

# Rhode Island Bar Journal

Rhode Island Bar Association Volume 62, Number 1 July/August 2013

Rhode Island Bar  
Association  
Officers 2013-2014

RI Bar Association  
Annual Report and  
Committee Reports

Annual Meeting and  
Awards





35

## Article

### 11 Commentary: The Campaign Carpetbaggers

*W. Bart Lloyd, Esq., General Counsel,  
Preservation of Affordable Housing, Inc., Boston*

## Features

- |   |  |
|---|--|
| 3 Charting a Course   | Committee Field Trip to Toray Plastics   |
| 4 Lawyers on the Move   | 41 Publish and Prosper in the Rhode Island Bar Journal   |
| 5 New Rhode Island Bar Association President and 2013-2014 Executive Officers   | 42 In Memoriam   |
| 7 Rhode Island Bar Association 2013-2014 Officers' Profiles   | 45 Memoriam: 2012 – 2013   |
| 9 Chief Justice Joseph R. Weisberger Tribute*   | 45 New Lawyers Committee CLE, <i>View from the Bench: Superior Court Motion Calendar</i> , Draws Rave Reviews and Recommendations for Future Programming |
| 13 2013 Chief Justice Joseph R. Weisberger Judicial Excellence Award  | 46 SOLACE – Helping Bar Members in Times of Need   |
| 14 2013 Joseph T. Houlihan Lifetime Mentor Award  | 47 Advertiser Index  |
| 15 2013 Dorothy Lohmann Community Service Award   |  |
| 16 2013 Volunteer Lawyer Program Award  |  |
| 16 Rhode Island Bar Journal Lauren E. Jones Writing Award   |  |
| 17 50 Years of Service – 2013 Honorary Members  |  |
| 18 Rhode Island Law Day   |  |
| 20 Middletown High School Student Wins 2013 Hon. Francis J. Darigan, Jr. Rhode Island Law Day Essay Contest                         |  |
| 21 Volunteer Bar Lawyers Offer Free Legal Guidance through Rhode Island Bar/NBC10 Ask a Lawyer Partnership Programs in May and June |  |
| 22 Bar Foundation 2013 Annual Meeting   |  |
| 26 Annual Meeting Highlights  |  |
| 35 Environmental and Energy Law   |  |

### Bar Summer Hours

Rhode Island Bar Association Office

Monday, June 17, 2013  
through  
Tuesday, September 3, 2013

9:00 a.m. to 4:30 p.m.  
Monday – Friday



Editor In Chief, David N. Bazar

Editor, Frederick D. Massie

Assistant Editor, Kathleen M. Bridge

#### Editorial Board

Victoria M. Almeida, Esq.

Peter A. Carvelli, Esq.

Jerry Cohen, Esq.

Eric D. Correira, Esq.

William J. Delaney, Esq.

Matthew Louis Fabisch, Esq.

Jay S. Goodman, Esq.

Jennifer Wims Hashway, Esq.

Marcia McGair Ippolito, Esq.

Dianne L. Izzo, Esq.

Ernest G. Mayo, Esq.

Keven A. McKenna, Esq.

Elizabeth R. Merritt, Esq.

John T. Mulcahy, Esq.

Matthew R. Plain, Esq.

Kevin N. Rolando, Esq.

Miriam A. Ross, Esq.

Jonathan L. Stanzler, Esq.

Hon. Brian P. Stern

Elliot Taubman, Esq.

Timothy C. Twardowski, Esq.

Harris K. Weiner, Esq.

Christopher Wildenhain, Esq.

#### RHODE ISLAND BAR ASSOCIATION LAWYER'S PLEDGE

*As a member of the Rhode Island Bar Association, I pledge to conduct myself in a manner that will reflect honor upon the legal profession. I will treat all participants in the legal process with civility. In every aspect of my practice, I will be honest, courteous and fair.*

Executive Director, Helen Desmond McDonald

#### Association Officers

J. Robert Weisberger, Jr., *President*

Bruce W. McIntyre, *President-Elect*

Melissa E. Darigan, *Treasurer*

Armando E. Batastini, *Secretary*

Direct advertising inquiries to the Editor, Frederick D. Massie, Rhode Island Bar Journal, 115 Cedar Street, Providence, RI 02903, (401) 421-5740.

USPS (464-680) ISSN 1079-9230

Rhode Island Bar Journal is published bimonthly by the Rhode Island Bar Association, 115 Cedar Street, Providence, RI 02903.

PERIODICALS POSTAGE PAID AT PROVIDENCE, RI

Subscription: \$30 per year

#### Postmaster

Send Address Correction to Rhode Island Bar Journal, 115 Cedar Street, Providence, RI 02903

[www.ribar.com](http://www.ribar.com)

Front Cover Photograph  
Adirondack II, off Newport  
by Brian McDonald



# Charting a Course

---



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

---

*I love sailing, and it is a great analogy to life. Not only has it taught me things I was interested in, it has also taught me things about myself and, I believe, how to better address life's challenges.*

---

We all aspire to be good lawyers and hope to advance our abilities every day. Sometimes, we are blessed with the opportunity to serve others. As I chart my course as President of the Bar, I will draw on the strength and wisdom of those who helped me navigate in the past.

Although I have the good fortune of several positive influences in my life, the foremost was my father, the late Chief Justice Joseph R. Weisberger. As far back as I can recall, from the days of my earliest childhood to the present, he was my compass, the one person I could always depend on to point to true north, without deviation or variation, a person of integrity, wisdom, intelligence and honor.

My father was both a Navy man and the son of a Navy man. His father, my grandfather, aged 16, ran away to join the Navy and sailed around the world with Teddy Roosevelt's Great White Fleet. Later, he served in both World Wars. He too, was a man with a reliable compass.

My father followed in my grandfather's footsteps by not only joining the Navy, but in being a Navy man through and through, with discipline in everything he did in life. Like my grandfather, my father joined the Navy at a young age. He left Brown University during his junior year with the winds of war blowing. Not long thereafter, the Japanese bombed Pearl Harbor, and he was off to serve in the Pacific Theatre fighting for the next several years, until being assigned to the American invasion force to occupy Japan. He was indeed a member of this country's greatest generation. Isn't it ironic that he passed on December 7, 2012, a "day of infamy," as President Roosevelt called it in 1941? His strength, intellect and determination, combined with frugality and a superb work ethic made his good reputation the only thing that really mattered to him, as it was the only thing that lasts. His dedication to God, family and country knew no bounds. He was a great man, who I sorely miss. I had hoped he would live to see his son become president of the Rhode Island Bar. He knew it was to happen though, and it made him proud. For that I am truly thankful.

After I graduated from law school, I wanted to follow in my father's footsteps and join the Navy, but it was not to be. Other opportunities and commitments awaited me, but, instilled in me by my father and grandfather, was a great

love for the sea. It was more than just a romantic notion.

I love sailing, and it is a great analogy to life. Not only has it taught me things I was interested in, it has also taught me things about myself and, I believe, how to better address life's challenges. Just like voyagers on the sea, we sometimes face life's challenges together as a group. Sometimes, however, we must face those challenges alone, by ourselves.

I am reminded of a harrowing journey I took alone on my sailboat on the ocean. The weather had been calm for several hours, but the wind increased dramatically and the waves grew to great heights. Rain started to pour down. I was cold, and I was alone and could not leave the helm, lest the boat founder. I had too much mainsail up and, because it took two hands to manage the rudder, there was nothing I could do to reduce the sail.

I went below but did not sleep. I stayed awake the entire night, watching my anchor line through a port hole and praying the anchor would hold fast against the might of the wind and waves. Somehow, in the midst of the sounds of waves crashing, the wind howling through the rigging and the boat rocking, I found an inner peace and tranquility. "Weird" you might say. Yet, I felt I was in the palm of the hand of the Author of the Universe.

When the sun finally came up I awoke slumped over my navigation station. I must have nodded-out during the wee hours. As I opened the hatch and emerged from the companion way, it was a beautiful, calm sunny day, with just enough breeze for me to continue my journey. The storm had finally passed. I learned a lot that day about my boat and myself.

Like my father, I enjoy a fertile imagination. I started to imagine I had been like Jason and the ancient Argonauts, St. Brendan the sailor, Henry the Navigator, Magellan or Columbus and enjoyed the musing. When I returned home, I shared the story of my adventure with my father, out of my mother's hearing, of course, so as not to cause her undue stress. He reveled with me in old stories of the sea, stories I had heard from him and my grand-father as a boy growing up. We enjoyed it thoroughly.

I hope, Dad, if you're looking down and see my new challenge as captain at the helm of the Bar Association that we both love for the noble

profession it represents and the practitioners it aides in their work for the citizens of this state, please let me again feel the guidance and direction of your compass. Help point me and this resolute ship in the right direction.

As my presidency moves forward, always feel welcome to contact me with your thoughts, comments, questions and/or concerns. I look forward to a good year ahead. We have much to accomplish, please stay tuned! ❖

## Lawyers on the Move

**Gil A. Bianchi, Jr., Esq., Stephen J. Brouillard, Esq., Theresa L. Sousa, Esq., and Erica M. O'Connell, Esq.** of **Bianchi & Brouillard, P.C.**, have moved their law firm to The Hanley Building, 56 Pine Street, Suite 250, Providence, RI 02903. 401-223-2990 [www.bianchiandbrouillard.com](http://www.bianchiandbrouillard.com)

**John L. Capone, Esq.** is now Senior Counsel with **Duffy & Sweeney, Ltd.**, 1800 Financial Plaza, Providence, RI 02903. 401-457-1817 [jcapone@duffysweeney.com](mailto:jcapone@duffysweeney.com)

**Kas R. DeCarvalho, Esq.** is now Counsel at the law firm of **Pannone Lopes Devereaux & West LLC**, 317 Iron Horse Way, Suite 301, Providence, RI 02908. 401-824-5100 [kd@pldw.com](mailto:kd@pldw.com) [www.pldw.com](http://www.pldw.com)

**Leonard L. Lopes, Esq.** announces the move of **Leonard Lopes Law Firm LLC** to One Ship Street, Providence, RI 02903. 401-490-0004 [llopes@leonardlopeslaw.com](mailto:llopes@leonardlopeslaw.com)

**Peter F. Mathieu, Esq.** and **George P. Microulis, Esq.** are now with the firm of **Kelly, Kelleher, Reilly & Simpson**, The Francis Building, 146 Westminster Street Suite 500 Providence, RI 02903 and Pier Professional Building, 28 Caswell Street, Narragansett, RI 02882. 401-272-1312 [pmatheu@kkr.com](mailto:pmatheu@kkr.com) [gmicroulis@kkr.com](mailto:gmicroulis@kkr.com)

**Jacquelyn V. Meiser, Esq.** is now Of Counsel at the law firm of **Pannone Lopes Devereaux & West LLC**, 317 Iron Horse Way, Suite 301, Providence, RI 02908. 401-824-5100 [jmeiser@pldw.com](mailto:jmeiser@pldw.com) [www.pldw.com](http://www.pldw.com)

**Alexis Santoro, Esq.** announces the opening of the **Law Office of Alexis Santoro, LLC**, 17 Ashton Parkway, Suite 209, Cumberland, RI 02864. 401-684-1529 [alexissantorolaw@gmail.com](mailto:alexissantorolaw@gmail.com) [www.alexissantorolaw.com](http://www.alexissantorolaw.com)

*For a free listing, please send information to: Frederick D. Massie, Rhode Island Bar Journal Managing Editor, via email at: [fmassie@ribar.com](mailto:fmassie@ribar.com), or by postal mail to his attention at: Lawyers on the Move, Rhode Island Bar Journal, 115 Cedar Street, Providence, RI 02903.*

## RHODE ISLAND BAR JOURNAL

### Editorial Statement

*The Rhode Island Bar Journal* is the Rhode Island Bar Association's official magazine for Rhode Island attorneys, judges and others interested in Rhode Island law. The *Bar Journal* is a paid, subscription magazine published bi-monthly, six times annually and sent to, among others, all practicing attorneys and sitting judges, in Rhode Island. This constitutes an audience of over 6,000 individuals. Covering issues of relevance and providing updates on events, programs and meetings, the *Rhode Island Bar Journal* is a magazine that is read on arrival and, most often, kept for future reference. The *Bar Journal* publishes scholarly discourses, commentary on the law and Bar activities, and articles on the administration of justice. While the *Journal* is a serious magazine, our articles are not dull or somber. We strive to publish a topical, thought-provoking magazine that addresses issues of interest to significant segments of the Bar. We aim to publish a magazine that is read, quoted and retained. The *Bar Journal* encourages the free expression of ideas by Rhode Island Bar members. The *Bar Journal* assumes no responsibility for opinions, statements and facts in signed articles, except to the extent that, by publication, the subject matter merits attention. The opinions expressed in editorials represent the views of at least two-thirds of the Editorial Board, and they are not the official view of the Rhode Island Bar Association. Letters to the Editors are welcome.

### Article Selection Criteria

- The *Rhode Island Bar Journal* gives primary preference to original articles, written expressly for first publication in the *Bar Journal*, by members of the Rhode Island Bar Association. The *Bar Journal* does not accept unsolicited articles from individuals who are not members of the Rhode Island Bar Association. Articles previously appearing in other publications are not accepted.
- All submitted articles are subject to the Journal's editors' approval, and they reserve the right to edit or reject any articles and article titles submitted for publication.
- Selection for publication is based on the article's relevance to our readers, determined by content and timeliness. Articles appealing to the widest range of interests are particularly appreciated. However, commentaries dealing with more specific areas of law are given equally serious consideration.
- Preferred format includes: a clearly presented statement of purpose and/or thesis in the introduction; supporting evidence or arguments in the body; and a summary conclusion.
- Citations conform to the Uniform System of Citation
- Maximum article size is approximately 3,500 words. However, shorter articles are preferred.
- While authors may be asked to edit articles themselves, the editors reserve the right to edit pieces for legal size, presentation and grammar.
- Articles are accepted for review on a rolling basis. Meeting the criteria noted above does not guarantee publication. Articles are selected and published at the discretion of the editors.
- Submissions are preferred in a Microsoft Word format emailed as an attachment or on disc. Hard copy is acceptable, but not recommended.
- Authors are asked to include an identification of their current legal position and a photograph, (headshot) preferably in a jpg file of, at least, 350 d.p.i., with their article submission.

Direct inquiries and send articles and author's photographs for publication consideration to:  
**Rhode Island Bar Journal Editor Frederick D. Massie**  
email: [fmassie@ribar.com](mailto:fmassie@ribar.com)  
telephone: 401-421-5740

Material published in the *Rhode Island Bar Journal* remains the property of the *Journal*, and the author consents to the rights of the *Rhode Island Bar Journal* to copyright the work.

# New Rhode Island Bar Association President and 2013-2014 Executive Officers

---

## **New Rhode Island Bar Association President**

Past Rhode Island Bar Association President Michael R. McElroy [l] passed the Bar's gavel to new Bar President J. Robert Weisberger [r] who thanked Mike for his exemplary service and pledges to uphold and further the Bar Association's core mission and goals.



## **Rhode Island Bar Association 2013-2014 Executive Officers**

The Rhode Island Bar Association Executive Officers were enthusiastically and unanimously endorsed at the 2013 Annual Meeting. [l to r] Melissa E. Darigan, Esq., Treasurer, partner, Partridge Snow & Hahn LLP; Bruce W. McIntyre, Esq., President-Elect, legal counsel, Rhode Island Department of Health; J. Robert Weisberger, Jr., Esq., President, counsel, Edwards Angell Palmer & Dodge; and Armando E. Batastini, Esq., Secretary, partner, Nixon Peabody LLP.



The Attorneys Advantage online application process offers a convenient way for small firms to get a professional liability coverage quote –

# Quick. Easy. Online!



We don't think all the extra work required to secure professional liability coverage should keep you from addressing your clients' pressing needs. That's why we streamlined our application process. Simply log on to [www.attorneys-advantage.com/online](http://www.attorneys-advantage.com/online).

Depending on the size and location of your firm, you may qualify to obtain a real-time quote and the option to purchase online; or you'll be able to submit an application online for further review. Either way, we think you'll find our streamlined online application process more convenient than ever.

## It's As Simple As: QUOTE. CLICK. DONE.

At [www.attorneys-advantage.com/online](http://www.attorneys-advantage.com/online) you'll find immediate access to dependable coverage plus useful tools and information to help you manage your firm's risk and reduce the chance of claims. And, while visiting the site, you can also register your email address to receive additional information about the program.



Apply online today! Visit [www.attorneys-advantage.com/online](http://www.attorneys-advantage.com/online)

The Attorneys Advantage  
Professional Liability Program  
is Sponsored By



# AON

Attorneys Advantage online process is brought to you by Affinity Insurance Services, Inc., in association with Liberty Insurance Underwriters Inc. (a member company of Liberty Mutual Group). Affinity Insurance Services, Inc. is the program administrator of the Attorneys Advantage program.

Aon Affinity, is the brand name for the brokerage and program administration operations of Affinity Insurance Services, Inc.; (AR 244489); in CA, MN & OK, AIS Affinity Insurance Agency, Inc. (CA 0795465); in CA, Aon Affinity Insurance Services, Inc., (0G94493), Aon Direct Insurance Administrator and Berkeley Insurance Agency and in NY and NH, AIS Affinity Insurance Agency

Insurance underwritten by Liberty Insurance Underwriters Inc. (a member company of Liberty Mutual Group). Liberty International Underwriters® is the promotional name of this entity. Home office: New York City, New York.

Please consult the specimen policy language for specific language or benefit definitions. Not all policy features are available in all states.

E-10301-0713

# Rhode Island Bar Association 2013-2014 Officers' Profiles

---



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



**Bruce W. McIntyre, Esq.**  
President-Elect



**Melissa E. Darigan, Esq.**  
Treasurer



**Armando E. Batastini, Esq.**  
Secretary

---

**J. Robert Weisberger, Jr., Esq.** is President of the Rhode Island Bar Association. He is counsel with Edwards Wildman Palmer, LLP serving in the firm's litigation management department representing CVS as national litigation counsel. Bob is a member of the Rhode Island Bar Association's Executive Committee and House of Delegates, and he chairs the Bar Association's Task Force on the Unbundling of Legal Services. He has chaired the Bar's Government Relations Committee and the Annual Meeting Planning Committee. He has also served on several of the Bar's standing committees. Bob is a Rhode Island Bar Foundation Fellow and a member of the American Bar Association. For many years, he served as a member of the Board of Directors and Executive Committee of McAuley House. He serves his town of Smithfield as its Town Moderator. He and his wife Gail have two children.

**Bruce W. McIntyre, Esq.** is President-Elect of the Rhode Island Bar Association. He is the Director of Program Oversight at the Executive Office of Health and Human Services. He was legal counsel to the Rhode Island Department of Health, Board of Medical Licensure and Discipline since 1991. His legal expertise is in the areas of medical regulation of hospitals, physicians, physician assistants, chiropractic physicians, and acupuncture and oriental medicine. He is an immediate past Director at the Federation of State Medical Boards of the U.S., Inc. (FSMB), Dallas, Texas and Administrators in Medicine (AIM).

**Melissa E. Darigan, Esq.** is Treasurer of the Rhode Island Bar Association. She is a partner in the Providence law firm of Partridge Snow & Hahn LLP and chair of the firm's Litigation Practice Group, specializing in complex commercial, business and regulatory litigation. She is a mentor in the firm's mentoring program and co-founded and assists the administration of the firm's Women AdVocates for Enterprise (WAVE) initiative helping women in business advance professionally. She is a graduate of George Washington University, and she earned her law degree from Catholic University of America. She is a past chair of the Bar's Superior Court Bench/Bar Committee, a member of the House of Delegates, chaired the 2012 Annual Meeting Committee, and, since 2007, has served as a member of the Executive Committee. She was also a member of the Bar's Strategic Planning Committee which developed a five-year plan to guide the Association. She is a Rhode Island Bar Foundation Fellow and a New England Bar Association Board member. She is admitted to practice in the: U.S. District Courts of Rhode Island and Massachusetts; the U.S. District Court of Appeals, 1st Circuit; and the U.S. Supreme Court.

**Armando E. Batastini, Esq.** is Secretary of the Rhode Island Bar Association. He is a partner in the Providence office of Nixon Peabody LLP and a commercial and real estate litigator. A graduate of the United States Naval Academy, he served as an officer in the United States Navy, and is an Operation Desert Storm veter-

RICHARD S.  
**HUMPHREY**  
LAW OFFICES

---

Richard S. Humphrey

Christina Dzierzek

Thomas M. Bergeron

DUI / Refusal  
DUI / Serious Bodily Injury  
DUI / Death Resulting  
Social Host Liability

401-624-6152

[www.richardhumphreylaw.com](http://www.richardhumphreylaw.com)

an. He received his law degree from Roger Williams University School of Law, *magna cum laude*, and served as judicial law clerk for Rhode Island Supreme Court Chief Justice Joseph R. Weisberger. He is a member of the Rhode Island Bar Association Executive Committee and House of Delegates and the New England Bar Association Board of Directors, co-chair of the 2014 Annual Meeting Committee, and a Fellow of the Rhode Island Bar Foundation. He has served on several standing Bar committees, and actively participates in the Volunteer Lawyer Program, Lawyers for the Elderly, and the Armed Forces Legal Services Project. He is the recipient of the Bar Association 2008 Pro Bono Publico Award. He and his wife Kara reside in Harmony, Rhode Island with their son Lucien. ♦

*Wills & Trusts | Advanced Estate Planning | Estate & Trust Administration | All Probate Matters  
Custodian & Fiduciary Services | Early & Crisis Planning for Senior Care | Tax Matters, Appeals & Litigation*



Richard H. Gregory III  
*Attorney & Counsellor at Law*

LLM in Taxation, Georgetown University  
5 Benefit Street, Providence, Rhode Island 02904  
Tel: 401-331-5050  
Fax: 401-454-4209  
Email: [rhg@richardhgregory.com](mailto:rhg@richardhgregory.com)  
Web: [www.richardhgregory.com](http://www.richardhgregory.com)

***Attorney to Attorney Consultations / Referrals***

The R.I. Supreme Court licenses all lawyers in the general practice of law. The court does not license or certify any lawyer as an expert or specialist in any field of practice.

