



Rhode Island Bar Association

2014 ANNUAL MEETING

June 19 & 20 - Rhode Island Convention Center, Providence

ANNUAL DINNER: THURSDAY, JUNE 19 | ANNUAL LUNCHEON: FRIDAY, JUNE 20

WELCOME



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2014 ANNUAL MEETING

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ANNUAL MEETING

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COVER PHOTOGRAPH

Charter Schooner *Tree of Life*
of Newport, Rhode Island
Courtesy of Captain Paul Morse
www.schoonertreeoflife.com

2014 ANNUAL MEETING

Dear Colleagues,

I look forward to seeing you at the Bar Association's 2014 Annual Meeting on Thursday and Friday, June 19th and 20th, at the Rhode Island Convention Center. This year's hard-working Annual Meeting Committee, ably co-chaired by David N. Bazar and Armando E. Batastini, produced a diverse and enriching program for us. Supporting this effort, many Bar members and the Bar staff worked with the Committee to ensure a seamless presentation of workshops and social events. As a result, our Annual Meeting provides you with outstanding opportunities to learn, to improve your practice, socialize with your colleagues, and fulfill your annual CLE requirements.

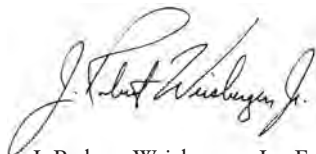
We have a wide range of seminars scheduled over the two days of the Annual Meeting providing guidance in family, probate, criminal, trial and commercial law, a variety of ethics-related topics, the always popular State and Federal Court updates, and more. These seminars are enhanced by the participation of many distinguished and accomplished presenters, including many of our colleagues. And, please visit our exhibitors offering a range of practice-related products and services, and take advantage of the free wellness screenings in the exhibit area.

This year, our Friday Morning Plenary speaker is Stephen H. Oleskey, Esq., of counsel to the Boston law firm of Hiscock & Barclay, and who, in the case of **Boudmediene v. Bush**, successfully argued before the U.S. Supreme Court that Guantanamo detainees had *habeas corpus* rights. Attorney Oleskey shares his experiences with us and reviews ethics issues in the practice of law. And, our Thursday Afternoon Plenary speaker, Roger Williams University Law School Professor Niki Kuckes, focuses on the risks and ethical issues for lawyers related to growing, digital data security threats.

On Thursday night, the festivities begin with a lively reception, followed by dinner, our Annual Bar Awards (please see page 15 for a complete listing and description of this year's awards) for outstanding achievements and an address by our incoming Bar Association President, Bruce W. McIntyre. During our Annual Awards Luncheon on Friday, we are honoring our colleagues for their exceptional community service and contributions to our *Bar Journal*. Additionally, we will have the pleasure of traditional remarks by Supreme Court Chief Justice Paul A. Suttell on the State of the Rhode Island Judiciary.

The 2014 Annual Meeting Committee's attention to our diverse membership's interests and needs resulted in an excellent program, and I urge you to take advantage of the Annual Meeting's early registration fee savings by completing and sending in your registration form before June 13th.

Thank you in advance for the honor and pleasure of serving you throughout the past year, and I look forward to seeing you on June 19th and 20th.



J. Robert Weisberger, Jr., Esq.
President, Rhode Island Bar Association

8:00am	EXHIBITS OPEN	Registration Begins and Exhibits Open – <i>Convention Center, Ballroom Foyer, 5th Floor</i>						
8:45 – 9:20am		Welcome by J. Robert Weisberger, Jr., Esq., Bar President <i>Convention Center, Ballroom A, 5th Floor</i>						
9:20 – 10:20am		1 Keynote Address – Stephen H. Oleskey, Esq. <i>.5 credit + .5 ethics</i>						
10:20 – 10:45am		Morning Break						
10:45am – 12:00pm		2 Practice & Procedure Before the RI Parole Board* <i>.5 credit + 1.0 ethics</i>	3 Helping Clients Through a Pooled Trust* <i>1.5 credits</i>	4 Recent Developments in Receivership* <i>1.5 credits</i>	5 The Business Deal: Ethical Issues <i>1.5 ethics</i>	6 The Fourth Amendment & the Automobile* <i>1.5 credits</i>	7 Intro to Electronic Filing in the RI Judiciary <i>1.5 credits</i>	8 Transgender Law Issues <i>1.5 credits</i>
12:00 – 1:30pm		Members Luncheon – <i>Convention Center, Rotunda, 5th floor</i>						
12:00 – 1:30pm		Rhode Island Bar Foundation Annual Meeting – <i>Convention Center, 1st floor</i>						
1:30 – 2:45pm		9 Communicating with Witnesses* <i>1.5 ethics</i>	10 New Tools to Help with End of Care Planning* <i>1.5 credits</i>	11 Municipal Financial Distress* <i>1.5 credits</i>	12 Appellate Practice for Trial Lawyers* <i>1.5 credits</i>	13 Splendid Settlement Brochures <i>1.5 credits</i>	14 Getting Ready for Statewide Electronic Filing <i>1.5 credits</i>	15 Effect of the ACA on Family Law* <i>1.5 credits</i>
2:45 – 3:15pm		Afternoon Break						
3:15 – 4:30pm		16 Depression: Supporting You and Your Practice <i>1.5 ethics</i>	17 Renewable Energy in RI <i>1.5 credits</i>	18 Experts: Preparation & Cross Examination* <i>1.5 credits</i>	19 Intellectual Property Law <i>1.0 credit + .5 ethics</i>	20 Health Insurance Complaints <i>1.5 credits</i>	21 Efficiency for a One Lawyer Office <i>1.5 credits</i>	
4:45pm	Reception – <i>Convention Center, 1st floor</i>							
6:00pm	Annual Awards Dinner – <i>Convention Center, 1st floor</i>							

8:00am	EXHIBITS OPEN	Registration Begins and Exhibits Open – <i>Convention Center, Ballroom Foyer, 5th Floor</i>						
8:45 – 9:00am		President's Welcome by J. Robert Weisberger, Jr., Esq. <i>Convention Center, Ballroom A, 5th Floor</i>						
9:00 – 10:15am		22 Refusal Cases: Beyond the Basics* <i>1.5 credits</i>	23 Estate Planning for Florida Snowbirds* <i>1.5 credits</i>	24 Environmental and Land Use Update <i>1.5 credits</i>	25 The Fully Digitized Office <i>1.0 credit + .5 ethics</i>	26 Civil Case Law Update* <i>1.5 credits</i>	27 Financial Bear Traps in Divorce Settlements* <i>1.0 credit + .5 ethics</i>	
10:15 – 10:45am		Morning Break						
10:45am – 12:00pm		28 Criminal Case Law Update* <i>1.5 credits</i>	29 Developments in Estates, Trusts & Guardianships* <i>1.5 credits</i>	30 Intro to Electronic Filing in the RI Judiciary <i>1.5 credits</i>	31 Presenting Economic Damages <i>1.5 credits</i>	32 Common Sense Crisis Management Practice <i>.5 credit + 1.0 ethics</i>	33 So Your Client's Kid is Going to College* <i>1.5 credits</i>	34 Presentation Technology* <i>1.5 credits</i>
12:00 – 1:30pm		Awards Luncheon – <i>Convention Center, 1st Floor</i>						
1:30 – 2:30pm		35 State District Court Trial* <i>1.0 credit</i>	36 Intersection of the ADA & the FMLA* <i>1.0 credit</i>	37 Is the Ethical Paradigm Shifting? <i>1.0 ethics</i>	38 RI Asbestos Litigation <i>1.0 credit</i>	39 Federal Rules of Civil Procedure <i>1.0 credit</i>	40 Special Immigrant Juvenile Status: Processes and Pitfalls* <i>1.0 credit</i>	41 Non-human Personhood <i>1.0 credit</i>
2:30 – 2:45pm		Afternoon Break						
2:45 – 4:00pm		42 Cyber-Security Risks & Issues – Professor Niki Kuckes <i>1.5 ethics</i>						

* Please Note: Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment should be relevant to panels.

