



Rhode Island Bar Association

2012 ANNUAL MEETING

June 14 & 15

Rhode Island Convention Center, Providence

ANNUAL DINNER: THURSDAY, JUNE 14

ANNUAL LUNCHEON: FRIDAY, JUNE 15

WELCOME



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2012 ANNUAL MEETING

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COVER PHOTOGRAPH
WATERPLACE PARK, PROVIDENCE
by Brian McDonald

2012 ANNUAL MEETING

Dear Colleagues,

Well, it's that time of year again. I look forward to seeing you at the Bar Association's 2012 Annual Meeting on Thursday and Friday, June 14th and 15th at the Rhode Island Convention Center. This year's hard-working Annual Meeting Committee, ably chaired by Melissa E. Darigan, has produced a diverse and enriching program for us. Supporting this effort, many Bar members and the Bar staff have worked with Melissa's committee to ensure a seamless presentation of workshops and social events. As a result, our Annual Meeting provides attendees with an outstanding opportunity to learn, to improve your practice, and to socialize with your colleagues, as well as fulfill your annual CLE requirements.

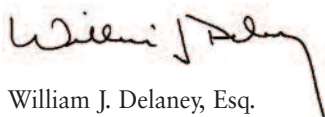
We have developed over 40 seminars scheduled over the two days of the Annual Meeting, comprising a wide range of workshops providing guidance in family, probate, criminal, trial and commercial law, a variety of ethics-related topics, and the always popular State and Federal Court updates. Programs include seminars on a wide range of legal topics and issues, enhanced by the participation of many distinguished and accomplished presenters. And, please visit our exhibitors and take advantage of the free wellness screenings in the exhibit area.

This year, distinguished United States Court of Appeals Judge Bruce M. Selya will provide opening remarks leading into our notable Annual Meeting Plenary Session speaker, Dr. Will Miller, who will provide a persuasive, constructive and achievable approach to coping with change in our professional and personal lives. Dr. Miller's presentation is brought to us by the Bar Association's Lawyers Helping Lawyers Committee.

On Thursday evening, the festivities begin with a reception, sponsored by our exhibitors, followed by dinner, our Annual Bar Awards (please see page 16 for a complete listing and description of this year's awards), and an address by our incoming Bar Association President, Michael R. McElroy. During our Annual Awards Luncheon on Friday, we are honoring our 50-year members for their exceptional community service and Bar member 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 2012 Annual Meeting Committee's attention to our diverse membership's interests and needs has 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 8th. The rendition of effective and reasonably-priced educational programming has been a hallmark and goal of my year as President of *your* Bar Association, and I encourage you to attend our Annual Meeting.

I thank you in advance for the honor of serving you throughout the past year and look forward to seeing you on June 14th and 15th!



William J. Delaney, 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 – 9:30am		<p align="center">Welcome by William J. Delaney, Esq., Bar President Remarks by Hon. Bruce M. Selya, Senior Circuit Judge, US District Court of Appeals <i>Convention Center, Ballroom, 5th Floor</i></p>						
9:30 – 10:20am		<p align="center">1 Keynote Address – Dr. Will Miller <i>1.0 ethics</i></p>						
10:20 – 10:45am	EXHIBITS OPEN	Morning Break						
10:45am – 12:00pm		<p align="center">2</p> Financial Questions During Discovery* <i>1.5 credits</i>	<p align="center">3</p> Prepare/ Survive Section 341 Meetings <i>1.5 credits</i>	<p align="center">4</p> Saving through Energy Tax Credits and Deductions <i>1.5 credits</i>	<p align="center">5</p> Future of the Legal Profession <i>1.5 credits</i>	<p align="center">6</p> Avoiding Malpractice in Special Needs Trusts* <i>1.5 ethics</i>	<p align="center">7</p> Guardianship & Adoption for DCYF Children* <i>1.0 credit + .5 ethics</i>	<p align="center">8</p> Tablet Computers for Attorneys <i>1.5 credits</i>
12:00 – 1:30pm		Members Luncheon – <i>Convention Center, Rotunda, 5th floor</i>						
12:00 – 1:30pm	EXHIBITS OPEN	Rhode Island Bar Foundation Annual Meeting – <i>Convention Center, 1st floor</i>						
1:30 – 2:45pm		<p align="center">9</p> Discovery and Motion Practice* <i>1.5 credits</i>	<p align="center">10</p> Animal Law Overview <i>1.5 credits</i>	<p align="center">11</p> RI Renewable Energy – Recent Development <i>1.5 credits</i>	<p align="center">12</p> Medicare Set Asides* <i>1.5 ethics</i>	<p align="center">13</p> Medicaid Facts and Elderly Clients* <i>1.5 credits</i>	<p align="center">14</p> Collaborative Law in Family Law Cases* <i>1.0 credit + .5 ethics</i>	<p align="center">15</p> Limited Scope Legal Representation <i>1.0 credit + .5 ethics</i>
2:45 – 3:15pm		Afternoon Break						
3:15 – 4:30pm	EXHIBITS OPEN	<p align="center">16</p> Defense/ Plaintiff Trial Tactics & Tips* <i>1.5 credits</i>	<p align="center">17</p> Automobile Lemon Law Litigation* <i>1.5 credits</i>	<p align="center">18</p> Effective & Ethical Legal Writing <i>1.5 ethics</i>	<p align="center">19</p> Federal District Court Questions <i>1.5 credits</i>	<p align="center">20</p> Negotiating Probate Appeals* <i>1.5 credits</i>	<p align="center">21</p> Negotiating QDROs – Practical Tips* <i>1.0 credit + .5 ethics</i>	<p align="center">22</p> Conflicts Representing Closely-Held Business* <i>1.5 ethics</i>
4:45pm		Reception – <i>Convention Center, 1st floor</i>						
6:00pm		Annual 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 William J. Delaney, Esq. <i>Convention Center, Ballroom A, 5th Floor</i>						
9:00 – 10:15am		23 Succession Planning* <i>1.5 credits</i>	24 Unintended Plea Consequences* <i>.5 credit + 1.0 ethics</i>	25 Expansion of Business Calendar* <i>1.5 credits</i>	26 Civil Liberties in Wartime <i>1.5 credits</i>	27 Estate Planning in Domestic Relations* <i>.5 credit + 1.0 ethics</i>	28 Cloud Computing for Lawyers <i>1.5 ethics</i>	29 Initial Client Interview Fundamentals* <i>1.5 ethics</i>
10:15 – 10:45am		Morning Break						
10:45am – 12:00pm		30 Civil Case Law Update* <i>1.5 credits</i>	31 Criminal Law – Business Side* <i>1.0 credit + .5 ethics</i>	32 Municipal Insolvency and Bankruptcy Part I* <i>1.5 credits</i>	33 Addressing Foreclosures through Loan Modifications* <i>1.5 credits</i>	34 Business Valuation in Litigation* <i>1.0 credit + .5 ethics</i>	35 Seizing Social Media Power – 20 Tips <i>1.0 credit + .5 ethics</i>	
12:00 – 1:30pm		Awards Luncheon – <i>Convention Center, 1st floor</i>						
1:30 – 2:30pm		36 Arbitration & Mediation in the Courts* <i>5 ethics + .5 credit</i>	37 Criminal Law Case Update* <i>1.0 credit</i>	38 Non-Bankruptcy Lawyers Need to Know <i>1.0 credit</i>	39 Immortality and the Law* <i>1.0 credit</i>	40 Same-Sex Civil Unions & Marriages* <i>1.0 credit</i>	41 Contract Negotiation <i>1.0 ethics</i>	
2:30 – 2:45pm	Afternoon Break							
2:45 – 4:00pm	42 Ethical Trouble in a Digital World* <i>1.5 ethics</i>	43 Refusal Cases – Beyond the Basics* <i>1.5 credits</i>	44 Municipal Insolvency and Bankruptcy Part II* <i>1.5 credits</i>	45 Civil Litigation Restitution* <i>1.5 credits</i>	46 DCYF Representation - Non-Parents* <i>1.5 credits</i>	47 Construction Contract Disputes <i>1.5 credits</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.

