



2023

Rhode Island Bar Association
ANNUAL MEETING

JUNE 1ST & JUNE 2ND

Rhode Island Convention Center, Providence

WELCOME | 2023 ANNUAL MEETING

BAR OFFICERS



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2023 ANNUAL MEETING



Mark B. Morse, Esq.
President

Dear Colleagues,

I look forward to seeing you at the Bar Association's 2023 Annual Meeting on Thursday and Friday, June 1st and 2nd, at the Rhode Island Convention Center. This year's hard-working Annual Meeting Planning Committee, led by chairpersons Lloyd Ocean and Kathleen Wyllie, produced a diverse and enriching program for us. Supporting this effort, many Bar members and the Bar staff have worked with the Committee to ensure a seamless presentation of workshops and social events. As a result, our Annual Meeting provides attendees with an outstanding opportunity to learn, improve your practice, socialize with your colleagues, and fulfill your annual CLE requirements.

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

This year, our Thursday morning plenary speaker is Judge Victoria Pratt, a nationally recognized expert in procedural justice and alternative sentencing and a committed advocate for reforming the criminal justice system. She will talk to attendees about changing the dynamics of communication with clients. For the closing plenary, attorney Vanessa Potkin from the Innocence Project will talk about forensics and cognitive biases. She will be joined by Cornelius Dupree, an exoneree declared innocent of a 1980 conviction after serving 30 years of a 75-year prison sentence, who was convicted based on misidentification.

On Thursday afternoon, in the midst of a lively reception, we will honor our Annual Bar Award winners (please see page 14 for a complete listing and description of this year's awards) for outstanding achievements. During our Annual Awards Luncheon on Friday, we will honor our colleagues for their 50 years of service in the profession, following an address by our incoming Bar Association President, Nicole J. Benjamin. Additionally, we will have the pleasure of traditional remarks by Supreme Court Chief Justice Paul A. Suttell on the State of the Rhode Island Judiciary.

The 2023 Annual Meeting Planning Committee's attention to our diverse membership's interests and needs resulted in an excellent program, and I urge you to take advantage of the Annual Meeting's early registration fee savings by completing your registration before May 26th.

I thank you in advance for the honor and pleasure of serving you throughout the past year, and I look forward to seeing you on June 1st and 2nd.

A handwritten signature in black ink that reads "Mark B. Morse". The signature is written in a cursive style and is positioned above the typed name.

Mark B. Morse, Esq.
President
Rhode Island Bar Association

8:00 am	Exhibitor Booths Open	Registration Begins & Exhibits Open <i>Convention Center, Ballroom Foyer, 5th floor</i>					
8:45 - 9:20 am		Welcome by Mark B. Morse, Esq., Bar President <i>Convention Center, Ballroom A, 5th floor</i>					
9:20 - 10:20 am		<div style="border: 1px solid black; padding: 5px; display: inline-block;">1</div> Plenary - Why We Do What Matters Judge Victoria Pratt 1.0 ETHICS					
10:20 - 10:45 am	Exhibitor Booths Open	Morning Break					
10:45 am - 12:00 pm		<div style="text-align: center;"><u>2</u></div> Family Case Law Update 1.0 CREDIT + 0.5 ETHICS	<div style="text-align: center;"><u>3</u></div> Arbitration & Mediation Practice Pointers 1.0 CREDIT + 0.5 ETHICS	<div style="text-align: center;"><u>4</u></div> Access to Justice Gap 1.0 CREDIT + 0.5 ETHICS	<div style="text-align: center;"><u>5</u></div> Don't Give Up 5 Minutes Before the Miracle 1.5 ETHICS	<div style="text-align: center;"><u>6</u></div> Long-Term Care Eligibility 1.5 CREDITS	<div style="text-align: center;"><u>7</u></div> Superior Court Business Calendar 1.5 CREDITS
12:00 - 1:30 pm		Members Luncheon <i>Convention Center, Rotunda, 5th Floor</i>					
12:00 - 1:30 pm	Exhibitor Booths Open	Rhode Island Bar Foundation Annual Meeting <i>Convention Center, 1st Floor, West Lobby</i>					
1:30 - 2:45 pm		<div style="text-align: center;"><u>8</u></div> Succession Planning Best Practices 0.5 CREDIT + 1.0 ETHICS	<div style="text-align: center;"><u>9</u></div> Commercial Law Update 2023 1.0 CREDIT + 0.5 ETHICS	<div style="text-align: center;"><u>10</u></div> Federal Program Fraud 1.5 CREDITS	<div style="text-align: center;"><u>11</u></div> Remote Hearings 1.5 CREDITS	<div style="text-align: center;"><u>12</u></div> Inside View RI Supreme Court 1.5 CREDITS	<div style="text-align: center;"><u>13</u></div> LGBT+ Protections in the Workplace 1.5 CREDITS
2:45 - 3:15 pm		Afternoon Break					
3:15 - 4:30 pm	Exhibitor Booths Open	<div style="text-align: center;"><u>14</u></div> Division of Retirement Assets in a Divorce 1.5 CREDITS	<div style="text-align: center;"><u>15</u></div> Comprehensive Amendments to the UCC 1.5 CREDITS	<div style="text-align: center;"><u>16</u></div> Profitability of DEIB 1.5 CREDITS	<div style="text-align: center;"><u>17</u></div> A Primer on Evidence in the Digital Age 0.5 CREDIT + 1.0 ETHICS	<div style="text-align: center;"><u>18</u></div> WEED Control 1.5 CREDITS	<div style="text-align: center;"><u>19</u></div> Public Protection Bureau 1.5 CREDITS
4:30 pm		Awards Reception <i>Convention Center, Rotunda, 5th floor</i>					

The RIBA assumes no responsibility for opinions, statements, and facts in any Continuing Legal Education/Annual Meeting program. Neither the opinions expressed in any program, nor its content represent the official view of the Rhode Island Bar Association or the views of its members.

8:00 am	Exhibitor Booths Open	Registration Begins & Exhibits Open <i>Convention Center, Ballroom Foyer, 5th floor</i>						
8:45 - 9:20 am		Welcome by Mark B. Morse, Esq., Bar President <i>Convention Center, Ballroom A, 5th floor</i>						
9:00 - 10:15 am	Exhibitor Booths Open	<u>20</u> Civil Case Law Update 1.5 CREDITS	<u>21</u> Campus Sexual Misconduct Title IX 1.5 CREDITS	<u>22</u> Death & Taxes 1.5 CREDITS	<u>23</u> Recent Developments in Land Use 1.5 CREDITS	<u>24</u> Medical Depositions 1.5 CREDITS	<u>25</u> Post COVID School Law 1.5 CREDITS	<u>26</u> Mock Trial Pt. 1 1.0 CREDIT + 0.5 ETHICS
10:15 - 10:45 am		Morning Break						
10:45 am - 12:00 pm		<u>27</u> Criminal Case Law Update 1.5 CREDITS	<u>28</u> Self Employed Income Analysis in Divorce 1.5 CREDITS	<u>29</u> Supported Decision Making 0.5 CREDIT + 1.0 ETHICS	<u>30</u> Navigating Insolvency Issues 1.5 CREDITS	<u>31</u> Civil Motion Practice in the Superior Court 1.0 CREDIT + 0.5 ETHICS	<u>32</u> You Are the Target: Cybersecurity 1.5 CREDITS	<u>33</u> Mock Trial Pt. 2 1.0 CREDIT + 0.5 ETHICS
12:00 - 2:00 pm	Exhibitor Booths Open	Awards Luncheon <i>Convention Center, Ballroom B/C, 5th floor</i>						
2:00 - 3:00 pm		<u>34</u> Expert Discovery Post Cashman 0.5 CREDIT + 0.5 ETHICS	<u>35</u> Golden Nuggets 1.0 ETHICS	<u>36</u> Seeking Justice for Survivors of Sexual Violence 1.0 CREDIT	<u>37</u> Effective Time Management for Attorneys 1.0 CREDIT	<u>38</u> Non-Compete Agreements 1.0 CREDIT	<u>39</u> Title Jeopardy! 0.5 CREDIT + 0.5 ETHICS	
3:00 - 3:15 pm		Afternoon Break						
3:15 - 4:15 pm	Exhibitor Booths Open	40 Plenary - Innocence Project Vanessa Potkin, Esq. & Cornelius Dupree 1.0 ETHICS						