# Chief Justice Joseph R. Weisberger

## TRIBUTE \*



Former Rhode Island  
Supreme Court Chief Justice  
Joseph R. Weisberger

A tribute is defined as “a sign of respect or admiration to honor a person’s accomplishments.” As your President, I have the distinct honor and privilege of presenting a tribute to our beloved late Chief Justice Joseph R. Weisberger.

The Chief was a distinguished jurist who established new standards for judicial excellence. That excellence is reflected, in part, by the Rhode Island Bar Association’s Chief Justice Joseph R. Weisberger Judicial Excellence Award. That coveted award is given to a Rhode Island jurist who exemplifies and encourages the highest level of competence, integrity, judicial temperament, ethical conduct and professionalism. Last night, we gave that award to Judge Bruce Selya of the First Circuit Court of Appeals.

Upon taking his seat on the State’s Supreme Court, and throughout his tenure as Chief Justice, Judge Weisberger began and completed the restoration of the Court’s good name and reputation. There could not have been a better person to heal the wounds of the past and lay a strong foundation for the future.

The Chief was a brilliant man whose character was above reproach and who enjoyed life to its fullest. He was an extraordinary legal scholar with an amazing memory. He was a street-smart observer of the world, and an incredibly compassionate human being. He was an outstanding mentor and role model. He treated others with respect, dignity, kindness and patience. And he was the ideal loving husband, father and grandfather.

He was also a visionary who appreciated the need for law reform. According to Roger Williams University School of Law Dean David Logan:

“The Chief was an early supporter of the idea that Rhode Island would benefit from the independent voice a law school brings to the law reform debate. He served in several important capacities for Roger Williams University and its law school, literally until his passing. His wisdom helped guide the law school through its first decades. His contributions were recognized by the Dean’s Distinguished Service Award at last month’s Roger Williams University School of Law commencement ceremony.”

Said past Rhode Island Bar Association President Lauren Jones:

“Judge Weisberger’s patience – the essential characteristic of judicial temperament – was extraordinary, and his care for the litigants and desire to help them resolve difficult cases was clear. No one who attended a mediation session with him could ever come away with a feeling that he did not have all the time necessary to address the parties’ concerns and to give the parties the space they needed to find a way to settle their cases.”

In addition to his beloved wife and family, and his many friends and colleagues, Judge Weisberger had another group of individuals who held him in their highest esteem. These are his law clerks, past and present, and those who worked with him in the courthouse.

*continued*

# SOCIAL SECURITY DISABILITY MEDICAL MALPRACTICE



**Donna M. Nesselbush**

**Joseph P. Marasco**

*Mariam A. Lavoie, Esq.*

*Joseph P. Wilson, Esq.*

*Mark H. Grimm, Esq.*

*Jennifer L. Belanger, Esq.*

*Paul E. Dorsey, Esq.*

*A. Chace Wessling, Esq.*

*Timothy P. Lynch, Esq.*

*Jane R. Duket, Esq.*

*David H. Leveillee, Esq.*

*Kyle E. Posey, Esq.*

*Anthony S. Buglio, Esq.*

*Attorney Referrals Welcome*



**MARASCO & NESSELBUSH** LLP

**WWW.M-N-LAW.COM**

**PROVIDENCE**

685 Westminster St.

**274-7400**

**WOONSOCKET**

2168 Diamond Hill Rd.

**762-9800**

**WARWICK**

51 Jefferson Blvd.

**738-7700**

**WAKEFIELD**

231 Old Tower Hill Rd.

**783-0000**

Former Law Clerk Susan Carlin Famiglietti noted:

“I cannot think of our beloved Judge without tearing. He meant so much to all of us. I always considered him to be the jewel of the Rhode Island Judiciary. He was so wise, kind and fun. There can be no man who gave so much too so many in such a gracious down to earth way. I thought of Judge Weisberger as much more than a mentor and role model. He was a caring and understanding father figure to me and, I suspect, to all of us. I always felt as if I wanted to share with the Judge the good times in my life. Let us all rejoice in the judge’s admirable life, give thanks that we were able to be part of it and recommit to attempting to follow his noble example as lawyers and perhaps more importantly, as caring human beings.”

Past Bar President Susan Leach DeBlasio stated:

“Chief Justice Weisberger was my mentor and my friend and the man I admired most in my professional and my personal life. He was the kindest man I have ever met. He always treated others with such consummate respect and dignity when he was the one deserving of the respect of others. Through kindness, patience, and the extra gesture, in his day-to-day behavior, he generously gave it to others. The Chief exemplified scholarship, brilliance, professionalism, judicial temperament, integrity, collegiality, fairness, and faith, and above all, he left an indelible lesson about what human decency can truly mean. And he showed us all that life is always better if you just sing your way through it – preferably loudly, in a baritone, with a smile.

Please stand and raise your glass in a Memorial toast to the man who will always be known as “The Chief.”

Thank you.

**Michael R. McElroy**

Immediate Past President of the Rhode Island Bar Association

*\* Delivered at the Rhode Island Bar Association Annual Meeting Luncheon on Friday, June 14, 2013.*



You can depend on our financial strength  
to be there when you need it.

Contact us or visit [stewart.com/rhodeisland](http://stewart.com/rhodeisland) for more information on why Stewart is the right underwriter for you.

Stewart Title Guaranty Company  
15 Messenger Drive  
Warwick, RI 02888  
(800) 273-2229  
[stewart.com/rhodeisland](http://stewart.com/rhodeisland)

**stewart**<sup>®</sup>

The only title company named one of  
“AMERICA’S MOST TRUSTWORTHY COMPANIES”  
in 2012 by *Forbes*<sup>®</sup>

© 2012 Stewart.

# Commentary:

## The Campaign Carpetbaggers



W. Bart Lloyd, Esq.  
General Counsel, Preservation of  
Affordable Housing, Inc., Boston

By the time we made it to the third apartment house it had become obvious. No one was answering the door. It wasn't that people weren't home. They could be seen peeking out of windows in the floor above. "Mike, we've got to lose the housing inspector look!"

It was Monday, November 5, 2012, a blustery afternoon, and here we were, two, 50-plus, out-of-state attorneys with 38 years of collective education. Mike with his suit and tie, and me in rumpled khakis, on our third round of door knockers in this modest neighborhood of apartments and small houses in Virginia Beach.

When NPR and other news media outlets ballyhooed the "army of out of state attorneys descending upon battleground states of Virginia and Florida," from the tenor of the stories, it sounded like 10,000 suits with secretaries and briefcases. We were far from that.

Mike is a city manager in Maryland, and an attorney by training and license. I am general counsel for a large housing non-profit in Massachusetts (previously Corporate Counsel at Rhode Island Housing and Mortgage Finance Corporation) where my legal practice focuses on managing transactions. The housing inspector look comes naturally to Mike.

On the plane from Boston to Baltimore, the Sunday afternoon before the election, I decided to watch Fox News to get some fresh perspective on what the other side was thinking. Chris Wallace had Rich Beeson on methodically detailing why he thought Governor Romney would win in "a landslide."

I let that sink in for a minute. Supreme Court Justices Ginsberg and Breyer are 79 and 74 respectively, and, although neither has indicated interest in retiring, they are reaching an age where it is a consideration. Alito and Kennedy are both 76 and will likely retire as soon as a politically sympatico appointer is in office. This raised the prospect of enduring harm. A Court currently 5 to 4 conservative could become 7 to 2.

Our reasons for converging on Virginia and several other swing states were the new, generally Republican-sponsored voter identification laws. Depending on your news source these were anti-fraud laws or voter suppression laws.

On the surface, these were not unreasonable requirements. The new laws generally required voters to show appropriate identification, with correct name and address, prior to voting. As an anti-fraud requirement, it seemed quite reasonable. Although, given the historical importance of liberally facilitating the exercise of the franchise, one wondered whether there was some evidence of widespread fraud precipitating these laws. There wasn't.

The political genius behind the laws was that poorer people were, presumably, more likely to have housing volatility, more likely to have moved recently, and, therefore, more likely to have contradictory identification and registration information. Presuming poorer voters are more likely to vote for Obama and

Democrats, by making the rules more difficult for voters who have recently moved, in theory, you suppress those voter numbers.

In Virginia, the tool was the provisional green ballot. The general rule was voters that did not meet the requirements of the new voter identification law would be allowed to cast their ballots in provisional green ballots and given two days to return, either by themselves or through a representative, with sufficient information to cure the deficiency and have their vote counted. Any vote whose deficiency was not cured within the period would not be counted.

Mike and I set out that morning from Maryland. Mike is a pack rat, and we loaded up the big, environmentally-profaned Suburban with a half-dozen chairs, two tables, umbrellas, rain gear, several cases of bottled water, coolers stocked with food and goodies, as well as a range of road hazard items and several hundred pounds of miscellaneous horse-related materials stowed away by general inertia of stasis. People had traveled to outer-space with less.

Our target was Virginia Beach, an important get-out-the-vote community, with a big military-related population. That cut both ways. Military-related sometimes meant conservative. It also sometimes meant minority and low income.

We got to the city with an hour and a half still to offer, called campaign headquarters and were directed to a campaign substation, a nondescript row house in a community of modest homes, where we received a canvassing list. We were directed to a mostly multifamily neighborhood of small, but well kept, houses. The 12-page list of registered voters with names, addresses and ages had eight streets on it and was marked up with notations from first and second visits. Our task was to contact the homes not yet visited, about one in ten.

Mike and I were not very successful. Mike's housing inspector knock, and my "Hello. We are from the Obama campaign," was not met with wide appreciation. An occasional response of, "Yes, I'm voting," a few curtains parted from the window above the entrance, no response, and a lot of people just not home. The inefficiency of the retail political process is unequivocally stunning.

At 4 o'clock we packed it in and headed off to our deployment center. It was one of those nicely landscaped, parking-abundant single story developments blending office and retail spaces. The Obama campaign offices were in a rear unit with Obama yard signs in the grass and windows plastered with posters. Inside, it had a distinctly boiler-room feel: cheap furni-

*continued on page 36*

*In Loving Memory of*

## LESTER H. SALTER



Our beloved friend and founding partner, Lester H. Salter, passed away on May 29, 2013. Lester's leadership, work ethic, resolve, civility, dedication to his craft and commitment to upholding the highest standards of our profession earned him the universal respect and admiration of his partners, colleagues, clients, adversaries, friends and family. His life-long generosity, good cheer and perseverance gained him the peace of a sure knowledge of a life well and fully lived, and the genuine affection of all of us at Salter McGowan Sylvia & Leonard, Inc. Lester will be greatly missed.

1918-2013



Salter  
McGowan  
Sylvia &  
Leonard

## 2013 Chief Justice Joseph R. Weisberger Judicial Excellence Award

Named in honor of its first recipient, the late retired Supreme Court Chief Justice Joseph R. Weisberger, this Award is given to a Rhode Island jurist for exemplifying and encouraging the highest level of competence, integrity, judicial temperament, ethical conduct and professionalism.



**Hon. Bruce Marshall Selya**, Senior Circuit Judge, United States Court of Appeals for the First Circuit, was honored with the 2013 *Chief Justice Joseph R. Weisberger Judicial Excellence Award*. Born in Providence, he graduated, *magna cum laude* from Classical High School. A *magna cum laude* graduate of Harvard College, he received his law degree from Harvard Law School. He served as a law clerk to Chief Judge Edward W. Day of the

United States Court for the District of Rhode Island. He joined the law firm of Gunning & La Fazia which he left to found Selya, Iannuciello & Greenwald. U.S. President Ronald Reagan appointed him to a seat on the United States Court of Appeals for the First Circuit where he served on active duty for 20 years, subsequently taking status as a senior circuit court judge where he continues to regularly hear cases. He has served on the First Circuit Judicial Council, the Judicial Panel on Multi-District Legislation, and as a member and, later, Presiding Judge of the U.S. Foreign Intelligence Surveillance Court of Review. Judge Selya and Chief Justice Weisberger formed Rhode Island's first State-Federal Judicial Council. Judge Selya holds faculty appointments at Boston College Law School, Boston University School of Law, and Roger Williams University School of Law. He has lectured at Harvard Law School, Yale Law School, New York University School of Law and other academic institutions. He served on the board of trustees for Bryant College, Rhode Island Hospital, Miriam Hospital, Newport Hospital, Bradley Hospital, New England Medical Center, Hospice Care of Rhode Island and was a founding chairman of Lifespan. Internationally recognized for his mastery of the English language, he has authored more than 1,400 published opinions and many law review articles. He has been interviewed and profiled by the *New York Times*, the BBC, the *Boston Globe* and the *Providence Journal*.

According to United States District Court Judge John J. McConnell, Jr., "*Judge Selya exemplifies the ideals and accomplishments of the late Chief Justice Joseph R. Weisberger. During my first year on the bench, Judge Selya acted as a mentor, providing good and wise counsel and perspective. He has served this role with many other judges as well. He is a prolific author renowned, locally, nationally and internationally, for his judicial writing and opinions. Judge Selya contributes much more than extraordinary judicial opinions. He shares his notable talents with the community in health care, the law and education, and a range of organizations have recognized his accomplishments with many distinguished honors and awards. I believe the 2013 Chief Justice Joseph R. Weisberger Judicial Excellence Award secures his standing as one of our state's most remarkable judges.*"



### WORKERS' COMPENSATION AND SOCIAL SECURITY CONSULTATION

**ALBERT J. LEPORE, JR.**

*COIA & LEPORE, LTD.  
226 SOUTH MAIN STREET  
PROVIDENCE, RI 02903  
401-751-5522*

[www.Coialepore.com](http://www.Coialepore.com)

Email: [aleporej@coialepore.com](mailto:aleporej@coialepore.com)

---

**Attorney-to-Attorney Referrals**

## 2013 Joseph T. Houlihan Lifetime Mentor Award

Named for the late Joseph T. Houlihan who was known for his generosity of spirit and legal expertise in and out of the courtroom, the Joseph T. Houlihan Lifetime Mentor Award honors individuals who, during their careers, have consistently demonstrated an extraordinary commitment to successfully mentoring in the Rhode Island legal community. The Award recognizes an attorney who serves as a role model to other lawyers in Rhode Island and who has significantly contributed to the profession and/or the community, and those who, with their excellent counsel, have excelled as mentors and contributed to the ideals of ethics, civility, professionalism and legal skills.



**Carol Bourcier Fargnoli, Esq.**, Staff Attorney of the Rhode Island Supreme Court Trial Court Law Clerk Department, was honored with the Rhode Island Bar Association 2013 *Joseph T. Houlihan Lifetime Mentor Award*. Serving as the supervisor of the Supreme Court Law Clerk Department for the past 23 years, before which she was an English teacher at Tollgate High School, Carol annually hires, trains and guides recent law school

graduates to work as law clerks for the Rhode Island Judiciary. She also reviews and edits every decision drafted by the law clerks before they are submitted to the court. She is known and revered by past and present law clerks and by many of the State's judges for her generous spirit and her genuine appreciation of the

law. Her nominations for this Award came from a wide range of individuals from the Bar and the Bench, and all praised and echoed her personal and professional accomplishments as an outstanding mentor.

According to Superior Court of Rhode Island Presiding Justice Alice B. Gibney, "*Year in and year out, Carol Fargnoli is one of the finest mentors of Rhode Island's legal professionals and judges. She is bright, skilled, and articulate, counseling with kindness, patience and understanding. Somehow, she always finds the perfect balance between encouraging creative thinking and constructive criticism. She is a good judge of people and, when combined with her other skills, including her incisive wit and sense of humor, helps make us all better people and legal professionals.*"

According to Attorney Amy Rice, "*Carol has served as a role model to hundreds of Rhode Island lawyers. She provided me, and all who worked with her, with excellent advising and mentoring, significantly contributing to the legal community's ideals of ethics, civility, professionalism and skill. Carol, like Mr. Houlihan, consistently tries to make lawyers strive to be the best they can in how they think, speak, write, and represent the legal profession. She is a fabulous resource for current and former law clerks seeking employment, and she selflessly dedicates her boundless energy helping her protégés succeed in their legal careers.*"



Certified Public Accountants & Business Consultants

### Our Experienced Partners Have Expertise in the Following Areas:

- ◆ Business Valuations
- ◆ Buy/Sell Agreements and Negotiations
- ◆ Divorce Taxation and Litigation Support
- ◆ Estate and Gift Planning and Returns
- ◆ Forensic Accounting and Fraud Examination
- ◆ Mediation
- ◆ Succession and Exit Planning

**Richard A. Kaplan, CPA, JD, ABV** - Accredited in Business Valuation, [rkaplan@yksmcpa.com](mailto:rkaplan@yksmcpa.com)

**Paul E. Moran, CPA, CGMA, ADR, PFS** - Alternate Dispute Resolution, [pmoran@yksmcpa.com](mailto:pmoran@yksmcpa.com)

**Jon R. Almeida, CPA, CFE** - Certified Fraud Examiner, [jalmeida@ksmcpa.com](mailto:jalmeida@ksmcpa.com)

27 Dryden Lane, Providence, RI 02904 • 56 Wells Street, Westerly, RI 02891  
phone 401 273 1800 fax 401 331 0946 [www.yksmcpa.com](http://www.yksmcpa.com)

## 2013 Dorothy Lohmann Community Service Award

The Rhode Island Bar Association's Dorothy Lohmann Community Service Award is named in memory of Rhode Island attorney Dorothy Lohmann who devoted her entire professional life to helping the poor. The Dorothy Lohmann Community Service Award honors lawyers who make noteworthy contributions in time and effort to a Rhode Island non-profit organization on a strictly voluntary, non-paid basis.

**V. Duncan Johnson, Esq.**, of Edwards Wildman Palmer, LLP, in Providence, is recognized for his outstanding work on behalf of Crossroads Rhode Island. Crossroads is the State's leading, private, non-profit provider of comprehensive services to the homeless. Its mission is to help homeless and at-risk individuals and families secure stable homes. Those served achieve this by engaging in Crossroads range of services including housing, basic needs, shelter, case management, referrals, and education and employment. Crossroads is governed by a non-compensated, 36-member Board of Directors, and its culturally and linguistically diverse staff includes 116 full-time and 14 part-time employees. Annually, more than 1,500 volunteers donate their time and talents throughout the organization. In 2012, over 4,100 individuals received services and support at Crossroads.

According to Crossroads Rhode Island President and CEO Anne M. Nolan, *"Over the past 12 years, Duncan has freely given his time and talent to Crossroads. His service began when Crossroads was in the midst of acquiring and renovating the former YMCA on Broad Street in Providence. The project was rife with challenges, and Duncan provided countless hours of his professional expertise and steady guidance, working with other Board members to ensure all the related efforts were in the best interests of Crossroads. If our organization had to pay for the volunteer services Duncan so freely provided, the project never would have been completed. Since then, Duncan has been instrumental in moving many of Crossroads projects to successful achievement, these include, but are not limited to, the establishment of the Harold Lewis House, a permanent home for formerly homeless elders, and negotiating the acceptance of two multi-family homes donated to Crossroads. Most recently, Duncan helped us successfully affiliate with the Women's Center of Rhode Island to better serve our mutual clients. Beyond volunteering his professional assistance to Crossroads, Duncan is one of the kindest and gentlest of men. His steady demeanor, calm voice, sense of humor, and deep care and concern for all living things makes me so very grateful to know Duncan and thankful he is a part of Crossroads."*



Bar President Michael R. McElroy presented the 2013 Rhode Island Bar Association's Dorothy Lohmann Community Service Award to Attorney V. Duncan Johnson with Crossroads Rhode Island Executive President and CEO Anne M. Nolan at a celebration at Crossroads.

## Legal Office Space Available

### OFFICES/SUITE

Located in the legal complex at 24/28 Spring Street, Pawtucket, RI in the historical section known as "Quality Hill," off of Route I-95

Complex offers:

- Conference Rooms
- Legal Library
- Exceptional Reception Area
- Telephone Answering Service
- Many Other Amenities

Existing Law Offices:

Law Offices of Finan & Grouke  
Law Offices of Hardy Tabor & Chudacoff

Contact John J. Finan, Jr.

Call: 401-723-6800

## 2013 Volunteer Lawyer Program Award

### PRO BONO PUBLICO AWARD

Established in 1987, this award recognizes the outstanding efforts of attorneys who have provided equal access to justice to the needy through the Volunteer Lawyer Program and Pro Bono Program for the Elderly during the past year. Award criteria include: case type and difficulty, the number of hours served, and the total number of cases for the past year. Length of service through the program, total number of cases taken since joining and professionalism is also considered.



#### Pro Bono Publico Award – Volunteer Lawyer Program

**Kristy J. Garside, Esq.** graduated from the University of Massachusetts and received her law degree from Roger Williams University School of Law. She is an Associate Attorney in the Law Offices of Jeremy W. Howe, Ltd. in Newport where her practice includes all areas of family law with a special interest in related pension and

retirement plans. She also handles many aspects of Elder Law including Medicaid, long term care planning and Veterans' Aid and Attendance benefits.

Since 2006, Kristy has been an active and dedicated member of the Volunteer Lawyer Program and joined the Bar's US Armed Forces Legal Services Project in 2011. In the past two years, she has additionally provided a full range of assistance for indigent clients in 14 family law cases including divorce, custody, visitation and support as well as an adoption. These *pro bono* cases totaled an outstanding 139 plus hours. Two of these more com-

plicated cases are still ongoing due to Kristy's willingness to address related legal concerns for the benefit of the client and the children involved. These issues surfaced during the course of the original case due to the health status of the client, and Kristy automatically continued representation.

Kristy's public service and professional memberships also include the Family Court Bench Bar Committee, the Rhode Island American Family Law Inn of Court, American Bar Association (Family Law Section), Community Advocacy & Resources for Elders and the VNS of Newport and Bristol Counties, Ethics Commission. Her volunteer contributions also include speaking on the topics of Family Law Pension & Retirement issues, as well as a variety of topics within Elder Law for the Bar Association and community organizations. One such presentation generated a letter of deep appreciation from the Rhode Island Deaf Senior Citizens for her presentation at their Newport conference with Attorney Hilary Carlson on the *Reality of Advance Care Planning*. The letter summarized her devotion to volunteering, ending, "Once again, thank you for a remarkable job with our plaudits and waving of the hands!"