COURSEBOOK HARD COPY \$30 Go Green. Your registration includes a complimentary copy of the course materials in pdf format. Registrants receive a link to the course materials by email prior to the program and a flashdrive at registration. Registrants may also purchase a hard copy for a fee of \$30. Registrants who select the hard copy receive their course book upon arrival at the event. No hard copies are available for walk-in registration.

SCHEDULE

THURSDAY JUNE 19, 2014

8:00am

Registration Begins and Exhibits Open

Convention Center, Ballroom Foyer, 5th Floor

OPEN ALL DAY – E-FILING DEMONSTRATIONS – *Throughout the Annual Meeting, you may drop in at an electronic-filing demonstration in room 554. The demonstration room is equipped with computers for hands-on learning and staffed by Judiciary employees and representatives from Tyler Technologies, Inc., answering your questions regarding the new e-filing system in Rhode Island courts.*

8:45 – 9:20am

Welcome

J. Robert Weisberger, Jr., Esq., President, *Ballroom A, 5th Floor*

In Memoriam:

Armando E. Batastini, Esq., *Secretary*

Nominating Committee Report: Lise M. Iwon, Esq., *Chairperson*

Treasurer's Report: Melissa E. Darigan, Esq., *Treasurer*

9:20 – 10:20am

.5 CREDIT + .5 ETHICS

1

KEYNOTE ADDRESS

Civil Injustices at Guantanamo Bay

Attorney Stephen H. Oleskey was co-lead counsel in **Boudmediene v. Bush**, where the U.S. Supreme Court held that detainees at Guantanamo had the right to seek *habeas corpus*. Attorney Oleskey shares his experiences and reviews ethics and tactical issues that arose in the **Boumediene habeas** litigation from 2004 to 2013.



Stephen H. Oleskey, Esq.

STEPHEN H. OLESKEY, ESQ., Of Counsel to the Boston office of the Hiscock & Barclay law firm, has represented a wide range of business and government entities in civil trials, arbitrations and mediations, in both Massachusetts state and federal courts and other jurisdictions. Stephen has argued before the U.S. Supreme Court, as well as before the Massachusetts Supreme Judicial Court, the Massachusetts Appeals Court, the New Hampshire Supreme Court, the Maine Supreme Court, the U.S. Tax Court, the U.S. Court of Claims, the District of Columbia, and the First, Third and Ninth Circuit U.S. Courts of Appeals. He also served as Massachusetts Deputy Attorney General and Chief of its Public Protection Bureau. In 2007, he received the American Bar Association's Pro Bono Publico Lifetime Achievement Award.

10:20 – 10:45am

Morning Break

Enjoy a range of refreshments and conversation, while connecting with our exhibitors who are offering valuable business management and law practice services.

MEETING EXHIBITORS offer a wide range of helpful, practice-related products and services including professional liability insurance, website development, retirement plans, record management, law practice software, computer support, court reporting, and more. Learn about the latest products and services, investigate resources, build relationships and learn about developments in the profession. And be sure to drop by for a free health care check and wellness screenings in the exhibit area.

10:45am – 12:00pm

Concurrent Workshops (choose one from #2-8)

Please Note: Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment must be relevant to the panels.

10:45am – 12:00pm

2

Practice and Procedure Before the RI Parole Board*

.5 CREDIT + 1.0 ETHICS

Moderator: Christopher S. Gontarz, Esq., *Updegrove & Gontarz, Ltd.*

LEVEL – INTERMEDIATE,
ADVANCED

Speakers: Victoria M. Almeida, Esq., *Adler Pollock & Sheehan, P.C.*

Dr. Kenneth R. Walker, *Chairman, RI Parole Board*

Hon. Bennett R. Gallo, *Associate Justice, RI Superior Court*

Utilizing the updated Rhode Island Parole Board Guidelines, members of the Rhode Island Parole Board and the Judiciary discuss competent and ethical representation of clients before the Board. The discussion includes perspectives from the panel.

10:45am – 12:00pm

3

Helping Clients with Monetary Awards Through a Pooled Trust*

1.5 CREDITS

Moderator: Maureen G. Glynn, Esq., *Cranston*

LEVEL – ALL

Speakers: Eric D. Correira, Esq., LL.M., *Correira & Correira LLP*

Donna Martin, CPNRI, *Rhode Island Pooled Trust Director*

Benjamin C. Cople, Esq., *Legal Counsel, Executive Office of Health & Human Services*

How do you protect your client's access to government benefits when the client receives a sum of money, such as back benefits, a small personal injury settlement, or inheritance not appropriate for a special needs trust? The information you receive will help you guide your clients through the confusing maze of settlement management, from back awards to tort awards, allowing clients to maintain government benefits, such as SSI and Medicaid.

10:45am – 12:00pm

4

Recent Developments in Receivership & Insolvency Law*

1.5 CREDITS

Moderator: Richard L. Gemma, Esq., *Wieck DeLuca & Gemma Incorporated*

LEVEL – INTERMEDIATE

Speakers: Matthew J. McGowan, Esq., *Salter, McGowan, Sylvia & Leonard, Inc.*

Robert D. Wieck, Esq., *Wieck DeLuca & Gemma Incorporated*

Recent insolvency decisions may have potential impact upon commercial practitioners in state court receivership proceedings and your receivership practice. Panelists discuss these decisions, other procedural issues, and potential statutory changes.

10:45am – 12:00pm

5

The Business Deal: Ethical Issues and Answers

1.5 ETHICS

Speaker: Susan Leach DeBlasio, Esq., *Adler Pollock & Sheehan, P.C.*

LEVEL – INTERMEDIATE

What are the key ethical issues arising when providing legal representation in business transactions? The speaker reviews these issues, applicable ethics rules, and practical approaches to achieve resolutions. Both attorneys who engage in business law on a regular basis, and those who only occasionally handle a business transaction, will want to join this informative discussion.

10:45am – 12:00pm

6

The Fourth Amendment and the Automobile*

1.5 CREDITS

Moderator: Etie-Lee Schaub, Esq., *John Reilly & Associates*LEVELS – BEGINNER,
INTERMEDIATE**Speakers:** Jonathan H. Oberman, Esq., *Clinical Professor of Law, Cardozo Law School*Joseph J. McBurney, Esq., *Special Assistant Attorney General Narcotics and Organized Crime*Kara J. Maguire, Esq., *Assistant Public Defender, Appellate Division*

This presentation covers the chronology of the nexus between the Fourth Amendment to the United States Constitution and the automobile. Offering a quick, general background of Fourth Amendment jurisprudence, covering *U.S. v. Katz* and *Michigan v. Long*, and focusing on the question of standing and vehicular searches, looking specifically at a chronology of cases including *Whren* and *Gant*. The seminar reviews GPS searches in the context of *Jones* and current, relevant, Rhode Island case law.

10:45am – 12:00pm

7

An Introduction to Electronic Filing in the Rhode Island Judiciary

1.5 CREDITS

(also offered Friday 10:45-12:00 – #32)

LEVELS – ALL

Speakers: Gail M. Valuk, Esq., *Deputy State Court Administrator*Peter J. Panciocco, *Judicial Technology Director*Maureen H. Aveno, *Executive Director, Workers' Compensation Court*Patrick Slaughter, *Tyler Technologies*

The Rhode Island Judiciary contracted with Tyler Technologies, Inc. to develop a new case management system and electronic filing solution for State Courts. The seminar introduces attendees to the electronic filing system (EFS) which will be implemented in each court, in phases, through the year 2016. The workshop is presented by key Judiciary personnel and representatives from Tyler Technologies, providing an EFS demonstration and an overview of what practitioners can expect when the electronic filing system is implemented in each court.

In addition to the workshop, the Judiciary has e-filing demonstrations on laptop terminals where attorneys can learn more about the new electronic filing system, in Room 554.