We've gone paperless! You can find the schedule, event floorplan, and all program workshop materials in the RIBA Annual Meeting app. To use the app, download the Engagefully app from your device's app store and search for RIBar.

8:00 am | **Registration Begins and Exhibits Open**
Convention Center, Ballroom Foyer, 5th Floor

Welcome | 8:45 - 9:20 am

Welcome: Mark B. Morse, Esq., *President*

In Memoriam: Patrick A. Guida, Esq., *Secretary*

Nominating Committee Report: Patrick A. Guida, Esq., *Secretary*

Treasurer's Report: Christopher S. Gontarz, Esq., *Treasurer*

Plenary - Why We Do What Matters

Speaker: Judge Victoria Pratt

In the halls of justice around the world, how can we ensure everyone is treated with dignity and respect? A pioneering judge in New Jersey, Victoria Pratt shares the principles of "procedural justice" — four simple, thoughtful steps that redefined the everyday business of her courtroom in Newark, changing lives along the way. During this talk, she takes you on a journey of changing the hearts and minds of those who work in and encounter the justice system. "When the court behaves differently, naturally people respond differently," Pratt says. "We want people to enter our halls of justice and know that justice will be served there." This respectful approach to justice, supported by data, focuses on the interpersonal treatment the public receives throughout the process, ultimately improves the public's trust in the justice system and increases compliance with the law.

Judge Victoria Pratt is recognized nationally and internationally for her commitment to reforming the criminal justice system. She's been called a pioneer in procedural justice—a simple, proven approach to transforming our court system using the power of dignity and respect. While presiding over court, she used procedural justice and innovative problem solving to provide alternative sentences to low-level offenders, including community service, counseling sessions, and her signature assignment of introspective essays. Her respectful approach has had a transformational impact on court participants, the community, and court practitioners.

She's been featured in media outlets such as *The Guardian*, *Forbes*, and PBS. Her highly viewed *TED Talk*, *How Judges Can Show Respect*, has been listed as one of the Top 15 Most Viral Motivational Talks on Facebook, with over 37 million views. Considered a global expert, she's worked in Dubai, Ukraine, England, Scotland, Trinidad and Tobago, and Mexico. Her book *The Power of Dignity: How Transforming Justice Can Heal Our Communities*, published through Seal Press/The Hachette Book Group, was released on May 10, 2022, to rave reviews. She has worked

with corporations such as LinkedIn, Facebook, and Prudential, as well as other institutions and organizations. She has served as a Professor of Professional Practice at Rutgers School of Law and School of Criminal Justice in Newark, NJ. Currently, she's the Executive Director of Odyssey Impact, an organization that uses storytelling, film, and faith voices to catalyze action for social justice. She also champions criminal justice reform through her consulting firm, Pratt Lucien Consultants, LLC, by sharing her skills and approach with others. Currently, she consults with various jurisdictions, organizations, and companies through her company, Pratt Lucien Consultants, LLC, on procedural justice, transforming justice, DEI, and leadership.

Meeting exhibitors offer a wide range of helpful, practice-related products and services, including professional liability insurance, website development, retirement plans, record management, law practice software, computer support, court reporting, and more. Learn about the latest products and services, investigate resources, build relationships, and learn about developments in the profession.

1 | 9:20 - 10:20 am
1.0 ethics
Level: All



Judge Victoria Pratt

Morning Break | 10:20 - 10:45 am

Enjoy a range of refreshments and conversation while connecting with our sponsors and exhibitors who are offering valuable law practice and business management services. This year, we will be joined by many of our local affinity groups, who will be located across from the registration area. Please plan to stop by to learn more about their organizations!

10:45 am - 12:00 pm

Concurrent Workshops

(Choose one from #2-7)

2

10:45 am - 12:00 pm
1.0 credit + .5 ethics
Level: All

Family Case Law Update

Moderator: Meredith F. Howlett, Esq., *M. F. Howlett Law*

Speakers: Joanna M. Achille, Esq., *Burns & Levinson, LLP*
Jane F. Howlett, Esq., *Howlett Law, Inc.*

This workshop updates Rhode Island Family Court practitioners on recent statutory legislation, and federal and Rhode Island case law relating to the practice of family law in Rhode Island.

3

10:45 am - 12:00 pm
1.0 credit + .5 ethics
Level: Intermediate

Arbitration & Mediation: Practice Pointers

Speakers: Laura Bottaro, Esq., *Law Offices of Laura Bottaro, LLC*
Walter C. Hunter, Esq., *Walter C. Hunter, LLC*
Stephen J. MacGillivray, Esq., *Pierce Atwood LLP*

This workshop provides practical advice for obtaining a successful result in arbitration and mediation while minimizing cost. Specific topics include: 1) choosing the right neutral for your matter; 2) examining arbitration or mediation strategies; 3) counseling clients, including difficult clients; 4) understanding potential implicit bias; 5) presenting effectively; 6) knowing how and when to vacate; and 7) ethical issues in ADR.

4

10:45 am - 12:00 pm
1.0 credit + .5 ethics
Level: All

Access Granted: A Discussion on the Access to Justice Gap, Strategies to Eliminate Access to Justice Barriers, and Engaging Meaningfully with Self-Represented Litigants

Speakers: Hon. Melissa DuBose, *RI District Court*
Tamera N. Rocha, Esq., *RI Judiciary Access to Justice Office*

The co-presenters discuss the access to justice gap and common legal problems and barriers faced by court users. They discuss steps taken by the Judiciary and the Committee on Racial and Ethnic Fairness in the Courts to ensure meaningful access, access to justice programs and services offered by the Judiciary, and how attorneys can help under-served communities by engaging meaningfully with self-represented litigants.

5

10:45 am - 12:00 pm
1.5 ethics
Level: All

Don't Give Up Five Minutes Before the Miracle

Moderator: Nicholas Trott Long, Esq., *Lawyers Helping Lawyers Committee Chair*

Speakers: Laurie Besden, Esq., *Lawyers Concerned for Lawyers of Pennsylvania*
Nicole Browning, *Director of Client Services, CorpCare EAP*

In this lawyer wellness presentation, Laurie Besden shares her compelling personal story of an insatiable drug addiction that caused her incarceration, the suspension of her law license, and nearly killed her. The presentation covers her recovery journey leading to her job as Executive Director of the Pennsylvania Lawyers Concerned for Lawyers and national recognition as a leader in the Lawyers Wellness field. She addresses how to identify and help attorneys in distress due to mental health problems including, substance use and gambling disorders. Nicole Browning will outline the confidential assistance her organization provides to Bar Association members and their families.