SCHEDULE

THURSDAY JUNE 14, 2012

8:00am

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

8:45 – 9:30am

**President's Welcome
Remarks**

William J. Delaney, Esq., President, *Ballroom A, 5th Floor*
Hon. Bruce M. Selya, *Senior Circuit Judge, US District Court
of Appeals – Ballroom A, 5th Floor*

In Memoriam:

Bruce W. McIntyre, Esq., *Secretary*

Nominating Committee Report:

Victoria M. Almeida, Esq., *Committee Chair*

Treasurer's Report:

J. Robert Weisberger, Jr., Esq., *Treasurer*

9:30 – 10:20am

1

KEYNOTE ADDRESS

1.0 ETHICS CREDIT

Coping With Change: What We Really Know

While most of us acknowledge experiencing change is stressful, there is little clarity about what this means. What kind of change are we talking about? And, in light of changes over which we have no control, how do we respond? Stressful changes are part of our lives as lawyers. Dr. Will Miller's entertaining and informative presentation clarifies what is known about coping with change and offers solutions rooted in excellent advice. Will's content is persuasive, constructive and achievable in our professional and personal life.



Dr. Will Miller

DR. WILL MILLER, is a psychotherapist, a Campus Minister, and a hospital and police chaplain. He has worked in Community Mental Health Centers as well as in drug and alcohol rehabilitation programs. Will also has a successful career as a stand-up comedian, headlining in clubs and theaters across the country, appearing with Aretha Franklin and Natalie Cole among other stars and on the *Today Show*, *Good Morning America*, *Larry King* and *The O'Reilly Factor*. Will also hosted the NBC Daytime program *The Other Side*. Dr. Will served as a spokesman for the National Institute for Mental Health. He is one of the country's foremost media and popular culture analysts, and was profiled on NBC's *Dateline* and in *People* magazine. Currently, Dr. Miller is a therapist and Campus Minister at Purdue University where he lectures on Organizational Leadership and Media Effects.

Promoting Bar member health and wellness, the Rhode Island Bar Association, Blue Cross/Blue Shield of Rhode Island, and USI New England, the Bar's employee medical & dental benefit programs partner, are offering **free blood pressure, cholesterol and glucose screenings** on the exhibit floor, between the USI New England exhibit space and the Rotunda, on **Thursday, June 14th**, from **10:00am - 4:00pm**, and **Friday, June 15th**, from **10:00am - 12:00pm**.

And, be sure to stop by and visit with our law practice-related product and service exhibitors throughout both days of the meeting.

SCHEDULE

THURSDAY JUNE 14, 2012

10:20 – 10:45am

Morning Break

Enjoy a range of refreshments, conversation and exhibitor products and services.

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

Asking the Right Financial Questions During Discovery*

Speakers: Dana M. Horton, Esq., *Robinson & Cole, LLP*

Jean Lehman, CPA, CFF, *Hagen, Streiff, Newton & Oshiro, Accountants, PC*

A discussion of discovery tools available to attorneys and advice on how best to use them to seek the right financial information from parties. This seminar includes an overview of helpful questions to ask, records to request and why.

1.5 CREDITS

LEVEL – BEGINNER

10:45am – 12:00pm

3

How to Prepare and Survive Section 341 Meetings

Moderator: Thomas P. Quinn, Esq., *McLaughlin & Quinn, LLC*

Speakers: William K. Harrington, Esq., *US Trustee, Region One*

Lisa A. Geremia, Esq., *Geremia & DeMarco, Ltd.*

One of the most important events facing a practitioner and a bankruptcy client is preparing and attending the Section 341 Meeting of Creditors. The panelists discuss the mechanics of these meetings and offer practice points for developing greater skill.

1.5 CREDITS

LEVEL – BEGINNER

10:45am – 12:00pm

4

Saving Billions Through Energy Tax Credits And Deductions – Take The Money When You Can

Moderator: Elliot Taubman, Esq., *Taubman Law Offices, Ltd.*

Speaker: David Morganelli, Esq., CPA, *Partridge Snow & Hahn, LLP*

An overview of how general and specific law changes affect energy investments by individuals, businesses and law firms. Two experienced accountant-lawyers review the substantial benefits, particularly for small to medium businesses, from renewable energy and more efficient energy including solar, wind, cogeneration and small hydro. Although Rhode Island has eliminated most of the specific benefits, the combination of federal and state law is a powerful incentive.

1.5 CREDITS

LEVEL – ALL

10:45am – 12:00pm

5

The Future of the Legal Profession

1.5 CREDITS

LEVEL – ALL

Speakers: Frederick S. Ury, Esq., *Ury & Moskow, Fairfield, CT & Past President, CT Bar Association and President, National Conference of Bar Presidents*
 Thomas W. Lyons, III, Esq., *Strauss, Factor, Laing & Lyons, & Past President, RI Bar Association*

Change in every industry is occurring faster than ever before. Law is no exception. Bar leaders, members, the judiciary, and law schools must work together as we deal with the challenges the legal profession is facing as a result of globalization, technology and the changing demographics among members of the bar. We need to plan our future and not just react to change.

10:45am – 12:00pm

6

How to Avoid Malpractice in Drafting Special-Needs Trusts*

1.5 CREDITS

LEVELS – INTERMEDIATE,
ADVANCED

Moderator: Lise Iwon, Esq., *Laurence & Iwon*
Speakers: Nancy Fisher Chudacoff, Esq., *Hardy Tabor & Chudacoff*
 Jacqueline G. Kelley, Esq., *Legal Services Administrator, RI Office of Health and Human Services*

Some attorneys are undertaking to prepare special-needs trusts without sufficient, up-to-date information about provisions that must be included to comply with federal and state requirements. This program provides information about federal and state requirements for first-party and third-party special-needs trusts, with emphasis on Social Security Administration rules applicable to special-needs trusts.