10:45am – 12:00pm

8

Transgender Law Issues

1.5 CREDITS

LEVEL – ALL

Moderator: Patrick J. Smock, II, Esq., *Lesbian, Gay, Bisexual, Transgender Committee Chairperson*

Speakers: Jennifer Levi, Esq., *Gay & Lesbian Advocates & Defenders (GLAD), Boston, MA*

Janson Wu, Esq., *Staff Attorney, GLAD, Boston, MA*

Jayeson Watts, MSW, *Wraparound Coach/Supervisor, Family Service of Rhode Island*

The panelists provide an overview of the current state of both Federal and Rhode Island litigation and legislative actions affecting the civil rights of the transgender community. Included is a review of issues related to legal representation of transgender clients in the areas of: recognition of name and sex; relationship recognition; and issues in family law. The speakers also discuss providing culturally sensitive representation.

12:00 – 1:30pm

Rhode Island Bar Association Members' Luncheon

Convention Center, Rotunda THIS IS A TICKETED EVENT

Enjoy a relaxed lunch with your colleagues, then take a leisurely stroll through the exhibits and recharge your batteries. Remember, our Cocktail Reception immediately follows the last seminar at 4:30 p.m., and our Annual Dinner begins at 6:00 p.m.

12:00 – 1:30pm

Rhode Island Bar Foundation Fellows Annual Meeting

Convention Center, 1st Floor

Fellows and invited guests receive a separate invitation for this event.



Michael A. St. Pierre, Esq.
President

The Rhode Island Bar Foundation Annual Meeting is held in conjunction with the Rhode Island Bar Association Annual Meeting. President Michael A. St. Pierre and the Board of Directors are pleased to welcome and thank the Foundation Fellows who, through their professional, public and private careers, have demonstrated outstanding dedication to the welfare of the community and to the objectives of the Foundation. During the luncheon we recognize the recipient organizations of Interest on Lawyers Trust Account (IOLTA) grants. Over \$395,000 was granted this calendar year for the provision of legal services, the administration of justice, and law related education programs in Rhode Island.

Recipients of the Thomas F. Black, Jr., Memorial Law School Scholarship are introduced. Again this year, with the continued generosity of The Horace A. Kimball and S. Ella Kimball Foundation and Champlin Foundations, we were able to grant two \$20,000 Thomas F. Black Jr. Memorial Scholarships to two promising first-year law students from Rhode Island who have demonstrated financial need, superior academic performance, community and public service, and demonstrated contacts with and commitment to the State of Rhode Island. Since 1989, this fund has awarded 52 scholarships, totaling many thousands of dollars to promising law students from Rhode Island.

1:30 – 2:45pm

Concurrent Workshops (choose one from #9-15)

Please Note: Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment must be relevant to the panels.

1:30 – 2:45pm

9

Damned If You Do & Damned If You Don't: Lawyers' Legal and Ethical Obligations While Communicating with Witnesses*

1.5 ETHICS

LEVEL – ALL

Moderator: Molly Kapstein Cote, Esq., *Lynch, Lynch & Friel*

Speakers: J. Patrick Youngs, III, Esq., *Assistant Attorney General, RI Dept. of Attorney General*

David D. Curtin, Esq., *Chief Disciplinary Counsel, RI Supreme Court*

Michael A. DiLauro, Esq., *Assistant Public Defender, RI Office of the Public Defender*

John D. Lynch, Jr., Esq., *Lynch, Lynch & Friel*

Attorneys practicing in both criminal and civil litigation must be aware of the legal and ethical limitations and obligations regarding communications with victims and witnesses to avoid sanctions, ethics complaints and criminal charges. Prosecutors should understand when a defense attorney is entitled to communicate with a state witness and in what context. Civil attorneys must understand the consequences of their communications with witnesses in a criminal case as well. Panelists discuss practical resolution of these issues.

1:30 – 2:45pm

10

More Alphabet Soup – New Tools to Help Clients with End of Care Planning*

1.5 CREDITS

LEVEL – ALL

Speakers: Jennifer M. Ritzau, MD, *Associate Director, Home & Hospice Care of RI*

Maureen G. Glynn, Esq., *Co-Chairperson, Improving End of Life Care Coalition*

This workshop educates attorneys about a new tool for advance care planning, the Medical Order for Life-Saving Treatment (MOLST), while reviewing existing advance care planning options and types of treatment to consider. The RI Department of Health promulgated MOLST rules and regulations effective September 29, 2013 and a MOLST Form. As of January 2014, health care facilities are required to ask patients if they want a MOLST. As a new tool for end of life care planning, attorneys need to learn about this to provide clients with appropriate guidance.

1:30 – 2:45pm

11

Municipal Financial Distress: the RI Legal Landscape*

1.5 CREDITS

LEVEL – INTERMEDIATE

Moderator: Robert G. Flanders, Jr., Esq., *Hinckley Allen & Snyder LLP***Speakers:** Theodore Orson, Esq., *Orson & Brusini, Ltd.*Karen S. D. Grande, Esq., *Edwards Wildman Palmer, LLP*Matthew J. McGowan, Esq., *Salter, McGowan, Sylvia & Leonard, Inc.*

This workshop offers a legal overview pertaining to financially distressed Rhode Island cities and towns including: the statutory framework for state intervention and oversight; the consequences for municipal creditors, employees, and pensioners; and the Chapter 9 (bankruptcy) option.

1:30 – 2:45pm

12

Appellate Practice for Trial Lawyers*

1.5 CREDITS

LEVELS – INTERMEDIATE

Speakers: Lauren E. Jones, Esq., *Jones Associates*Nicole Dulude Benjamin, Esq., *Adler Pollock & Sheehan, P.C.*Hon. Frank J. Williams, *Chief Justice RI Supreme Court (Ret.)*Kara J. Maguire, Esq., *Office of the Public Defender*Christopher R. Bush, Esq., *Office of the Attorney General*

The focus of this session is the time between a jury verdict or judge's decision, and the docketing of the appeal. Among the topics discussed: need for a separate and final judgment; process for taking and perfecting an appeal; appellate mediation program and process; jurisdiction of the respective courts during the post-verdict; pre-docketing period; stay of judgment; and security pending appeal. The panelists also provide a lively roundtable discussion of preservation/waiver issues.

1:30 – 2:45pm

13

Splendid Settlement Brochures: When and How to Use and Make Them

1.5 CREDITS

LEVEL – INTERMEDIATE

Moderator: Ronald J. Resmini, Esq., *Ronald J. Resmini Law Offices, Ltd.***Speakers:** David J. Oliveira, Esq., *David J. Oliveira Law Office*Richard G. Galli, Esq., *Richard Galli & Associates*Susan Freaney, *Senior Claims Analyst / Quality Coordinator; Lifespan Risk Services*

When a significant case deserves more than a phone call or a letter demand, it's time to prepare a comprehensive, attractive and persuasive settlement brochure. Make your case, briefly and graphically so any reader, lawyer, insurance rep, mediator, or judge, can understand your client's position and appreciate your command of the material and your level of commitment to the case. The seminar addresses: brochure contents; how a well-designed brochure improves the likelihood of a speedy resolution; the intended audience; at what stage the brochure becomes effective; how a brochure actually improves your understanding of your case; and the reaction of decision-makers on the other side. In addition to lawyers who have used

comprehensive brochures, the panel includes an experienced risk manager who describes what is most likely to win, or lose, the attention of the other side. Watch a settlement brochure being prepared, in real time, from blank pages to a finished document.

1:30 – 2:45pm

14

It's Coming: Getting Your Files and Practice Ready for Statewide Electronic Filing

1.5 CREDITS

LEVEL – BEGINNER

Speakers: Joel J. Votolato, Esq., *McCorry & Gannon PC*

Jason P. Knight, Esq., *The Law Office of Jason Knight*

With an eye toward the upcoming statewide electronic filing, the panelists provide valuable tips and tricks for organizing your digital files. Everything from scanning and creating PDF documents, to a simple, easy-to-use document management system, using the storage solutions you already use, is discussed.