6

10:45 am - 12:00 pm
1.5 credits
Level: Beginner

Help Your Clients and Their Families Navigate Long-Term Care Eligibility

Speakers: Joseph M. Proietta, Esq., *Law Office of Joseph M. Proietta*

Gwendolyn M. Hancock, Esq., *Law Office of Joseph M. Proietta*

Peter A. Hainley, Esq., *Brule, Nault & Hainley, P.C.*

Make sure your clients are financially eligible for Medicaid Long-Term Care before you file! This program walks you through case studies for single and married persons needing nursing home care. Discussions will include information on preplanning, crisis planning, and how to stay abreast of changes to State Medicaid Rules and Regulations.

7

10:45 am - 12:00 pm
1.5 credits
Level: Beginner/Intermediate

Superior Court Business Calendar - Basics & Beyond

Moderator: Andre S. Digou, Esq., *Chace Ruttenberg & Freedman, LLP*

Speakers: Hon. Brian P. Stern, *RI Superior Court*

Hon. Richard Licht, *RI Superior Court*

Richard J. Land, Esq., *Chace Ruttenberg & Freedman, LLP*

Stacey P. Nakasian, Esq., *Duffy & Sweeney, LTD*

This program focuses on practicing before the Superior Court Business Calendar, including what cases are eligible, getting a case assigned, pleading form and filing, and court appearances. Additionally, the program includes comments from the Justices regarding form, preferences, and practice tips.

Rhode Island Bar Association Members' Luncheon

12:00 - 1:30 pm | *Convention Center, Rotunda, 5th Floor*

THIS IS A TICKETED EVENT

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

Rhode Island Bar Foundation Fellows Annual Meeting

12:00 - 1:30 pm | Convention Center, West Lobby, 1st Floor

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



Michael R. McElroy, Esq.
Foundation President

The Rhode Island Bar Foundation Annual Meeting is held in conjunction with the Rhode Island Bar Association Annual Meeting. President Michael R. McElroy and the Board of Directors are pleased to welcome and thank the Foundation Fellows who, through their professional, public, and private careers, have demonstrated outstanding dedication to the welfare of the community and to the objectives of the Foundation. During the luncheon, we recognize the recipient organizations of Interest on Lawyers Trust Account (IOLTA) grants. This calendar year, we granted \$393,109 to non-profit organizations for the provision of legal services and the administration of justice in Rhode Island.

Recipients of the Thomas F. Black, Jr., Memorial Law School Scholarships are introduced. Again this year, with the continued generosity of The Horace A. Kimball and S. Ella Kimball Foundation and The Champlin Foundation, we were able to grant two \$25,000 Thomas F. Black Jr. Memorial Scholarships to two promising first-year law students who have demonstrated financial need, superior academic performance, community and public service, and demonstrated contacts with and commitment to the State of Rhode Island. Since 1989, this fund has awarded 73 scholarships, totaling many thousands of dollars to promising law students.

Recipients of the Papitto Opportunity Connection Foundation Scholarships are also introduced. Two additional law school scholarships in the amount of \$25,000 each will be awarded to candidates who self-identify as Black, Indigenous, or people of color (BIPOC). Founded in December 2020, the Papitto Opportunity Connection was formed by Barbara Papitto as a continuation of the long-time commitment she and her late husband Ralph have made to creating educational opportunities and supporting the BIPOC community in Rhode Island. Since 2020, this fund has awarded three scholarships.

The recipients of the Honorable Thomas J. Caldarone, Jr. Fellowship Award and the James A. Jackson Fellowship Award are also introduced. Roger Williams University law students are selected for these awards based on their outstanding records and interest in pursuing a career in public service. Caldarone and Jackson Fellows receive valuable experience in assisting with providing crucial legal services to the public and persons of limited means in the State of Rhode Island.

1:30 - 2:45 pm

Concurrent Workshops

(Choose one from #8-13)

8

1:30 - 2:45 pm
1.0 ethics + 0.5 credit
Level: Intermediate

What "Will" you do with your law firm? Succession Planning Best Practices

Moderator: Keith E. Fayan, Esq., *Fayan Law, P.C., Ethics & Professionalism Committee*

Speakers: Maria R. Lenz, Esq., *RI Office of Disciplinary Counsel*

Samantha McCarthy, Esq., *McCarthy Law, LLC*

Daphne Robson, Esq., *McCarthy Law, LLC*

Attorneys are the loudest voices advising others to plan for the future, yet few have a plan to meet their fiduciary obligations in the event of their death, disability, or other circumstances requiring termination of their practice. Even in the absence of a rule requiring a formal succession plan, attorneys who fail to plan for the day when they no longer practice expose their clients, family, and the profession to avoidable hardships. This workshop reviews current guidance, including rules and requirements, in other jurisdictions to glean best practices for succession. Session materials include checklists and related forms.

9

1:30 - 2:45 pm
1.0 credit + 0.5 ethics
Level: Intermediate/Advanced

Commercial Law Update 2023

Speakers: Steven O. Weise, Esq., *Prosauker Rose, LLP*

Stephen L. Sepinuck, Esq., *Vanderbilt Law School*

Patrick A. Guida, Esq., *Duffy & Sweeney, Ltd.*

Lisa Kresge, Esq., *Brennan, Recupero, Cascione, Scungio & McAllister, LLP*

Amanda M. Perry, Esq., *DiOrio Law Office*

This workshop reviews various state and federal commercial law-related court decisions from around the United States, with some emphasis on Rhode Island decisions, and for which written decisions were issued during the last 12 months.

10

1:30 - 2:45 pm
1.5 credits
Level: Intermediate

Civil and Criminal Approaches to Addressing Federal Program Fraud and The Critical Role of Whistleblowers

Speakers: Zachary Cunha, Esq., *U.S. Attorney for the District of RI*

Sara Miron Bloom, Esq., *First Assistant U.S. Attorney for the District of RI*

Bethany Wong, Esq., *Civil Chief, U.S. Attorney's Office for the District of RI*

Lee Vilker, Esq., *Criminal Chief, U.S. Attorney's Office for the District of RI*

A panel of representatives from the United States Attorney's Office discuss new sources of federal funding and the potential for fraud on federal programs, including new programs under the Bipartisan Infrastructure Law as well as programs such as Medicare and Medicaid and unemployment insurance. Discussion includes areas for vigilance in representing clients who receive federal funds as well as the potential for whistleblower actions and reports in these areas.

11

1:30 - 2:45 pm
1.5 credits
Level: All

Remote Hearings

Moderator: Mark B. Morse, Esq., *Law Office of Mark B. Morse, RIBA President*

Speakers: Hon. John J. McConnell, *U.S. District Court for the District of RI*

Hon. Linda Rekas Sloan, *RI Superior Court*

The panelists will address how the use of legal technology has been improved and utilized by our courts as we continue to adapt to the needs of litigants post-pandemic. Perspectives on remote hearings as well as remote jury trials will be presented.

12

1:30 - 2:45 pm
1.5 credits
Level: All

Inside View of the Rhode Island Supreme Court

Speakers: Hon. Maureen McKenna Goldberg, *RI Supreme Court*

Hon. William P. Robinson III, *RI Supreme Court*

Hon. Erin Lynch Prata, *RI Supreme Court*

Hon. Melissa A. Long, *RI Supreme Court*

Erin Paquette, Esq., *Office of the Assistant to the Chief Justice, RI Supreme Court*

Kara Maguire, Esq., *RI Public Defender Appellate Division*

This program features a discussion with distinguished justices of the Rhode Island Supreme Court about best practices for appellate litigators. The Administrative Assistant to the Chief Justice will also provide guidance on the nuts and bolts of appellate practice in Rhode Island.