10:45am – 12:00pm

7

Guardianship and Adoption: Permanent Connections for DCYF Children*

1.0 CREDIT + .5 ETHICS

LEVEL – INTERMEDIATE

Moderator: Patricia M. Hessler, Esq., *MPA, Executive Counsel DCYF*
Speakers: Darlene Allen, MS, *Executive Director Adoption RI*
 Gary G. Pellicano, Esq., *Senior Legal Counsel, DCYF*
 Martha J. Kelly, Esq., *Senior Legal Counsel, DCYF*
 Thomas J. Corrigan, Jr., Esq., *Senior Legal Counsel, DCYF*

A practical guide to representing prospective guardians or adoptive parents of a DCYF child including a short discussion of the DCYF process, and the goal of permanency for children, the seminar highlights: the distinctions between an adoption and a guardianship; the differences in Family Court versus Probate Court guardianships; responsibilities of the petitioner and their attorney; and available attorney funding resources. Ethical considerations include open adoption agreements, failed adoptions, legal orphans and more.

SCHEDULE

THURSDAY JUNE 14, 2012

10:45am – 12:00pm

8

Tablet Computers for Attorneys – A new tool for efficient law practice and trial management

1.5 CREDITS

LEVEL – ALL

Speaker: Timothy J. Conlon, Esq., *TJC Esq.*

Using an iPad as an example, you will learn how to: track and update case status information on your caseload; track and update revisions to legal documents on the fly; or create a master email reader that synchs seamlessly to your office system. If you are a litigator, you can: catalogue, index and flag transcripts and other discovery documents; track witness information, case summaries and timelines; and create and control trial presentation. And, you can take your online case research system with you into the courtroom.

12:00 – 1:30pm

Rhode Island Bar Association Members' Luncheon

Convention Center, Rotunda, 5th floor

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 4:45 p.m., and our Annual Dinner begins at 6:00 p.m.

12:00 – 1:30pm

Rhode Island Bar Foundation 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 \$400,000 was granted this calendar year for the provision of legal services and the administration of justice in Rhode Island. Recipients of the Thomas F. Black, Jr., Memorial Law School Scholarship are introduced.

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

Nuts & Bolts of Written Discovery and Motion Practice*

1.5 CREDITS

Moderator: Benjamin A. Pushner, Esq., *Rob Levine & Associates, Ltd.*

LEVEL – BEGINNER

Speakers: Eric B. DiMario, Esq., *Kiernan, Plunkett & Redihan*
Lisa M. Nelson, Esq.

Beginning with an overview of written discovery procedures, including the service of interrogatories and requests for production, the use of forms, objections and answers to written discovery, and follow-up motions, the presenters discuss: how written discovery fits into overall case strategies; timing; pros and cons; zealous advocacy balanced with civility towards opposing counsel; using the process to your advantage; and practical considerations and some unwritten rules of written discovery and motion practice not found in the Rule Book.

1:30 – 2:45pm

10

Animal Law: An Overview on Human/Animal Interactions and the Effects on Your Area of Practice*

1.5 CREDITS

Moderator: Katy A. Hynes, Esq., *Adler Pollock & Sheehan, PC*

LEVEL – ALL

Speakers: Elizabeth R. Merritt, Esq., *Taylor, Duane, Barton & Gilman, LLP*
Sara E. Sweeney, Esq., *Taylor, Duane, Barton & Gilman, LLP*
Mark B. Morse, Esq., *Law Office of Mark B. Morse*
David T. Riedel, Esq., *Adler Pollock & Sheehan, PC*
Neville J. Bedford, Esq., *Providence*

Animals are often the primary focus in a variety of legal proceedings. This lively panel presents several scenarios where the paths of humans and pets intersect in the legal arena. They guide attendees through legal questions potentially encountered in estate planning, veterinary malpractice, domestic matters, custody issues, vicious dog hearings, and criminal proceedings.

1:30 – 2:45pm

1.5 CREDITS

LEVEL – INTERMEDIATE

11

Recent Developments in Renewable Energy in Rhode Island**Moderator:** Seth H. Handy, Esq., *Handy Law, LLC***Speakers:** Paul J. Roberti, Esq., *Commissioner, RI PUC*Kenneth Payne, Ph.D., *Former Administrator, RI Office of Energy Resources*

Among the 2011-2012 legislative highlights are the creation of the Renewable Energy Coordinating Board and the new Distributed Generation Long Term Contracts law. The panelists review recent legislation designed to enhance and facilitate energy efficiency and bring you up-to-date on the development of renewable energy in Rhode Island. Discussion includes significant amendments to net metering legislation and improved interconnection standards, as well as issues arising during the new law's administration and in RIPUC hearings.

1:30 – 2:45pm

1.5 ETHICS

LEVEL – INTERMEDIATE

12

Medicare Set Asides – Ethics, Issues and the Future***Moderator:** Michael S. Schwartz, Esq., *Mandell Schwartz & Boisclair, Ltd.***Speakers:** Hon. Robert M. Ferrieri, *Associate Judge, RI Workers' Compensation Court*Deborah G. Kohl, Esq., *Law Offices of Deborah G. Kohl, PC*Sylvius H. von Saucken, Esq., *Garretson Resolution Group*

The presenters discuss ethical considerations for Workers' Compensation attorneys when settling a claim that may require a Medicare Set Aside Trust.

1:30 – 2:45pm

1.5 CREDITS

LEVEL – BEGINNER

13

Thirteen Things Your Elderly Clients (or Family) Need To Know About Medicaid***Moderator:** Mark B. Heffner, Esq., *Heffner & Associates***Speakers:** Jacqueline G. Kelley, Esq., *Legal Services Administrator, RI Office of Health and Human Services*Thomas C. Conlon III, *Department of Human Services Administrator, Long-Term Care/Adult Services*

Most attorneys get questions from clients or relatives regarding paying for long term care. The 2006 implementation of DRA by Rhode Island and the Global Waiver in 2009 have made responding to these questions more involved than ever. This program reviews thirteen of the most frequently asked questions and most misunderstood areas regarding eligibility for long term care Medicaid benefits.

SCHEDULE

THURSDAY JUNE 14, 2012

1:30 – 2:45pm

1.0 CREDIT + .5 ETHICS

LEVEL – INTERMEDIATE

14

Collaborative Law: A Tool for Settlement of Family Law Cases*

Moderator: Jane F. Howlett, Esq., *Chairperson, Family Court Bench/Bar Committee*

Speakers: Lynda Robbins, Esq., *Past President, International Academy of Collaborative Professionals*

Marina Tolou-Shams, Ph.D., *Staff Psychologist, Rhode Island Hospital, Director, RI Family Court Mental Health Clinic*

This workshop explores practitioner benefits of collaborative law in a state, such as Massachusetts, for resolution of family law cases of divorce. A mental health team member presents the beneficial aspects of this process to the parties. Attorneys, experienced as collaborative law team members, present a detailed analysis of the collaborative law process.

1:30 – 2:45pm

1.0 CREDIT + .5 ETHICS

LEVEL – BEGINNER

15

Limited Scope Legal Representation – Will it come to Rhode Island?