## 2013 Rhode Island Bar Journal Lauren E. Jones Writing Award

Established in 1986, Rhode Island Bar Journal Lauren E. Jones, Esq. Writing Award authors are selected on the basis of: 1) presentation; clarity; grammar; organization and need for editorial revisions; 2) article interest and information presentation; 3) information usefulness for the practice of law, presentation of an important legal issue and timeliness; and 4) accuracy and depth of research and information provided.



**Stephen J. Sypole, Esq.**, practicing from the law firm of Gidley, Sarli & Marusak, LLP, in Providence, received the 2013 *Rhode Island Bar Journal Lauren E. Jones, Esq. Writing Award* for his article, *Modernizing Rhode Island's Premises Liability Laws*, published in *Rhode Island Bar Journal: Volume 61, Number 4, January/February, 2013*.

The Editors and Editorial Board of the *Rhode Island Bar Journal* congratulate Stephen Sypole, the 2013 *Rhode Island Bar Journal Lauren E. Jones, Esq. Writing Award* recipient, and strongly

encourage all Rhode Island Bar Association members to read the Article Selection Criteria included in every issue of the Rhode Island Bar Journal. Based on those guidelines, please submit articles for consideration to: Rhode Island Bar Journal Editor Frederick D. Massie via email: [fmassie@ribar.com](mailto:fmassie@ribar.com). For information, telephone (401) 421-5740.

As a reminder, Attorney Sypole's article, and the full contents of Bar Journals from the July/August 2009 issue forward, are available and may be viewed online and downloaded, by clicking on the *Bar Journal* icon on the Bar's website Home page. His and other past Bar Journal articles, may also be accessed through Casemaker, the free-to-Bar-members, 24/7 online law library on the Bar's web site.

## 50 Years of Service – 2013 Honorary Members



At the 2013 Annual Awards Luncheon, the Rhode Island Bar Association recognized and honored the distinguished Rhode Island attorneys who achieved a noteworthy 50 years of service. While not all the Honorary Members were able to attend the Luncheon, those who did ably represented this august group.

Honoring our colleagues achieving 50 years of legal service:

John A. Baglini, Esq.  
 Thomas W. Barry, Esq.  
 David W. Carroll, Esq.  
 Paul J. Choquette, Jr., Esq.  
 Avram N. Cohen, Esq.  
 Paul A. Fontaine, Esq.  
 V. Duncan Johnson, Esq.  
 Hon. Robert W. Lovegreen  
 Gordon C. Mulligan, Esq.  
 Thomas Henry Quinn, Esq.  
 John L. Sousa, Esq.  
 Bowen H. Tucker, Esq.  
 George M. Vetter, Jr., Esq.



# StrategicPoint

A FOCUS FINANCIAL PARTNER

StrategicPoint is an independent investment advisory firm serving the Rhode Island community for more than 20 years.

We can help your clients manage their finances resulting from:

- Settlements from Personal Injury Lawsuits or Divorce
- Probate Resolutions
- Estate Inheritance
- Medical Malpractice Settlements

**Providence &  
 East Greenwich**

1-800-597-5974

StrategicPoint.com

**Managing Directors:**

Richard J. Anzelone, JD  
 Betsey A. Purinton, CFP®

StrategicPoint Investment Advisors, LLC is a federally registered investment advisor and is affiliated with StrategicPoint Securities, LLC, a federally registered broker-dealer and FINRA/SIPC member.

# Rhode Island Law Day 2013

Working with the Rhode Island Law Day Committee, chaired by Rhode Island Supreme Court Associate Justice Gilbert V. Indeglia, the Rhode Island Judiciary and the Rhode Island Bar Association organized over 40 volunteer teams of judges and lawyers who delivered law related education programs to over 50 upper and middle school classrooms throughout the state. Lesson plans, including background information and related news media stories, as well as recommended questions for student consideration, were developed and produced by the Rhode Island Bar Association and reviewed and approved by the Rhode Island Law Day Committee. The 2013 theme, *Equality Under the Law: Civil Rights in the United States*, presented information aimed at soliciting student opinions, surfacing the legal issues relating to the topic, and reviewing the role of judges and lawyers in addressing the teacher's choice of the following issues: 1) Police Questioning/Right to Arrest: Does a police officer or other individual ever have the right to stop a person and ask for their identification without any clear indication of the individual's wrongdoing? 2) False Imprisonment: Are there reasons why an innocent person would be found guilty of a crime they didn't commit? These distinctive topics are designed to stimulate active student participation in discussions aimed at helping them understand how laws directly affect them and the roles lawyers and judges play in administering justice. 3) Income Equality in the Workplace: Should people receive the same pay for doing the same job? These issues stimulated active student participation, helping them understand how laws directly affect them and the roles lawyers and judges play in administering justice.

Attorney Matthew Parker and Family Court Associate Justice Karen Lynch Bernard led a lively review focusing on police questioning and right to arrest with students from Cranston's Western Hills Middle School.



Supreme Court Chief Justice Paul A. Suttell and Bar Association Immediate Past President Michael R. McElroy discussed false imprisonment with Pilgrim High School students in Warwick.



Past Bar Association President Robert D. Oster and Superior Court Associate Justice Michael A. Silverstein led students at Lincoln High School through a lesson in the law centered on police questioning and right to arrest.

District Court Associate Justice Rafael A. Ovalles and Bar Association President J. Robert Weisberger, Jr. delved into issues relating to police questioning and right to arrest utilizing a powerpoint presentation with students at Providence's Classical High School.

## Rhode Island Law Day 2013 Volunteer Acknowledgement

These attorneys and judges, drawing on their knowledge and experience, presented classroom lessons on the law throughout Rhode Island, helping thousands of students and teachers better understand the administration of justice.



Attorney William J. Connell and Superior Court Associate Justice William J. McAtee led North Smithfield High School students through the roles of lawyers and judges in administering justice.



### Rhode Island Bar Association

Denise C. Aiken, Esq.  
James J. Bagley, Esq.  
Jeffrey M. Biolchini, Esq.  
Lisa M. Bowie, Esq.  
Patrick Bristol, Esq.  
Debra L. Chernick, Esq.  
William J. Connell, Esq.  
Karen L. Davidson, Esq.  
David M. D'Agostino, Esq.  
Jack R. DeGiovanni, Esq.  
Steve D. DiLiberio, Esq.  
Vincent A. DiMonte, Esq.  
Kathleen G. DiMuro, Esq.  
Lisa Dinerman, Esq.  
Nancy O. Dodge, Esq.  
John J. Garrahy, Esq.  
Christopher S. Gontarz, Esq.  
Lisa S. Holley, Esq.  
Richard S. Humphrey, Esq.  
Robert H. Humphrey, Esq.  
Andrea M. Iannazzi, Esq.

Sandra A. Lanni, Esq.  
Stephen G. Linder, Esq.  
Robert L. Lombardo, Esq.  
Maria J. Marley, Esq.  
Cristine L. McBurney, Esq.  
Mary Welsh McBurney, Esq.  
Michael R. McElroy, Esq.  
Katherine A. Merolla, Esq.  
Eric H. Miller, Esq.  
Stephen M. Miller, Esq.  
Robert D. Oster, Esq.  
Matthew H. Parker, Esq.  
Thomas M. Petronio, Esq.  
Kimberly A. Petta, Esq.  
Steven M. Richard, Esq.  
Dean G. Robinson, Esq.  
Cindy A. Soccio, Esq.  
Terrence N. Turner, Esq.  
J. Robert Weisberger, Jr., Esq.  
George J. West, Esq.  
Jonathan F. Whaley, Esq.

### Rhode Island Judiciary

Hon. Janette A. Bertness  
Hon. Elaine T. Bucci  
Hon. William E. Carnes, Jr.  
Hon. R. David Cruise  
Hon. Laureen Q. D'Ambra  
Hon. George N. DiMuro  
Hon. Robert M. Ferrieri  
Hon. John J. Flynn  
Hon. Stephen J. Fortunato, Jr.  
Hon. Bennett R. Gallo  
Hon. Alan R. Goulart  
Hon. Robert E. Hardman  
Hon. Colleen M. Hastings  
Hon. Stephen M. Isherwood  
Hon. Christine S. Jabour  
Hon. Jeffrey A. Lanphear  
Hon. Charles J. Levesque  
Hon. Karen Lynch Bernard  
Hon. William J. McAtee  
Hon. John F. McBurney, III.  
Hon. Mary E. McCaffrey

Hon. Susan E. McGuirl  
Hon. Joseph A. Montalbano  
Hon. Francis J. Murray, Jr.  
Hon. Stephen P. Nugent  
Hon. Rafael A. Ovalles  
Hon. Angela M. Paulhus  
Hon. Hugo L. Ricci  
Hon. William P. Robinson, III.  
Hon. Kristin E. Rodgers  
Hon. Allen P. Rubine  
Hon. Jeanne L. Shepard  
Hon. Michael A. Silverstein  
Hon. Walter R. Stone  
Hon. Paul A. Suttell  
Hon. Brian Van Couyghen  
Hon. Pamela Woodcock Pfeiffer

## Middletown High School Student Wins 2013 Hon. Francis J. Darigan, Jr. Rhode Island Law Day Essay Contest



l-r: Shannon's Middletown High teacher Jennifer Haskell; RI Superior Court Presiding Justice Alice Gibney; RI Governor Lincoln Chafee, Rhode Island Law Day Essay Contest initiator, award namesake, and retired RI Superior Court Associate Justice Francis J. Darigan, Jr.; Essay Contest Winner Shannon E. Hugard; Rhode Island Bar Association Immediate Past President Michael R. McElroy; and Rhode Island Law Day Committee Chairman and Supreme Court Associate Justice Gilbert V. Indeglia.

The Rhode Island Bar Association and the Rhode Island Judiciary, with support from Roger Williams University School of Law, and the Rhode Island Police Chief's Association sponsored the 2013 Rhode Island Law Day Essay Contest.

Open to all Rhode Island 10th and 11th grade students, the 2013 Rhode Island Law Day Essay Contest drew on the anniversary of Rhode Island's Royal Charter, a historic document recognizing and establishing certain freedoms for Rhode Islanders long before these were officially acknowledged in the American Colonies. This document was the foundation for the Colony's, and later the State's, government, defining the executive and legislative branches, and providing exceptional religious and civil rights to Rhode Islanders. The Royal Charter guided Rhode Island's government for 180 years until the adoption of the Rhode Island Constitution in 1842 which borrowed heavily from the Charter's original language. For the 2013 Law Day Essay Contest, using specific examples from the present and recent past, students discussed how the Royal Charter's language, and its subsequent incorporation in the Rhode Island Constitution, directly affects Rhode Islanders today.

Shannon E. Hugard, a student at Middletown High School, was the winning author for her essay, *The Rhode Island Charter and Constitution Today*. Shannon received a \$1,000 Scholastic Award made possible through the generosity of the Rhode Island Police Chief's Association and the Rhode Island Bar Association. Shannon also received an engraved trophy cup, and her school, Middletown High School, received the *Hon. Francis J. Darigan, Jr. Rhode Island Law Day Essay Contest* trophy cup for a one-year display, and a permanent plaque commemorating Shannon's achievement. Rhode Island Supreme Court Chief Justice Paul A. Suttell and Rhode Island Governor Lincoln Chafee attended the award ceremony and personally congratulated Shannon on her winning essay.

Call us today to learn how our qualified business valuers have helped clients with:

- Mergers/acquisitions
- Business purchase/sale
- Succession planning or buy/sell agreements
- Estate and gift taxes
- Divorce asset allocation
- Adequacy of insurance
- Litigation support
- Financing
- Mediation and arbitration

**Want a qualified, expert  
business valuation?  
Count on us.**



**PICCERELLI, GILSTEIN  
& COMPANY, LLP**

*Certified Public Accountants and Consultants*

**William J. Piccerelli, CPA, CVA ♦ John M. Mathias, CPA, CVA ♦ Kevin Papa, CPA, CVA**  
144 Westminster Street, Providence, RI 02903 ♦ 401-831-0200 ♦ pgco.com

## Volunteer Bar Lawyers Offer Free Legal Guidance through Rhode Island Bar/NBC10 Ask a Lawyer Partnership Programs in May and June

NBC Channel 10 aired two, volunteer lawyer panels, staffed by members of the Rhode Island Bar Association Lawyer Referral Service (LRS) and Volunteer Lawyer Program (VLP), on the station's news broadcasts from the 5:00 p.m. to 7:30 p.m. on Wednesday, May 29th and Wednesday, June 6th. The Rhode Island Bar Association attorneys answered viewer telephone questions related to, respectively, Foreclosures and Family Law.

### Rhode Island Bar/NBC10 Ask a Lawyer Volunteers Answer the Call

*Top photo:* Foreclosure Panelists | to r: Peter C. Tashjian, Esq., Steven M. Miller, Esq., Christopher M. Lefebvre, Esq., and Dawn M. Thurston, Esq.

Foreclosure panelists fielded callers' questions regarding homeowners (35), tenants (2); foreclosure-related bankruptcy (10), and other related matters (6)

*Bottom photo:* Family Law Panelists | to r: Christine A. Borzilleri, Esq., Jonathan F. Whaley, Esq., Molly Kapstein Cote, Esq., and Edythe C. Warren, Esq.

The Family Law panelists answered over 100 callers' questions concerning: divorce (19); custody (20); visitation (11); domestic violence (2); guardianship (3); support /alimony (14); foreclosure (10); and other family and legal matters (34).



**1031 Exchange Services, Inc.**

EXCHANGE WITH CONFIDENCE



401.331.0083 | cjae@1031ri.com | www.1031ri.com

200 Smith St., Providence, Rhode Island 02908-4931

Structuring tax-deferred exchanges  
throughout the U.S.  
with Integrity and Experience

**Charles J. Ajootian, Esq.**  
President and Counsel

Rhode Island's leading Intermediary since 1997.



# Rhode Island Foundation 2013 Annual Meeting



Michael A. St. Pierre, Esq.  
Rhode Island Bar  
Foundation President

The Rhode Island Bar Foundation held its Annual Meeting and Fellows Luncheon on June 13, 2013 at the Rhode Island Convention Center in Providence. Foundation President

Michael A. St. Pierre and the Board of Directors welcomed and thanked the Foundation Fellows who, through their professional, public and private careers, have demonstrated outstanding dedication to the welfare of the community and objectives of the Foundation. During the Luncheon, the newest Foundation Fellows, as well as representatives from organizations receiving 2013 Interest on Lawyers Trust Account (IOLTA) grants, were recognized. This year, \$395,500 was granted for the provision of Rhode Island legal services and the administration of justice. Attorney participation in the IOLTA program accounts for the most significant source of grant revenue. The Foundation also recognized and honored the recipients of the 2013 Thomas F. Black, Jr. Memorial Scholarship.



### 2013-2014 Rhode Island Bar Foundation Officers

Standing: Treasurer James A. Jackson, Esq. and President Michael A. St. Pierre, Esq.;  
Seated: Vice President Deborah M. Tate, Esq. and Secretary Lauren E. Jones, Esq.

### The Bar Foundation Welcomed 14 New Fellows at the Annual Meeting

The Bar Foundation receives support by annual contributions through our Fellows program. Membership in the Foundation as a Fellow is a professional honor. Fellows are selected from Rhode Island Bar Association members whose professional, public and private careers demonstrate their outstanding dedication to the welfare of the community and maintenance of the Rhode Island Bar Foundation's objectives.

Carl I. Freedman  
Christopher S. Gontarz  
Patrick O'Neil Hayes, Jr.  
William F. Holt  
Richard J. Land  
Hon. Charles J. Levesque  
Megan K. Maciasz

Hon. John J. McConnell, Jr.  
Leslie D. Parker  
Hon. Angela M. Paulhus  
Brenda F. Rioles  
Stephen P. Sheehan  
Hon. Sarah Taft-Carter  
Mark P. Welch

### Special Thank You to Scholarship Program Contributors

The Horace A. Kimball and S. Ella  
Kimball Foundation  
The Champlin Foundations  
The Nicholas J. Caldarone Foundation

### Thomas F. Black, Jr. Memorial Scholarship Program

The Rhode Island Bar Foundation's Thomas F. Black, Jr. Memorial Scholarship Fund was established in 1989 to support and foster high legal practice standards by assisting Rhode Island residents who show promise that they will become outstanding lawyers and who need financial assistance to study law. The Scholarship is in honor of the late Thomas F. Black, Jr., a person known for his impressive ability as a lawyer and banker, his deeply rooted legal scholarship and his notable participation in civic and charitable causes. This year the Foundation granted two \$20,000 scholarships to first year law students.



2013 Thomas F. Black, Jr. Memorial Scholarship Recipient, Kara Moreau (center) with her parents, Ronald and Elizabeth Moreau.



Michael A. St. Pierre, Bar Foundation President.



Rhode Island Bar Foundation 2013 Thomas F. Black, Jr. Memorial Scholarship Recipients Kara Moreau and Afua Akoto.



Matthew L. Knowles, Esq. 2007 Thomas F. Black, Jr. Memorial Scholar addressed the Bar Foundation Fellows and guests.



Michael A. St. Pierre, President; Kara Moreau, 2013 Scholarship recipient; Afua Akoto, 2013 Scholarship recipient; R. Kelly Sheridan, Chairperson of the Scholarship Committee; Norman D. Baker, Jr., Trustee of the Kimball Foundation; Allan M. Shine, Scholarship Committee.





# Pull Together as a Team with OAR!

The Rhode Island Bar Association's unique, **Online Attorney Resources (OAR)** is exclusively designed to help Bar members receive and offer timely and direct assistance with practice-related questions. **OAR** provides new and more seasoned Bar members with the names, contact information and Bar admission date of volunteer attorneys who answer questions concerning particular practice areas based on their professional knowledge and experience. Questions handled by **OAR** volunteers may range from specific court procedures and expectations to current and future opportunities within the following **OAR** practice areas:

**Domestic/Family Law Practice**

**Civil Practice in RI District Court: Collections Law & Evictions**

**Civil Practice in RI Superior Court: Plaintiff's Personal Injury Practice**

**Criminal Law Practice**

**Commercial Real Estate Transactions**

**Organizing a Business**

**Probate and Estate Planning**

**Residential Real Estate Closings**

**Workers' Compensation Practice**

**Creditors' and Debtors' Rights**

**Federal Court Practice**

**Administrative Law**

## **Choose your OAR option:**

- 1) **Bar members with questions about a particular area of the law.**
- 2) **Bar members willing to volunteer as information resources.**

To review the names and contact information of Bar members serving as **OAR** volunteers, or to sign-up as a volunteer resource, please go to the Bar's website at [www.ribar.com](http://www.ribar.com), login to the **MEMBERS ONLY** section and click on the **OAR** link.

**OAR TERMS OF USE** Since everyone's time is a limited and precious commodity, all Bar members contacting OAR volunteers must formulate their questions concisely prior to contact, ensuring initial contact takes no longer than 3 to 5 minutes unless mutually-agreed upon by both parties. OAR is *not* a forum for Bar members to engage other Bar members as unofficial co-counsel in an on-going case. And, as the Rhode Island Bar Association does not and cannot certify attorney expertise in a given practice area, the Bar does not verify any information or advice provided by OAR volunteers.

Rhode Island  
Bar Association

Annual

2012-2013

Report

# Report of the Executive Director on 2012-2013

*The mission of the Rhode Island Bar Association is to represent the members of the legal profession of the state, serve the public and profession, and promote justice, professional excellence and respect for the law.*



**Helen D. McDonald**  
Executive Director

It is my pleasure to submit my Annual Report for 2012-2013, a year of steady progress, new endeavors and positive change for the Association. The Association's membership, leadership and staff have worked consistently to meet the goals embodied in our mission to represent the legal profession, serve the public and promote justice, professional excellence and respect for the law. We continue to place the highest priority on educating

our membership and the public about our positions, activities and services. We built upon already exceptional relationships with the judiciary, legal service providers and the communities of Rhode Island.

We have exceptionally strong standing and special Committees which now number 27. Over fifteen hundred Bar Association members serve on *Bar Committees*. All the work our members contribute through our Committees forms the backbone of the Rhode Island Bar Association. This *Bar Journal* contains summaries of the activities of these Committees, and I encourage you read them. Committees help bring members together in collegial and educational forums and serve to improve and develop the ongoing relationship between the Bar and the Courts. It is a particularly excellent means for new lawyers to grow and advance professionally, while benefiting from the experience and wisdom of their more seasoned colleagues and members of the Bench.

The Chair of our New Lawyer Committee was recently elected to serve as the District Representative to the American Bar Association Young Lawyers Division. This will provide a valuable source of information and ideas for our new lawyers and, in addition, assist in developing leadership in the Rhode Island Bar Association.

This year, President Mike McElroy appointed a Task Force on the Unbundling of Legal Services. The topic of limited scope representation was raised a year ago with the Association's participation in a petition filed at the Rhode Island Supreme Court, seeking the Court's guidance with respect to "unbundled legal services." The Association's petition requested the Supreme Court to clarify Rule 1.2(c) and provide general guidance on the issue for lawyers going forward and the petition was denied. The Executive Committee and the House of Delegates then voted to take a proactive role

in reviewing the issues and concerns of unbundling in a broad sense. In many other states, there are specific rules and forms adopted by the Courts for attorney to use. The Task Force will review the issues of unbundling in Rhode Island and make a report with recommendations for review by the House of Delegates which may then be presented to the Court for consideration.

This year, President Mike McElroy and the other Bar Officers continued the tradition of representing the Rhode Island Bar Association at the admission ceremonies for our newest members. Each new member was presented with a quill pen to remind our new colleagues of their obligation to use as much care in their pleadings and writings as did those lawyers who preceded them and carefully and elegantly penned the Declaration of Independence.