13

1:30 - 2:45 pm
1.5 credits
Level: Intermediate

Case Law Updates: LGBT+ Protections in the Workplace

Moderator: James Bagley, Esq., *State of Rhode Island*

Speakers: Cynthia Hiatt, Esq., *Commissioner, RI Commission for Human Rights*

Carly Iafrate, Esq., *Law Office of Carly Iafrate*

This panel features practitioners and academics from the employment law arena to discuss the holding of the United States Supreme Court's decision in *Bostock v. Clayton County* and its ramifications for state and federal practice. The panel will also discuss the treatment of *Bostock* in subsequent decisions.

Afternoon Break | 2:45 - 3:15 pm

Need to destress during a long day of learning? Check out the pet therapy dog lounge! Take a break from the hustle and bustle to relax and play with local emotional support dogs. These furry friends will have you refreshed and ready to tackle your next seminar!

3:15 - 4:30 pm

Concurrent Workshops

(Choose one from #14-19)

14

3:15 - 4:30 pm
1.5 credits
Level: Intermediate

Division of Retirement Assets in Divorce

Speakers: Amy Luksenburg Strachman, Esq., *Strachman QDRO Law*
Gayle C. Mambro-Martin, Esq., *ERSRI*
Kristy J. Garside, Esq., *Howe & Garside, LTD*

This program addresses the division of defined contribution plans and defined benefit plans in a divorce, with a focus on the issues that must be considered and properly addressed in the Marital Settlement Agreement. Each presenter covers the unique aspects and requirements for various retirement vehicles, including employee-funded accounts, IRAs, state and municipal government plans, and military pensions, and provides helpful hints for drafting the Marital Settlement Agreement.

15

3:15 - 4:30 pm
1.5 credits
Level: Intermediate/Advanced

Comprehensive Amendments to the Uniform Commercial Code to Address Electronic Transactions and Related Issues

Speakers: Steven O. Weise, Esq., *Prosauker Rose, LLP*
Stephen L. Sepinuck, Esq., *Vanderbilt Law School*
Patrick A. Guida, Esq., *Duffy & Sweeney, Ltd.*
Lisa Kresge, Esq., *Brennan, Recupero, Cascione, Scungio & McAllister, LLP*
Amanda M. Perry, Esq., *DiOrio Law Office*

A review of the [proposed] amendments to the Uniform Commercial Code to address the urgent needs to accommodate transactions involving emerging technologies, such as virtual currencies, distributed ledger technologies, and artificial intelligence. These amendments span most of the Articles of the Uniform Commercial Code and add a new Article 12, addressing in part electronic transactions and digital assets and introducing the concept of “Controllable Electronic Records”. The amendments respond to current and pressing market concerns and the lack of definitive commercial law rules for transactions involving digital assets, especially relating to: (a) negotiability for virtual currencies; (b) electronic payment rights; (c) secured lending against virtual currencies; and (d) security interests in electronic money, such as central bank digital currencies. These amendments also address other technological developments affecting electronic chattel paper, negotiable instruments, payment systems, electronic documents of title, and sales and leases of goods. The amendments clarify the scope of Article 2 and 2A when transactions combine the sale or lease of goods with other matters, a topic of great importance in transactions affected by emerging technologies.

16

3:15 - 4:30 pm
1.5 credits
Level: Beginner

The Profitability of DEIB (Diversity, Equity, Inclusion, and Belonging) & Why GOOD (Guys Overcoming Obstacles to Diversity) Guys Are So Important

Speakers: Sheryl L. Axelrod, Esq., *The Axelrod Firm, PC*
Collin Bailey, Esq., *Hudson’s Bay Company*
Thomas J. Cicatiello, *The Gordon School*
Joseph A. Farside, Jr., Esq., *Locke Lord LLP*

This program will begin with a discussion about the profitability and rewards of DEIB (Diversity, Equity, Inclusion, and Belonging) with Sheryl L. Axelrod, Esq. of the Axelrod Firm. The presentation will be followed by a GOOD (Guys Overcoming Obstacles to Diversity) Guys panel. The National Conference of Women’s Bar Associations created The GOOD Guys Program™ to break the impasse in the advancement of women and historically underrepresented groups by engaging men to level the playing field.

17

3:15 - 4:30 pm
1.0 ethics + 0.5 credit
Level: Intermediate

A Primer on Evidence in the Digital Age: Admitting ESI Evidence at Trial

Moderator: Christian R. Jenner, Esq., *Partridge Snow & Hahn LLP*

Speakers: Hon. Melissa E. Darigan, *RI Superior Court*

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

Christopher Lisy, Esq., *Manatt, Phelps & Phillips, LLP*

Most individuals and businesses create information that will never appear on paper—electronically stored information ("ESI"). Have you kept up with the developments in evidence law to address the admissibility of ESI? This program outlines the evidentiary challenges and opportunities ESI presents and identifies tips and tools to help you get that important ESI into evidence at your next trial or evidentiary hearing.

18

3:15 - 4:30 pm
1.5 credits
Level: Intermediate

WEED CONTROL: RICA's Criminal Applications

Speakers: Michael A. DiLauro, Esq., *The Just Criminal Justice Group*

Lisa Holley, Esq., *Lisa Holley Law*

The Rhode Island Cannabis Act (RICA) is about 125 pages long, most of which are devoted to the creation of commissions, taxation, regulation, and the like. In other words, money. But what about RICA's primary purpose, undoing decades of failed criminal drug policies through expungement and the adjustment of collateral consequences? And finally, how about weed control and the brave new world of attempting to calibrate impaired driving due to the ingestion of cannabis?

19

3:15 - 4:30 pm
1.5 credits
Level: Beginner

Public Protection Bureau: Public Law for the People of Rhode Island

Speakers: Miriam Weizenbaum, Esq., *RI Office of the Attorney General*

Sarah Rice, Esq., *RI Office of the Attorney General*

Keith Hoffmann, Esq., *RI Office of the Attorney General*

Alison Hoffman, Esq., *RI Office of the Attorney General*

How does an Attorney General's Office protect public rights through civil litigation? The Chief of the Civil Division, Deputy for Public Protection Bureau, and Chiefs of the Civil Rights and Environmental Units at the Rhode Island Office of the Attorney General discuss this important question through the lens of recent past successes. Topics covered include innovative tort theories, statutory causes of action, and achieving meaningful settlements for the public good.

It's been a busy first day of our Meeting; let's finish it right! Head straight to the Rotunda, immediately adjacent to the exhibitor and snack stations, after the last Thursday session and join us for complimentary refreshments as we recognize our annual awards recipients.

Prior to the presentation of awards, we will enjoy libations and heavy hors d'oeuvres. Relax and catch up with your colleagues as we honor our exceptional award winners!

Our Thursday evening awards include the Rhode Island Bar Journal Lauren E. Jones Writing Award, the 2023 Pro Bono Awards, the Houlihan Lifetime Mentor Award, the Lohmann Community Service Award, and the new DEI Trailblazer Award.

This event is FREE and open to ALL Bar members— don't miss out!