Moderator: Richard M. Peirce, Esq., *Roberts, Carroll, Feldstein & Peirce, Inc.*

Speaker: Elizabeth J. Scheffee, Esq., *Givertz, Scheffee & Lavoie, PA, Portland, ME*

Limited Scope Legal Representation is intended to permit clients, who otherwise could not afford or would not choose to hire an attorney, to obtain critical legal representation for discrete and important tasks in the course of resolving disputes. The American Bar Association and several state commissions support this concept. It is embraced by chief justices in several states, some of which have amended their rules of professional responsibility to permit this. The program introduces the concept and describes how it is implemented around the country.



Elizabeth J. Scheffee, Esq.

ELIZABETH J. SCHEFFEE, ESQ. was the President of the Maine Bar Association and a member of the ABA Standing Committee on the Delivery of Legal Services. She has spoken frequently on this topic across the country including bar association conferences in all other New England states and at the New England Bar Association Annual Meeting.

2:45 – 3:15pm

Afternoon Break

Please stop by and learn how our exhibitors' products and services may help your practice.

SCHEDULE

THURSDAY JUNE 14, 2012

3:15 – 4:30pm

Concurrent Workshops (choose one from #16-22)

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

Defense & Plaintiff Trial Tactics & Tips for Trying a Jury Case in Rhode Island Superior Court*

1.5 CREDITS

LEVEL – ALL

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

This seminar covers a wide range of activities to help ensure a successful jury trial. These include, but are not limited to: preparing jury instructions and integrating the instruction's main points into *voir dire*; opening; direct, cross, and closing; the value of focusing the case either with individuals or formal mock juries; determining what exhibits to put into evidence, ensuring their identification and what needs to be done to get those exhibits into evidence including the use of Trial Director; your trial demeanor and more.

3:15 – 4:30pm

17

Litigating Lemon Law Automobile Claims: From Lemonade to Limoncello*

1.5 CREDITS

LEVEL – BEGINNER

Speakers: Christopher M. Lefebvre, Esq., *Pawtucket*

This seminar walks attendees through the entire process of litigating both a used and new vehicle lemon law case in Rhode Island. Presenters discuss other supplementary state and federal claims available to consumers including Truth in Lending Claims, Magnuson Moss Federal Claims, Breach of Warranty Claims, Revocation of Acceptance, Breach of Contract and Fraud Claims, and review how to make these cases successful fee-generating matters.

3:15 – 4:30pm

18

Effective (and Ethical) Legal Writing

1.5 ETHICS

LEVEL – ALL

Speakers: Thomas M. Dickinson, Esq., *Law Office of Thomas M. Dickinson*
Thomas R. Bender, Esq., *Appellate Division, RI Public Defender*

A lawyer's success as an advocate often turns upon the ability to communicate persuasively. This workshop focuses on written legal advocacy and client communication. The presenters discuss effective means to communicate in writing briefs, legal memoranda, and other pieces within ethical boundaries. Techniques for assuring clarity in written communication with clients and the Rules of Prof. Conduct 3.3(a)(2) and 1.4 are included in presentation.

3:15 – 4:30pm

19

Federal District Court Questions? – Ask the Judges

1.5 CREDITS

LEVEL – INTERMEDIATE

Moderator: Gordon P. Cleary, Esq., *Vetter & White*

Speakers: Hon. William E. Smith, *District Judge, US District Court*
 Hon. John J. McConnell, Jr., *District Judge, US District Court*
 George E. Lieberman, Esq., *Vetter & White*
 S. Michael Levin, Esq., *Winograd Shine Land & Finkle, PC*
 Timothy M. Bliss, Esq., *Vetter & White*

A question and answer session, including submitted written questions, with federal District Court judges, addressing important subjects touching on practice in the United States District Court for the District of Rhode Island. Topics are completely open to any interest, and attendees may direct questions to any subject arising in the process of a federal case, from jury selection, to best trial practices, to submission of proposed jury instructions.

3:15 – 4:30pm

20

Negotiating the Path of a Probate Appeal*

1.5 CREDITS

LEVEL – INTERMEDIATE

Speaker: Mark A. Sjoberg, Esq., *Sjoberg & Votta Law Offices*

This session provides a practical, step-by-step explanation of the statutory process for appealing a probate court order for *de novo* consideration in the Superior Court. The speaker guides you through statutory forms, points out other helpful forms, suggests ways to avoid traps for the unwary, and suggests practical solutions to problems you may encounter.

3:15 – 4:30pm

21

Negotiating Qualified Domestic Relations Orders – Practical Tips to Avoid Errors*

1.0 CREDIT + .5 ETHICS

LEVEL – BEGINNER

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

Speakers: Amy L. Strachman, Esq., *Providence*
 Matthew J. Elliott, Esq., *Professional QDRO Solutions, Inc.*
 Jeremy W. Howe, Esq., *Law Office of Jeremy Howe*

QDROs are subject to myriad laws, plan requirements, codes, statutes of limitations, and regulations which can lead to errors and omissions. Even when issues do not rise to malpractice levels, it is time consuming and expensive to fix a problem QDRO case after-the-fact. The panelists provide valuable guidance in getting QDROs right the first time.

3:15 – 4:30pm

22

Conflicts of Interest When Representing Closely Held Businesses and Their Owners*

1..5 ETHICS

LEVEL – INTERMEDIATE

Moderator: Preston W. Halperin, Esq., *Shechtman Halperin Savage, LLP***Speakers:** Hon. Michael Silverstein, *Associate Justice, RI Superior Court*David D. Curtin, Esq., *Chief Disciplinary Counsel, Office of Disciplinary Counsel*Peter S. Margulies, Esq., *Professor, Roger Williams University School of Law*Patrick A. Rogers, Esq., *Hinckley, Allen & Snyder, LLP*

The panel discusses potential conflicts of interest arising when representing closely held businesses and their owners, and reviews the applicable Rules of Professional Conduct. The panel focuses on whether an attorney, representing a closely held business organization, may simultaneously represent one of its constituents in a dispute with another constituent or in a business transaction with another constituent. The presenters review appropriate timing to file a motion to disqualify a shareholder's attorney when the attorney also serves as counsel to the closely held corporation.

4:45pm

Cocktail Reception *(Sponsored by Our Exhibitors) – Convention Center, 1st Floor*

6:00pm

Annual Dinner and Recognition of Officers – *Convention Center, 1st Floor*

2012 Pro Bono Awards Presented to attorneys whose outstanding efforts provided equal access to justice for the poor through the Bar's Volunteer Lawyer Program and the Pro Bono Program for the Elderly.

Volunteer Lawyer Program
Neville J. Bedford, Esq.

Elderly Pro Bono Program
Richard E. Kyte, Jr., Esq.

2012 Continuing Service Award Presented to an attorney whose steadfast commitment through the Bar's Pro Bono Programs provides justice for the poor.

Carolyn R. Barone, Esq.

2012 Award of Merit Presented in recognition of outstanding service to the profession and the Rhode Island Bar Association.

Susan M. Thurston, Esq.

2012 Florence K. Murray Award 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.

Karen G. DelPonte, Esq.

2012 Victoria M. Almeida Servant Leader Award Presented to an individual who demonstrates the principles and values of servant leadership and who is a beacon of light and hope to others by illuminating the path to greater justice for all.

Michael P. Jolin, Esq.

2012 Ralph P. Semonoff Award for Professionalism 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.

Peter V. Lacouture, Esq.

