

practice tests, and customized settings will be utilized to tailor the CD to the needs of the user. Brief, multiple-choice examinations will be evaluated for continuing medical education credits by the Office of Continuing Medical Education. The CD will be programmed to permit updates of scientific and medical advances either by downloading from the Internet or from a disc available by subscription.

This is a cooperative project involving individuals with documented expertise in teaching of molecular medical genetics, continuing medical education, graphic design, and CD-ROM production. The content of the CD will be supervised by a scientific board of directors. We present mechanisms for the evaluation of the CD by rural Oklahoma physicians. Arrangements have been made for distribution of the CD by a national publisher of medical and scientific materials. This CD will provide a powerful tool to educate physicians and the public about the power and potential of the human genome project for the benefit of human health.

DOE Grant No. DE-FG03-96ER62172.

The Genetics Adjudication Resource Project

Franklin M. Zweig

Einstein Institute for Science, Health, and the Courts;
Bethesda, MD 20814
301/961-1949, Fax: /913-0448, einshac@aol.com
<http://www.ornl.gov/courts>

The Einstein Institute for Science, Health, and the Courts is preparing the foundation for a new utility needed to prepare the nation's 21,000 courts to adjudicate the genetics and ELSI-related issues that foreseeably will rush into the courtroom as the Human Genome Project completes its genomic mapping and sequencing mission during the next ten years. This project initiates practical collaboration among courts, legal and policy-making institutions, and science centers leading to modalities for understanding the scientific validity of claims, and for the resolution of ethical, legal, and social disputes arising within the genetic testing and gene therapy contexts. Our objective over the ensuing decade is to facilitate genetic testing and gene therapy dispute management, and to avoid to the extent possible the confusion that characterized adjudication of forensic DNA technologies during the decade just ended.

The outlines of a genetics adjudication utility were given form by the 1995 Working Conversation on Genetics, Evolution, and the Courts, involving 37 federal and state judges and others in science and policymaking leadership positions from across the nation. The courts are becoming aware of genetics, molecular biology, and their applications, and judges want public confidence to be maintained

as the profound and complex issues set in motion by the HGP begin the long course of litigation. Modalities for understanding the underpinning science are needed, as well as instrumentalities to assure that the best cases are actually filed and pursued. Because the courts are the front-line for resolving disputes, creative lawyering will assure an abundance of lawsuits. Many such lawsuits will request the courts to make policy judgments, perhaps best undertaken by state legislatures and Congress. Accordingly, a new adjudication utility should provide forums for judicial/legislative exchange, preparatory deliberations in anticipation of pressure to make rushed policies under conditions of great social uncertainty in the wake of human genetics progress.

EINSHAC will provide a design, planning, communications, and implementation center for a multipurpose resource project available to the courts. It will undertake over an 18 month period the following tasks, pilot-testing each and assessing the best organizational locales for those that exhibit promise:

1. Judicial Education in Genetics & ELSI-Related Issues for six Judicial Branch leadership associations and nine metropolitan courts—aimed at 1,000 judges—in conjunction with scientific faculty and coaches mobilized by DOE/national laboratories and the American Society for Human Genetics.
2. Judicial Digital Electronic Collegium—technological modernization of the courts community by providing access to ELSI and genetics information through Internet resources.
3. Amicus Brief Development Trust Fund—a process and resources to support law development at the state and federal appeals courts level.
4. Genetics Indigent Party Trust Fund—a process and resources at the state and federal trial level to sustain meritorious civil cases holding promise of effective law development.
5. Establishment of a Pro-Bono Legal Services Clearinghouse—a personal and on-line referral resource for persons seeking representation for genetics and ELSI-related cases.
6. Access to Neutral Expert Witnesses—advisors to courts encountering particularly complex cases deemed right for the judicial exercise of Federal Rule of Evidence 706 and its State counterparts.
7. Pilot of Judicial/Legislative ELSI Policy Forums—provision of neutral staff and coordination in three mid-Atlantic states considering legislation related to health care, insurance, privacy, medical records.