Annual Awards Reception (Sponsored by Our Exhibitors)

4:30 pm | Convention Center, Rotunda, 5th Floor

OPEN AND FREE TO ALL BAR MEMBERS

All Annual Meeting attendees are welcome to join us for our festive Annual Awards Reception, an opportunity to recognize and honor the outstanding work of members of the legal community who have demonstrated an extraordinary commitment to the profession, while enjoying complimentary libations and hors d'oeuvres.

RHODE ISLAND BAR JOURNAL LAUREN E. JONES, ESQ. WRITING AWARD

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

WINNER TBD

2023 PRO BONO AWARDS

Since 1987, the Pro Bono Awards have recognized the outstanding efforts of those who provide equal access to justice to the poor through a Rhode Island Bar Association pro bono program. Recipients demonstrate dedication to the administration of justice, professionalism, compassion, and commitment to public service.

VOLUNTEER LAWYER PROGRAM

Robert H. Larder, Esq.

Adam G. Northup, Esq.

DOROTHY LOHMANN COMMUNITY SERVICE AWARD

The Dorothy Lohmann Community Service Award recognizes members for their volunteer work benefiting non-profit organizations. The award is named in memory of Rhode Island attorney Dorothy Lohmann, who devoted her entire professional life to helping the poor.

Michael A. Castner, Esq.

Jennifer L. Wood, Esq.

JOSEPH T. HOULIHAN LIFETIME MENTOR AWARD

Named in honor of Joseph T. Houlihan, this award recognizes individuals who consistently demonstrate an extraordinary commitment to serve as role models to other lawyers; have significantly contributed to the profession and/or the community; and with their excellent counsel, have excelled as mentors and contributed to the ideals of ethics, civility, professionalism, and legal skills.

Mark S. Mandell, Esq.

DEI TRAILBLAZER AWARD

This award recognizes an attorney who encourages and cultivates social discourse related to DEI among all members of the Rhode Island Bar, supports the advancement of attorneys from diverse backgrounds to positions of leadership, and promotes interest in the practice of law among diverse populations.

Nicole P. Dyszlewski, Esq.

8:00 am | **Registration Begins and Exhibits Open**
Convention Center, Ballroom Foyer, 5th Floor

8:45 - 9:00 am | **President's Welcome**

Convention Center, Ballroom A, 5th Floor

Welcome: Mark B. Morse, Esq., *President*

9:00 - 10:15 am | **Concurrent Workshops**
(Choose one from #20-26)

20

9:00 - 10:15 am
1.5 credits
Level: All

Civil Case Law Update

Moderator: Hon. Erin Lynch Prata, *RI Supreme Court*

Speakers: Hon. Francis X. Flaherty, *RI Supreme Court (ret.)*

Hon. Sarah Taft-Carter, *RI Superior Court*

Hon. Sandra A. Lanni, *RI Family Court*

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

Carly Beauvais Iafrate, Esq., *Law Office of Carly Iafrate*

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

21

9:00 - 10:15 am
1.5 credits
Level: Intermediate

Campus Sexual Misconduct Proceedings: How to Balance the Competing Interests and Balance Rights

Speakers: Steven M. Richard, Esq., *Nixon Peabody LLP*

Hon. Susan E. McGuirl, *RI Superior Court (ret.)*

John R. Grasso, Esq., *Law Office of John Grasso*

This presentation discusses the Department of Education's Title IX regulations (with amendments to take effect in 2023) and their practical application to campus proceedings to investigate and determine sexual misconduct complaints. The discussion addresses the concerns of the college or university and the rights of the complainant and respondent in implementing the required grievance process. The presentation also addresses the role of the judiciary in adjudicating challenges to a school's process.

22

9:00 - 10:15 am
1.5 credits
Level: Beginner/Intermediate

Death & Taxes: Understanding the Rhode Island Estate Tax & Mechanics of Estate Tax Returns

Speakers: David S. Raymon, Esq., CPA, *Burns & Levinson, LLP*

Nikolaus S. Schuttauf, Esq., *Burns & Levinson, LLP*

This session examines the Rhode Island estate tax and its relationship to various areas of law. The presenters explore concepts necessary for the real estate practitioner or litigator who occasionally encounters the tax and also delve into the nuances and complexities facing the trusts and estates practitioner. The presenters provide guidance on preparing estate tax returns, obtaining estate tax lien releases, and the unique issues relating to the estates of non-residents owning Rhode Island property as well as the estates of Rhode Island residents owning property outside of Rhode Island.

23

9:00 - 10:15 am
1.5 credits
Level: Intermediate/Advanced

Recent Developments in Land Use Law

Speakers: Amy H. Goins, Esq., *Ursillo, Teitz & Ritch, Ltd.*
Joelle C. Rocha, Esq., *Duffy & Sweeney, Ltd.*

This program offers a review of recent amendments to the enabling statutes and other laws governing the review and approval of development applications by municipal land use boards. We discuss lessons learned from recent judicial opinions involving land use. Finally, we take a look at legislative commissions involving land use and affordable housing.

24

9:00 - 10:15 am
1.5 credits
Level: Intermediate

The Dos and Don'ts of Medical Depositions

Moderator: Hon. Keith A. Cardoza, *RI Workers' Compensation Court*
Speakers: Christopher N. Chihlas, *M.D., Ortho RI*
Aimee Audette Esq., *Audette, Audette and Violette, LLC*
Joseph Moran Esq., *Izzo, Gardner and Moran*

This workshop reviews the ins and outs of depositions of medical experts, specifically cross-examination and direct examination. The presentation includes the deposition perspective of Dr. Christopher Chihlas and two experienced practitioners in light of various variables.

25

9:00 - 10:15 am
1.5 ethics
Level: Beginner

Post-COVID School Law Update

Speakers: Andrew D. Henneous, Esq., *Henneous Carroll Lombardo, LLC*
Stephen Adams, Esq., *Barton Gilman*
Charles A. Ruggerio, Esq., *Providence Public Schools*

This workshop focuses on the latest trends in public K-12 schools post-COVID including student discipline, cyberbullying, Individual Education Plans (IEPs), compensatory services, mental health concerns, social media policies and concerns, etc. It also reviews the latest case law and discusses best practices.

26

9:00 - 10:15 am
1.0 credit + 0.5 ethics
Level: Beginner/Intermediate

American Board of Trial Advocates "Masters in Trial" Mock Trial Event - Part 1

Moderator: Patrick C. Barry, Esq., *Decof, Barry, Mega & Quinn, P.C.*
Speakers: Melody A. Alger, Esq., *Alger Law LLC*
John J. Barton, Esq., *Barton Gilman LLP*
Mark J. Brice, Esq., *Decof, Barry, Mega & Quinn, P.C.*
William H. Jestings, Esq., *Bengtson & Jestings LLP*
Michael J. Kiselica, Esq., *Kiselica Law Firm*
Donna Lamontagne, Esq., *Lamontagne, Spaulding & Hayes, LLP*

A group of experienced civil trial lawyers, both plaintiff and defense, present a mock civil trial over two consecutive sessions. All presenters are members of ABOTA (American Board of Trial Advocates), a national organization of trial lawyers invited for membership based upon their experience, professionalism, and success in handling civil jury trials. The presentation includes opening statements, direct and cross-examination of lay and expert witnesses, closing arguments, and mock jury deliberations by a live group of jurors. Ethics issues are discussed while the presentation proceeds. Afterwards, ABOTA members are available to answer questions about the presentation and ABOTA.