## Member Benefits

The Rhode Island Bar Association continues to provide value and benefits to its members. *Casemaker* remains a highly-valued and often-used membership benefit. Our website provides other great services. You can easily sign-up for CLE seminars, join Bar Committees, retrieve information about *Bar Journal* advertising and article submissions, review the CLE and Committee meeting calendars and access the great member directory, providing instant contact information on every registered Bar member including their email address and photo (when provided).

President McElroy recently created a general list serve for Rhode Island Bar Association members to use for online, law-related discussions. There are over 300 members currently signed up, and list serve is very active and a welcome new form of networking for our members.

The *AON Attorneys' Advantage Program* offers professional liability insurance coverage sponsored by the Bar Association. The program provides broad coverage, competitive rates, outstanding local service, and risk management service. Aon offers one of our most widely-utilized member benefits: the free, risk management CLE ethics credit program. Last year's program was another success story. The program, *Practicing Law Ethically in the Age of Twitter, Facebook, Metadata, and the Cloud*, with speaker Niki Kuckes, Esq., reviewed some key recent developments to help attorneys use technology in their law practice while avoiding hidden traps under the ethics rules. Notices will be out over the summer for the next, free CLE program offering three ethics credits.

The Bar Association has a new *Career Center* operated by Job Target. At no charge, Bar members may: search and apply

for relevant jobs; set up Job Alerts for immediate notification any time a job is posted matching member skills and interests; create an anonymous job seeker profile or upload resumes; and access job-searching tools and tips. The Career Center may be accessed through the Membership Benefits section on the Bar's website.

The *Rhode Island Bar Journal* is published six times annually with articles concerning relevant legal issues, opinion pieces, member profiles, updates on members' achievements, book reviews, Bar news events, programs and meetings, as well as advertisements for products and services of interest to Bar members. Downloadable issues from July/August 2009 to the most current Journal are available through the Bar Journal section of the website, as well as a past article index that goes back to 1952.

The *ABA Members Retirement Program* provides retirement plans – 401(k), profit sharing, and defined benefit plans to law firms and lawyers in RI. This year, the Insurance Committee negotiated a personal lines, auto and home insurance program with *Liberty Mutual*. The program is administered by Aon Affinity, the same company handling our professional liability program and sponsoring the free ethics CLE every summer/fall.

*Massachusetts Mutual Life Insurance Company* (MassMutual) is a sponsored provider of Disability Income Insurance and Long Term Care Insurance for Bar members. Insurance services and discounts are also available through the *Robert J. Gallagher Company*. *USI New England* is the Rhode Island Bar Association's relationship administrator with Blue Cross Blue Shield and Delta Dental. USI New England will act as a liaison between Blue Cross/Delta Dental and Bar members as an alternative to direct Bar member contact with Blue Cross/Delta Dental. USI will also provide Rhode Island Bar members with enrollment, billing service, and insurance advice. Other benefit programs include the *Law Firm Merchant Account*, credit card processing for attorneys, designed by Affiniscape Merchant Solutions (AMS).

### Rhode Island Bar Foundation

Bar Foundation President Michael A. St. Pierre and the Bar Foundation Board of Directors continue their hard work to maximize Interest on Lawyers Trust Account (IOLTA) income and assess legal needs to maximize foundation support for legal services in our state.

The Rhode Island Bar Foundation also administers the Thomas F. Black, Jr. Memorial Scholarship Fund, established in 1989 to support and foster high legal practice standards by

assisting Rhode Island residents who show promise as outstanding lawyers and who need financial assistance to study law. The Scholarship is named in honor of the late Thomas F. Black, Jr., known for his impressive ability as a lawyer and banker, his deeply rooted legal scholarship and his notable participation in civic and charitable causes. Two scholarships, of \$20,000, each were awarded this spring for Rhode Island students entering their first year of law school.

### Professional Development

The Association's Continuing Legal Education (CLE) department continued to explore ways to provide quality CLE programming as affordable as possible for our members. We expanded our online simulcasting of live CLE programs, offering both Food For Thought and longer seminars as both in-person and live webcast options on a regular basis. In March, working with MCLE Massachusetts, we provided a seminar for members on construction law in Rhode Island with the MCLE practice book as part of the seminar tuition. Including our annual meeting, we presented 120 seminars over the course of the last year. In addition, there were close to 700 online registrations by the end of May, many of which were live webcast registrations. We expect another 500 before the end of July. Our CLE program is aimed at ensuring professional excellence and competence for our members. Planning for the next CLE year is underway. A repeat of the annual commercial law update with two national speakers is scheduled for September; the free risk management program is slated in August and September; and Recent Developments is planned for October. The schedule includes simulcasts of several programs. Seminars chosen to date include: the fundamentals of collections, intellectual property law, the portability estate tax, legal assistance for disaster victims, SBA loans, and a program featuring Superior Court judges. Food For Thought topics include: the defense of child support arrearage, emergency guardianships, commercial leases and business evictions, and nursing home indemnification. The CLE Committee will plan additional Food for Thought programs at the next meeting. We also continue to offer the Supreme Court mandated program, Bridge the Gap, for newly-admitted lawyers.

There are a number of CLE publications listed on our website. Your Rhode Island Bar Association membership entitles you to a 15% discount off the list price of any of the American Bar Association's (ABA) more than 300 titles, whether or not you're a member of the ABA. In addition, we have a partnership with Massachusetts Continuing Legal Education on a series of Rhode Island practice books.

# Report of the Executive Director on 2012-2013

The Bar's 2013 Annual Meeting offered a wide range of activities including: Forty-seven CLE programs, 32 sponsored exhibitors with law related product and services, the Annual Award Dinner and Friday Luncheon, and the opportunity for Bar members to connect with their colleagues.

## Public Service

One of our most noble goals is facilitating the availability of legal services. We support *pro bono* service, services for the elderly and legal assistance for those of modest means. This past year, nearly 2,000 cases were processed through the Volunteer Lawyer Program, Pro Bono Program for the Elderly and US Armed Forces Legal Services Project. Financially-eligible clients were represented by volunteer attorneys in matters including bankruptcy, collections, foreclosure, consumer, education, family law, guardianships and employment. Administered by the Bar Association for 27 years, the Volunteer Lawyer Program continues to impact low income clients' lives in a positive, significant and purposeful way through the dedicated efforts of its members. The Pro Bono Program for the Elderly, administered through the Bar Association's Lawyer Referral Service, has operated for over 35 years, and the volunteer attorney members focus on the legal needs that most impact our senior citizens. Legal assistance initiatives for seniors continue as a public service priority, including a variety of free community outreach legal clinics, as well as statewide *Ask A Lawyer Programs*. Direct representation is also provided to the elderly on a reduced fee and *pro bono* basis according to income eligibility. Additionally, over 9,000 referrals were requested and made to members of the public through the *Lawyer Referral Service* and the *Reduced Fee Program*. These public service programs offer free, half hour consultations. If further services are required, fee arrangements are established between the client and attorney. Hundreds of additional callers to the public service area are provided with helpful information in regard to other available community resources.

We are pleased to announce the Rhode Island Bar Association recently formed a partnership with Rhode Island Legal Services on foreclosure-related legal assistance services. Our goal is to inform the public of the various steps available to avoid foreclosure as well as handle foreclosure cases for citizens in great need who no longer have options available to address saving their home. We are providing assistance in preventative case areas related to foreclosure and offer statewide legal clinics. We also began a partnership with the Rhode Island Paralegal Association to provide *pro bono* legal assis-

tance through the *Volunteer Lawyer Program*, *US Armed Forces Legal Services Project* and *Pro Bono Program for the Elderly*. Any members of these *pro bono* programs now have the option of requesting paralegal assistance. If you are not already a member of a *pro bono* program, please consider joining today. Last fall, we held a three-part bankruptcy series with the assistance of the Federal Court and a family law litigation series. The programming was offered free to members of the *pro bono* programs and those willing to join and accept a case.

The Association recently entered into collaboration with the Rhode Island Emergency Management Agency and the Attorney General's department to assist during an emergency when volunteers are faced with liability issues.

## Work-Life Balance

The Bar Association continues to support our members' quality of life through our *Lawyers Helping Lawyers (LHL) Program*. Any member experiencing a personal or professional crisis may obtain immediate assistance from licensed, caring professionals, as well as peer support if they so choose. The Committee serves as a resource for Bar Association members, providing support and encouragement when needed. Committee volunteers give generously of their time to help their colleagues. Their primary role is not to serve as counselors, doctors or therapists, but rather to lend an ear, provide support, encouragement and referral to appropriate resources. The Committee works with Judith G. Hoffman, LICSW, CEAP, Executive Director, Coastline Employee Assistance Program (Coastline EAP). Several members of the bar were assisted by EAP in the past calendar year. Issues included depression, eldercare, alcohol, anxiety, divorce and addiction.

## Law Related Education

The Bar Association is dedicated to helping Rhode Island teachers interested in law related education (LRE) by providing volunteer lawyers for classroom presentations and as educational resources. The Bar supports these presentations by developing student interest-focused, law-related classroom lesson plans and educational background material. The Bar Association's goal is to increase public understanding of and respect for the law and the role of lawyers and judges in the legal system. Working with the Rhode Island Law Day Committee, chaired this year by Rhode Island Supreme Court Associate Justice Gilbert V. Indeglia, the Rhode Island Judiciary and the Rhode Island Bar Association organized over 40 volunteer teams of judges and lawyers who delivered

## Report of the Executive Director on 2012-2013

law related education programs to thousands of upper and middle school students throughout the state. Lesson plans, including background information and related news media stories, as well as recommended questions for student consideration, were developed and produced by the Rhode Island Bar Association, and reviewed and approved by the Rhode Island Law Day Committee.

My thanks to President Michael R. McElroy, the Executive Committee, House of Delegates and Committee Chairpersons for their support and guidance throughout the year. Each member brings great perspective and leadership for the members.

Finally, I want to acknowledge and thank the staff of the Rhode Island Bar Association, whose hard work and dedication are remarkable. We are fortunate to have these very committed individuals contributing their talent to the delivery of quality services and benefits to our members. Their hard work and dedication are remarkable: Director of Public Services Susan Fontaine, Director of Continuing Legal Education Nancy Healey, Director of Communications Frederick Massie, Director of Finance Karen Thompson, Rhode Island Bar Foundation Program Director Virginia Caldwell, our

Lawyer Referral Service Coordinators Elisa King and Laura Bridge, CLE Program Coordinator Tanya Nieves, Communications Coordinator Kathleen Bridge, Volunteer Lawyer Program Coordinator John Ellis, VLP Program Assistant Debra Saraiva, Receptionist Karen Lomax, Office Manager Susan Cavalloro, and Law Related Education Coordinator Allison B. Baker. We welcome our newest staff member, LRS Coordinator William Kelley.

The programs and services of the Rhode Island Bar Association contribute to relevant and valuable programs and services to our members, increased availability of legal services, a more effective and independent judicial system, and increased public understanding about the law. The Rhode Island Bar Association Strategic Plan outlines goals and objectives to ensure we are doing the best we can to meet or exceed member expectations. In the coming year, under the leadership of our President J. Robert Weisberger, Jr., we will be mindful of meeting those goals and objectives adopted by the House of Delegates on your behalf and will continue to work toward our vision. Please feel free to contact any of the officers or staff at the Bar Association with your concerns, questions or suggestions. We will keep you informed and invite you to become involved as we work to fulfill our mission.

*Building on our deep traditions of professionalism, advocacy and service, the Rhode Island Bar Association is the preeminent leader on behalf of the profession. By being innovative and foresighted in serving the needs of practitioners, the community, and the administration of justice, our members are proud to be Rhode Island lawyers.*

- Goal 1** To provide members with valuable, relevant services that promote professional competence.
- Goal 2** To be indispensable to new/young lawyers.
- Goal 3** To be a positive public voice on behalf of lawyers and the judicial system.
- Goal 4** To facilitate access to justice.
- Goal 5** To foster the relationship between the bench and the bar to our mutual benefit.
- Goal 6** To maintain an infrastructure that supports us in fulfilling our vision.

Rhode Island Bar Association

Legislative Positions and Amicus Briefs Official Notice 2013

The Rhode Island Bar Association takes positions as a party or *amicus* in litigation matters related to the practice of law or administration of justice. The Rhode Island Bar Association restricts action on legislation either as a proponent or opponent to that related to the practice of law or administrative of justice. In 2012-13 the Rhode Island Bar Association (RIBA) did not file as *amicus curiae* in any matters.

With regard to legislation, the Executive Committee voted to support the unanimous recommendations of the Committee on Probate and Trust:

**1. An Act Relating to Probate Practice.** The proposed legislation would amend probate statutes to provide that the notice to creditors required by law in probate petitions could be made after the personal representative has been appointed. The current statute would seem to require that such notice is a condition precedent to the actual hearing on the petition for probate or administration, which presents difficulties for probate practitioners and for probate courts.

**2. An Act Relating to Fiduciaries.** The underlying legislation was passed by both Houses of the General Assembly in 2012 as Public Law 403. The proposed amendment would broaden the scope of trusts that would permit “decanting” (distributing some or all of the trust assets to a new trust with the same beneficiaries and similar provisions).

**3. An Act Relating to Taxation – Estate and Transfer Taxes.** A similar bill was introduced in 2010, 2011 and 2012. It was intended to address the fact that the Rhode Island estate tax creates a “cliff tax,” which creates a substantial tax for estates that just exceed the exemption threshold of \$850,000. For example, an estate of \$1,000,000, under the current tax, creates a tax of \$33,200, which is 37% of the excess of the estate over \$910,725 (the current exemption, which is indexed). The Committee felt that a fairer result would be produced by substituting a tax credit for the exemption. In addition, the Committee this year felt that the credit should be increased to an equivalent of \$2,000,000, which would be a credit of \$99,600. This would have the effect of benefiting all taxable estates. The Rhode Island estate tax would be better than Massachusetts (a \$1,000,000 exemption) and Maine (\$1,000,000, but increasing to \$2,000,000 in 2013), and the same as Connecticut. Vermont currently has a \$2,750,000 exemption, and New Hampshire does not have an estate tax.

The Executive Committee voted to support the unanimous recommendations of the Committee on Title Standards to introduce the following:

**1. An act relating to property – Conveyance to or by Nominee Trust.** Nominee trusts have had a negative impact

on real estate conveyancing in Rhode Island. A typical nominee trust does not give any discretion to the trustee to deed, mortgage or otherwise engage in transactions involving real estate with the direction and consent of the beneficiaries of the trust. This causes issues to arise as to whether such a trust had actual consent and direction as required. R.I. Gen. Laws § 34-4-27 does not allow for the recognition of nominee trusts nor provide a method for assuring that transactions are properly authorized. The result is that beneficiaries are exposed and required to execute deeds or documents of consent in order to confirm authority. The above statute would provide an acceptable method for recognizing transactions involving nominee trusts.

**2. An act relating to property – Section 34-11-43 – Validation of conveyancing defects.** The purpose of the proposed statute is to eliminate issues with respect to title where certain issues are otherwise capable of resolution by investigation, preparation and execution of corrective instruments and recording thereof.

**3. An act relating to property – Form and Effect of Conveyances – Section 34-11-43 and Section 34-11-43 of the General Laws.** The explosion of the secondary mortgage market and the now-familiar increase in mortgage foreclosures has often resulted in a distant lender holding title. More often than not when that lender conveys to a third party the deed of choice is a “Special Warranty Deed.” Rhode Island has no statutory definition for this kind of deed nor any statutory meaning attributed to it. By reviewing the laws of the originating State it appears that the intention is to provide the Rhode Island equivalent of a quitclaim deed. However without a definition or meaning attributed to “Special Warranty Deed” it becomes a deed wholly without covenants. That provides the Rhode Island buyer with little recourse if there should be a title issue. The above statutes would provide a definition and meaning consistent with custom and practice and adequate to protect buyers.

**4. An act relating to property – Section 34-26-7 of the General Laws in Chapter 34-26 entitled “Redemption, Release, and Transfer of Mortgages.”** The proposal changes, clarifies and reduces the time after which a recorded mortgage would be unenforceable against the real estate securing the mortgage. The current 50 years is beyond the 40-year Marketable Record Title Act period. The proposed 35-year period would be more consistent with provisions in Massachusetts (35 years, M.G.L. Ch. 260 § 33) and Connecticut (40 years, Conn. Gen. Stat. § 49-13(a)).

**5. To oppose House Bill H 5726, S507 and S222 which,**

if enacted, would create a lien for commissions earned by brokers in commercial real estate transactions. The Committee noted that no other Rhode Island statute permits the creation of a lien on a real estate interest of any kind by filing a notice in Superior Court. There is no provision in the bill for how the Superior Court will index these liens. There does not appear to be any requirement that the initial filing be made in the context of a suit; is it expected that the Superior Court create a separate indexing and filing system for these liens? There is no requirement that the lien itself be filed in the Superior Court in the County where the real estate is located. That would mean that a search would be required in every county. § 34-49-8 only requires that the suit to enforce the lien be filed in the County where the land is located. The priority of recorded mortgages appears to be limited to the extent that the mortgage is recorded prior to the filing of the lien under § 34-49-9(c).

The House of Delegates voted to support the recommendations from the Lesbian Gay Bi-Sexual Transgender Committee to support House No. 5015A (S 38A), which would allow same-sex couples in Rhode Island equal access to a civil marriage. The Association endorsed the legislation, however, our lobbyist was instructed not to actively participate in the support of the proposal other than to advise any legislator who asked that the RI Bar Association was in support of the bill.

A member may, within sixty days of the date of the mailing of the Journal, allege that the lobbying activity for a specific bill or an amicus brief filing in a specific case was impermissible or a “non-core” activity on the part of the Rhode Island Bar Association, by notice, in writing, to the Executive Director of the Rhode Island Bar Association.

#### **Rhode Island Bar Association 2013-14 Annual Budget**

The Bar Association funds derived from members’ dues are employed for the furtherance of the Bar’s mission which is to represent the members of the legal profession of the state, serve the public and profession, and promote justice, professional excellence and respect for the law. A detailed budget appears on the following page.

# Rhode Island Bar Association 2013-2014 Annual Budget

The Rhode Island Bar Association funds derived from members' dues are employed for the furtherance of the Bar's mandate which includes the administration of justice.

## GENERAL FUND

(Administrative and Member Services)

Income	Budget 13/14
Bar Journal Ads & Subscriptions	\$ 60,000
Contract Service Income	54,600
Interest Income	500
LRE Grant Income	7,500
Mailing List Income	1,500
Malpractice Prevention	30,000
Member Dues & Fees	1,200,000
Royalties & Miscellaneous	11,000
Health Insurance Royalties	22,000
	<u>\$ 1,387,100</u>
<b>Expenses</b>	
Awards	\$ 2,000
Bar Journal	105,000
Casemaker	72,000
Clerical Assistant	2,500
Computer	38,000
Consultants	5,000
Copier	12,500
Depreciation Expense	12,000
Dues & Subscriptions	5,000
Insurance	17,000
Lawyer Assistance Program	10,000
Legislative Counsel	26,250
Lobby Tax	10,500
LRE Grant	7,500
Maintenance & Repair	25,000
Medical Benefits	85,000
Miscellaneous Expense	3,500
Office Supply & Expense	30,000
Pamphlets & Advertising	1,500
Payroll Tax Expense	36,300
Printing & Postage	30,000
Professional Fees	28,000
Property Tax	7,000
Public Relations & LRE	7,500
Records Management	2,500
Regular Meetings	17,500
Rent & Electricity	170,000
Retirement Plan	47,000
Salaries	453,600
Telephone	15,000
Travel	36,010
Website	10,000
	<u>\$ 1,330,660</u>
Net Income:	<u>\$ 56,440</u>

## LAWYER REFERRAL SERVICE

(LRS and Public Services)

Income	Budget 13/14
Interest	\$ 50
Dues	26,000
Fees	30,000
	<u>\$ 56,050</u>
<b>Expenses</b>	
Medical Benefits	\$ 35,000
Office Supplies	1,000
Payroll Tax Expense	3,300
Printing & Postage	4,000
Retirement Plan	4,800
Salaries	41,000
	<u>\$ 89,100</u>
Net Income:	<u>\$ (33,050)</u>

## CONTINUING LEGAL EDUCATION

(CLE Professional Development)

Income	Budget 13/14
Annual Meeting	\$ 480,000
Publications	5,000
Seminars	250,000
Miscellaneous Income	250
On-Line Income	14,750
	<u>\$ 750,000</u>
<b>Expenses</b>	
Annual Meeting	\$ 275,000
Clerical	750
Computer	10,000
Copier	2,500
Depreciation	1,000
Dues & Subscriptions	500
Medical Benefits	29,500
Miscellaneous Expense	500
Office Supplies	10,000
Payroll Tax Expense	12,210
Postage	6,000
Professional Fees	7,000
Publications	4,000
Rent	15,000
Retirement Plan	15,500
Salaries	152,620
Seminar Expense	160,000
Travel	1,000
Website	1,500
	<u>\$ 704,580</u>
Net Income:	<u>\$ 45,420</u>

## OPERATING BUDGET

	General Fund	LRS	CLE	Total
Income	\$ 1,387,100	\$ 56,050	\$ 750,000	\$ 2,193,150
Expense	1,330,660	89,100	704,580	2,124,340
	<u>\$ 56,440</u>	<u>\$ (33,050)</u>	<u>\$ 45,420</u>	<u>\$ 68,810</u>

## Grants and Restricted Funds

Pro Bono	\$ 163,594
Elderly	54,764
Foreclosure	100,000
CRF	125,000
Total:	<u>\$ 443,358</u>

## 2013-2014

Total Revenue	\$ 2,636,508
Total Expense	<u>\$ 2,567,698</u>
	<u>\$ 68,810</u>

**Rhode Island Bar Association  
(A Non Profit Organization)  
Statements of Financial Position\*  
June 30, 2012 and 2011**

<b>Assets</b>	<b>2012</b>	<b>2011</b>
Cash and cash equivalents	\$ 502,027	\$ 628,305
U.S. Treasury Bills	3,773,577	3,549,122
Accounts receivable	85,489	51,364
Other assets	25,883	12,596
Furniture and equipment (net of accumulated depreciation of \$144,326 in 2011 and \$401,281 in 2010)	40,779	56,657
<b>Total Assets</b>	<b>\$ 4,427,755</b>	<b>\$ 4,298,044</b>
<b>Liabilities and Net Assets</b>		
<b>Liabilities</b>		
Accounts payable	\$ 34,432	\$ 66,716
Accrued expenses	81,939	85,765
Deferred revenues	5,000	10,000
<b>Total Liabilities</b>	<b>121,371</b>	<b>162,481</b>
<b>Net Assets</b>		
Unrestricted	2,294,006	2,212,781
Temporarily restricted	2,012,378	1,922,782
<b>Total Net Assets</b>	<b>4,306,384</b>	<b>4,135,563</b>
<b>Total Liabilities and Net Assets</b>	<b>4,427,755</b>	<b>\$ 4,298,044</b>

*\*The Statement of Financial Position on page 2 of the Audited Financial Statement for the years ended June 30, 2012 and 2011 is the official name of a Balance Sheet for non profit organizations.*

*Luis M. Lourenco, CPA, CCIFP*  
Principal  
YKSM, LTD  
27 Dryden Lane  
Providence, RI 02904  
401-654-5025



**Mark B. Morse**  
*Chair*

**Annual Meeting**

It was my distinct honor to serve as Annual Meeting Committee Chair. Our first meeting took place in September 2012. Having never served on this Committee before, I approached our maiden meeting with no expectations about what would ensue. I could not imagine how we could put together an agenda that could be fresh and attractive to the diverse membership of the Bar Association.