1:30 – 2:45pm

15

The Effect of the Affordable Care Act and the Changes to the Rhode Island Insurance Act: Impact on Family Law Practice in RI*

1.5 CREDITS

LEVEL – ALL

Moderator: Vincent A. DiMonte, Esq., *Johnston*

Speakers: Elizabeth W. Segovis, Esq., *RI Legal Services*

Gregory A. Porcaro, CPA, *Otrando Porcaro & Association Limited*

What are the implications of the Affordable Care Act and the recent changes to the Rhode Island Insurance Continuation Act on family law practice, and how can we handle the issues raised, including claim of exemptions? What are the responsibilities of attorneys doing family law litigation to know the implications of the Affordable Care Act on family law litigation? How do the changes in the Rhode Island Insurance Continuation Act require attorneys to know the changes in advance before making recommendation to clients on settlements?

2:45 – 3:15pm

Afternoon Break

Please stop by and learn how our exhibitors' unique products and services may help you in your practice or at home. Find out how you can stay ahead of the curve with some of the latest in legal software and technology.

3:15 – 4:30pm

Concurrent Workshops (choose one from #16-21)

Please Note: Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment must be relevant to the panels.

3:15 – 4:30pm

16

Depression: Supporting You, Supporting Your Practice

1.5 ETHICS

Speakers: Judy Hoffman, LICSW, CEAP, *Executive Director Coastline EAP*
Henry S. Monti, Esq., *Gemma Law Associates, Inc.*

LEVEL – BEGINNER

Presented by the Bar's Lawyers Helping Lawyers Committee, the workshop discusses depression from a psychological perspective, as well as from a law practice perspective. Topics include how to minimize the effect on a law practice, including malpractice, disciplinary and ADA aspects. Audience questions are encouraged.

3:15 – 4:30pm

17

The Renewable Energy Law in Rhode Island

1.5 CREDITS

Moderator: John Maxwell Greene, Esq., *Conservation Law Foundation*

Speakers: Ronald T. Gerwatowski, Esq., *Senior Vice President for Regulation & Pricing at National Grid*

Jerry H. Elmer, Esq., *Rhode Island Staff Attorney, Conservation Law Foundation*

LEVEL – INTERMEDIATE

One of the major ways states seek to respond to climate change is to lower carbon emissions through laws promoting renewable energy. Rhode Island has one of the most comprehensive suites of renewable energy laws in the nation. This seminar provides an overview of the major renewable energy statutes in Rhode Island and how they work together in a coherent way. The workshop presenters have worked closely with members of the General Assembly and key stakeholders, including business and commercial developers of renewable energy projects, to craft these statutes.

3:15 – 4:30pm

18

Experts: Preparation and Cross Examination*

1.5 CREDITS

Moderator: Stephen J. MacGillivray, Esq., *Edwards Wildman Palmer, LLC*

Speakers: Mark A. Pogue, Esq., *Edwards Wildman Palmer, LLC*
Allan Booth, *Wimborne and Summertree, LLC*

LEVEL – INTERMEDIATE

Through a mock preparation and examination of a real estate appraiser, the presentation explores intermediate to advanced elements of handling experts, whether they are testifying for or against your client. Preparation for, and taking of, depositions is emphasized. During the demonstration, one lawyer prepares the witness for the deposition while the other is not present. Then, the other lawyer deposes the expert regarding the appraisal.

3:15 – 4:30pm

1.0 CREDIT + .5 ETHICS

LEVEL – BEGINNER

19

Cutting Edge Topics in Intellectual Property Law

Moderator: Stacey P. Nakasian, Esq., *Duffy & Sweeney, Ltd.*

Speakers: Charles T. Schmidt, Esq., *Duffy & Sweeney, Ltd.*

John L. Capone, Esq., *Duffy & Sweeney, Ltd.*

Byron L. McMasters, Esq., *Duffy & Sweeney, Ltd.*

Tyler T. Ray, Esq., *Duffy & Sweeney, Ltd.*

Current Intellectual Property (IP) issues affecting your clients and practice are the focus of this session. Topics of discussion include: recent legislation designed to combat the rise of patent troll litigation; issues relating to the availability of generic top level domain names; and infringement issues arising from 3D printing technology. The panel also addresses recent trends in trademark and branding law from #hashtags to Legos, and discusses ethical issues implicated in the negotiation of IP licenses.

3:15 – 4:30pm

1.5 CREDITS

LEVEL – INTERMEDIATE

20

Health Insurance Complaints: How to Advise Your Client in Disputes with a Health Insurance Company

Speakers: Herbert Olson, Esq., *Legal Counsel, RI Office of the Health Insurance Commissioner*

Monica A. Neronha, Esq., *Vice President, Legal Services
Deputy General Counsel, Blue Cross & Blue Shield of Rhode Island*

Genevieve M. Martin, Esq., *Assistant Attorney General,
RI Office of the Attorney General*

When a client has a complaint or other dispute with a health insurance company, lawyers need to know where to find the applicable state and federal legal standards to provide cost-effective advice. The Affordable Care Act has changed many of the legal requirements applicable to health insurance complaints. This program reviews: insurance company policies and procedures; utilization review standards; requirements applicable to medically necessity claims; and special rules for drug formularies. The speakers provide practical information on how to file a complaint with a health insurance company, where to go for additional consumer assistance, and when to refer unresolved issues to state and federal agencies.

3:15 – 4:30pm

1.5 CREDITS

LEVEL – ALL

21

Minimal Expense and Maximum Efficiency for a One Lawyer Office

Speaker: David G. Morowitz, Esq., *The Law Office of David Morowitz, Ltd.*

How do you run a one person office efficiently and for less cost? The presenter discusses the various options, systems, habits and technology available to help a low income complex litigation law office (or any office) run competently and economically. The discussion integrates how this applies to the various aspects of handling cases, from intake through trial.

4:45pm

Reception (*Sponsored by Our Exhibitors*) – *Convention Center, 1st Floor*
FREE TO MEETING ATTENDEES

6:00pm

Annual Dinner – *Convention Center, 1st Floor* THIS IS A TICKETED EVENT

Recognition of Officers

2014 Pro Bono Award Established in 1987, this award recognizes the outstanding efforts of those who provide equal access to justice to the poor through a Rhode Island Bar Association *pro bono* program. Recipients demonstrate dedication to the administration of justice, professionalism, compassion and commitment to public service.

Volunteer Lawyer Program

Lauren E. Jones, Esq.

Phillip C. Koutsogiane, Esq.

US Armed Forces Legal Services Project

Dianne L. Izzo, Esq.

Ralph P. Semonoff Award for Professionalism The award is named for past Rhode Island Bar Association President Ralph P. Semonoff, who championed the law as a high calling, justice as a defensible right, and public service as the beacon of a life's work. This award is presented to an attorney who has, by his or her ethical and personal conduct, commitment and activities exemplified, for fellow Rhode Island attorneys, the epitome of professionalism in the law, advancing the calling of professional practice through leadership, high standards of integrity, commitment and dedication.

William L. Bernstein, Esq.

Florence K. Murray Award The award is presented to a person who by example or otherwise has influenced women to pursue legal careers, opened doors for women attorneys, or advanced opportunities for women within the legal profession. The Award is named in honor of the first recipient, Hon. Florence K. Murray, who, in a distinguished 56 years at the bar, pioneered the causes of women in the law as the first woman attorney elected to the Rhode Island Senate, the first woman Justice on the Superior Court, the first woman Presiding Justice of the Superior Court, and the first woman on the Rhode Island Supreme Court.

Stacey A. Pires-Veroni, Esq.

