

**Science, Technology, and Law Program**  
**The National Academies**  
**First Meeting of the Science, Technology, and Law Panel**  
**March 15-17, 2000**

**Wednesday, March 15, Four Seasons Hotel, Newport Beach, CA**

6:00-8:00 *Welcoming Reception*

**Thursday, March 16, Beckman Center, Irvine, CA**

**CLOSED SESSIONS**

7:30 *Continental Breakfast*

8:00 *Welcome, Introductions, Overview of Program*

Don Kennedy and Dick Merrill

8:30 *Discussion of science, technology, and law activities of the National Academies and of other organizations*

Don Kennedy and Dick Merrill

9:00 *Bias Discussion*

Richard Bissell, Executive Director, Policy Division, The National Academies

10:00 *Break*

**OPEN SESSIONS**

10:15 *Overview of Daubert v. Merrell Dow Pharmaceuticals, Inc., in which the U.S. Supreme Court established a new standard for federal courts to use when deciding on the admissibility of scientific evidence.*

Richard Meserve, Attorney for *Amicus Curiae*, NAS in Daubert, NAE in Kumho

11:00 *Daubert's Impact*

*Overview of General Electric Co. v. Joiner and Kumho Tire Co. v. Carmichael, in which the U.S. Supreme Court further dealt with admissibility of expert testimony.*

Margaret Berger

*Report of a RAND study addressing the issue of whether Daubert has changed how federal judges assess expert evidence.*

Lloyd Dixon, Study Director, RAND

12:15 *Lunch - Cafeteria*

1:30 *Perspectives on Science/Engineering/Medical Evidence in the Courtroom*

Patrick Malone

Bert Black, Hughes & Luce, Co-chair ABA-AAAS National Conference of  
Lawyers and Scientists, and Attorney for *Amicus Curiae*, AAAS in  
Daubert

Channing Robertson

Fern Smith, Director, Federal Judicial Center and U.S. District Court for the  
Northern District of California

3:30 *Break*

3:45 *Judicial Education Needs and Initiatives*

Joe Cecil and Dick Merrill

4:45 *Evidence Workshop June 13-14, 2000, Washington, D.C., - Establishing a  
Guidance Group*

Don Kennedy and Dick Merrill

5:00 *Adjourn*

6:00 *Reception and Dinner – Four Seasons Hotel, Newport Beach*

Donald Prosnitz, Chief Science and Technology Advisor, U. S. Department of  
Justice

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**OPEN SESSIONS**

8:00 *Breakfast*

*Forensic Evidence*

Don Kerr, Assistant Director, Laboratory Division, Federal Bureau of  
Investigation

9:00 *Introduction to Law and the Conduct of Scientific and Engineering Research*

Don Kennedy and Dick Merrill

9:10 *Issue 1: FOIA and Data Access*

David Korn and Fred Anderson

10:00 *Issue 2: Court-Ordered Disclosure of Academic Research*

Paul Carrington

10:30 *Break*

10:45 *Law and the Conduct of Scientific and Engineering Research continued*

Don Kennedy and Dick Merrill

10:50 *Issue 3: Intellectual Property Rights and the Sharing of Data*

Rebecca Eisenberg

11:30 *Issue 4: Research Misconduct: Consideration of the recently issued government-wide research misconduct policy*

Arthur Bienenstock, Associate Director for Science, White House Office of  
Science and Technology Policy

12:15 *Lunch - Cafeteria*

**CLOSED SESSION**

1:30 *Setting the Agenda for the Science, Technology, and Law Program*

Don Kennedy and Dick Merrill

3:00 *Adjourn*