I soon learned that the Committee functions very effectively, putting programs into place, and developing themes quickly and creatively. In the ensuing months, the Committee reached out to the other Bar Committees, the Bench, and individuals to help establish a wide range of topics for CLE credit. I commend the level of participation the members brought to these meetings. Likewise, and to an even greater extent, I am greatly impressed by the commitment shown by our Rhode Island Bar Association staff who ensure our Annual Meeting continues to keep topics fresh and exciting. This year, our Annual Meeting introduced new concepts and an array of topics and speakers covering all aspects of the law. For the first time, all the seminar material was available on a flash drive allowing participants to download the material directly to their computer. Our featured plenary speaker was the nationally prominent legal scholar, Arthur R. Miller; Harvard Law School professor, host of Millers Court, and co-author of Wright & Miller *Federal Practice & Procedure*. Professor Miller has been featured by many media outlets including Good Morning America, and as legal commentator to Boston’s WCVB TV. Professor Miller addressed the impact of the recent Supreme Court decisions of *Bell Atlantic v. Twombly*, 550 US 544 (2007) and *Ashcroft v. Iqbal*, 556 US 662 (2009). There was a workshop on the Future of Legal Education & Law Schools moderated by Past Rhode Island Bar President Thomas W. Lyons III, and inspired, in part, by Past President Michael McElroy’s President’s Message in the September/October 2012 *Rhode Island Bar Journal*. Paul Mellor, a memory expert, provided tips on how improve your memory. Among the seminars were the civil and criminal law updates moderated by Associate Justice Francis X. Flaherty, and consisting of a most distinguished panel of jurists and legal practitioners. Our Annual Meeting also provided an opportunity to honor our membership for their years of service, and for service to the public. We elected a new slate of officers, welcomed

Robert Weisberger as incoming president, and expressed gratitude to Michael McElroy for guiding our Bar Association so effectively this past year. I wish I could take credit for the way this Annual Meeting shaped up, but the credit belongs to the members of the Annual Committee, the various Bar Committee members, the seminar panelists, the Bar Association staff, and the attendees, who all serve and work so hard to ensure a unique, educational, and extraordinary annual meeting. Thank you for allowing me to participate.



**James H. Hahn**  
*Chair*

**Business Organizations**

The Business Organizations Committee met monthly throughout the past year. Committee members reviewed issues of interest and legislation introduced during the General Assembly’s 2013 session. Other activities included organizing and presenting a number of seminars, one of which dealt with recent developments in business law as part of the Bar Association’s Food for Thought

Program. The Committee is currently working to achieve consensus with other Bar committees on proposed legislation that it drafted in 2012. These proposals would amend the Rhode Island Limited Liability Company Act, by adding provisions similar to those in the Business Corporation Act, expressly permitting the appointment of receivers for LLCs, and the Business Corporation Act, to address issues related to dissolution and the effect of the issuance of a certificate of revocation by the Secretary of State. The Committee also began review of the Model Nonprofit Corporation Act to evaluate whether it represents an appropriate template for an overhaul of the Rhode Island Nonprofit Corporation Act.



**John A. Tarantino**  
Chair

### Client Reimbursement Fund

The Rhode Island Bar Association's Client Reimbursement Fund was established as a public service to promote confidence in the administration of justice and the integrity of the legal profession. Our experience confirms the overwhelming majority of Rhode Island lawyers are honest, caring and deserving of their clients' trust. The Fund reimburses the

losses sustained by clients victimized by the few Rhode Island lawyers who violate the profession's ethical standards and misappropriate funds entrusted to them. Losses reimbursed by the Fund include the theft of estate and trust assets, conversion of settlement proceeds in real estate and personal injury cases, money embezzled in investment transactions within an attorney-client relationship and the practice of law, and unearned fees paid in advance to lawyers who falsely promise, but then do not provide, legal services. The Fund Committee meets regularly to review and act upon claims and propose rules and procedures. The Committee administers the Fund, which is funded by an annual assessment of \$25 per Rhode Island Bar Association member, together with interest on the invested funds and any money collected as a result of subrogation rights against the defalcating lawyers. As a fund of grace, all claimants are required to exhaust alternate sources of recovery before the Committee will consider claims. The Committee pursues subrogation rights after claims are paid. In several cases, attorneys convicted of client fund thefts have also been subject to court restitution orders. Since its inception in 1981, Rhode Island lawyers have reimbursed more than \$2 million to the victims of the few dishonest lawyers in this state. No public funds have been involved. Rather, these reimbursement awards are financed solely by payments from lawyers. In fiscal year 2012-13, three new claims were received involving three lawyers. Three claims have been paid over the fiscal year totaling \$3,709 and three claims were denied as not reimbursable under our rules. Six claims are still awaiting action pending receipt of further information and the exhaustion of other remedies. I will continue to keep you informed as the Fund serves the public. I am thankful for your support.



**Thomas C. Plunkett**  
Chair

### Continuing Legal Education

Throughout the year, the CLE Committee continued to offer a range of programs for Rhode Island Bar members. More than seventy seminar opportunities were offered as in-person, webcasts, or co-sponsored programs. The year began with our annual, free ethics seminar which was repeated five times in different locations in August and September.

Our third annual *Commercial Law Update* was also held in September. Two programs were co-sponsored with the Rhode Island Society of Certified Public Accountants in the late fall, and a special program, *A Sidebar with the Superior Court*, was held in November. In March, working with MCLE Massachusetts, we were able to provide attendees at a seminar on construction law in Rhode Island with the MCLE practice book as part of the seminar tuition. A very popular one-hour ethics webinar was presented in early April offering a convenient opportunity to fulfill an ethics credit. Food For Thought programs are now regularly offered as both live webcasts and in-person programs. Bar members who practice in the outlying counties can opt to attend the simulcast rather than drive to Providence. Also, many of our CLE programs are taped and placed in the on-demand catalog for future viewing by anyone who missed a seminar. All of our speakers are volunteers and are not compensated. We thank them all for their excellent efforts and time commitment. I would also like to thank all the Committee members for their hard work coordinating the seminar schedule. I especially want to thank Nancy Healey and Tanya Nieves of the Bar Association for all their work in scheduling and implementing our programs. Please remember our Committee invites all Bar members to submit topics and proposals for our programs as we look forward to planning for the coming year.



**Richard L. Gemma**  
*Chair*

**Creditors' and Debtors' Rights**

This past year was busy for the members of the Committee on Creditors' and Debtors' Rights. Although the local and national economies have improved, the number of bankruptcy proceedings, receivership proceedings, and/or other forms of insolvency filings continue to demand the attention of many of our members. In particular, Ms. Merrill

Sherman, appointed Special Master by Rhode Island U.S. District Court Judge John J. McConnell, Jr., is spearheading a format to resolve hundreds of pending cases involving claims against Mortgage Electronic Registration Systems, Inc. (MERS) and various lenders concerning the origination, assignment and foreclosure of certain residential mortgages. During the last year, the Committee had the pleasure of meeting with Attorney James Hahn of Partridge Snow & Hahn LLP to consider and comment upon proposed changes to the Rhode Island Business Corporation Act and the Rhode Island Uniform Limited Liability Company Act. Many members of the Committee are connected by and continue to participate in an email communication system through which members of the Committee are updated on insolvency issues in state and federal courts.



**Christopher S. Gontarz**  
*Chair*

**Criminal Law Bench/Bar**

The Criminal Law Bench/Bar Committee met every month at the Bar Association in Providence. The Committee reviewed the proposed rule changes for the Rhode Island Traffic Tribunal. Committee recommendations to the Bar's Executive Committee regarding the proposed changes ultimately led to the Bar Association notifying the Supreme Court of the concerns raised by the Committee.

The Committee reviewed legislation regarding the Expungement Statute, and the Committee is representing the Bar Association at the Senate Judiciary Committee hearings on the implementation of the *Adam Walsh Act*. The

Committee had an in-depth discussion regarding the practices and procedures utilized by the Veterans' Court in the District Court. Committee members designed and participated in a CLE Seminar on the Medical Marijuana Act, and Committee members participated in two presentations at the Annual Meeting.



**Gregory S. Dias**  
*Chair*

**District Court Bench/Bar**

This past year was my second year as District Court Bench/Bar Committee Chair, and I thank the Committee members and members of the Bench for their assistance. Our first meeting featured Chief Judge LaFazia who responded to Committee members' questions regarding notary public language on court forms and the new notary public statute. Courtroom assignments were also discussed, and a

list of all courtroom assignments for all District Courts was developed by the Chief for distribution to all Committee members. The Committee discussed the planned civil calendar location change in the Garrahy Building. The Committee discussed issues relating to the use of electronic devices in court, continuances by telephone, and other pertinent issues in District Court. The Committee met in Kent County with Judge Stephen Isherwood to discuss his handling of the civil calendar. The Judge and the Committee discussed issues with citations, executions and trials. Our last meeting at the Garrahy Judicial Complex focused on reviewing issues of interest and a discussion regarding the Veterans' Court highlighted in a *Providence Journal* article in the *Providence Journal* and the subject of a Bar Annual Meeting seminar. In the coming year, the Committee looks to bring in lecturers to offer CLE credits for those attending. The Chair invites all interested Bar members, both those who practice criminal and civil law, to join the District Court Bench/Bar Committee.



**Jennifer R. Cervenka**  
Chair

### Environmental and Energy Law

The Environmental and Energy Law Committee continued to expand its membership, offering a full speaking program in its fourth year. The Committee meets on the third Friday from September through May from 12:30 to 2:00 pm and, in December, hosts a social holiday gathering. Regular meetings consist of general committee activity announcements, member

discussions on current events and changes in the law, and voting on official committee actions. The meetings also include an issue-oriented speaker, coordinated by the planning subcommittee. The subcommittee meets on the first Wednesday of every month by telephone (year-round) to: identify topics/speakers for committee meetings; discuss updates on current events in the law; discuss potential legislative and regulatory advocacy issues for Committee consideration; and plan for Continuing Legal Education seminar presentations. This year's meeting speakers included: Tricia Jedele, Vice-President and Director of the Rhode Island office of the Conservation Law Foundation, who presented on wind energy and the non-profit's advocacy work in that area; Brian A. Goldman, Chief Legal Counsel to the Rhode Island Coastal Resources Management Council, who discussed the agency's Ocean Special Area Management Plan, Matunuck Beach erosion, beach access issues, and ongoing regulatory and procedural changes at the agency; Janet Coit, Director of the Rhode Island Department of Environmental Management, who presented on federal and state marine fisheries law; Eric Wilkinson, the External Affairs Representative of ISO New England; Richard Mandile of SAGE Environmental, who provided an overview of the practical applications of the new dig and haul and school siting policies of the Rhode Island Department of Environmental Management; and Marion Gold, Rhode Island's new Commissioner of Energy Resources. The last meeting of the year was held at Toray Plastics in Quonset Point for a free, 3 credit Committee CLE program on energy and environmental issues encountered by the manufacturer, including an ethics portion on citizen participation. The Committee hosted two workshops for the Bar's Annual Meeting, one on energy and another providing an environmental regulatory, legislative, and case law update. All interested Bar members should consider joining our active committee, and take part in the coming year's events.



**Jane F. Howlett**  
Chair

### Family Court Bench/Bar

The Family Court Bench/Bar Committee meets on the second Tuesday of each month in Courtroom 5H at the Garrahy Complex. This year was busy for the Committee. Chief Judge Bedrosian issued several new Administrative Orders including Administrative Order 2012-05, *Child Support Formula and Guidelines and the Processing, Collection and Payment of Child*

*Support Order*, consolidating several prior Administrative Orders and vacating others. This Order spells out the methodology and use of the guidelines, as well as setting forth, with great particularity, the method for determining child support amounts. New Administrative Order 2012-4 addresses appointment of counsel for indigent persons and Motions to Proceed *In Forma Pauperis*. In light of the increased number of *pro se* litigants, this Order defines the process which applies and which promotes uniform procedures followed by all Family Court departments. Administrative Order 2012-6 vacated many prior Orders which pertained to time-specific calendar issues or judicial assignments that are no longer necessary. Administrative Order 2013-01 set forth the policy supplementing Administrative Order 2012-01, *Removal of Exhibits in Contested Domestic Relations Cases*. All these Administrative Orders are available online and at the Family Court Clerk's office. Chief Judge Bedrosian spoke to the Committee in October and updated members on current issues in the Family Court as well as addressing some of the recently-enacted Administrative Orders and entertained many questions from Committee members. I thank Chief Judge Bedrosian for her time, effort and ongoing support of the Committee. The April meeting consisted of a presentation and discussion on the proper billing procedure by Court appointed attorneys. I thank Lou Cairone for his time and effort in making the presentation, and thank Attorney Paul Jones for leading the meeting in my absence. The Committee offered two CLE seminars. The CLE entitled *Basic Tax Considerations in Separation and Divorce* was presented by Attorney Elizabeth Segovis from Rhode Island Legal Services. This well-attended presentation is given in February and well timed during tax season, addressing issues related to tax refunds, deductions and filing issues. Since tax issues change and constantly evolve from year to year, this annual seminar helps update Family Court practitioners on

pertinent topics. I thank Elizabeth for her time and consideration. A one credit ethics seminar was offered in May, *Ethical Considerations for Family Court Attorneys*, presented by Barbara Margolis, Deputy Disciplinary Counsel, a lively, engaging discussion focused on the pitfalls facing Family Court practitioners, how best to avoid them, and how to address ethical issues relating to clients. Thanks to Barbara for her time and effort on behalf of the Committee. As Chairperson, I made a presentation at the annual Family Court Judicial Conference held at the Christian Brothers in Narragansett. An invitation was extended to all members of the Committee by Chief Judge Bedrosian and many members attended. A reception followed which was enjoyed by all.

It is a pleasure to continue as Chair of this essential and dynamic Committee. Thank you to all Judges, Family Court staff and to the Committee members who assisted in making this another successful year for the Family Court Bench/Bar Committee.



**Patricia K. Rocha**  
*Chair*

**Federal Court Bench/Bar**

Throughout this year, the Federal Bench/Bar Committee worked closely with the Court, and particularly with Chief Judge Mary Lisi and Clerk of the Court, David DiMarzio, to continue to update Bar members on various projects to improve the efficiency and responsiveness of the Court to the needs of litigants and attorneys. The Committee worked on projects focused on reaching out

to lawyers in the community regarding federal practice, the role of the Federal Courts and legal issues of interest to the community. In connection with the Committee’s work on improvement of practice, procedures and rules, to benefit both the bench and the bar, the Committee coordinated closely with the Local Rules Committee, tasked with monitoring and recommending modifications to the Local Rules. The Committee continues to work on reviewing the rules and recommending modifications, including new admiralty rules adopted by the Court. The Committee continues to work on the Jury Instruction Project to make jury instructions available electronically to both attorneys and judges. Currently, criminal jury trial instructions are available electronically, and the appointed subcommittee is finalizing the civil jury trial instructions that should be available in the near

future. At our Fall meeting, Chief Judge Lisi reported on the addition of Magistrate Judge Patricia Sullivan, appointed to replace retired Magistrate Judge David Martin. Chief Judge Lisi announced the Annual National Meeting of the Federal Bar Association will be held in Rhode Island in 2014, a real tribute to the Rhode Island Chapter’s leadership in the Association. Judge William Smith and Scott Kilpatrick are chairing a Committee to plan for the Meeting. Chief Judge Lisi reported a District Court Conference in October 2013 with keynote speaker, former Supreme Court Justice Sandra Day O’Connor. Chief Justice Lisi noted the Court host a reception with Supreme Court Justice Elena Kagan in August 2013 in connection with her visit to Rhode Island associated with the celebration of the 350th Anniversary of Rhode Island’s Colonial Charter. Furthering its ongoing outreach function, the Committee continued the University Symposium Series, which started in 2008. The Series is sponsored by the Committee, working with the federal judiciary and with the local colleges and universities. In April 2013, the Committee co-sponsored a Symposium with Johnson & Wales University, *Money and Politics – Unholy Alliance or Free Speech? The Aftermath of Citizens United*, including presentations by Anthony Corrado, a professor of Government at Colby College, and Paul S. Ryan, Senior Counsel at the Campaign Legal Center in Washington, D.C.

The Committee sponsored a Bar Annual Meeting seminar and looks forward to another productive year. The meetings have been particularly well attended, and I thank all the Committee members for their efforts on the various projects this year.



**Henry V. Boezi, III**  
*Chair*

**Fee Arbitration**

During fiscal year 2012-13, thirty-two petitions for fee arbitration were filed with the Rhode Island Bar Association. Five matters were settled prior to a formal arbitration hearing. Sixteen matters were dismissed because the respondent was unwilling to proceed with the arbitration. Nine matters were arbitrated with the Committee’s assistance. Eleven matters are still pending. The

amount of fees in dispute ranged from amounts of \$846 to \$360,000. Several disputes were between lawyers involved in the same case. In one, a settlement agreement was reached

but later rescinded. We continue to arbitrate controversies that could have been avoided by a well-written fee agreement, sound billing practices, and/or better lawyer and client communications. The proceedings are primarily informal, serving as an alternative to litigation. Members of the Committee serve voluntarily without compensation. They are commended for their service to the Bar and the public. This program increases public confidence in the legal profession and accelerates fee dispute resolution. However, it remains underutilized, as there are many volunteers offering to serve as arbitrators.



**Julie P. Hamil**  
Chair

**Government Lawyers**

The Government Lawyers Committee (GLC) began this year with a presentation by Susan Fontaine, the Bar Association’s Public Services Director, who spoke to the Committee regarding available volunteer opportunities. In addition to discussing the Volunteer Lawyer Program, Pro Bono Program for the Elderly and US Armed Forces Legal Project, Ms. Fontaine suggested that where a

government lawyer’s work for the State precludes representation of private clients, due to potential conflicts, there is also the option of acting as a mentor in whatever area the government lawyer practices. At its first meeting, the Committee also heard from Bar Association Treasurer Bruce McIntyre who reported on items discussed at the New England Bar Association Meeting in October, 2012. This year, Committee members conducted outreach to city and town solicitors throughout the State to determine how the Committee might assist these attorneys who perform such important work for the State’s municipalities. One topic solicitors expressed a great deal of interest in was the interplay between the Code of Ethics and the Code of Professional Responsibility. In response to this feedback, the GLC held a Committee CLE ethics seminar in May with speakers David Curtin, Disciplinary Counsel to the Supreme Court, and Jason Grammit of the Ethics Commission. The Committee also assembled a panel discussion for the 2013 Bar Association’s Annual Meeting, *Advising the Government: A Conversation with Counsel from the Executive, Legislative and Judicial Branches*. The Committee participated in a sneak peek of this session in February when the panelists conducted a run

through of the presentation. The panelists included: Claire Richards, Executive Counsel to Governor Chafee; Susan Pegden, Chief Legal Counsel to House Speaker Gordon Fox; Edward Fogarty, Legal Counsel to Senate President Teresa Paiva Weed; and Erika Kruse Weller, General Counsel to the Rhode Island Judiciary. The Committee thanks the Executive Officers and Bar Association staff, especially Kathleen Bridge, for their support and assistance over the past year. Thank you for helping to make this a great year for the Government Lawyers Committee.



**Stephen J. Angell**  
Chair

**Insurance Programs**

The Insurance Programs Committee met regularly to review and recommend programs of professional liability, health, life, accident and other insurance offered as membership benefits through the Rhode Island Bar Association. Current programs include the following which may be accessed through the Membership Benefits section on the Bar’s website at [www.ribar.com](http://www.ribar.com).

**Professional Liability Insurance**

Aon Attorneys’ Advantage program offers professional liability insurance coverage sponsored by the Bar Association. Through a combination of Affinity Insurance Services, Inc. offices and a network of Independent Territorial Administrators, Aon Attorneys’ Advantage program provides broad coverage, competitive rates outstanding local service and risk management service.

**Business Owners Property & Casualty**

Aon Attorneys’ Advantage now provides expanded coverage through the Aon Property and Casualty program. The Bar-sponsored program offers property, liability, workers’ compensation and other miscellaneous coverage to Bar members. Aon’s access to major property casualty companies that specialize in this market enables them to place coverage with an insurance carrier that can provide a business with the best and most comprehensive coverage at the most competitive prices.

**Personal Lines Insurance**

Liberty Mutual offers Rhode Island Bar Association members special savings and personalized coverage. Bar members may access service and information at a local Liberty Mutual office,

by telephone, online or via a mobile device. Discounts and savings are available where state laws and regulations allow, and may vary by state. Certain discounts apply to specific coverage only.