Michael R. McElroy, Esq. Accepts the President's Gavel

SCHEDULE

FRIDAY JUNE 15, 2012

8:00am

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

8:45 – 9:00am

President's Welcome by William J. Delaney, Esq., President – *Ballroom A, 5th Floor*

9:00 – 10:15am

Concurrent Workshops (*choose one from #23-29*)

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

23

Succession Planning Options for the Private Business Owner

Moderator: James H. Hahn, Esq., *Partridge Snow & Hahn, LLP*

Speakers: David T. Riedel, Esq., *Adler Pollock & Sheehan, PC*

Robert W. Edwards, Esq., *Steiker, Fischer, Edwards & Greenapple, PC*

Panelists discuss available options for a closely-held business owner in light of typical factual situations experienced by RI practitioners including: an inexperienced successor; concentration of wealth in the business; future income needs for owner and spouse; fairness for children not involved in the business; preservation of control; protection of key employees; and maintenance of the owner's legacy. Options discussed include: buy-sell agreements; life insurance uses; testamentary transfers and gifting options; and tax-favored use of ESOPs.

1.5 CREDITS

LEVELS – BEGINNER,
INTERMEDIATE

9:00 – 10:15am

24

Unintended Consequences of a Plea*

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

Speakers: Molly K. Cote, Esq., *Lynch, Lynch & Friel*

Patrick J. Sullivan, Esq., *Sullivan & Sullivan*

James M. Callaghan, Esq., *Department of the Attorney General*

Anticipating the US Supreme Court decisions in *Lafler v. Cooper* and *Missouri v. Frye 2012*, both involving cases where criminal defendants passed up favorable plea bargains based upon unprofessional work by their lawyers, the presenters' discussion of the RI criminal justice system is framed by the travel of a criminal case and the different direction it can take after commencing in the police department and District Court.

1.0 ETHICS + .5 CREDITS

LEVELS – BEGINNER,
INTERMEDIATE

9:00 – 10:15am

1.5 CREDITS

LEVEL – INTERMEDIATE

25

The Evolution, Expansion and Utilization of the Business Calendar*

Speakers: Hon. Michael A. Silverstein, *Associate Justice, Rhode Island Superior Court*
 Hon. Brian P. Stern, *Associate Justice Rhode Island Superior Court*
 Richard L. Gemma, Esq., *Wieck Deluca & Gemma, Inc.*
 William M. Dolan, III, Esq., *Brown & Rudnick, LLP*

The panelists discuss how the expansion of the business calendar beyond Providence to the remaining counties evolved with special focus on the types of cases for which the calendar is best suited. They review the rules and procedures specific to the business calendar and offer helpful practice pointers.

9:00 – 10:15am

1.5 CREDITS

LEVEL – ALL

26

Civil Liberties in War Time – Our Civil War as a Paradigm

Moderator: Hon. Frank Williams, *Chief Justice (ret.), RI Supreme Court*
Speakers: Peter S. Margulies, Esq., *Professor, Roger Williams University School of Law*
 Nicole J. Benjamin, Esq., *Adler, Pollock and Sheehan, PC*

A discussion on the impact war has upon civil liberties. Many issues during the Civil War more than 150 years ago are important issues today: the suspension of *habeus corpus*; the use of military tribunals; presidential power; and the government's intrusion into communication between American citizens at home and abroad. This presentation is a stimulating discussion of the delicate balance between civil liberties and national security.

9:00 – 10:15am

1.0 ETHICS + .5 CREDITS

LEVEL – INTERMEDIATE

27

Estate Planning Concerns When Handling Domestic Relations Matters*

Moderator: Rebecca E. Dupras, Esq., *East Providence*
Speakers: Denise S. Cassisi, Esq., *Lynch, Lynch & Friel*
 Lee P. Traibman, CLU, CLTC, *Northwestern Mutual Financial Network*

The speakers highlight estate planning concerns when handling a domestic relations matter, offering solutions to common problems including: ensuring clients create a new estate plan and change beneficiary designations appropriately and the ethical issues surrounding failure to do so; how to best utilize life insurance to meet alimony and child support obligations; ethical issues for not advising clients about the use of life insurance or trusts; tax implications of transferring assets as a result of a divorce; valuation issues arising when setting up a QDRO; and ways to overcome restrictions on qualified assets when part of the separation agreement.

SCHEDULE

FRIDAY JUNE 15, 2012

9:00 – 10:15am

1.5 ETHICS

LEVEL – ALL

28

Cloud Computing for Lawyers: Practical and Ethical Uses of the Cloud

Moderator: Peter V. Lacouture, Esq., *Robinson & Cole, LLP*

Speaker: Robert J. Ambrogi, Esq., *Legaline.com, Rockport, MA*

Over the last few years, legal professionals have begun using the cloud for everything from practice management to client relations to e-discovery. Even so, many lawyers remain uncertain about cloud computing, for both practical and ethical reasons. This seminar reviews key applications of cloud computing for the legal profession. Panelists discuss the ethics of cloud computing and what steps lawyers should take to protect themselves and their clients.



Robert J. Ambrogi, Esq.

ROBERT AMBROGI of Rockport, Massachusetts is a lawyer, journalist and media consultant. The former editor-in-chief of *The National Law Journal*, *Lawyers USA*, *Massachusetts Lawyers Weekly*, and *Rhode Island Lawyers Weekly*, he now concentrates in media and new media law. Bob is widely known for his writing and speaking about the Internet and legal technology. The author of two books about the Internet, he has written a nationally syndicated column since 1993, has written the award-winning Web Watch column in *Law Technology News* since 1999, and founded the first Internet newsletter for lawyers in 1994. He continues to track new and intriguing Web sites for legal professionals through his blog LawSites.

9:00 – 10:15am

1.5 ETHICS

LEVEL – BEGINNER

29

Fundamentals of the Initial Client Interview*

Moderator: Carolyn R. Barone, Esq., *Kirshenbaum Law Associates*

Speakers: Barbara L. Margolis, Esq., *Office of the Disciplinary Counsel*
Stephen M. Miller, Esq., *Providence*

Utilizing a combination of role-play and panel discussion, the panelists illustrate vital aspects of your initial meeting with a potential client. Related ethical and civility issues are discussed, and the panelists demonstrate effective interviewing techniques to assist you in deciding whether or not you want the client to engage your services. The audience is invited to join in this lively, informative, and practical program.

10:15 – 10:45am

Morning Break

Enjoy a range of refreshments, conversation, and exhibitor products and services.

10:45am – 12:00pm

Concurrent Workshops (choose one from #30-35)

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

30

Case Law Update: Civil Law*

1.5 CREDITS

LEVEL – ALL

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

Speakers: Hon. Francis J. Darigan, *Associate Justice, (ret.), RI Superior Court*

Hon. Netti C. Vogel, *Associate Justice, RI Superior Court*

Hon. Judith Colenback Savage, *Associate Justice, RI Superior Court*

Hon. Joseph R. Weisberger, *Chief Justice (ret.), RI Supreme Court*

Lauren E. Jones, Esq., *Jones Associates*

Thomas M. Dickinson, Esq., *Law Offices of Thomas Dickinson*

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.