Morning Break | 10:15 - 10:45 am

Check your email, network with your fellow Bar members, and visit many of our local affinity groups, located across from the registration area. Don't forget to also check out the pet therapy dog lounge! Spending time with local emotional support dogs will have you refreshed and ready to tackle your next seminar.

10:45 am - 12:00 pm | Concurrent Workshops (Choose one from #27-33)

27

10:45 am - 12:00 pm
1.5 credits
Level: All

Criminal Case Law Update

Moderator: Hon. Erin Lynch Prata, *RI Supreme Court*

Speakers: Hon. Francis X. Flaherty, *RI Supreme Court (ret.)*

Hon. Francis J. Darigan Jr., *RI Superior Court (ret.)*

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

Angela Yingling, Esq., *Office of the Public Defender*

Christopher Bush, Esq., *Office of the Attorney General*

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

28

10:45 am - 12:00 pm
1.5 credits
Level: Advanced

Analyzing Self-Employment Income for Alimony and Child Support Purposes

Speakers: Jane McAuliffe, CDFA, *Collaborative Divorce Strategies*

Laura Ruzzo Reale, Esq., *McIntyre Tate LLP*

Determining a self-employed party's income for alimony or child support purposes requires a careful analysis of the party's income tax returns and possibly those of his/her business entity to determine the amount of income available for support. This program provides: (1) a discussion of the relevant case and statutory law, as well as a review of the Administrative Orders addressing self-employment income in the context of support; and (2) an overview of what information to look for when reviewing individual and corporate tax returns in determining the amount of income available for support purposes.

29

10:45 am - 12:00 pm
1.0 ethics + 0.5 credit
Level: All

Supported Decision-Making - What It is and Why We Need It

Moderators: Brian Aadae, Esq., *Disability Rights Rhode Island*

Morna Murray, J.D., *Disability Rights Rhode Island*

Speaker: Jonathan Martinis, Esq., *Senior Director for Law and Policy, Burton Blatt Institute*

Jonathan Martinis, Esq., is the Senior Director for Law & Policy in the Burton Blatt Institute at Syracuse University and has over 20 years of experience representing and advocating for people with disabilities under the Americans with Disabilities Act. In 2013, he represented Jenny Hatch in the renowned "Justice for Jenny" case giving her the right to make life choice decisions by incorporating "Supported Decision Making," (SDM). The American Bar Association describes (SDM) as a cutting-edge alternative to guardianship by placing the individual at the center of the decision-making process. The RI Supported Decision-Making Act was signed into law in 2019 and an in-depth review of the process and ethical concerns will be examined.

30

10:45 am - 12:00 pm
1.5 credits
Level: Beginner/Intermediate

Doing the Deal Right: Navigating Insolvency Issues When Buying or Selling a Business

Speakers: Jeffrey B. Ciancolo, Esq., *McLaughlinQuinn LLC*
James H. Hahn, Esq., *Partridge Snow & Hahn LLP*
Richard J. Land, Esq., *Chace Ruttenberg & Freedman, LLP*
Matthew J. McGowan, Esq., *Salter McGowan Sylvia & Leonard, Inc.*

Buying or selling a distressed business in an out-of-court transaction poses risks for buyers, sellers, and the individual owners of those entities. The panel discusses practical steps to take to mitigate risks during the transaction process and also examines the potential post-closing consequences of failing to do so.

31

10:45 am - 12:00 pm
1.0 credit + .5 ethics
Level: Beginner/Intermediate

Civil Motion Practice in the Superior Court: Dos and Don'ts

Moderator: Jennifer L. Sylvia, Esq., *Moses Ryan, Ltd.*
Speakers: Hon. Melissa E. Darigan, *RI Superior Court*
Hon. Kevin F. McHugh, *RI Superior Court*

Whether you are handling civil motions weekly or only from time to time, consider attending this workshop featuring two Superior Court justices who ascended to the bench after in-depth experience in the litigation trenches. Gain insight as to how to effectively advocate and plead your case while avoiding missteps.

32

10:45 am - 12:00 pm
1.5 credits
Level: Beginner

You Are the Target: Combatting Cyber Threats to You, Your Practice, and Your Clients

Speakers: David Aaron, Esq., *Perkins Coie LLP*
Jared Correia, Esq., *Red Cave Law Firm Consulting and Gideon Software, Inc.*

Cybercrime threatens attorneys' private lives, law practices, and clients. It is critical to understand how to protect yourself and your practice and to be ready to advise clients on preventing, mitigating, and responding to cyber events. The speakers bring a wealth of legal and technical knowledge you can apply in your personal life, your practice management, and your client service.

33

10:45 am - 12:00 pm
1.0 credit + 0.5 ethics
Level: Beginner/Intermediate

American Board of Trial Advocates "Masters in Trial" Mock Trial Event - Part 2

Moderator: Patrick C. Barry, Esq., *Decof, Barry, Mega & Quinn, P.C.*
Speakers: Jessica L. Basso, Esq., *Basso Law, LLC*
Richard A. Boren, Esq., *DeLuca & Associates*
Amato A. DeLuca, Esq., *DeLuca & Associates*
Dennis J. McCarten, Esq.
Michael G. Sarli, Esq., *Gidley, Sarli & Marusak, LLP*

A group of experienced civil trial lawyers, both plaintiff and defense, present a mock civil trial over two consecutive sessions. All presenters are members of ABOTA (American Board of Trial Advocates), a national organization of trial lawyers invited for membership based upon their experience, professionalism, and success in handling civil jury trials. The presentation includes opening statements, direct and cross-examination of lay and expert witnesses, closing arguments, and mock jury deliberations by a live group of jurors. Ethics issues are discussed while the presentation proceeds. Afterwards, ABOTA members are available to answer questions about the presentation and ABOTA.

Annual Meeting Luncheon

12:00 - 2:00 pm | Convention Center, Ballroom B/C, 5th Floor

THIS IS A TICKETED EVENT

ADDRESS BY CHIEF JUSTICE PAUL A. SUTTELL

Rhode Island Supreme Court Chief Justice Paul A. Suttell gives an address on the State of the Rhode Island Judiciary.

NICOLE J. BENJAMIN, ESQ. ACCEPTS THE PRESIDENT'S GAVEL

Join us for the passing of the President's Gavel from outgoing president Mark B. Morse to Nicole J. Benjamin. Sworn in by Chief Justice Paul A. Suttell, Mrs. Benjamin's one-year term officially begins on July 1, 2023.

AWARD OF MERIT

This Award is presented in grateful recognition of exceptional commitment to access to justice through numerous diversity, equity, and inclusion initiatives and dedication to servicing the needs of the Rhode Island community through the unprecedented challenges of the pandemic.

Hon. Paul A. Suttell

CHIEF JUSTICE JOSEPH R. WEISBERGER JUDICIAL EXCELLENCE AWARD

Named in honor of its first recipient, the late Chief Justice Joseph R. Weisberger, this award is presented to a judge of the Rhode Island state courts or Federal District Court bench for exemplifying and encouraging the highest level of competence, integrity, judicial temperament, ethical conduct, and professionalism.

Hon. Maureen McKenna Goldberg

HOLLY HITCHCOCK AWARD FOR NON-ATTORNEY LEGAL PROFESSIONALS

Named for the late Holly Hitchcock, this award allows our legal community to recognize paralegals, judicial staff, legal organization support staff, law firm support staff, law school support staff, non-lawyer mediators, non-lawyer translators, private non-lawyer professionals, and community organizers for all their hard work and contributions to the legal profession.