Bruce W. McIntyre, Esq. Accepts the President's Gavel

SCHEDULE

FRIDAY JUNE 20, 2014

8:00am

Registration Begins and Exhibits Open – *Convention Center, Ballroom Foyer, 5th Floor*

OPEN ALL DAY – E-FILING DEMONSTRATIONS – *Throughout the Annual Meeting, you may drop in at an electronic-filing demonstration in room 554. The demonstration room is equipped with computers for hands-on learning and staffed by Judiciary employees and representatives from Tyler Technologies, Inc., answering your questions regarding the new e-filing system in Rhode Island courts.*

8:45 – 9:00am

President's Welcome – J. Robert Weisberger, Jr., Esq. – *Ballroom A, 5th Floor*

9:00 – 10:15am

Concurrent Workshops (*choose one from #22-27*)

Please Note: *Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment must be relevant to the panels.*

9:00 – 10:15am

22

Refusal Cases: Beyond the Basics*

1.5 CREDITS

Speakers: Robert H. Humphrey, Esq., *Law Offices of Robert H. Humphrey*
Amy K. Dodge, Esq., *Department of the Attorney General*

LEVEL – ALL

The presenters review the four key elements the State must prove to sustain a refusal charge. They move beyond the basic elements of a refusal case, and analyze past and recent decisions that prosecutors and defense attorneys need to know for the successful prosecution and defense of refusal cases.

9:00 – 10:15am

23

Estate Planning for Florida Snowbirds*

1.5 CREDITS

Speakers: David J. Correia, Esq., MPA, *Correia & Correia LLP*
Eric D. Correia, Esq., LL.M., *Correia & Correia LLP*

LEVELS – INTERMEDIATE,
ADVANCED

There are important distinctions between Rhode Island and Florida law in the areas of real estate, tax, creditor protection, Medicaid, and incapacity, as well as the planning techniques available to optimize those differences. The speakers discuss: 1) Establishing Florida Domicile; 2) Homestead Law Comparison; 3) state income and estate tax system comparison; 4) state income tax planning; 5) state estate tax planning; 6) Medicaid planning; 7) durable power of attorney comparison; and 8) ethical issues. The program is designed for general practitioners, real estate attorneys, tax attorneys, trusts and estates attorneys, elder law attorneys and any attorney with clients thinking about retiring to Florida.

9:00 – 10:15am

24

Environmental and Land Use Update

1.5 CREDITS

LEVEL – INTERMEDIATE

Speakers: Jennifer R. Cervenka, Esq., *Partridge Snow & Hahn LLP*
 Christopher A. D’Ovidio, Esq., *Merolla & Accetturo*
 Marisa A. Desautel, Esq., *Senior Legal Counsel at Rhode Island Department of Environmental Management*
 Brian A. Goldman, Esq., *Goldman Law Offices*

The workshop provides environmental practitioners, real estate attorneys and others involved in land use and environmental regulation with an update on Rhode Island case law developments, regulatory changes and new statutory law in the environmental/land use area.

9:00 – 10:15am

25

How to Save Time and Money with the Fully Digitized Office

1.0 CREDIT + .5 ETHICS

LEVELS – BEGINNER

Speakers: Jason P. Knight, Esq., *Law Office of Jason P. Knight*
 Michael M. Goldberg, Esq., *Law Office of Michael M. Goldberg*

Have you thought of fully digitizing your practice? At this informative session, the presenters discuss the methods and tools available to digitize and automate several common law office administrative functions. They focus on how to efficiently and ethically incorporate digital technologies into a lawyer’s practice enabling better access to information, better client communications, and more efficient (and less costly) office operations. The presentation specifically addresses basic equipment requirements of the electronic office, file creation and maintenance, securely accessing the firm’s files from remote locations, and ethical considerations relating to the creation and retention of client files in a digital world.

9:00 – 10:15am

26

Civil Case Law Update*

1.5 CREDITS

LEVEL – ALL

Moderator: Hon. Francis X. Flaherty, *Associate Justice, RI Supreme Court*

Speakers: Hon. Netti C. Vogel, *Associate Justice, RI Superior Court*
 Hon. Francis J. Darigan, Jr. (ret.), *Associate Justice, RI Superior Court*
 Lauren E. Jones, Esq., *Jones Associates*
 Thomas M. Dickinson, Esq., *Law Offices of Thomas M. Dickinson, Esq.*
 Jared A. Goldstein, Esq., *Professor, Roger Williams University School of Law*

The distinguished panelists provide an informative and insightful overview of recent noteworthy civil case-related decisions issued by the United States Supreme Court and the Rhode Island Supreme Court.

9:00 – 10:15am

27

Financial Bear Traps in Divorce Settlements*

1.0 CREDIT + .5 ETHICS

Moderator: Vincent A. DiMonte, Esq., *Johnston*LEVEL – INTERMEDIATE,
ADVANCED**Speakers:** Kristine S. Trocki, Esq., *KST Law*Kevin R. Worthley, *Certified Divorce Financial Analyst,
Equitable Divorce Solutions, LLC*

How can family law litigators and their experts, including a Certified Divorce Financial Analyst, work together to prepare comprehensive and long-standing settlements for asset division, valuations, alimony and other areas? At this session, the panelists analyze tax law implications, the extremes of valuations, and the obligation/requirement for full discovery. Studies and examples taken from actual cases are presented, as well as samples of the most widely used analysis software available today.

10:15 – 10:45am

Morning Break

Check your email, network with your fellow Bar members, or browse the large selection of books at our CLE table. Don't forget to drop by Room 554 for an interactive e-filing demonstration.

10:45am – 12:00pm

Concurrent Workshops (*choose one from #28-34*)

Please Note: Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment must be relevant to the panels.

10:45am – 12:00pm

28

Criminal Case Law Update*

1.5 CREDITS

Moderator: Hon. Francis X. Flaherty, *Associate Justice, RI Supreme Court*

LEVEL – ALL

Speakers: Hon. Netti C. Vogel, *Associate Justice, RI Superior Court*Hon. Francis J. Darigan, Jr. (ret.), *Associate Justice,
RI Superior Court*Lauren E. Jones, Esq., *Jones Associates*Thomas M. Dickinson, Esq., *Law Offices of Thomas M.
Dickinson, Esq.*Jared A. Goldstein, Esq., *Professor, Roger Williams School
of Law*

The distinguished panelists provide an informative and insightful overview of recent noteworthy criminal case-related decisions issued by the United States Supreme Court and the Rhode Island Supreme Court.

10:45am – 12:00pm

29

Current Developments in Estates, Trusts & Guardianships*

1.5 CREDITS

LEVEL – ALL

Speakers: Hon. Marvin H. Homonoff, *Probate Judge, (Town of Barrington)*
 Mark A. Sjoberg, Esq., *Secretary, Legislative Probate Commission*

The workshop reviews cases and legislation in the areas of estates, trusts, guardianships and probate court practice during the past year.

10:45am – 12:00pm

30

An Introduction to Electronic Filing in the Rhode Island Judiciary

1.5 CREDITS

LEVEL – ALL

(also offered Thursday 10:45-12:00 – #7)

Speakers: Gail M. Valuk, Esq., *Deputy State Court Administrator*
 Peter J. Panciocco, *Judicial Technology Director*
 Maureen H. Aveno, *Executive Director, Workers' Compensation Court*
 Patrick Slaughter, *Tyler Technologies*

The Rhode Island Judiciary contracted with Tyler Technologies, Inc. to develop a new case management system and electronic filing solution for State Courts. The seminar introduces attendees to the electronic filing system (EFS) which will be implemented in each court, in phases, through the year 2016. The workshop is presented by key Judiciary personnel and representatives from Tyler Technologies, providing an EFS demonstration and an overview of what practitioners can expect when the electronic filing system is implemented in each court.

In addition to the workshop, the Judiciary has e-filing demonstrations on laptop terminals where attorneys can learn more about the new electronic filing system, in Room 554.

10:45am – 12:00pm

31

Presenting Economic Damages

1.5 CREDITS

LEVEL – BEGINNER,
INTERMEDIATE

Moderator: Robert T. Karns, Esq., *Karns Law Group*

Speakers: Steven G. McCloy, MD, *Occupational Medicine, Certified Independent Medical Examiner, Associate Professor Medicine, Brown University*
 Albert J. Sabella, MS, QRC, LRC
 Cheryl Kaufman, RN, BScN, CLCP, CNLCP

Utilizing a sample case study of permanent injuries, mock medical records and educational and vocational background, a panel of experts demonstrates how to prove damages by using their findings. The panel includes: an occupational medical expert discussing the injuries, complications and impairment rating; a vocational expert discussing alternatives including vocational retraining, lost wages and future loss of earning capacity; and an expert certified life care planner discussing medical needs, complications and costs. The Affordable Care Act is also reviewed.

