients?

February 20-21, 2014
2.0 hours of Indiana CLE credit (pending approval)

Maxwell J. Mehlman
Distinguished University Professor, Arthur E. Petersilge Professor of Law and Director of the Law-Medicine Center, Case Western Reserve University School of Law, and Professor of Biomedical Ethics, Case Western Reserve University School of Medicine.
McDonald Merrill Ketcham Award Lecture

Visionary alumna Dorothy M. Ketcham (B.A. in Economics in 1914 and M.A. in Sociology in 1915) was a faculty member at the University of Michigan whose work showed her the important role that medicine and law played in the lives of those whom she served at the UM Hospital. She established a multifaceted workshop and recreational facility for children confined to the hospital and wrote several books, two of which were devoted to hospital law.

Ketcham’s affinity for the law grew out of her family’s close relationship with the legal system. Her grandfather, David McDonald, was a United States District Court judge and her father, William A. Ketcham, was a well-known Indianapolis attorney who was elected to the office of state attorney general for two terms.

Dorothy Ketcham’s interest in health law prompted her to establish a trust which resulted in a fund for Indiana University to develop programs fostering greater understanding between the professions of law and medicine. Ketcham’s generous gift, named for her grandparents (Judge David McDonald, John L. Ketcham and Jane Merrill Ketcham), funds this prestigious lectureship and award for an individual who has demonstrated excellence in the fields of common interest to the two professions.

February 20, 2014
Wynne Courtroom (Room 100), Inlow Hall, 530 West New York Street, Indianapolis, IN

Award Lecture: 12:45 – 1:45 p.m.
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Panel Discussion: 1:45 – 2:45 p.m.
• Mary Ott, M.D., M.A., Associate Professor of Pediatrics, Indiana University School of Medicine
• Joshua Perry, J.D., M.T.S., Assistant Professor of Business Law and Ethics and a Life Sciences Research Fellow, Indiana University Kelley School of Business (Bloomington)
• Mark Rothstein, J.D., Herbert F. Boehl Chair of Law and Medicine, University of Louisville Louis D. Brandeis School of Law and Director of the Institute for Bioethics, Health Policy, and Law, University of Louisville School of Medicine

Speakers Reception: 2:45 – 3:45 p.m.
Atrium, refreshments served

February 21, 2014

Medicine Grand Rounds, IU School of Medicine: 12:00 – 1:00 p.m.
Emerson Hall, Room 304, 1001 W. Tenth Street, Indianapolis, IN

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Maxwell J. Mehlman is Distinguished University Professor, Arthur E. Petersilge Professor of Law and Director of the Law-Medicine Center, Case Western Reserve University School of Law, and Professor of Biomedical Ethics, Case Western Reserve University School of Medicine. He received his J.D. from Yale Law School in 1975 and holds two bachelor's degrees, one from Reed College and one from Oxford University, which he attended as a Rhodes Scholar.

Prior to joining the Case Western Reserve University faculty in 1984, Professor Mehlman practiced law with Arnold & Porter in Washington, D.C., where he specialized in federal regulation of health care and medical technology.


From 1988 to 1994, he served as special counsel to the Special Committee on Medical Malpractice of the New York State Bar. In 1992, he was a consultant on medical malpractice to the American Association of Retired Persons. In 2003, he served as an advisor for the Project on Medical Liability in Pennsylvania funded by The Pew Charitable Trusts. In 2007, along with Dale Nance, Professor Mehlman authored a book entitled Medical Injustice: The Case Against Health Courts, with research funding from the American Association for Justice Robert L. Habush Endowment.

In 2011 and 2012, he authored several articles on the use of medical practice guidelines as the legal standard of care, again with research support from the American Association for Justice Robert L. Habush Endowment. Professor Mehlman also is the director of the Consortium on Emerging Technologies, Military Operations, and National Security, and currently is working on a grant from the National Institutes of Health to study the ethical, legal, and policy issues raised by the use of genomic science by the military. In addition to training lawyers, Professor Mehlman also teaches medical malpractice law to the medical students at the CWRU School of Medicine and the Ohio University College of Osteopathic Medicine.
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