Nancy Mahoney

HONORARY MEMBERS

Honoring our colleagues in grateful recognition of 50 years of outstanding service to the legal profession and the Rhode Island Bar Association.

Stephen Paul Ashukian, Esq.
Gregory L. Benik, Esq.
William G. Brody, Esq.
Thomas J. Burgess, Esq.
Kevin Michael Cain, Esq.
David L. Chiras, Esq.
Howard R. Croll, Esq.
Peter P. D'Amico, Esq.
Joseph DeAngelis, Esq.
Gerard MCG. DeCelles, Esq.
Peter A. DiBiase, Esq.
Frederick C. Eckel Jr., Esq.
Dennis H. Esposito, Esq.

Richard Bruce Feinstein, Esq.
Henry F. Furman, Esq.
Murray Gereboff, Esq.
Jeremy W. Howe, Esq.
Henry H. Katz, Esq.
Phillip C. Koutsogiane, Esq.
Stephen B. Lang, Esq.
Robert H. Larder, Esq.
Doris J. Licht, Esq.
Stephen C. Mackie, Esq.
Joseph C. Manera, Esq.
Robert B. Mann, Esq.
Hon. David L. Martin

Donald E. Miller, Esq.
Anthony F. Muri, Esq.
John B. Murphy, Esq.
Hon. Stephen P. Nugent
William A. Poore, Esq.
John C. Revens Jr., Esq.
Pierre G. Rondeau, Esq.
Hon. Allen P. Rubine
Hon. Raymond E. Shawcross
John M. Skenyon, Esq.
Mark L. Smith, Esq.
Daniel R. Sumner, Esq.
Michael T. F. Wallor, Esq.

2:00 - 3:00 pm

Concurrent Workshops

(Choose one from #34-39)

34

2:00 - 3:00 pm
1.0 credit
Level: Intermediate

Expert Discovery Post Cashman and the Rule Change to RIRCP 26

Speakers: Hon. Luis M. Matos, *RI Superior Court*

Joshua E. Carlin, Esq., *Hanson Curran LLP*

Zachary M. Mandell, Esq., *Mandell, Boisclair and Mandell Ltd.*

This workshop provides an overview of the Cashman decision and the subsequent changes to RIRCP 26. The presenters discuss the reason for the change to Rule 26 and the process undertaken to amend the rule. The presenters also discuss the methods available for obtaining discovery from experts, what discovery can be obtained, and the legal issues that have arisen and are likely to arise relating to this rule.

35

2:00 - 3:00 pm
1.0 ethics
Level: All

Golden Nuggets

Moderator: Kerry Reilley Travers, Esq., *RI Disciplinary Counsel*

Speakers: Joseph DeAngelis, Esq., *Adler Pollock & Sheehan P.C.*

Murray Gereboff, Esq., *Gereboff & Gelade*

Hon. Raymond E. Shawcross, *RI Family Court (ret.)*

A panel of this year's honorees for the achievement of 50 years of Rhode Island law practice share their experiences, challenges, and war stories, as well as a perspective on the changes they have seen in professionalism, collegiality, and technology. Discussion focuses on the Rules of Professional Conduct, which did not formally exist when these attorneys passed the bar.

36

2:00 - 3:00 pm
1.0 credit
Level: Intermediate

Seeking Justice for Survivors of Sexual Violence in Rhode Island's Legal System

Speakers: Lindsay Lieberman, Esq., *Lindsay Lieberman, LLC*

Ariel Pittner, Esq., *RI Attorney General's Office Special Victims Unit*

Andrea Mauro, Esq., *Former Deputy Chief, Enterprise, Major & Cyber Crimes Division, Massachusetts Attorney General's Office*

Shakia Woods, *Survivor, Law School Graduate*

This workshop provides an overview of the remedies available to sexual violence survivors in Rhode Island and provides practical tips and considerations on how to help your clients navigate the justice system. It explores criminal and civil considerations, emerging cyber-related issues, and trauma-informed interviewing and advocacy.

37

2:00 - 3:00 pm
1.0 credit
Level: Intermediate

Effective Time Management for Attorneys

Speaker: Christopher Earley, Esq., *Earley Law Group*

This presentation discusses ways we can better manage our time in order to work more efficiently and productively, make more money, and, most importantly, preserve our sanity. As attorneys, time is our stock in trade and needs to be carefully guarded because once it is gone, we can never get it back. This workshop provides real, actionable time management tips you can easily implement right away.

38

2:00 - 3:00 pm
1.0 credit
Level: Intermediate

Non-Compete Agreements in Rhode Island: Pro-Tips and Updates

Speakers: Matthew H. Parker, Esq., *Whelan Corrente & Flanders LLP*

Timothy C. Cavazza, Esq., *Whelan Corrente & Flanders LLP*

The speakers, both of whom have significant experience drafting, construing, and litigating restrictive covenants such as non-compete agreements, non-solicitation agreements, and non-disclosure agreements, provide a general summary of the law on non-competes in Rhode Island, updates on recent developments, and tips for drafting agreements to ensure enforceability and compliance. They also address the effect on Rhode Island employers of any recent action by the Federal Trade Commission to limit the enforceability of non-competes across the United States.

39

2:00 - 3:00 pm
0.5 ethics + 0.5 credit
Level: Beginner

Title Jeopardy! Common Issues in RI Real Estate Title Law

Speakers: John M. Endrusick, Esq., *First American Title Insurance Co.*

Paula M. Cuculo, Esq., *Attorney at Law*

Rebecca C. Cox, Esq., *CATIC*

Presented in the *Jeopardy!* format, this workshop is intended as an informative, fun, and engaging way to provide an overview of common issues encountered in Rhode Island real estate title law. Bringing decades of collective experience to the workshop, the presenters are well versed in the many issues faced by real estate practitioners when reviewing and clearing title to property. The workshop identifies, analyzes, and provides solutions for the common issues presented.

Afternoon Break | 3:00 - 3:15 pm

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

40

3:15 - 4:15 pm
1.0 ethics
Level: All

Plenary - Innocence Project

Speakers: Vanessa Potkin, Esq., *Innocence Project*
Cornelius Dupree, *Exoneree, Innocence Project*

Currently, the U.S. has the largest prison population in the world and the highest per-capita incarceration rate. In 2018, 698 people were incarcerated per 100,000 people. The Innocence Project represents clients seeking post-conviction DNA testing to prove their innocence. The organization also consults on a number of cases on appeal and provides information and background on DNA testing litigation. To date, 367 people have been exonerated by DNA testing, including 21 who served time on death row.

Attorney Potkin will discuss the Innocence Project's groundbreaking use of DNA technology to free innocent people. This technology has provided irrefutable proof that wrongful convictions are not isolated or rare events but instead arise from systemic defects. The Innocence Project's mission is to free the staggering numbers of innocent people who remain incarcerated and to bring substantive reform to the system responsible for their unjust imprisonment. Attorney Potkin will be joined by Cornelius Dupree, an exoneree declared innocent of a 1980 conviction after serving 30 years of a 75-year prison sentence, who was convicted based on misidentification.



Vanessa Potkin, Esq.