10:45am – 12:00pm

32

A Practical Discussion of Common Sense Crisis Management Practice

.5 CREDIT + 1.0 ETHICS

LEVEL – ALL

Speaker: Andrew C. Spacone, Esq., *Adler Pollock & Sheehan, P.C.*

A crisis management program is important for Rhode Island businesses irrespective of their size or purpose. Common sense tips are provided on how to develop and implement such a program at minimum cost, as well as major issues which can arise and how they should be handled, including dealing with the media and use of social media. The presentation addresses the qualities of a good crisis manager, the tension that can occur between legal considerations and crisis management, and how to resolve this conflict.

10:45am – 12:00pm

33

So Your Client's Kid is Going to College*

1.5 CREDITS

LEVEL – BEGINNER,
INTERMEDIATE**Speakers:** Steven M. Richard, Esq., *Partner, Nixon Peabody LLP*Jeffrey S. Brenner, Esq., *Partner, Nixon Peabody LLP*Wayne M. Kezirian, Esq., *General Counsel, Johnson & Wales University*

There are some common legal issues that arise in higher education settings. Experienced practitioners share practical suggestions and discuss areas of the law specific to higher education and those that impact the student experience. This includes required public disclosures, the Family Educational Rights and Privacy Act (FERPA), Title IX, Gender Equity Issues, Title IV, student financial aid, and student discipline processes.

10:45am – 12:00pm

34

Presentation Technology

1.5 CREDITS

LEVEL – ALL

Moderator: Timothy J. Conlon, Esq., *TJC ESQ***Speakers:** Hon. Karen Lynch-Bernard, *Associate Justice, RI Family Court*Richard E. Updegrove, Esq., *Updegrove & Gontarz, Ltd.*Angelina H. Landi, Esq., *TJC ESQ*

Trial presentations are doable on a budget, and you don't have to be in federal court or have a million dollar case to make an impression in your presentation. You don't even have to have a jury trial. Bench trials, settlement conferences and client meetings as well, can be aided by gathering folks around the big screen. The seminar is designed to cover the use of trial and presentation technology for the small firm practitioner with minimal tech skills. The panelists use a sample mediation presentation and a Family Court bench trial as examples.

12:00 – 1:30pm



Rhode Island
Supreme Court
Chief Justice
Paul A. Suttell

Awards Luncheon – *Convention Center, 1st floor* THIS IS A TICKETED EVENT

Address by Chief Justice Paul A. Suttell

Supreme Court of Rhode Island

Rhode Island Bar Journal Lauren E. Jones Writing Award

The *Rhode Island Bar Journal* Lauren E. Jones, Esq. Writing Award recognizes authors of published *Bar Journal* articles on the basis of effectiveness of presentation, legal significance, and accuracy and depth of research and information provided.

Honorary Members

Honoring our colleagues, in grateful recognition of 50 years of outstanding service to the profession and the Association.

- | | |
|----------------------------|-------------------------------|
| Peter A. Almonte, Esq. | Carl B. Lisa, Esq. |
| William F. Buckley, Esq. | John D. Lynch, Esq. |
| Hon. John J. Cappelli | Edward L. Maggiacomo, Esq. |
| John F. Cicilline, Esq. | Eugene J. McCaffrey Jr., Esq. |
| Albert A. DiFiore, Esq. | John J. Partridge, Esq. |
| Malcolm Farmer III, Esq. | Joseph W. Parys, Esq. |
| Bradford Gorham, Esq. | Judith H. Porteus, Esq. |
| Allen M. Kirshenbaum, Esq. | John P. Toscano, Jr., Esq. |
| Claude F. Lefebvre, Esq. | Thomas E. Wright, Esq. |
| Paul A. Lietar, Esq. | |

1:30 – 2:30pm

Concurrent Workshops (*choose one from #35-41*)

Please Note: *Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment must be relevant to the panels.*

1:30 – 2:30pm

35

How to Conduct a State District Court Trial*

- Moderator:** Lynda L. Laing, Esq., *Strauss, Factor, Laing & Lyons*
- Speakers:** Hon. Stephen M. Isherwood, *Associate Judge, RI District Court*
 Sonja L. Deyoe, Esq., *Law Offices of Sonja L. Deyoe*
 Jeffrey S. Michaelson, Esq., *Michaelson & Michaelson*

Learn the basics of conducting a civil trial in the state District Court. The panelists share their expertise and provide valuable tips for those new to trial practice, as well as those who want to know the best practices for courtroom conduct.

1.0 CREDIT
LEVELS – BEGINNER

1:30 – 2:30pm

1.0 CREDIT

LEVEL – INTERMEDIATE

36

An Employment Law Nightmare – Intersection of the ADA & the FMLA *

Speakers: Rachelle R. Green, Esq., *Duffy & Sweeney, Ltd.*
 Roger W. Hood, Esq., *Duffy & Sweeney, Ltd.*

One of the most difficult challenges for mid-size employers is how to balance requirements of the Americans with Disabilities Act, the Family Medical Leave Act, the Rhode Island Parental and Family Medical Leave Act and the Rhode Island Temporary Caregivers Insurance Law. The workshop dissects requirements of the acts, addressing employer obligations for leave, reasonable accommodation, job protection, employee termination and the recent Supreme Court standards for retaliation claims.

1:30 – 2:30pm

1.0 ETHICS

LEVEL – BEGINNER

INTERMEDIATE

37

Is the Ethical Paradigm Shifting?

Moderator: Wayne M. Kezirian, Esq., *General Counsel, Johnson & Wales University*

Speakers: R. Thomas Dunn, Esq., *Pierce Atwood LLP*
 Michael Goldberg, Esq., *Law Offices of Michael Goldberg*
 Brian Adae, Esq., *Rhode Island Disability Law Center*

This interactive program is presented by members of the Ethics and Professionalism Committee, and considers the applicability of several ethical rules in light of changing methods of communication and social behaviors. Examples of issues discussed are: Can a person who is not technologically savvy be a “reasonably prudent and competent lawyer”?; How, if at all, do modern electronic communication modalities affect the interpretation of Rule 1.6?; When is a third party communication “impliedly authorized”?; Is any form of electronic communication really confidential?; Is being listed as a super lawyer impermissible advertising?

1:30 – 2:30pm

1.0 CREDIT

LEVEL – ALL

38

From Soup to Nuts: An Overview of the Rhode Island Asbestos Litigation From the Lawyers in the Trenches

Moderator: Benjamin A. Pushner, Esq., *Rob Levine & Associates, Ltd.*
Speakers: David A. Goldman, Esq., *Governo Law Firm, LLC*
 John E. Deaton, Esq., *The Deaton Law Firm*

This workshop provides an introduction and overview for new and experienced civil litigators, as well as general practitioners, interested in learning about the process by which asbestos personal injury cases are brought and resolved in the Rhode Island legal system. Attendees learn how the litigation of asbestos cases differs from general civil personal injury litigation and receive practice pointers from both the plaintiff and defense perspectives.

1:30 – 2:30pm

1.0 CREDIT

LEVEL – INTERMEDIATE

39

Federal Rules of Civil Procedure – 2014 Proposed Amendments**Moderator:** Gordon P. Cleary, Esq., *Vetter & White***Speakers:** Robert D. Fine, Esq., *Chace Ruttenberg & Freedman, LLP*
Timothy M. Bliss, Esq., *Vetter & White*

The 2014 proposed amendments to the Federal Rules of Civil Procedure, which are well on their way to approval, include changes to the case management rules, discovery proportionality revisions, and evidence preservation and spoliation changes. The panelists discuss the implications of the proposed amendments.