10:45am – 12:00pm

31

The Business Side of the Criminal Law Practice*

1.0 CREDIT + .5 ETHICS

LEVEL – ALL

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

Speakers: Anthony J. Mangiarelli, CPA, MST, *Kahn Litwin, Renza & Co., Ltd.*

William J. Murphy, Esq., *Murphy & Fay, LLP*

What are the secrets to setting up and maintaining a successful criminal law practice? The panelists discuss: criminal defense fees; terminating representation under the Rhode Island Rules of Professional Conduct 1.16 (b) 5; contingent fees; division of fees; and share some helpful tips on setting up your own criminal defense practice.

10:45am – 12:00pm

32

Municipal Insolvency and Bankruptcy Part I: Introduction, Overview and Key Issues*

1.5 CREDITS

LEVEL – ALL

Moderators: Theodore Orson, Esq., *Orson & Brusini, Ltd.*Matthew J. McGowan, Esq., *Salter McGowan Sylvia & Leonard***Speakers:** Martha E.M. Kopacz, *Brant Point Advisors, LLC*Stephen Lisauskas, *V.P. WasteZero*Christine M. Curley, Esq., *Law Offices of Christine M. Curley*Joseph Avanzato, Esq., *Adler Pollock & Sheehan, P.C.*

This session provides an overview of Chapter 9, its benefits and drawbacks. The speakers highlight key differences between Chapters 9 and 11, and delve into getting a plan of debt adjustment confirmed while dealing with both special revenue and general obligation bond matters. By comparing Central Falls, Springfield, Massachusetts and Nassau County, New York, they address alternatives to Chapter 9 in municipal debt restructurings.

10:45am – 12:00pm

33

Addressing Foreclosures through Loan Modifications and other Means*

1.5 CREDITS

LEVEL – ALL

Moderator: Charles A. Lovell, Esq., *Partridge Snow & Hahn, LLP***Speakers:** Hon. Sheldon Whitehouse, *United States Senate*Hon. David Cicilline, *United States House of Representatives*John Rao, Esq., *National Consumer Law Center, Inc.*John B. Ennis, Esq., *Law Office of John B. Ennis*Richard B. Abilheira, Esq., *State Counsel, Chicago Title Insurance Company*

Today, many people face the possibility of losing their homes to foreclosure. Fortunately, there are alternatives aimed at addressing this issue. The distinguished panel of speakers provide valuable and unique perspectives on topics including, but not limited to: the Rhode Island Bankruptcy Court's loan modification program (LMP); the appointment of the United States District Court's Special Master to oversee foreclosure cases; title issues unique to loan modifications; and proposed national legislation, The Limiting Investor and Homeowner Loss in Foreclosure Act, aimed at providing relief from foreclosure. Attendees receive valuable, unique perspectives on state and national actions aimed at providing help for homeowners.

10:45am – 12:00pm

34

Overseeing and Managing Business Valuations in Litigation

1.0 CREDIT + .5 ETHICS

LEVEL – INTERMEDIATE

Moderator: Timothy J. Conlon, Esq., *TJC Esq.***Speakers:** John E. Barrett, Jr., CPA, ABV, CBA, MST, *Barrett Valuation Services, Inc.*Peri Ann Aptaker, Esq., CPA/PFS, CFP,[®] CBA, *Kahn, Litwin, Renza & Co.*

How do you oversee and manage business valuations in litigation? When should you bring the expert in? What do you need to disclose to and obtain for the expert? How do you go about getting this information? The panelists discuss circumstances in which you may need to have a business valuation prepared, and provide tips for the practitioner on reviewing valuation reports and presenting or attacking valuation testimony and applicable professional standards regarding valuations, and various valuation methodologies.

10:45am – 12:00pm

35

Twenty Tips for Seizing the Power of Social Media

.5 CREDIT + 1.0 ETHICS

LEVEL – ALL

Moderator: Peter V. Lacouture, Esq., *Robinson & Cole, LLP***Speaker:** Robert J. Ambrogi, Esq., *Legaline.com, Rockport, MA*

Social media are fueling the most significant changes in legal marketing since the advent of the Internet. Blogs, Facebook, LinkedIn, Twitter, YouTube and other tools empower lawyers to reach ever-broader audiences of potential clients, more effectively than ever before and at little or no cost. At the same time, these tools are radically changing how consumers shop for and buy legal services. This program provides advanced tips for lawyers on how you can practically and ethically use social media tools to build your practice and enhance your reputation.

12:00 – 1:30pm

Awards Luncheon – *Convention Center, 1st floor*

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 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 achieving fifty years of legal service.

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David M. Merchant, Esq.

Hon. John E. Orton, III

A. David Tammelleo, Esq.

Irving J. Waldman, Esq.

1:30 – 2:30pm

Concurrent Workshops (choose one from #36-41)

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

36

Arbitration and Mediation in the Court System*

.5 CREDIT + .5 ETHICS

Speakers: John. P. Capaldi, Esq., *Director, Court-Annexed Arbitration Program, RI Superior Court*

Thomas C. Plunkett, Esq., *Kiernan, Plunkett & Redihan*

LEVEL – BEGINNER

Superior Court Arbitration and Mediation programs are efficient and inexpensive dispute resolution tools for all attorneys. The program director and an experienced attorney describe the processes and their potential uses and benefits. The program covers Superior Court arbitration and the year-end mediation program including a discussion of the Federal Court Alternate Dispute Resolution requirements.

1:30 – 2:30pm

37

Criminal Case Law Update*

1.0 ETHICS

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

Speakers: Hon. Francis J. Darigan, *Associate Justice, (ret.), RI Superior Court*

Hon. Netti C. Vogel, *Associate Justice, RI Superior Court*

Hon. Judith Colenback Savage, *Associate Justice, RI Superior Court*

Hon. Joseph R. Weisberger, *Chief Justice (ret.), RI Supreme Court*

Lauren E. Jones, Esq., *Jones Associates*

Thomas M. Dickinson, Esq., *Law Offices of Thomas Dickinson*

LEVEL – ALL

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.

1:30 – 2:30pm

38

Top Ten General Things that Every Non-Bankruptcy Practitioner Needs to Know

1.0 CREDIT

Speaker: Christopher M. Lefebvre, Esq., *Pawtucket*

LEVEL – INTERMEDIATE

From Family Court litigators to general practitioners, notices of Bankruptcy filings are common place. This seminar provides ten simple, memorable tips, so you know exactly what to do and not do when the dreaded bankruptcy notice arrives in the mail.

1:30 – 2:30pm

1.0 CREDIT

LEVEL – ALL

39

Immortality and the Law - the Rising Power of the American Dead***Moderator:** Kristin N. Matsko, Esq., *Partridge Snow & Hahn, LLP***Speaker:** Ray D. Madoff, J.D. LLM, *Boston College School of Law*

While American law provides virtually no protections for the interests we hold most dear – our bodies and our reputations – when it comes to property interests, the American dead have greater control than anywhere else in the world. From grave robbery to Elvis impersonators, the law of the dead has a direct impact on how we live. The rising power of the American dead enables the deceased to exert control over their wealth forever through grandiose schemes like dynasty trusts and perpetual private charitable foundations and to control their creative works and identities well into the unforeseeable future.