Vanessa Potkin is the Director of Special Litigation at The Innocence Project. She joined the Project in 2000 as its first staff attorney and has helped pioneer the model of post-conviction DNA litigation used nationwide to exonerate wrongfully convicted persons. Vanessa has represented and exonerated over 30 innocent individuals, from Louisiana to Nevada, who collectively served over 500 years of wrongful imprisonment, five of whom were originally prosecuted for capital murder. Vanessa maintains a post-conviction docket, crafting litigation strategy, writing motions, and litigating in trial and appellate courts nationwide to secure post-conviction DNA testing and to obtain relief-based DNA test results, and other exculpatory evidence in cases involving, false confessions, erroneous eyewitness identification, informant testimony, faulty forensics, prosecutorial misconduct, and ineffective assistance of counsel. She works with a wide range of forensic experts. She also trains and mentors other attorneys at the Innocence Project. Vanessa is a nationally recognized expert on wrongful convictions and the use of DNA to establish innocence; is regularly consulted by attorneys, judicial and legislative committees, and media outlets. She was a member of an eight-person multidisciplinary technical working group that collaborated on a report for criminal defense attorneys published in 2012 by the National Institute of Justice to increase understanding of the science of DNA and its application in the courtroom ("DNA for the Defense Bar"). Vanessa is an adjunct professor of law at Cardozo School of Law and has co-taught the Innocence Project Legal Clinic since 2000.



Cornelius Dupree

On November 23, 1979, a woman was raped and robbed in Texas. **Cornelius Dupree** was arrested the following month because he resembled a suspect from a different sexual assault and robbery case. Dupree did not match the description of the person who committed the November robbery. Nonetheless, Dupree was picked out of a police lineup, which led to his wrongful conviction and 75-year prison sentence. After spending 30 years of his life locked up for a crime he did not commit, Cornelius Dupree was released on parole on July 22, 2010. Less than two weeks after his release, initial DNA testing indicated that Dupree was innocent of the crime. Later tests confirmed these results, leading to the trial judge declaring him innocent on January 4, 2011. Post-release, Dupree became a member of the Innocence Project's Exoneree Advisory Council, where he works with both the Innocence Project staff and other exonerees to fight for criminal justice reform.

FEATURED PRODUCT & SERVICE PROVIDERS

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

2023 ANNUAL MEETING SPONSORS

BankNewport

Personal/business banking & wealth management
banknewport.com

Clio

Legal practice management software
clio.com

InReach Continuing Education Solutions

Leading provider of bringing continuing professional education and training online
inreachce.com

NetCenergy

Provider of strategic, cost-effective IT solutions
netcenergy.com

OurFamilyWizard

Co-parenting with confidence
ourfamilywizard.com

Secure Future Tech Solutions

Network security and cyber security solutions for law firms
securefuturetech.com

STM Weather

Full-service meteorology firm providing forensic meteorology and weather education and training
stmweather.com

USI Insurance Services LLC

Assists RI Bar members to obtain healthcare benefits for themselves and their employees
usi.com

Withum

Provider of litigation consulting, forensic and fraud, bankruptcy, and business valuation services
withum.com

2023 ANNUAL MEETING EXHIBITORS

American Cancer Society, Inc.

The National Professional Advisor Network is American Cancer Society's program for allied professionals
cancer.org

AON Attorneys Advantage

Professional liability & insurance products
attorneys-advantage.com

Brophy Professional Genealogy & Heir Searching

Nationally known Heir Searcher/ Genealogist providing general research services and lectures
brophygen.com

Collaborative Divorce Strategies

Divorce financial planning, mediation, trial consulting & post-divorce investment management & planning
collaborativedivorcestrategies.com

Delta Dental of Rhode Island

Dental benefits
deltadentalri.com

Fastcase

RI Bar Association member benefit – online legal research tools
fastcase.com

Fidelity National Financial - Family of Companies

The nation's largest group of title companies and title insurance underwriters
nationalagency.fnf.com/ri

LEAP

Legal practice management software for law firms
leap.us

RI Association for Justice

Association for trial lawyers
rijustice.org

RI Judiciary

Updates on attorney portal access and electronic filing procedures
courts.ri.gov

RI Lawyers Weekly

News and marketing services for Rhode Island lawyers and law firms
rilawyersweekly.com

RI Legal Services, Inc.

Pro Bono Legal Services
rils.org

Robson Forensic

Specialist firm providing scientific investigations, reports, and testimony to resolve litigation & insurance claims
robsonforensic.com

Roger Williams University School of Law

Table to greet alumni and interact with employers
law.rwu.edu

SJ Corio Company

Auction & appraisal services
sjcorio.com

Stewart Title Company

Title insurance & underwriting
stewart.com

Tabs3 Software

Provides billing, accounting, and practice management software to law firms
tabs3.com

HEALTH AND SAFETY

The RI Convention Center has enhanced sanitation procedures, and their trained staff follow CDC and local guidelines on the cleaning and disinfecting of all areas of the event space, including touch points. Sanitation stations and masks will be available to attendees. Attendees are welcome to wear a mask if desired. By voluntarily attending this event, you acknowledge that you understand and assume the risks relating to COVID-19 exposure and any resulting injury, including, but not limited to, personal injury, disability, death, illness, damage, loss, claim, liability, or expense of any kind that you may experience or incur in connection with your attendance.

TO REGISTER

This year, we are accepting **ONLINE ONLY** registrations for the Meeting. Please visit ribar.com and click on the 2023 Annual Meeting registration link on the homepage. If you have any questions, please call the main line at 401-421-5740. Your registration includes access to the course materials through the Meeting app. **The Annual Meeting registration deadline is Friday, May 26th. If you have not registered by May 26th, you must go to the walk-in registration desk. Early registration is strongly encouraged. We cannot guarantee seats or meals to anyone registering after the deadline.**

The daily registration fee includes admission to all CLE sessions, conference materials, continental breakfast, and coffee breaks. Registration is available for a full day only. Tickets are not available for individual seminars. The one-day fee is **\$275** (\$235 for members admitted after 2018 and Associate Members). The two-day rate is **\$375** (\$320 for members admitted after 2018 and Associate Members). \$25 will be added to the registration fee after May 26th. Please note: There are no refunds for those who do not attend or cancel their registration after May 26th. Exceptions will be made for unexpected illness, i.e., COVID-19 related issues.

CHECK IN

As we embrace technology and move towards a more efficient check-in process, this year, attendees have two options for check-in. If you would like to skip the line during the early morning rush, download the

RIBA Annual Meeting app, **login prior to the meeting**, and use a QR code to check in at the event. To use the app, download the Engagefully app from your device's app store and search for RIBar. More information about the app will be sent via email after registration. If you prefer not to use E-check-in, the second option for check-in is to stop at the Bar Association registration desk on the 5th floor pre-function area of the Convention Center as you always have. Please note, the Bar has gone paperless. You can find the schedule, event floorplan, and all available workshop materials in the RIBA Annual Meeting app. The registration desk opens at 8:00 am each day. Two-day registrants need only check-in on Thursday. To avoid standing in long lines, we suggest you arrive early, or give E-check-in a try!

MCLE

Annual Meeting seminars are approved for CLE credit as noted.

PARKING

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

MEALS

Tickets for the Thursday Luncheon and Friday Annual Meeting Luncheon are available at a separate cost of **\$30** each. You can order meal tickets when you register for the Meeting online. If you are not registering for the Meeting and would like to order meal tickets **ONLY**, please contact RIBA at 401-421-5740. Meal tickets may not be available at the door. The Thursday Annual Awards Reception, including hors d'oeuvres, is offered to attendees and guests at no charge.

SPECIAL ACCOMODATIONS

Please contact the CLE office at 401-421-5740 if you require special accommodations.

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