1:30 – 2:30pm

1.0 CREDIT

LEVEL – BEGINNER

INTERMEDIATE

40

Special Immigrant Juvenile Status: Processes and Pitfalls in Probate, Family, and Immigration Court***Moderator:** Deborah S. Gonzalez, Esq., *Gonzalez Law Offices, Inc.***Speakers:** Hon. Robin E. Feder, *(personal capacity) Immigration Court, Executive Office for Immigration Review, DOJ*Hon. Paul T. Jones, *Magistrate, Rhode Island Family Court*Hon. John E. Martinelli, *Providence Probate Court*

On a daily basis, many undocumented and unaccompanied foreign national children are entering the United States. The panelists discuss the process of obtaining Special Immigrant Juvenile Status for these children and the steps and processes taken in Probate Court, Family Court and Immigration Court. The process and necessary documents and pitfalls to avoid in each court to reach a successful outcome are also reviewed.

1:30 – 2:30pm

1.0 CREDIT

LEVEL – ALL

41

Legal Rights of Nonhumans: What Will Happen if Fido has Nonhuman Rights to Personhood?**Moderator:** Katy A. Hynes, Esq., *Adler Pollock & Sheehan, P.C.***Speaker:** Elizabeth Stein, Esq., *Member of Nonhuman Rights Project, Law Office of Elizabeth Stein, New Hyde Park, New York*

There is an increasingly complex debate regarding what are legal rights of non-humans, which nonhumans should have legal rights, and the potential implications across practice areas, including civil and criminal law, family law, and estate planning, among others. Join in this revealing discussion about nonhuman rights and learn how it may affect your area of practice.



Elizabeth Stein

ELIZABETH STEIN is a member the Nonhuman Rights Project's legal working group. Her research focuses on the common law equality rights recognized by each state. Elizabeth runs a law practice in New Hyde Park, New York, representing and assisting individuals, rescue groups, and non-profit organizations with animal-related legal issues. Elizabeth serves as the Co-Chair of the Nassau Bar Association's Animal Law Committee and the New York City Bar Association's Legal Issues Pertaining to Animals Committee. She lectures and writes on various aspects of animal law.

2:30 – 2:45pm

Afternoon Break

Put your networking skills to work! Chat up your colleagues as you enjoy a range of delicious refreshments.

2:45 – 4:00pm

42

Cyber Security Risks and Issues for Lawyers

1.5 ETHICS

Presented by Roger Williams University Law School Professor Niki Kuckes, this session focuses on the risks and ethical issues for lawyers in the face of growing threats to the security of digital data. Technological tools, from e-mail to digital document storage, have become increasingly vital in law practice. At the same time, threats to the security of information stored and transmitted digitally are growing. For lawyers, these security risks take on added dimensions, as they may not only threaten the firm's own information, but also that of the firm's clients. This presentation addresses cyber-security issues and risks for lawyers, focusing on the lawyer's ethical duties, from the traditional duty of client confidentiality, to the duty to preserve client property, to the newly-recognized lawyer's duty to understand technology to be a competent practitioner. Best practices for lawyers to follow in the area of cyber-security, focusing on lawyers in private practice, are also reviewed.



Professor Niki Kuckes

PROFESSOR NIKI KUCKES is a legal ethics authority who has written on ethical issues for a wide variety of publications, both popular and academic, including the *Rhode Island Bar Journal*. Professor Kuckes served as Chair of the American Bar Association's Criminal Justice Standards Committee and authored a frequently-cited ethics report for the American Bar Association as part of its comprehensive Ethics 2000 review. Professor Kuckes teaches law at Roger Williams University School of Law in Bristol, Rhode Island, where her courses include professional responsibility and civil procedure. Prior to teaching, she practiced law as a litigator in Washington, D.C., serving as a partner in two law firms, Miller, Cassidy, Larroca & Lewin LLP; and Baker Botts LLP. She began her career clerking for a federal appeals court for then-Judge Antonin Scalia.

**>>> DON'T FORGET! The Annual Meeting Registration
deadline is Friday, June 13th. <<<**

FEATURED PRODUCT AND SERVICE PROVIDERS

The Rhode Island Bar Association appreciates the support and patronage of the following featured product and service providers, and encourages attendees to stop by their exhibit spaces to learn more.

ABA Retirement Funds

401(k) & other retirement funds
www.abaretirement.com

Amicus Creative Media, LLC

Custom website design and integrated site tools
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Aon Attorneys Advantage

Professional liability & insurance products
www.attorneys-advantage.com

Casemaker

Legal research library and tools
www.casemakerlegal.com

Catuogno Court Reporting & Stentel Transcription

Legal dictation, transcription & videography
www.catuogno.us

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Cloud-based legal practice management
www.clio.com

CMIT Solutions

Technological Support
www.cmitsolutions.com/centralri

Delta Dental

Dental benefits
www.deltadentalri.com

Equitable Divorce Solutions, LLC

Financial analysis for family law attorneys and their clients
www.equitable-divorce-solutions.com

Excel Tech, Inc.

IT managed service provider specializing in small to medium business market and e-filing assistance
www.exceltech.us

Herbert H. Landy Insurance Agency

Professional liability insurance
www.landy.com

Iron Mountain

Records management
www.ironmountain.com

Ken Bell & Associates

Computer consulting specializing in digital forensics and e-discovery
www.kbaforensics.com

Laserfiche/Automated Business Solutions, Inc.

Document management and workflow solutions
www.absne.com

Liberty Mutual

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MassMutual Southern New England

Disability income and long-term care insurance
www.sne.massmutual.com

Office of the Secretary of State Ralph Mollis

Business services, elections, compliance with Open Meetings law, and records and preservation
www.sos.ri.gov

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Professional support to legal and insurance industries
www.premierlegalsupport.com

Ransom Consulting, Inc.

Consulting engineers and scientists
www.ransomenv.com

RE/MAX Flagship

Real estate brokerage services with independent financial and appraisal consultants
www.marietheriault.com

Rhode Island Association for Justice

Association for trial lawyers
www.rijustice.org

Rhode Island Judiciary – Cyber Café

Computer and web access
www.courts.ri.gov

RILawyers.com

Listing service for RI Lawyers and law firms
www.rilawyers.com

Rhode Island Lawyers Weekly

Legal newspapers & publications
www.rilawyersweekly.com

Rhode Island Legal Services, Inc.

Pro bono legal services
www.rils.org

Roger Williams University School of Law

Updates on changes at the Law School
www.law.rwu.edu

SJ Corio Company

Auction, appraisal, and liquidation services
www.sjcorio.com

TechTroid

Practice management software, document management & automation, and email & calendar sharing and syncing
www.techtruid.com

Thomson Reuters

Integrated information solutions; law practice & firm management software and services
www.thomsonreuters.com

USI New England /Blue Cross Blue Shield

Group benefit consultants with wellness screenings
www.usi.biz

Washington Trust

Personal/business banking & wealth management
www.washtrust.com

Webster Bank

Personal business banking, lending & investment services
www.websterbank.com

INFORMATION AND FEES

General Information

The Annual Meeting registration deadline is Friday, June 13th. No registrations will be processed after that date. If you have not registered by June 13th, you must go to the walk-in registration desk. WALK-INS WILL NOT BE ON THE REGISTRATION LIST. Early registration is strongly encouraged. We cannot guarantee seats, meals, or conference materials to anyone registering after the deadline.

PAYMENT METHOD You may use cash, check, VISA, MasterCard, American Express, or Discover. Faxed registrations are accepted when paying with a credit card. The fax number is 401-421-2703. We cannot accept telephone registrations, bill you, nor issue invoices. Your cancelled check or charge receipt will serve as confirmation of your registration. **NOTE: Registrations cannot be processed without payment.**

COURSEBOOK HARD COPY \$30

Go Green. Your registration includes a complimentary copy of the course materials in pdf format. Registrants will receive a link to the course materials by email prior to the program and a flashdrive at registration. Registrants may also purchase a hard copy for a fee of \$30. Registrants who select the hard copy will receive their course book upon arrival at the event. No hard copies will be available for walk-in registration.