**Disability and Long Term Care**

Massachusetts Mutual Life Insurance Company (MassMutual) is a Bar-sponsored provider of Disability Income Insurance and Long Term Care Insurance for Bar members. Members receive discounts on these products from MassMutual. The discounts on Long Term Care Insurance also extend to members’ parents, grandparents, children and in-laws.

**Term Life Insurance**

Massachusetts Mutual Life Insurance Company (MassMutual) is a Bar-sponsored provider of Disability Income Insurance and Long Term Care Insurance for Bar members. Members receive discounts on these products from MassMutual. The discounts on Long Term Care Insurance also extend to members’ parents, grandparents, children and in-laws.

**Health & Dental**

USI New England is the Rhode Island Bar Association’s relationship administrator with Blue Cross Blue Shield and Delta Dental. As a convenience for Bar Association members, USI New England will act as a liaison between Blue Cross/Delta Dental and Bar members as an alternative to direct Bar member contact with Blue Cross/Delta Dental. A member may contact Blue Cross/Delta Dental directly without going through USI New England, and the premium will be exactly the same. USI New England is contracted to provide Rhode Island Bar members enrollment, billing service, insurance advice and to assist Rhode Island Bar members with other health/dental and benefits insurance alternatives.

The Committee continues to educate new Bar members about the insurable risks in the practice of law. Program participants are provided with information concerning particular insurance programs endorsed by the Bar Association.



**Carly Beauvais lafrate**  
*Chair*

**Labor and Employment Law**

This year, the Labor and Employment Committee host monthly luncheon meetings at which various speakers conducted informative presentations on areas of interest to the members. The group was treated to a presentation by The Honorable Justice Daniel A. Procaccini who discussed a recent Superior Court decision on side agreements in the

context of the collective bargaining relationship. The group also hosted presentations by Cynthia Hiatt, Esq., of the Rhode Island Commission for Human Rights and by three managers from the Department of Labor and Training: Ray Pepin; Raymond Marcaccio of the Board of Review; and Jennifer Kinch. Cynthia Hiatt discussed recent development in the employment discrimination arena, and as always, answered practitioners’ questions regarding issues arising when representing individuals and employers at the Commission. The Department of Labor & Training presentation focused on Temporary Disability Insurance and unemployment issues facing labor and employment lawyers, as well as changes to the benefit schemes and applicable laws. In addition to the luncheon meetings, the Committee held meetings to discuss legislative issues and hosted a brief social meeting to recognize the December holidays. The Committee encourages any members of the Bar to participate in, and benefit from, the Committee’s meetings and activities during the coming year. Toward that end, if any current or new members have topics or issues for the Committee to discuss or speakers they would like to address the Committee, please contact the Chair.



**Nicholas Trott Long**  
Chair

### Lawyers Helping Lawyers

The Lawyers Helping Lawyers (LHL) Committee meets bi-monthly. The Committee serves as a resource to members, providing support and encouragement when needed. Committee volunteers give generously of their time to help their colleagues. Their primary role is not to serve as counselor, doctor or therapist, but, rather, to lend an ear, provide support, encouragement and referral

to appropriate resources. The Association contracts with Coastline Employee Assistance Program (EAP), and they provide the professional clinical services including assessment and referral. The Committee commends and thanks Judith G. Hoffman, LICSW, CEAP, Coastline EAP Executive Director, for her valuable contribution. Several members of the Bar were assisted by Coastline EAP in the past calendar year. Issues included depression, eldercare, alcohol, anxiety, divorce and addiction. The Committee focuses attention on education. The Committee sponsored articles and programming in the area of balance, wellness, dealing with stress and addiction issues. In addition, the Chair and Committee member Kathleen G. DiMuro gave presentations at the *Bridging the Gap* program for newly-admitted attorneys. All issues of the *Rhode Island Bar Journal* and the Bar's website contain information about the Lawyers Helping Lawyers Program and the SOLACE program aimed at helping Bar members and their families in need. The Committee looks forward to providing additional outreach and educational programming in the coming year. The best way to assist lawyers with the help they need is to get the message out to them that help is available and confidential.



**Patrick J. Smock, II**  
Chair

### Lesbian Gay Bisexual & Transgender

I thank the Lesbian Gay Bisexual and Transgender (LGBT) Committee members and allies for a successful year. The Committee goals are providing updated and accurate legal information to the members of the Rhode Island Bar Association and continuing to advocate for those issues unique to Rhode Island's LGBT Community.

During the year, two Committee meetings were scheduled with an agenda to provide updated and accurate information. At the October meeting, Kenny Alston, Legal Counsel to Governor Chafee, provided information about the Governor's Administrative Order enforcing the legal benefits for legally-married, same-sex couples living in Rhode Island. He also took away issues to be researched and followed up with the Committee. Susan Gershkoff presented an overview of financial and estate issues affecting same sex couples at the November meeting. She included many best practices to follow when representing an LGBT client. The Committee sponsored a financial management seminar at the Annual Meeting, tailored for same-sex couples, but applicable to any unmarried couple. As part of its continuing advocacy for issues unique to Rhode Island's LGBT Community, the Committee requested the Rhode Island Bar Association's support for marriage equality legislation before the Rhode Island General Assembly. The House of Delegates voted to support the marriage equality legislation in this session, but not to lobby the Rhode Island General Assembly. Marriage Equality passed the Rhode Island General Assembly and slated to go into effect August 1, 2013. Many thanks go to the many Rhode Island Bar Association members who were instrumental in the passage of the legislation. The Committee is looking forward to the upcoming year as an opportunity to further its established goals, as well as new goals to be determined by the Committee.



**Cristen Ciresi**  
Chair

**New Lawyers Committee**

The New Lawyers Committee objectives are assisting new members of the Rhode Island Bar Association in their professional and personal lives and helping them access all the benefits the Bar Association has to offer. This year, the Committee hosted several guest speakers at meetings who offered insight and shared their expertise. Our first meeting speaker was Ted Trafton, a financial advisor with

Ameriprise Financial Services. Mr. Trafton discussed various methods of personal finance management with a focus on those financial issues that new lawyers, in particular, may face. Our second meeting speaker, Attorney John Barylick, of Wistow & Barylick, discussed his book, *Killer Show*, Attorney Barylick's account of the infamous Station Nightclub Fire in West Warwick, Rhode Island. His in-depth and engrossing explanation of the legal and personal impacts of the fire was well-received by the Committee. Rhode Island Superior Court Associate Justice Daniel A. Procaccini was the Committee's third speaker. Judge Procaccini discussed the importance of courtroom civility and professionalism, and Committee members enjoyed his insight and valuable recommendations. The Committee also offered two free, one-hour, committee CLE seminars this year. During the first seminar, *View from the Bench: A Discovery Discussion with Federal Court Magistrate Judge Patricia A. Sullivan*, Federal Magistrate Judge Sullivan discussed special discovery issues, and provided attendees with tips on appearing at discovery-related motion hearings. The second seminar, *View From the Bench: The Superior Court Motion Calendar*, gave attendees an opportunity to gain a practical understanding of the Civil Motion Calendar and gain knowledge directly from Associate Justice Luis M. Matos and seasoned trial attorney, Douglas J. Emanuel, who has organized similar CLEs for new Bar members in the past. Committee representatives continued to participate in the new *Bridge the Gap* program introduced last year to new Bar members as part of their requirement for admission. I thank all the Committee members for their ongoing involvement and particularly Matthew Parker for his help and support this year. Although the Committee's programming is primarily aimed at those who have been practicing for ten years or less, all are welcome, and both new and more seasoned Bar members are invited to join the Committee and participate in activity planning and participation for the coming year.



**David T. Riedel**  
Chair

**Probate and Trust**

The Committee on Probate and Trust considers proposed changes in the legal system relating to the probate, trust and estate tax areas. The Committee was active during the current year, meeting generally once each month, exclusive of the summer. Many Committee members are regular attendees and active participants at meetings. Several probate judges are members, and they provided a useful

perspective on Committee discussions. The Committee was involved in preparing proposed legislation during the current session aimed at: 1) changing the manner in which the Rhode Island estate tax is calculated from an exemption, currently \$910,725 with an inflation adjustment, to the equivalent in an estate tax credit of \$99,600, effectively exempting estates with assets of \$2,000,000 or less from estate tax and providing all estates, not just those less than the exemption equivalent, the benefit of the credit; 2) eliminating certain probate notice requirements; 3) making certain revisions to R.I. Gen. Laws § 18-4-31, which provides for a statutory basis for the technique of decanting irrevocable trusts. The Committee also reviewed proposed legislation submitted during the current session that would, *inter alia*: 1) make revisions to the laws regarding Probate Court proceedings, including, specifically, guardianship procedure and claims against estates; 2) provide for alternate methods of assessing the Rhode Island estate tax. At this writing, the bill amending section § 18-4-31 passed the State Senate, and a companion bill was heard by the state House of Representatives. It is uncertain whether these or any of the remaining proposed bills referenced above will be enacted in the current session. The Chair was given invaluable assistance by a number of Committee members, including probate judges, who made themselves available to review proposed legislation in the probate and trust area.



**Christine J. Engustian**  
Chair

### Public Services Involvement

To facilitate greater access to legal representation for all, the Public Services Involvement (PSI) Committee focused on the issue of unbundling legal services and acceptable limited scope representation of indigent clients. When the Bar's House of Delegates formed a Task Force to study this topic (not limited to indigent or *pro bono* clients), the Committee

halted its discussions in anticipation of the Task Force's report and recommendations. As a House of Delegates member and Chair of the PSI Committee, I was asked to join this Task Force and reported the Task Force meetings to the PSI Committee. Due to the success of last year's seminar series, *Fundamentals of an Uncontested Divorce*, the Committee decided to hold a second series of domestic law seminars building on the earlier series. A subcommittee, comprised of Carolyn R. Barone, Barbara L. Margolis and Elizabeth W. Segovis, organized an agenda, wrote material and chose speakers for each of the three seminars. This series, *Beyond the Basics*, included seminars on Domestic Violence Representation, Equitable Distribution Determination, and Vital Aspects of Custody, Placement and Visitation. Every attendee of the seminars was required to accept a *pro bono* case from the Bar Association's public service programs. The seminars were well-attended, received overwhelmingly positive reviews and generated placement of approximately 40 clients. The Committee warmly thanks the subcommittee members for their time and commitment in developing and speaking at these seminars. The Committee gratefully acknowledges the contribution of all other speakers and thanks them for the knowledge they imparted. Since the subject of domestic violence is not limited to Family Court cases, the Committee agreed that a wider range of attorneys may be interested in and benefited by a program covering restraining orders and no contact orders in Family Court, District Court and Superior Court. Committee member Barbara Margolis took the lead to prepare and submit the CLE seminar workshop, *Domestic Violence Restraining and No Contact Orders*, which was delivered at the Bar Association's Annual Meeting in June. The Committee holds an abiding appreciation for Susan Fontaine, the Public Service Director of the Bar Association, who attends every Committee meeting as liaison. Susan keeps us fully informed each month of all Bar Association-related activities that took place or will take place to help elderly, indigent and armed

forces service members of our communities. She provides specific information on the public service programs and continues to guide us as the Committee discusses ways in which we may increase access to legal representation for all.



**Melissa E. Darigan**  
Chair

### Superior Court Bench/Bar

This year, the Superior Court Bench Bar Committee worked on a variety of projects in furtherance of its mission to improve practices and procedures in the Court's administration of justice. The Committee completed its proposed revisions to the Rules of Civil Procedure, addressing the discovery of electronically stored information (ESI). This undertaking was prompted by the growing

prevalence of ESI in litigation, ongoing changes to the Federal Rules and evolving case law on the discovery obligations of clients and counsel. In its Rules review, the Committee was guided by the Uniform Rules on ESI discovery promulgated by the Uniform Rules Commission. The proposed amendments approved by the Committee center on Rhode Island Rules 16, 26, 33, 34, 37, 45 and 56. Going forward, a Committee team will work with several Superior Court justices, named by Presiding Justice Gibney, to provide input on the project. Ultimately, the Committee will present the Rules revisions for official consideration by the Superior Court and adoption by the Supreme Court. The Committee also worked on several proposals designed to improve access to information and to assist in the administration of civil cases at the Superior Court including: digitizing Superior Court forms; modifying Administrative and Miscellaneous Order postings (to re-name orders, indicate if the orders are active and categorizing the orders for easier identification); upgrading the availability of online dockets and calendars; and posting summaries of Superior Court decisions as a preface to the website links to decisions. The Committee is also developing a survey intended to elicit information from justices of the Superior Court regarding their communication preferences (for example, whether email is encouraged or allowed with judges and clerks) to facilitate and enhance interactions between bench and bar. Members of the Committee will meet with Presiding Justice Gibney and administrative personnel of the Court to continue to review these proposals.



**John A. Tarantino**  
*Chair*

**Supreme Court Bench/Bar**

The Supreme Court Bench/Bar Committee met with Chief Justice Suttell and also with Bar president McElroy to further the Committee’s charge of cooperation between bench and bar and the “duty of the Committee to collaborate with the Court in improving facilities, practices, procedures, rules and any other matters that benefit the bench, bar, and public.”

With that charge in mind, the Committee believes it is important to remain relevant and helpful, working in cooperation with the Court and the members of the Bar. The Committee has pledged its support to the Court and has offered to provide the Committee’s assistance in any way the Court may find beneficial, including review and commentary on any proposed rule changes. The Court reaffirmed its interest and commitment in working cooperatively with the Committee to improve the practice, procedures, rules and other matters affecting the bench, the bar, and the public. The Court has also offered to have younger members of the Committee meet with members of the Court for a casual question and answer session. Over the last several years, the Committee has been involved in proposed rule changes, better methods of communications with members of the Court and Bar, web and e-mail communications, electronic notices and the like. This year, the Committee worked with the Court on delivering an Annual Meeting program, Dos and Don’ts of Appellate Practice. Chief Justice Suttell, Associate Justices Goldberg, Indeglia and Robinson participated, with the Committee Chair moderating. The Committee offered its assistance in working with the Court on the topic of e-filing. Chief Justice Suttell informed the Committee that the Court intends to implement e-filing in the various courts with e-filing likely starting in the Workers’ Compensation Court and then proceeding to the District, Family and Superior Courts, with the Supreme Court ultimately proceeding to e-filing as well. The Committee will work with the Court on any rule changes necessary to address e-filing and assist with other practical matters, including helping to make sure Bar members are adequately trained on e-filing requirements. A similar education program took place in the Federal Court several years ago when members of the bar, staff and legal assistants were trained in e-filing. CLEs can also be used to help make the transition process to e-filing as smooth as possible. The Committee offered to contact bars of other states that have recently transitioned to e-filing to learn

about the pros and cons of the transition. The Committee welcomes any Bar member who may be interested in the Committee’s work to express that interest and request an appointment as a Committee member.



**Thomas B. Lyons, III**  
*Chair*

**Technology in the Practice**

The Technology in the Practice Committee’s major activities this year focused on organizing technology presentations for the Bar’s Annual Meeting and reviewing various technology-based products and companies for Bar affinity relationships. As a result of the Committee’s investigations and discussions, the Bar Association established affinity relationships

with CLIO which provides cloud-based law office management software and Amicus Creative Media which develops websites for lawyers. There were two Annual Meeting presentations by members of the Committee. Michael Goldberg and Heather Bonnet-Hebert examined the effective use of email, and Joel Votolato and Rachelle Green presented a seminar on law firm practice software.



**Michael B. Mellion**  
*Chair*

**Title Standards and Practices**

The Title Standards and Practices Committee met nine times. Attendance continued strong with an average of 28 members attending each meeting. The members benefited from informative presentations by Committee members regarding new developments in the law and transactional practice, new regulations promulgated by state agencies, new statutes and recent

cases of interest to real estate practitioners decided in Rhode Island, Massachusetts and federal courts around the country. The Committee considered proposals for legislative change originating from our committee, four of which were approved by the Committee and the Bar’s Executive Committee and

introduced in the legislature. These bills would: amend the ancient mortgage statute to reduce the current 50-year period to 35 years; create a statutory safe-haven for nominee trusts; define the meaning of Special Warranty Deeds and Special Warranty Covenants; and provide a cure for common conveyancing defects. As of the publication of this summary, no action was taken on these bills. The Committee approved a new Practice Form, Form 12, a comprehensive foreclosure checklist. Form 12 was approved by the Executive Committee at its March 26, 2013 meeting after publication in the *Rhode Island Bar Journal*. The Committee continues to closely monitor issues concerning recording and abstracting practices, as well as transactional matters. The Committee always welcomes and considers suggestions for improving transactional practice in Rhode Island, as it also continues to improve and modernize its Title Standards, Practice Standards and Forms.

### Workers' Compensation Bench/Bar

The Workers' Compensation Bench/Bar Committee met at the Garrahy Judicial Courthouse on the third Thursday of each month. Chief Judge George Healey and the Court's associate

**Jack R. DeGiovanni, Jr.** judges were regularly present at all meetings, giving all Committee members an opportunity discuss

any issue that may have arisen from month to month in a candid and productive manner. At every meeting, Chair Jack R. DeGiovanni, Jr. informs the Committee members of any updates in forms and procedure utilized in the workers' compensation practice. In addition, he opens the floor to discuss any issue or concern that may arise in representing clients, whether the employee or employer, before the Workers' Compensation Court. A continuing topic of interest this year was the ever increasing importance of Medicare Set Aside Allocations on settlements before the Court. New procedures and policies have been developed to deal with this complex issue, and these continue to evolve over time. There is a huge impact on the Bench, practitioners and especially the employers and employees who appear before the Workers' Compensation Court. The Bench and Bar will continue to work together to make certain all interests are protected. Another hot topic sure to be on the 2013 agenda is electronic filing and the increased use of technology in managing the Court and attorney practice. The Workers' Compensation Court is the Court system's pilot program for future implementation, as well as the aim to have a paperless format for pleadings and dissemination of information before the Court.

This is certainly an exciting upcoming year, and the great communication between the Bench and Bar through the Committee will be essential to lessen any impact on the Court's operations and ability to meet the needs of all Claimants. The Committee's popular, early December annual holiday gathering at McCormick and Schmicks in Providence was well attended, with many Judges and Attorneys in attendance. It is one of several Committee-sponsored social events fostering civility in practice before the Court and amongst practitioners. The annual Bench/Bar golf outing was held in September at Triggs Memorial Golf Course and is becoming a tradition. Judge Morin was once again instrumental in setting up this well-attended event. The course and the festivities afterward were exceptional. A golf outing at Alpine Country Club is planned for June, 2013. Overall, it was another successful year for the Workers' Compensation Bench/Bar Committee thanks to the active participation of the Bench and the practitioners! The Committee looks forward to a brief respite over the summer before recommencing in the Fall.

## 2013 ANNUAL MEETING

This year's Annual Meeting Committee, chaired by Bar Executive Committee member Mark B. Morse, produced an exceptionally well-received, two-day program, attended by well over 1,400 Bar members. Supported by the Bar staff, the Meeting provided an excellent menu of 47 workshops and practice-related product and services from over 30 exhibitors. Continuing Legal Education seminars were offered on a wide range of topics 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. All the offerings were enhanced by the enthusiastic participation of many distinguished and accomplished presenters from the Bar, the Judiciary and other professions.



Bar President Michael R. McElroy welcomed attendees to the 2013 Annual Meeting.



The Meeting's keynote address was delivered by renowned speaker, author, legal editor, commentator, broadcast host, esteemed law professor and scholar, Arthur R. Miller who addressed the implications of the United States Supreme Court decisions, *Bell Atlantic v. Twombly* and *Ashcroft v. Iqbal*, and their relation to clients' access to the courts.



Attendees enjoyed entertaining and educational sessions with nationally-recognized memory training consultant, and Rhode Island native, Paul Mellor offering guidance on how applying memory skills can improve the everyday practice of law.



RI District Court Chief Judge Jeanne E. LaFazia, RI District Court Judge Pamela Woodcock Pfeiffer, Thomas H. O'Brien, Esq., M. Christine O'Connell, Esq., Carol Giordano, Richard Flynn, and John J. McMahon, Esq. discussed the history, goals and challenges of the Veterans' Court.



Nancy Chudacoff, Esq., Daniel V. Ballirano, Esq., and Past Bar President Lise M. Iwon, Esq., reviewed state and federal laws and regulations relating to the distribution of funds held in Special Needs Trusts.



Bar Environmental and Energy Law Committee Chair Jennifer R. Cervenka, Esq., Christopher A. D'Ovdio, Esq., Marisa A. Desautel, Esq., and Brian A. Goldman, Esq., provided updates on Rhode Island case law developments, regulatory charges and new statutory law in the environmental area.



RI Supreme Court Associate Justice, Francis X. Flaherty, retired RI Superior Court Associate Justice Francis J. Darigan, Jr. (not pictured), RI Superior Court Associate Justice Netti C. Vogel, RI Superior Court Associate Justice Judith Colenback Savage, Lauren E. Jones, Esq., Thomas M. Dickinson, Esq., and Jared A. Goldstein, Esq., Professor, RWU School of Law offered informative and insightful overviews of recent noteworthy civil and criminal case-related decisions issued by the United States Supreme Court and the Rhode Island Supreme Court.



Superior Court Associate Justice Patricia A. Hurst, Donna M. Lamontagne, Esq., and 2013 Bar Annual Meeting Chair Mark B. Morse, Esq., discussed recent amendments to the Medical Affidavits Statute aimed at easing and broadening admissibility of medical evidence.



Christopher S. Gontarz, Esq., Victoria M. Almeida, Esq., and Frederic G. Reamer, Ph.D., delivered a practical introduction to the practice and procedures of the RI Parole Board.



RI Supreme Court Chief Justice Paul A. Suttell, RI Supreme Court Associate Justice Maureen McKenna Goldberg, RI Supreme Court Associate Justice Gilbert V. Indeglia, and Past Bar President John A. Tarantino, Esq., focused on practical advice on appellate practice including practice tips, challenges and suggestions for strong and effective appellate briefs.