1:30 – 2:30pm

1.0 CREDIT

LEVEL – BEGINNER

40

Civil Unions, Marriage, and Relationship Recognition for Same-Sex Couples***Moderator:** Susan T. Perkins, Esq., *Newport & LGBT Issues Committee Co-Chair***Speakers:** Karen Loewy, Esq., *Senior Staff Attorney,
Gay & Lesbian Advocates & Defenders*Jacqueline G. Kelley, Esq., *Legal Administrator,
RI Office of Health & Human Services*Gerald Cayer, CPA, *Cayer Caccia, LLP*

Focusing on the recently enacted civil union law, and an analysis of its implications for same-sex couples in Rhode Island, panelists offer advice in navigating the inconsistent respect provided under Rhode Island law to same sex couples with out-of-state marriage licenses and securing maximum protections available. The program offers information on the current practices of various state agencies in handling civil unions, as well as practical advice on tax issues affecting civil union couples.

1:30 – 2:30pm

41

Doing the Deal – Ethical Contract Negotiations

1.0 ETHICS

Speakers: Miriam A. Ross, Esq., *Law Offices of Miriam A. Ross, Esq.*
 Joshua W. Glass, Esq., *LaPlante Sowa Goldman*

LEVEL – ALL

Attorneys representing business clients are bound by the Rhode Island Rules of Professional Conduct. In navigating the tricky paths of negotiation, what information is an attorney bound to keep confidential? Is counsel under a duty to correct opposing counsel's misunderstanding or, instead, a duty to refrain from correcting the mistake? Are there limits to what an advocate can or cannot say during the course of a negotiation? And, when does "puffery" cross the ethical line? The panel explores the tension between the attorney's duty to achieve the client's goals and his/her duty of honesty in negotiations with an adverse or non-client party using real examples and cases.

2:30 – 2:45pm

Afternoon Break

Enjoy a range of refreshments, conversation and exhibitor products and services.

2:45 – 4:00pm

Concurrent Workshops (*choose one from #42-47*)

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.*

2:45 – 4:00pm

42

Staying Out of Ethical Trouble in a Digital World*

1.5 ETHICS

Moderator: Howard A. Merten, Jr., Esq., *Partridge Snow & Hahn, LLP*

LEVEL – ALL

Speaker: Paul M. Kessimian, Esq., *Partridge Snow & Hahn, LLP*

The rise of e-discovery has created ethical issues and potential conflicts, and attorneys must deal with new challenges concerning communication with in-house counsel and supervision of junior attorneys and vendors. Recent amendments to the Rules of Civil Procedure emphasize the need for cooperation and transparency between parties, creating new ethical gray areas. Evolving case law is clear that failure to exercise sound ethical judgment may result in issues including default, substantial monetary sanctions, lost fees and disciplinary action. This presentation examines the legal ethics issues commonly arising during the e-discovery process and strategies for dealing with them.

2:45 – 4:00pm

1.5 CREDITS

LEVEL – ALL

43

Refusal Cases: Beyond the Basics*

Speakers: Robert H. Humphrey, Esq., *Law Offices of Robert H. Humphrey*
Charles C. Calenda, Esq., *Department of the Attorney General*

The speakers review the four key elements the State must prove to sustain a refusal charge. Using this essential information they analyze past and recent key decisions both prosecutors and defense attorneys need to recognize for successful prosecution and defense of refusal cases.

2:45 – 4:00pm

1.5 CREDITS

LEVEL – ALL

44

Municipal Insolvency and Bankruptcy Part II – Impact on Collective Bargaining Agreements and Pensions*

Moderators: Theodore Orson, Esq., *Orson & Brusini, Ltd.*
Matthew J. McGowan, Esq., *Salter McGowan Sylvia & Leonard*

Speakers: Carley B. Iafrate, Esq., *Providence*
Joseph D. Whelan, Esq., *Whelan & Siket, LLP*

This session focuses on labor issues, including the effect of a Chapter 9 filing on collective bargaining agreements, issues surrounding the rejection of such agreements, and pension obligations and state law provisions affecting pensioners.

2:45 – 4:00pm

1.5 CREDITS

LEVEL – ALL

45

Recognizing Restitutionary Causes of Action & Remedies in Civil Litigation*

Speaker: Colleen P. Murphy, Esq., *Professor, Roger Williams University School of Law*

This workshop provides an overview of the substantive law of unjust enrichment and of restitutionary remedies, enabling lawyers to recognize when they have a potential claim in unjust enrichment (as opposed to contract or tort) and when restitutionary remedies may be more advantageous to plaintiffs than compensatory remedies. The workshop draws from the 2011 *American Law Institute's Restatement (Third) of Restitution and Unjust Enrichment*.

2:45 – 4:00pm

1.5 CREDITS

LEVEL – INTERMEDIATE

46

Representing Parties Other Than Parents in DCYF Cases***Moderator:** James F. Queenan, Esq., *Chief of Parental Right Unit, RI Public Defender***Speakers:** Nicholas L. Colangelo, Esq., *Law Offices of Nicholas L. Colangelo*
Martha J. Kelly, Esq., *Senior Legal Counsel, DCYF*
Timothy J. Conlon, Esq., *TJC Esq.*

While parents are entitled to representation in Family Court DCYF cases, often other parties have an interest in the proceedings. This workshop focuses on the rights and representation of these other parties. Relatives, such as grandparents, siblings, step-parents and others, often have significant interests. Foster parents and others often have a desire to be heard by the Court. Issues such as standing, strategy, and timing of motions are addressed.

2:45 – 4:00pm

1.5 CREDITS

LEVEL – BEGINNER

47

Construction Contracting: Best Practices and Pitfalls During Difficult Economic Times**Moderator:** Jeffrey H. Gladstone, Esq., *Partridge Snow & Hahn, LLP***Speakers:** Drew W. Colby, Esq., *Partridge Snow & Hahn, LLP*
Kerri E. Burke, Esq. *Partridge Snow & Hahn, LLP*

During difficult economic times, construction owners, contractors and architects have unique risk factors requiring special attention when drafting and negotiating contract documents to minimize risk and maximize control over the prosecution of the work and the total cost of the project. A good construction contract is indispensable regardless of the size or complexity of the job. This presentation reviews common pitfalls involved in construction contracting, focuses on timely issues impacting the construction industry today, and provides suggestions to properly address these risk factors.

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.

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Legal information web portal featuring marketing, social media, website development and directory listings
www.findlaw.com

Fuss & O'Neill EnviroScience LLC

Multi-disciplined industrial hygiene & environmental engineering firm
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Online & print legal news & business information
www.lexisnexis.com

Minuteman Press

Printing/high-speed copying/finishing services
www.providence.minutemanpress.com

Power Showz, Inc.

Courtroom multimedia/trial presentation products & services
www.powershowz.com

Ransom Consulting, Inc.