CHECK-IN Upon arrival, registrants and guests are required to check-in at the Bar Association desk on the 5th floor pre-function area of the Convention Center. The desk opens at 8:00 a.m. each day. Two-day registrants need only check-in on Thursday. To avoid standing in long lines, we suggest you arrive early.

CANCELLATION POLICY Refunds, less a \$20 processing fee, are given to registrants who cancel by 12:00 noon, June 13th. There are no refunds for those who do not attend. However, written materials are provided or a substitute, who would have paid the same tuition rate, may attend for someone unable to do so.

SPECIAL ACCOMMODATION Please indicate on the registration form if you require any special accommodations, or call the CLE office at 401-421-5740.

Registration Fees

CLE SESSIONS The daily registration fee includes admission to all CLE sessions, conference materials, continental breakfast, and coffee breaks. Registration is available for a full day only. Tickets are not available for individual seminars. The one-day fee is \$265 (\$225 for members admitted after 2009 and Associate Members). The two-day rate is \$365 (\$225 for lawyers admitted after 2009 and Associate Members.) If you would like both the USB and the printed materials, please add \$30 to your registration fee. \$25 will be added to the registration fee after June 13th.

Don't register at the door!

Save \$25 by registering before June 13th.

MEALS Tickets for the Thursday Luncheon and Friday Awards Luncheon are available at a separate cost of \$30 per person. Please order ahead. Meal tickets may not be available at the door. Tickets for the Bar Association Annual Dinner may also be purchased at a separate cost of \$60 per person.

MCLE Annual Meeting seminars are approved for CLE credit as noted. Seminars marked with an asterisk (*) are approved for re-certification to court appointment panels. (Courses taken for credit for specific panels must be relevant to the panel.)

PARKING Parking is available, for a fee, in the Convention Center garages. The entrances are on West Exchange Street. Parking is not included in the registration fee.

RHODE ISLAND BAR ASSOCIATION – 2014 ANNUAL MEETING REGISTRATION

Your registration is not processed until you mail or fax this form, with payment, to the Rhode Island Bar Association.

Complete one, typed or legibly printed, form for each registrant.

Please return completed form with full payment by mail or fax, no later than **June 13, 2014**.
DO NOT staple checks to form.

Mail: Rhode Island Bar Association, 115 Cedar Street, Providence, RI 02903
Fax: 401-421-2703 (fax payments by Visa, MasterCard, AMEX or Discover only)
 Payments must accompany registrations. No telephone registrations are accepted.

Online registration is not available for this event.

Name _____
(last) (first) (MI)

Bar ID# _____

Firm _____

Address _____

City _____ State _____ ZIP _____

Telephone _____

e-mail _____

Registration Fees

Registration on or before
 June 13, 2014 *after* June 13, 2014 (\$25 surcharge)

Members

2-day	\$365 _____	\$390 _____	
Thurs. only	\$265 _____	\$290 _____	
Fri. only	\$265 _____	\$290 _____	\$ _____

Members admitted after 1/1/09 and Associate Members

2-day	\$310 _____	\$335 _____	
Thurs. only	\$225 _____	\$250 _____	
Fri. only	\$225 _____	\$250 _____	\$ _____

Meals (for all registrants)

Thursday Lunch	_____ @ \$30	\$ _____
Thursday Annual Dinner & Entertainment	_____ @ \$60	\$ _____
Friday Awards Lunch	_____ @ \$30	\$ _____

PLEASE NOTE: This year, all seminar materials are on a USB flash-drive. The cost for this is included in your registration. While printed seminar materials are available, there is an added charge of \$30. If you do not choose to pay for the printed materials, you will receive a USB flash-drive.

Printed Seminar Materials _____ @ \$30 \$ _____
 Payment must accompany registration Total Enclosed \$ _____

Return form by June 13, 2014.

Note: Registrations cannot be processed without payment.

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Thursday, June 19, 2014 – Please check off the programs you plan to attend.
Only check one for each time slot.

- 9:20 – 10:20 am
 _____ **1** Keynote Address .5 credit + .5 ethics
- 10:45 am – 12:00 pm
 _____ **2** Prac. & Proc. Before the RI Parole Board* .5 credit + 1.0 ethics
 or _____ **3** Helping Clients Through a Pooled Trust* 1.5 credits
 or _____ **4** Recent Developments in Receivership* 1.5 credits
 or _____ **5** The Business Deal: Ethical Issues 1.5 ethics
 or _____ **6** The Fourth Amendment & the Automobile* 1.5 credits
 or _____ **7** Intro to Electronic Filing in the RI Judiciary 1.5 credits
 or _____ **8** Transgender Law Issues 1.5 credits
- 1:30 – 2:45 pm
 _____ **9** Communicating with Witnesses* 1.5 ethics
 or _____ **10** New Tools to Help with End of Care Planning* 1.5 credits
 or _____ **11** Municipal Financial Distress* 1.5 credits
 or _____ **12** Appellate Practice for Trial Lawyers* 1.5 credits
 or _____ **13** Splendid Settlement Brochures 1.5 credits
 or _____ **14** Getting Ready for Statewide Electronic Filing 1.5 credits
 or _____ **15** Effect of the ACA on Family Law* 1.5 credits
- 3:15 – 4:30 pm
 _____ **16** Depression: Support You and Your Practice 1.5 ethics
 or _____ **17** Renewable Energy in RI 1.5 credits
 or _____ **18** Experts, Preparation & Cross Examination* 1.5 credits
 or _____ **19** Intellectual Property Law 1.0 credit + .5 ethics
 or _____ **20** Health Insurance Complaints 1.5 credits
 or _____ **21** Efficiency for a One Lawyer Office 1.5 credits

Friday, June 20, 2014 – Please check off the programs you plan to attend.
Only check one for each time slot.

- 9:00 – 10:15 am
 _____ **22** Refusal Cases: Beyond the Basics* 1.5 credits
 or _____ **23** Estate Planning for Florida Snowbirds* 1.5 credits
 or _____ **24** Environmental and Land Use Update 1.5 credits
 or _____ **25** The Fully Digitized Office 1.0 credit + .5 ethics
 or _____ **26** Civil Case Law Update* 1.5 credits
 or _____ **27** Financial Bear Traps in Divorce Settlements* 1.0 credit + .5 ethics
- 10:45 am – 12:00 pm
 _____ **28** Criminal Case Law Update* 1.5 credits
 or _____ **29** Develop. in Estates, Trusts & Guardianships* 1.5 credits
 or _____ **30** Intro to Electronic Filing in the RI Judiciary 1.5 credits
 or _____ **31** Presenting Economic Damages 1.5 credits
 or _____ **32** Common Sense Crisis Management Practice .5 credit + 1.0 ethics
 or _____ **33** So Your Client's Kid is Going to College* 1.5 credits
 or _____ **34** Presentation Technology* 1.5 credits
- 1:30 – 2:30 pm
 _____ **35** State District Court Trial* 1.0 credit
 or _____ **36** Intersection of the ADA & the FMLA* 1.0 credit
 or _____ **37** Is the Ethical Paradigm Shifting? 1.0 ethics
 or _____ **38** RI Asbestos Litigation 1.0 credit
 or _____ **39** Federal Rules of Civil Procedure 1.0 credit
 or _____ **40** Hearings for Special Immigrant Juven. Status* 1.0 credit
 or _____ **41** Non-human Personhood 1.0 credit
- 2:45 – 4:00 pm
 _____ **42** Cyber-Security Risks & Issues 1.5 ethics

* Please Note: Courses marked with an asterisk (*) are approved for re-certification to court appointment panels. Courses taken for court appointment should be relevant to panels.

By registering for the Rhode Island Bar Association Annual Meeting, all attendees, instructors and exhibitors acknowledge they may be photographed during the meeting. They agree that such photographs are the sole property of the Rhode Island Bar Association, and they consent to the Bar Association's unrestricted use of their name, portrait, photograph and other likeness in any and all commercial, promotional and advertising material without any monetary compensation.

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