Past Bar President Thomas A. Lyons, III, Esq., Deming E. Sherman, Esq., David A. Logan, Esq., Tanya Monstier, Esq., and Charu A. Verma, Esq. engaged in a lively debate over law school curriculum reform and quality and ethical representation by newly-admitted practitioners.



Michael E. Civittolo, Esq., and David A. Grossbaum, Esq., reviewed the steps practitioners must take to ensure a settlement agreement does not create another law suit.



RI Superior Court Associate Justice Susan E. McGuirl, RI Family Court Magistrate Jeanne L. Shepard, RI District Court Associate Judge Elaine T. Bucci, Janet Gilligan, Esq., Daniel C. Guglielmo, Esq., Stacey A. Pires-Veroni, Esq., and Michelle M. Alves, Esq., focused their seminar on client representation in upholding and/or defending against Restraining and No Contact Orders in Family Court, District Court and Superior Court in civil and criminal matters.



Michael M. Goldberg, Esq. and Heather M. Bonnet-Hebert, Esq. discussed the benefits and issues when using email as an effective communication method with clients.



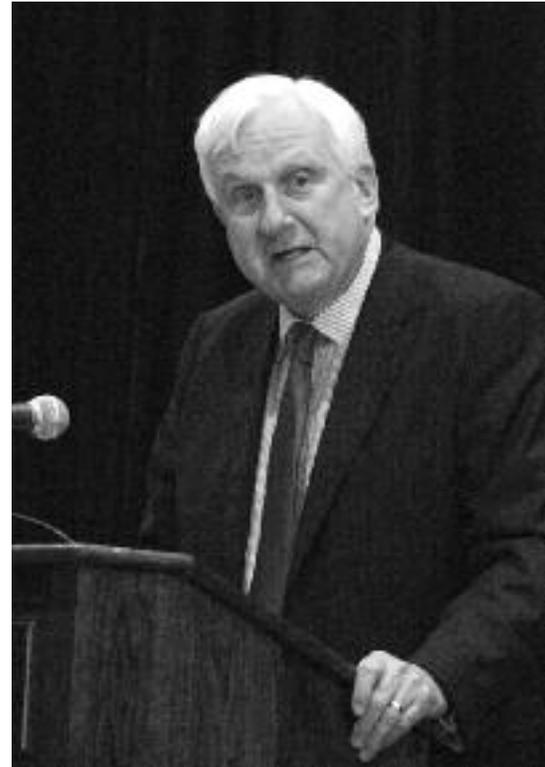
John W. Dineen, Esq. and Francis A. Gaschen, Esq. reviewed developing area of the law involving assistance animals, particularly in relation to housing, public accommodations, and employment.



## *Workers' Compensation Injured at Work?*

Accepting referrals for workers' compensation matters.

Call Stephen J. Dennis Today!  
1-888-634-1543 or 1-401-453-1355



RI Supreme Court Chief Justice Paul A. Suttell delivered his State of the Judiciary Address at the the Friday Annual Meeting Luncheon.



**Your  
One  
Call**

**PELLCORP INVESTIGATIVE GROUP, LLC**

*Private Investigations*

**Edward F. Pelletier III, CEO**

**(401) 965-9745**

[www.pellcorpinvestigativegroup.com](http://www.pellcorpinvestigativegroup.com)



Breaks between seminars provided great opportunities for Bar members to connect with their colleagues.



Attorney Samuel Zurier shared a light moment with a group of Bar members.

# MIGNANELLI & ASSOCIATES, LTD.

*Attorneys At Law*



Anthony R. Mignanelli  
Attorney At Law

Wills & Trusts

Estate Tax Planning

Estate Settlements

Trusts for Disabled Persons

Personal Injury Settlement Trusts

All Probate Matters

Attorney to Attorney Consultations / Referrals

10 Weybosset Street, Suite 205  
Providence, RI 02903  
T 401-455-3500 F 401-455-0648

56 Wells Street  
Westerly, RI 02891  
T 401-315-2733 F 401-455-0648

[www.mignanelli.com](http://www.mignanelli.com)

The R.I. Supreme Court Licenses all lawyers in the general practice of law.  
The court does not license or certify any lawyer as an expert or specialist in any field of practice.



Bar President-Elect Bruce McIntyre and Past Bar President Deborah Tate compared notes following the Keynote Address by Arthur Miller.



The two-day Annual Meeting serves as an excellent venue for Bar members to learn and socialize.

## BALSOFIORE & COMPANY, LTD.

### FINANCIAL INVESTIGATIONS

FORENSIC ACCOUNTING    LITIGATION SUPPORT  
FINANCIAL PROFILES OF INDIVIDUALS AND BUSINESSES  
LOCATE PEOPLE – ASSET SEARCHES

**Brian C. Balsofiore, CFE**  
Certified Fraud Examiner  
RI Licensed Private Detective

**[bbalsofiore@att.net](mailto:bbalsofiore@att.net)**  
**(401) 334-3320**



In the seminar, *Opportunity Tweets*, RI Superior Court Associate Justice Brian P. Stern, Brian J. Lamoureux, Esq., Craig Berke and Ted Nesi, discussed the use of social media and technology in the courts and best practices for lawyers and judges to follow.



Annual Meeting meals received high praise and the snack breaks provided great opportunities for grazing between seminars.

## EXPERIENCED, THOROUGHLY PREPARED & SUCCESSFUL TRIAL ATTORNEY



Since 1984, I have been representing people who have been physically and emotionally harmed due to the criminal acts or negligence of others. I have obtained numerous million dollar plus trial verdicts and many more settlements for victims of birth injury, cerebral palsy, medical malpractice, wrongful death, trucking and construction accidents. Counting criminal and civil cases, I have been lead counsel in over 100 jury trial verdicts.

My 12 years of working in 3 different prosecutors' offices (Manhattan 1982-84; Miami 1984-88, R.I.A.G. 1988-94) has led to my enduring commitment to seek justice.

**I welcome your referrals. My case load is exceptionally small.**

**I do and will continue to personally handle every aspect of your client's medical malpractice or serious personal injury case from beginning to end.**

### **THE LAW OFFICE OF DAVID MOROWITZ, LTD.**

Board Certified in Civil Trial Advocacy by the National Board of Trial Advocacy\*

[www.morowitzlaw.com](http://www.morowitzlaw.com)

155 SOUTH MAIN ST., SUITE 304, PROVIDENCE, RI 02903

(401) 274-5556 (401) 273-8543 FAX

**I am never too busy to promptly return all phone calls from clients and attorneys.**

*\*The Rhode Island Supreme Court licenses all lawyers in the general practice of law.  
The Court does not license or certify any lawyer as an expert or specialist in any particular field of practice.*

## Environmental and Energy Law Committee Field Trip to Toray Plastics

In May, at Toray Plastics in Quonset Point, the Bar's Environmental and Energy Law (EEL) Committee hosted a free, open to all Bar members, 3 credit, committee CLE, *Review of Environmental & Energy Regulations*. The seminar helped attendees gain an understanding of the legal/regulatory climate for a major manufacturer in environment and energy; learn about the relationship between retail and wholesale electricity and natural gas; and review ethical issues involving competing interests between the client, the general public and a particular community.

Shigeru Osada, Chief of Operations at Toray Plastics, explained the company's construction and energy generation created by the solar panels. With Osada are EEL members Rich Fil, Chris D'Ovidio, and Nancy Davis. Toray manufactured the film on the underside of the each of the solar panels.



Attendees included EEL Chair Jennifer Cervenka and EEL members Christopher D'Ovidio, Elliot Taubman, Nancy Davis, Seth Handy, Ira Lukens, Brian Wagner, Karen Lyons, Leo Wold, Joel Munoz, Gregory Schultz, Christian Cappizo, John McDermott, John Corrigan, Darryl Paquette, and Wendy Waller and Shigeru Osada, Chief of Operations of Toray Plastics in front of Toray's solar panel field of 650 panels over 3.4 acres.



## Do you or your family need help with any personal challenges? We provide free, confidential assistance to Bar members and their families.

Confidential and free help, information, assessment and referral for personal challenges are available **now** for Rhode Island Bar Association members and their families. This no-cost assistance is available through the Bar's contract with **Coastline Employee Assistance Program (EAP)** and through the members of the Bar Association's Lawyers Helping Lawyers (LHL) Committee. To discuss your concerns, or those you may have about a colleague, you may contact a LHL member, or go directly to professionals at Coastline EAP who provide confidential consultation for a wide range of personal concerns including but not limited to: balancing work and family, depression, anxiety, domestic violence, childcare, eldercare, grief, career satisfaction, alcohol and substance abuse, and problem gambling.

When contacting Coastline EAP, please identify yourself as a Rhode Island Bar Association member or family member. A Coastline EAP Consultant will briefly discuss your concerns to determine if your situation needs immediate attention. If not, initial appointments are made within 24 to 48 hours at a location convenient to you. Please contact Coastline EAP by telephone: 401-732-9444 or toll-free: 1-800-445-1195.

*Lawyers Helping Lawyers Committee members choose this volunteer assignment because they understand the issues and want to help you find answers and appropriate courses of action. Committee members listen to your concerns, share their experiences, offer advice and support, and keep all information completely confidential.*

**Please contact us for strictly confidential, free, peer and professional assistance with any personal challenges.**

Melody A. Alger Esq.	277-1090
Henry V. Boezi III, Esq.	861-8080
Marcia J. Boyd Esq.	792-7100
David M. Campanella Esq.	273-0200
Sonja L. Deyoe Esq.	864-3244
Kathleen G. Di Muro Esq.	944-3110
Christy B. Durant Esq.	421-7400
Brian D. Fogarty Esq.	821-9945
Merrill J. Friedemann Esq.	270-0070
Julie P. Hamil Esq.	222-3266
Nicholas Trott Long Esq. (Chairperson)	351-5070
Genevieve M. Martin Esq.	274-4400
Joseph R. Miller Esq.	454-5000
Arthur M. Read, II Esq.	739-2020
Roger C. Ross Esq.	723-1122
Adrienne G. Southgate Esq.	301-7823
Carol A. Zangari Esq.	732-1999
Ms. Judith G. Hoffman, LICSW, CEAP, Coastline EAP	732-9444 or 800-445-1195

**Lawyers Helping Lawyers Committee Members Protect Your Privacy**



**JOSEPH A. KEOUGH**  
Retired Magistrate Judge /  
Rhode Island Superior Court

Is Now Available For  
**Mediation & Arbitration Services**  
*Torts, Business Disputes, Domestic Matters*

110 Armistice Boulevard, Pawtucket, RI 02860  
**(401) 724-3600 jakemast@aol.com**  
**Alternate Dispute Resolution**

# Florida

*Legal Assistance Statewide*

**Edmund C. Sciarretta, Esq.**  
Suffolk Law 1970

PERSONAL INJURY  
WORKERS' COMPENSATION  
REAL ESTATE CLOSINGS • TITLE INSURANCE  
PROBATE ADMINISTRATION  
PROBATE LITIGATION  
MARITAL & FAMILY LAW • GUARDIANSHIP  
BANKRUPTCY • CRIMINAL LAW

**Sciarretta & Mannino**  
Attorneys at Law

7301A West Palmetto Park Road • Suite 305C  
Boca Raton, Florida 33433

**1-800-749-9928 • 561/338-9900**

## Commentary

*continued from page 11*

ture everywhere; a pair of very young interns with a clear lack of authority sitting behind industrial-type desks in the front room; a dozen chair-desks occupied by small groups of chatting volunteers; and three competent and obviously in charge, women stuffing many bags, each labeled with a polling place number, with information. The staging area in the back featured two folding tables full of well-meaning food of dubious health and nutritional value in progressive states of hardening and congealing.

At 5 p.m., the three, efficient women mobilized the chatting volunteers and the now-stuffed bags were stacked by polling place number against one wall. Against another several volunteers brought in and stacked large 3 foot by 5 foot Styrofoam core boards with "Make Sure Your Vote Counts" printed across the top. The Obama campaign image, the circle with the red flag-like stripes at the bottom, and the solid blue stripe 'sun-like' around the top, was in the corner, but there were no letters, no "Obama" anywhere on it. These, we were told, were "visibility devices."

Mike and I filled the time avoiding the food and sorting preprinted postcards of relevant statutory provisions into packs of 5 and 20 for stuffing into the bags. By 6 p.m., around a dozen attorney-looking types started to wander in. Mostly a lot of people like Mike and me, attorneys from Maryland, New York, Massachusetts, and Vermont, engaging in the banter of middle-aged Volvo and Subaru drivers everywhere. Shortly after, a dynamic young organizer with a British accent came in with surprising purpose and zeal, giving orders to the volunteers and the three efficient women.

We were, the young organizer confirmed, collectively and individually, "Outside Voter Advocates." Contra-distinct from Virginia-licensed attorneys, we were there to assist from outside of the polling places. In most cases, licensed Virginia attorneys ("Inside Advocates") would be available inside the polling places to help voters with problems and questions.

The dynamic Brit proceeded to explain the contents of our bags: flow-charts of legal decision-making trees; voter identification summary basics; Quick Reference to Frequently Asked Questions; election-day schedules;

Statement of Results Forms, Rejected Absentee Ballot Forms; Voter Advocacy Affidavits; and more. There was also a telescoping tripod kit upon which we were to place the visibility devices. Once we had our polling assignments and enough information to surmise our likely prospective duties, Mike and I cut out.

At 5:30 the next morning, Mike dropped me off at the Avalon Church of Christ, voting place for Precinct 25. It was cold, still dark, and there was already a line around the block. Mike was around the corner, about a half mile away, at the Providence Presbyterian Church.

I went in to the polling room and introduced myself to the polling official, Don. Don was a fit, middle-aged, African American with a no-nonsense efficiency about him. It seemed he took it as a matter of pride that he would take every measure he could to insure every voter who made it to his polling place would vote.

On the sidewalk leading to the inside of the church, I set up my visibility device beside a canvas tent. I also had a couple chairs, an extra folding table, several dozen water bottles, a dozen bags of candy, index cards with relevant statutes, and the big green binder with flow charts, affidavits, and "statements of results." Over the next 13 hours, the only one that would be useful was the candy.

In front of me was a slowly moving line of voters. I developed a standard verbal offering which, as the line progressed, I would redeliver roughly every two minutes. Looking down the line, I would target the last person I thought could hear me, once the line had moved enough that they got beyond me, I would start again. "If you have any questions about voting, if you have any problems voting, if you are asked to vote in a provisional green ballot, come see me. I can help." By my count – I repeated those lines nearly 400 times.

The line was roughly an hour long at 6 a.m., and it stayed that way until 10 a.m. when things slowed down. At noon, it picked up again, and, by late afternoon it was two plus hours long. It was an unseasonably cold day by Virginia Beach standards, and many people had not dressed for two hours outside.

Over the course of the next 13 hours I helped a total of 8 people: four went to the wrong polling place and were re-directed to Precinct 25; wanted to know if their identification items were sufficient

## 127 Dorrance Street All Inclusive Class A Office Space

**Absolutely beautiful** professional office space located at 127 Dorrance Street, Providence (Directly next door to the Garrahy Courthouse).

**Multiple individual offices** available in different sizes. Large Conference room with library and Palladian windows. Interior glass windows throughout office.

**Full service offices** include Utilities, Receptionist, Heat, Electric, Cox Internet, Copier and Fax. Rents range from \$475 month to \$750 month (all inclusive) depending on size of office.

**(401) 580-4511**

# R.I. Police Chiefs 11th Annual Scholarship Charity Golf Classic



**Join Us Tuesday, August 20, 2013**

Now is your chance to Challenge the  
Police Chiefs on the Golf Course!  
Prizes Awarded!

The sponsorship available for the first time this year offers an attractive flag with the R.I. Police Chiefs title and your name beneath it. It can be proudly displayed identifying you as a Sponsor of the RI Police Chiefs.

For an application, or to become a Sponsor visit  
**Ripolicechiefs.org**

Print out and Complete.

Any questions or concerns call

**Robert O'Neil 401-738-7382**

# YOUR CONNECTICUT CONNECTION



21 Huntington Street  
New London, CT 06320  
860-443-7014



1050 Main Street, Suite 8  
E. Greenwich, RI 02818  
401-385-3877

— ATTORNEYS AT LAW —

## AREAS OF PRACTICE:

Personal Injury	Bankruptcy	Landlord & Tenant
Real Estate	Wills & Probate	DUI
Commercial Litigation	Family Law	Foreclosure Defense

[www.messiermassad.com](http://www.messiermassad.com)

*There's only one ...*

## RI Zoning Handbook, 2d

*by Roland F. Chase, Esq.*

- Completely revised • 340 pages • Comprehensive text-and-footnote analysis of Rhode Island zoning law, plus federal zoning law (new!) • Kept up to date with annual supplements • Table of Cases • Table of Statutes • Exhaustive index • \$80.00 plus \$5.60 tax • No shipping charge for pre-paid orders. Further information and order form at [www.rizoning.com](http://www.rizoning.com).

**Chase Publications, Box 3575, Newport, RI 02840**

(they were); and I directed two others to their correct precinct.

Not a single green ballot was filed. This was not so much a testament to any advocate's work as it was to the will and determination of voters who would not be denied, who stood in one line outside in the cold, found themselves in the wrong place, and then stood for two more hours.

In addition to the grim determination, there was an abiding levity (perhaps early stages of cold-induced delirium) about the constant barrage of phone calls and commercials, and relief that the anger, the pervasive nastiness and ill-will that underlay so much of it would, at last, thankfully be over.

Around 3:00 p.m., headquarters called me to ask about the length of the lines, and request pictures. An hour later, they called asking me to gather affidavits from voters who were dissuaded from voting by the length of the lines. I explained the logistical problems with that request. Dissuaded voters left by the time they might otherwise have made it to where I was stationed. By 5:00, the sun was setting, it was getting quite cold, and the lines were getting even longer.

At 7:00, Mike and I demobilized ourselves. There was still a long line of voters (the rule generally was that so long as you were in line by seven, you'd be allowed to vote), but we had a three-hour drive ahead of us, and we were cold and hungry. We had had enough.

On our drive back we surfed the NPR news stations for information. In light of extraordinary lines everywhere, the stations would not call jurisdictions with open polls. The reporters talked about Obama campaign concerns that voter lines were particularly long in lower income communities. It seemed, from our small sample, that numerous ballot questions, plus new voter identification laws, plus an unusually large turnout could get to the same result. Around 9:00 p.m., the easy New England states started to get called. As time passed, additional states got called, Pennsylvania, and finally Virginia.

By eleven we were back at Mike's house with the television on.

Ohio was, once again, the state that turned the tide. The station had a split screen: the Obama celebration party on the left with a cornucopia of whites, blacks, and Hispanics dancing and singing; and the Romney celebration

party on the right, a sad and dispirited group of mostly white men sitting around a room angrily wondering how this could have happened. That tableau seemed to tell the whole story of the election by itself.

At six a.m. the next morning I was on the plane back to Boston, and by nine I was back at my desk. The dissection was already in full flower: the strategic missteps; the Citizens United spending; and the new demographics and the issues the Republicans would have to confront to maintain any meaningful relevance to the national political discussion.

Was it much ado about nothing? The gross inefficiency of democracy was nothing short of astounding. It was not just flying a thousand miles and investing thirty odd hours to help eight voters who would likely have gotten the same result without my assistance, it was the millions of hours others spent canvassing neighborhoods, holding political house parties, stuffing envelopes, and making calls.

Are we any more than grains of sand with waves crashing over us? Did any of our efforts move the needle and lead to a different result? For me, Jake Barnes had it right: "Isn't it pretty to think so?" ♦

## John A. Pagliarini, Jr. Esq.

*Rhode Island Certified  
Tax Assessor*

A unique concentration in  
commercial/industrial  
property tax appeals.

(401) 816-5100

john@lawpag.com

## MARK A. PFEIFFER Alternative Dispute Resolution Services

www.mapfeiffer.com

Bringing over three decades of experience as a Superior Court judge, financial services industry regulator, senior banking officer, and private attorney to facilitate resolution of legal disputes.



**ARBITRATION    MEDIATION    PRIVATE TRIAL**

(401)787-6995 / [adr@mapfeiffer.com](mailto:adr@mapfeiffer.com) / 86 State Street, Bristol, R.I. 02809

# You want it. We have it.

## Guardian Disability Income Insurance 10% discount to RI Bar Members

As a legal professional, you may have begun to think you'd never be able to find the kind of high-quality disability income coverage you need.

Coverage that includes:

- benefit payments when you can't work *at your own occupation* - even if you can work at another one
  - non-cancellable and guaranteed renewable to age 65
  - waiver of premiums during disability benefit period

If this sounds like the kind of disability protection you've been looking for and you'd like to discuss your options or just learn more about it, please call:

### Robert J. Gallagher & Associates, Inc.

*A Representative of Guardian*  
Robert J. Gallagher, Jr., CLU, ChFC  
Agent  
P.O. Box 154467  
Riverside, RI 02915  
401-431-0837  
[rjgiggs@aol.com](mailto:rjgiggs@aol.com)



## GUARDIAN®

Disability income products underwritten and issued by  
Berkshire Life Insurance Company of America, Pittsfield, MA a wholly owned stock subsidiary of  
The Guardian Life Insurance Company of America, (Guardian) New York, NY.  
Products not available in all states. Product provisions and features may vary from state to state

# WORKERS' COMPENSATION

*Lawyer-to-Lawyer Consultations & Referrals*



## LAW OFFICES OF LAWRENCE J. SIGNORE

128 Dorrance Street, Suite 530  
Providence, Rhode Island 02903

(401) 273-3000

[www.attorneyljs.com](http://www.attorneyljs.com)

### OF COUNSEL

John S. Ciolli, Esq.  
Kenneth Haupt, Esq.  
Christopher M. Young, Esq.

## TITLE CLEARING

### QUIETING TITLE ACTIONS

**Roger C. Ross**

**Blais Cunningham  
& Crowe Chester, LLP**

150 Main Street  
Pawtucket RI 02860

TELEPHONE: (401) 723-1122

FAX: (401) 726-6140

EMAIL: [rross@blaislaw.com](mailto:rross@blaislaw.com)

## Do You Need DRO or QDRO Help?



Kristy J. Garside, Esq.  
and Jeremy W. Howe, Esq.