Investigations & site assessments
www.ransomenv.com

Rhode Island Association for Justice

Association for trial lawyers
www.rijustice.org

Rhode Island Judiciary – Cyber Café

Court website features for attorneys
www.courts.ri.gov

Rhode Island Lawyers Weekly

Legal newspapers & publications
www.rilawyersweekly.com

Rhode Island Legal Services, Inc.

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Employee medical & dental benefit programs
www.usi.biz

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www.washtrust.com

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Personal business banking, lending & investment services
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West/Thomsen Reuters

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www.thomsenreuters.com

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Full-service business communications
www.whalebacksystems.com

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INFORMATION AND FEES

General Information

The Annual Meeting registration deadline is Friday, June 8th. No registrations will be processed after that date. If you have not registered by **June 8th**, 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.**

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 8th. 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 (TTY 401-421-1666).

INFORMATION AND FEES

CLE SESSIONS

Registration Fees

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 \$225 (\$190 for members admitted after 2007 and Associate Members). The two-day rate is \$325 (\$270 for lawyers admitted after 2007 and Associate Members.) \$25 will be added to the registration fee after June 8th.

Don't register at the door! Save \$25 by registering *before* June 8th.

MEALS

Tickets for the Thursday Luncheon and Friday Awards Luncheon are available at a separate cost of \$25 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 \$50 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.

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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YOUR 2012 ANNUAL MEETING SCHEDULE AND REGISTRATION

RHODE ISLAND BAR ASSOCIATION – 2012 ANNUAL MEETING REGISTRATION FORM

This is an interactive form - You MUST fill in the fields before you print it out, sign and mail in.

Your registration will not be 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 8, 2012.

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.

Name _____
(last) (first) (MI)

Bar ID# _____

e-mail _____

Firm _____

Address _____

City _____ State _____ ZIP _____

Telephone _____

Registration Fees

Registration on or before

June 8, 2012

after June 8, 2012 (\$25 added)

Members

2-day	\$325 _____	\$350 _____	
Thurs. only	\$225 _____	\$250 _____	
Fri. only	\$225 _____	\$250 _____	\$ _____

Members admitted after 1/1/07 and Associate Members

2-day	\$270 _____	\$295 _____	
Thurs. only	\$190 _____	\$215 _____	
Fri. only	\$190 _____	\$215 _____	\$ _____

Meals (for all registrants)

Thursday Lunch	_____ @ \$25	\$ _____
Thursday Annual Dinner & Entertainment	_____ @ \$50	\$ _____
Friday Awards Lunch	_____ @ \$25	\$ _____

Payment must accompany registration Total Enclosed \$ _____

Please return form by June 8, 2012.

Note: Registrations cannot be processed without payment.

Choose one:

_____ Enclosed is my check payable to the Rhode Island Bar Association

_____ VISA _____ MasterCard _____ AMEX _____ DISCOVER

Card # _____ Exp. date _____

Signature _____

FOR OFFICE USE

Check No. _____ Amount \$ _____ Date received _____

Thursday, June 14, 2012 – Please check off the programs you plan to attend *Check one for each time slot.*

- 9:20 – 10:20 am
 _____ **1** Keynote: Coping With Stress 1.0 ethics
- 10:45 am – 12:00 pm
 _____ **2** Financial Questions During Discovery* 1.5 credits
 or _____ **3** Prepare/Survive Section 341 Meetings 1.5 credits
 or _____ **4** Saving thru Energy Tax Credits/Deductions 1.5 credits
 or _____ **5** Future of the Legal Profession 1.5 credits
 or _____ **6** Avoiding Malpractice in Special Needs Trusts* 1.5 ethics
 or _____ **7** Guardianship & Adoption for DCYF Children* 1.0 ethics + .5 credit
 or _____ **8** Tablet Computers for Attorneys 1.5 credits
- 1:30 – 2:45 pm
 _____ **9** Discovery and Motion Practice* 1.5 credits
 or _____ **10** Animal Law Overview 1.5 credits
 or _____ **11** RI Renewable Energy - Recent Developments 1.5 credits
 or _____ **12** Medicare Set Asides* 1.5 ethics
 or _____ **13** Medicaid Facts and Elderly Clients* 1.5 credits
 or _____ **14** Collaborative Law in Family Law Cases* 1.0 credit + .5 ethics
 or _____ **15** Limited Scope Legal Representation 1.0 credit + .5 ethics
- 3:15 – 4:30 pm
 _____ **16** Defense/Plaintiff Trial Tactics & Tips* 1.5 credits
 or _____ **17** Automobile Lemon Law Litigation* 1.5 credits
 or _____ **18** Effective & Ethical Legal Writing 1.5 ethics
 or _____ **19** Federal District Court Questions 1.5 credits
 or _____ **20** Negotiating Probate Appeals* 1.5 credits
 or _____ **21** Negotiating QDROs – Practical Tips* 1.0 credit + .5 ethics
 or _____ **22** Conflicts Representing Closely-Held Business* 1.5 ethics

Friday, June 15, 2012 – Please check off the programs you plan to attend *Only check one for each time slot.*

- 9:00 – 10:15 am
 _____ **23** Succession Planning* 1.5 credits
 or _____ **24** Unintended Plea Consequences* .5 credit + 1.0 ethics
 or _____ **25** Expansion of Business Calendar* 1.5 credits
 or _____ **26** Civil Liberties in Wartime 1.5 credits
 or _____ **27** Estate Planning in Domestic Relations* .5 credit + 1.0 ethics
 or _____ **28** Cloud Computing for Lawyers 1.5 ethics
 or _____ **29** Initial Client Interview Fundamentals* 1.5 ethics
- 10:45 am – 12:00 pm
 _____ **30** Civil Case Law Update* 1.5 credits
 or _____ **31** Criminal Law – Business Side* 1.0 credit + .5 ethics
 or _____ **32** Municipal Insolvency & Bankruptcy Part 1* 1.5 credits
 or _____ **33** Addressing Foreclosures/Loan Modifications* 1.5 credits
 or _____ **34** Business Valuation in Litigation* 1.0 credit + .5 ethics
 or _____ **35** Seizing Social Media Power – 20 Tips 1.0 credit + .5 ethics
- 1:30 – 2:30 pm
 _____ **36** Arbitration & Mediation in the Courts* .5 credit + .5 ethics
 or _____ **37** Criminal Law Case Update* 1.0 ethics
 or _____ **38** Non-Bankruptcy Lawyers Need to Know 1.0 credit
 or _____ **39** Immortality and the Law* 1.0 credit
 or _____ **40** Same-Sex Civil Unions & Marriages* 1.0 credit
 or _____ **41** Contract Negotiation 1.0 ethics
- 2:45 – 4:00 pm
 _____ **42** Ethical Trouble in a Digital World* 1.5 ethics
 or _____ **43** Refusal Cases – Beyond the Basics* 1.5 credits
 or _____ **44** Municipal Insolvency & Bankruptcy Part 2* 1.5 credits
 or _____ **45** Civil Litigation Restitution* 1.5 ethics
 or _____ **46** DCYF Representation - Non-Parents* 1.5 credits
 or _____ **47** Construction Contract Disputes 1.5 credits

* 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.