### We prepare Domestic Relations Orders...

- Civil Service (COAP)
- U.S. Military (DRO)
- State/Local Governments & Teachers (DRO)
- ERISA (QDRO)
- Child Support (QDRO)

### We consult...

- Pre-Agreement and Pre-Trial consultation for all pension plans.

### We deliver...

- Approval and submission correspondence with plan administrator.

Eliminate  
your risk.

Save your time.

Close your files.

**Call 401.841.5700  
or visit us online at  
CounselFirst.com**

THE LAW OFFICES OF JEREMY W. HOWE, LTD.

55 Memorial Boulevard, Unit 5 | Newport, Rhode Island 02840

EMAIL: [jhowe@CounselFirst.com](mailto:jhowe@CounselFirst.com) | [www.CounselFirst.com](http://www.CounselFirst.com)

## OFFICE SPACE AVAILABLE

**4th floor of the  
Wayland Building**

**Located at the corner of  
Main Street and Park Row  
In Providence, 1/4 mile walk  
to Superior Court**

5-story building with retail  
on 1st floor and law firms  
on 2nd, 3rd, and 5th floors  
950 – 9,300 square feet of  
reconfigurable space available

**401-441-5001  
1-Park-Row.com**

## Publish and Prosper in the *Rhode Island Bar Journal*

The *Rhode Island Bar Journal* is one of the Bar Association's best means of sharing your knowledge and experience with your colleagues. Every year, attorney authors offer information and wisdom, through scholarly articles, commentaries, book reviews, and profiles, to over 6,000 subscribers in Rhode Island and around the United States. In addition to sharing valuable insights, authors are recognized by readers as authorities in their field and, in many cases, receive Continuing Legal Education (CLE) credit for their published pieces. The *Bar Journal's* Article Selection Criteria appear on page 4 of every *Bar Journal* and on the Bar's website at [www.ribar.com](http://www.ribar.com).

Aspiring authors and previous contributors are encouraged to contact the *Rhode Island Bar Journal's* Editor Frederick Massie by telephone: (401) 421-5740 or email: [fmassie@ribar.com](mailto:fmassie@ribar.com).



*Tiffanay Antoch Emery, Esq.*

Moyer Law Office is pleased to announce that Attorney Tiffanay Antoch Emery has joined the firm.

Attorney Emery brings over 12 years of litigation and appellate experience in civil and family law matters. Tiffanay's wealth of skills will be focused in RI landlord-tenant law, Federal housing regulations litigation, family, and criminal law, as well as appellate practice.

## Moyer Law Office

Experience. Results.

401.461.7800

Offices in Warwick, Providence, and Wakefield, RI

[moyerlaw.com](http://moyerlaw.com)

## Would you let your case rest on a house of cards...



### ECONOMISTS

Examining Economic Damages  
Since 1982

Serving Vermont and Jurisdictions  
Throughout the Northeastern United States

- Personal Injury •
- Wrongful Death •
- Wrongful Termination •
- Divorce •
- Medical Malpractice •
- Commercial Losses •

*Economic & Policy Resources, Inc.*  
800.765.1377 [info@epreconomics.com](mailto:info@epreconomics.com)  
[www.eprlegaleconomics.com](http://www.eprlegaleconomics.com)

# FLORIDA LEGAL ASSISTANCE



Marc J. Soss, Esquire

(941) 928-0310  
mjs@fl-estateplanning.com  
www.fl-estateplanning.com

Estate Planning  
Probate Administration  
Probate Litigation  
Elder Law  
Corporate Law  
Real Estate Closings

## In Memoriam

### Harry W. Asquith, Jr., Esq.

Harry W. Asquith, Jr., 60, of East Providence passed away on May 22, 2013. He was the beloved husband of Patricia K. Asquith, Associate Justice designee of Rhode Island Family Court. He was born in Providence and raised in Lincoln by his parents, the late Harry and Lois Asquith. Harry, along with John Mahoney, formed the law firm of Asquith & Mahoney, LLP in Providence. Harry was a Probate Judge for the town of Lincoln and served as the East Providence Municipal Judge. He belonged to a wide range of professional, community and civic-minded organizations and donated many hours of his time to the service of others. For many years, he coached his four daughters, who played youth soccer for East Providence AYSO. He was a long time member of Wannamoisett Country Club, serving as Club Board member and as the President of the Board. Besides his wife, Harry leaves his four cherished daughters, Lily, Michaela, Grace and Kaycee. Harry is also survived by his two sisters, Roberta Hunt of North Attleboro and Laurie Asquith of Lincoln.

### Richard F. Kirby, Esq.

Richard F. Kirby, 88, of Cumberland, RI and Delray Beach, Florida, passed away on Friday, May 3, 2013. He was the beloved husband of Elizabeth Hogan Kirby. They were happily married for 58 years. Born in Woonsocket, RI, he was the son of the late John and Melora Farley Kirby. Dick graduated from LaSalle Academy, Class of 1942. He was a Navy veteran of World War II, serving in the South Pacific. He was a member of the original Naval Underwater Demolition Team, today referred to as the Navy Seals. He was a graduate of Trinity College, Hartford, CT, 1947, and Boston College Law School, 1953. A practicing attorney for over 50 years, he was a founding partner of the Law firm of Macktaz, Keefer, and Kirby, Woonsocket, RI. He served as a Probate judge in the town of Cumberland for 14 years. He was involved in many professional and civic organizations throughout his lifetime. Dick summered in Narragan-



COIA & LEPORE, LTD.  
226 South Main Street  
Providence, RI 02903  
(401) 751-5522

## Mediation



**FAMILY DISPUTES  
DIVORCE AND SEPARATION  
DOMESTIC MATTERS**

*Gain a new perspective on divorce and family disputes. Mediation is a cost and time efficient way to resolve domestic relations matters. A fulfilling advantage to the personal resolution of your dispute.*

**Dadriana A. Lepore, Esq.**  
*LL.M., Alternative Dispute Resolution  
Benjamin Cardozo School of Law  
DLEPORE@COIALEPORE.COM*

# RHODE ISLAND PRIVATE DETECTIVES & PROTECTIVE SERVICES LLC

*Former Federal Agents & Police Investigators*

Licensed in RI & MA



- \* INVESTIGATIONS
- \* ARMED SECURITY
- \* FINGERPRINT SERVICES

Henry Roy, Senior Partner

Napoleon Brito, Managing Partner

[www.riprivatedetectives.com](http://www.riprivatedetectives.com)  
[www.RIbodyguard.com](http://www.RIbodyguard.com)

One Richmond Square Suite 125B  
Providence, Rhode Island 02906

(401) 421-5705  
[info@riprivatedetectives.com](mailto:info@riprivatedetectives.com)

sett, RI for many years and was a former member of the Dunes Club, Point Judith Country Club, and Kirkbrae Country Club, Lincoln, RI. For his athletic accomplishments and his civic commitments, in November of 2012, he was inducted into the LaSalle Academy Hall of Fame. His greatest joy and accomplishment in life was his seven children. Whether it was playing golf, going to the beach, or playing cards, he loved spending time with his children and his grandchildren. Besides his wife, Liz, he is survived by his children, Mary K. Szczoczarz, Catherine K. Struhar, Jean F. Kirby, Richard E. Kirby, Esq., Edward T. Kirby, William F. Kirby, and Francis J. Kirby.

## Kevin B. McBurney, Esq.

Kevin B. McBurney, of Division Street, Pawtucket passed away on June 4, 2013. He was born in Pawtucket, the son of John McBurney, Esq. and Ann Ravello McBurney of Pawtucket. Kevin was a private practice attorney for many years. Mr. McBurney is survived by his children, Alexander McBurney and Ashley McBurney of Pawtucket and Lesley McBurney of Central Falls. He also leaves his siblings, Hon. John F. McBurney III, Michael McBurney, Hon. Cristine McBurney, Mark McBurney, Esq. of Pawtucket, and Dr. Catherine Saros of Ramsey, New Jersey.

## Lester H. Salter, Esq.

Lester Herbert Salter, 95, of Providence, passed away on May 29, 2013. He was the beloved husband of Nina Pearl Scheftel Salter and father of Ellen Lee Salter. Born in Waterbury, CT, he was the son of Nathan Morris Salter and Eve Grace Levy Salter. Raised in Providence, Lester graduated from the University of Pennsylvania in 1940 with a BS in economics. He was also the captain of the fencing team. He attended Georgetown University Law School until he was drafted into the Army in the summer of 1941. Lester landed on Omaha Beach in France on August 1, 1944. He was discharged from the Army in 1946 with the rank of Major. After the war, Lester returned to

# WORKERS' COMPENSATION

Revens, Revens & St. Pierre



Michael A. St. Pierre

946 Centerville Road, Warwick, RI 02886  
telephone: (401) 822-2900 facsimile: (401) 826-3245  
email: [mikesp@rrsplaw.com](mailto:mikesp@rrsplaw.com)

*Attorney to Attorney Consultations/Referrals*

# BANKRUPTCY

## Revens, Revens & St. Pierre



**James E. Kelleher**

946 Centerville Road, Warwick, RI 02886  
telephone: (401) 822-2900 facsimile: (401) 826-3245  
email: jamesek@rrsplaw.com

*Attorney to Attorney Consultations/Referrals*

## In Memoriam (continued)

.....  
law school, graduating from the Law School at University of Pennsylvania in 1948 and he was admitted to the Rhode Island Bar in the same year. Lester worked as a trial tax attorney for the Internal Revenue Service, and then commenced private practice in Providence. In 1957, Lester formed a partnership with James R. McGowan, and practiced continuously thereafter, beginning with the firm Salter and McGowan, and ending with the firm Salter, McGowan, Sylvia and Leonard. Lester served as Rhode Island Bar Association President, President of the New England Bar Associations, and as a member of the American Bar Association Board of Governors. He was a frequent lecturer and author of articles on federal taxation.

## IF YOUR CLIENT NEEDS AN EXPERT BUSINESS VALUATION... CALL IN A REAL EXPERT.

Over 2,500 accurate, independent and defensible valuations provided since the early 1980s. Decades of experience in both bench and jury trials.

**LEO J. DELISI, JR.,  
ASA, MCBA, ABAR**

Accredited Senior Appraiser  
Master Certified Business Appraiser  
Accredited in Business Appraisal Review  
Fellow, American College of Forensic Examiners  
Valuing Businesses since 1984

[WWW.DELISIAN DGHEE.COM](http://WWW.DELISIAN DGHEE.COM)



## DAVID W. DUMAS

ATTORNEY AT LAW

5 DIVISION STREET,  
EAST GREENWICH,  
RI 02818

*MISSING HEIRS LOCATED -  
GENEALOGY  
CONSULTATION ON  
DIFFICULT TITLES*

401-884-3678



989 RESERVOIR AVENUE  
CRANSTON, RI 02910  
401.944.0900  
LEO@DELISIAN DGHEE.COM

BUSINESS VALUATIONS  
ARE ALL WE DO. ALL DAY.  
EVERYDAY.

## Memoriam 2012 – 2013

---

F. Monroe Allen, Esq.  
Thomas F. Almeida, Sr., Esq.  
Harry W. Asquith, Jr., Esq.  
James Vincent Cambio, Esq.  
Hon. Benedetto A. Cerilli  
James F. Clark, Jr., Esq.  
Raymond Dettore, Jr., Esq.  
Richard A. Fairbrothers, Esq.  
Morphis Jamiel, Esq.  
Richard F. Kirby, Esq.  
Raymond A. LaFazia, Esq.  
James W. MacDonald, Esq.  
Kevin B. McBurney, Esq.  
David J. McOsker, Esq.  
William F. Paquin, Esq.  
Earl F. Pasbach, Esq.  
James P. Quirk, Esq.  
Paul J. Russo, Esq.  
Lester H. Salter, Esq.\*  
Nathaniel S. Thayer, Esq.  
Hon. Joseph R. Weisberger

\* Past Rhode Island Bar Association President

## New Lawyers Committee CLE, *View from the Bench: Superior Court Motion Calendar*, Draws Rave Reviews and Recommendations for Future Programming



In May, the Bar's New Lawyers Committee (NLC) sponsored a free, committee CLE seminar, *View from the Bench: Superior Court Motion Calendar*, in Rhode Island Superior Court Associate Justice Luis M. Matos' courtroom in Providence County Superior Court. The program, open to all Bar members, included a mock calendar call with Judge Matos, the Judge's Clerk, and Attorney Douglas Emmanuel. NLC volunteers responded to the Clerk's calls with designated responses, and Judge Matos and Attorney Emanuel, who volunteered for and helped organize many of these seminars over the years, provided explanations of each call and response and discussed the Judge's expectations of attorneys practicing in the motion calendar. Over 50 Bar members attended the seminar and, in addition to many positive evaluations, provided the NLC with recommendations for future seminars including the dispositive motion calendar and evidence. NLC Chair Cristen Ciresi invites all new and seasoned attorneys to join and participate in the NLC in the coming year.

### LAW OFFICE OF HENRY V. BOEZI III, P.C.

U.S. TRADEMARK SEARCHES  
AND REGISTRATIONS

U.S. COPYRIGHT SEARCHES  
AND REGISTRATIONS

U.S. PATENT SEARCHES

DOMAIN NAME REGISTRATION  
AND DISPUTE RESOLUTION

INTELLECTUAL PROPERTY  
LITIGATION

M.I.P. – MASTER OF  
INTELLECTUAL PROPERTY

67 CEDAR STREET  
SUITE #105  
PROVIDENCE, RI 02903  
VOICE: 401.861.8080 FAX: 401.861.8081  
EMAIL: HVBoeziIII@aol.com  
WEBSITE: www.hvbiiilaw.com

OCEAN  
STATE *Weather*

STEVEN R. CASCIONE  
*Meteorologist*

109 Larchmont Road  
Warwick, Rhode Island 02886  
Tel: 401-439-9023

---

CONSULTING & EXPERT WITNESS SERVICES

# SOLACE

## Helping Bar Members in Times of Need

SOLACE, an acronym for Support of Lawyers, All Concern Encouraged, is a new Rhode Island Bar Association program allowing Bar members to reach out, in a meaningful and compassionate way, to their colleagues. SOLACE communications are through voluntary participation in an email-based network through which Bar members may ask for help, or volunteer to assist others, with medical or other matters.

Issues addressed through SOLACE may range from a need for information about, and assistance with, major medical problems, to recovery from an office fire and from the need for temporary professional space, to help for an out-of-state family member.

The program is quite simple, but the effects are significant. Bar members notify the Bar Association when they need help, or learn of another Bar member with a need, or if they have something to share or donate. Requests for, or offers of, help are screened and then directed through the SOLACE volunteer

email network where members may then respond. On a related note, members using SOLACE may request, and be assured of, anonymity for any requests for, or offers of, help.

To sign-up for SOLACE, please go to the Bar's website at [www.ribar.com](http://www.ribar.com), login to the **Members Only** section, scroll down the menu, click on the **SOLACE Program Sign-Up**, and follow the prompts. Signing up includes your name and email address on the Bar's SOLACE network. As our network grows, there will be increased opportunities to help and be helped by your colleagues. And, the SOLACE email list also keeps you informed of what Rhode Island Bar Association members are doing for each other in times of need. These communications provide a reminder that if you have a need, help is only an email away. If you need help, or know another Bar member who does, please contact Executive Director Helen McDonald at [hmcDonald@ribar.com](mailto:hmcDonald@ribar.com) or 401.421.5740.



## Immigration Lawyer Joan Mathieu

*Call me if your legal advice may  
affect your clients' immigration status.  
Protect yourself and your client*

401-421-0911

**We practice only US Immigration Law with 15 years experience in**

- IRCA. 1-9, no-match advice for US employers
- Foreign Investor, business and family visas
- Visas for health care professionals
- Visas for artists and entertainers
- Minimizing adverse immigration consequences of crimes
- Deportation/removal
- All areas of immigration law – referrals welcome

*Member and past CFL chapter president of the American Immigration Lawyers Association. BU Law and MPA Harvard Graduate.  
Full resume on my web site [www.immigrators.com](http://www.immigrators.com)*

Law offices of Joan Mathieu, 248 Waterman Street, Providence, RI 02906

## IMMIGRATION LAW

### JAMES A. BRIDEN

Blais Cunningham  
& Crowe Chester, LLP

150 Main Street  
Pawtucket, RI 02860

**401-723-1122**



## Rhode Island Bar Foundation

Founded in 1958, the Rhode Island Bar Foundation is the non-profit philanthropic arm of the state's legal profession. Its mission is to foster and maintain the honor and integrity of the legal profession and to study, improve and facilitate the administration of justice. The Foundation receives support from members of the Bar, other foundations, and from honorary and memorial contributions.

Today, more than ever, the Foundation faces great challenges in funding its good works, particularly those that help low-income and disadvantaged people achieve justice. Given this, the Foundation needs your support and invites you to complete and mail this form, with your contribution to the Rhode Island Bar Foundation.

### Help Our Bar Foundation Help Others

#### RHODE ISLAND BAR FOUNDATION GIFT

**PLEASE PRINT**

My enclosed gift in the amount of \$ \_\_\_\_\_

Please accept this gift in my name

or

In Memory of \_\_\_\_\_

or

In Honor of \_\_\_\_\_

Your Name(s) \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone (in case of questions) \_\_\_\_\_

Email: \_\_\_\_\_

Please mail this form and your contribution to:

**Rhode Island Bar Foundation**  
115 Cedar Street  
Providence, RI 02903

Questions? Please contact Virginia Caldwell at 421-6541  
or [gcaldwell@ribar.com](mailto:gcaldwell@ribar.com)

## Advertiser Index

Ajootian, Charles – 1031 Exchange Services	21
Aon Liability Insurance	6
Balsofiore & Company, Ltd. – Forensic Accounting, Litigation Support	32
Boezi, Henry – Trademark/Copyright	45
Briden, James – Immigration Law	46
Coia & Lepore, Ltd. – Workers' Comp.	13
Coia & Lepore, Ltd. – Mediation	42
CT Attorneys – Messier Massad & Burdick LLC	38
Delisi & Ghee, Inc. – Business Appraisal	44
Dennis, Stephen – Workers' Compensation	30
Dumas, David – Heirs/Genealogy	44
Economic & Policy Resources – Economists	41
Emery, Tiffinay – Moyer Law Office	41
Gregory, Richard – Attorney & Counselor at Law	8
Humphrey, Richard – Law Offices	8
Marasco & Nesselbush – Social Security Disability/Medical Malpractice	10
Mathieu, Joan – Immigration Lawyer	46
Mediation & Arbitration – Joseph Keough	36
Mignanelli & Associates, LTD. – Estate Litigation	32
Morowitz, David – Law Firm	34
Ocean State Weather – Consulting & Witness	45
Office Space – Pawtucket – Finan	15
Office Space – Providence	37
Office Space – Providence	40
Pagliarini – Certified Tax Assessor	39
PellCorp Investigative Group, LLC	30
Pfieffer, Mark – Alternate Dispute Resolution	39
Piccerelli, Gilstein & Co. – Business Valuation	20
QDRO Help – Howe & Garside	40
Revens, Revens & St. Pierre – Bankruptcy	44
Revens, Revens & St. Pierre – Workers' Compensation	43
Rhode Island Police Chief's Charity Golf	37
Rhode Island Private Detectives LLC	43
R. J. Gallagher – Disability Insurance	39
Ross, Roger – Title Clearing	40
Salter McGowan Sylvia & Leonard	12
Sciarretta, Edmund – Florida Legal Assistance	36
Soss, Marc – Florida Estates/Probate/ Documents	42
StrategicPoint – Investment Advisory Services	17
Stewart Title Guarantee Company	10
Workers' Compensation – Lawrence Signore	40
YKSM – CPAs/Business Consultants	14
Zoning Handbook – Roland F. Chase	38

# You may ask yourself...

## ***How does the Rhode Island Bar Association help me?***

**THE RHODE ISLAND BAR ASSOCIATION** is much more than a name. Your Bar consists of people and programs dedicated to enriching and enhancing your practice and your life. Through the thoughtful, caring leadership of volunteer attorneys, the Bar develops offerings designed specifically for Rhode Island lawyers. And, with the excellent assistance of the Bar's friendly and professional staff, your Bar creates and delivers a wide range of programs and services tailored to meet your needs.

Your Bar helps you **professionally** through...

- Fully interactive Bar website connecting you to your free law library, latest news, seminar information and registration, committee meeting schedules and more at [www.ribar.com](http://www.ribar.com)
- Superb Continuing Legal Education (CLE) seminars offered live and online throughout the year
- Free, 24-hours-a-day, 7-days-a-week, online law library services with Casemaker
- Terrific avenues for working with other members of the Bar and the Bench on a wide range of Bar Committee efforts
- Outstanding Lawyer Referral Service (LRS) connections to clients in search of representation
- Myriad membership benefits offering preferential products and services negotiated for you by your Bar leaders
- Respected forums for sharing your knowledge and opinions in every issue of the *Rhode Island Bar Journal*
- Informed answers to legal questions through the Bar's Online Attorney Resource (OAR) center's volunteer attorneys.
- Wonderful Annual Meeting offerings ranging from excellent CLE seminars to profession-oriented product and service providers and more
- Powerful presence in legislative matters affecting the practice of law
- Instant client and colleague connections through the Bar website's Attorney Directory

Your Bar helps you **personally** through...

- Opportunities for pro bono service to those who need it the most, coupled with free training and mentoring in important practice areas
- Lawyers Helping Lawyer Committee programs including the Bar's partnership with Coastline Employee Assistance Program (Coastline EAP) offering free-to-members services for confidential help, information, assessment and referral for a wide range of personal concerns
- SOLACE (Support of Lawyers, All Concern Encouraged) allows Bar members to offer or ask for aid and assistance to or from their colleagues
- Law Related Education (LRE) volunteer opportunities to visit classrooms with judges on Law Day and assist educators throughout the year

**Same as it ever was...**

**...Only better**

Take advantage of these benefits today through the Bar's website at [www.ribar.com](http://www.ribar.com), or telephone the Bar today at 401-421-5740