

The background image is a photograph of a grand, ornate dining room. In the center is a large, oval-shaped wooden dining table with a polished surface. On the table sits a tall, silver vase filled with a vibrant bouquet of flowers, including pink, red, and white roses, along with greenery. A green upholstered chair with a dark wooden frame is positioned in the foreground, facing the table. The room features a high, vaulted ceiling with intricate woodwork and a large, multi-tiered chandelier with several glowing white globe lights. The walls are a deep red color, adorned with a decorative border near the ceiling and a framed painting. To the right, there is a large, dark wood sideboard or hutch with glass-fronted cabinets displaying silverware and other decorative items. An arched doorway in the background leads to another room, where another chandelier and a framed portrait are visible. The floor is covered with a large, patterned rug in shades of red, blue, and white.

Rhode Island Bar Journal

Rhode Island Bar Association Volume 68, Number 5, March/April 2020

**Polishing Rhode Island's Hidden
Gem of Professional Responsibility**

What the SECURE Act Means to You

**7 Podcasts for Lawyers Who Love
True Crime**

Articles

11 Polishing Rhode Island's Hidden Gem of Professional Responsibility

Samuel D. Zurier, Esq.

17 What the SECURE Act Means to You

Marc J. Soss, Esq.

21 Rhode Island Women Lawyers: Past, Present, & Future

Cassandra L. Feeney, Esq. and Etie-Lee Schaub, Esq.

23 7 Podcasts for Lawyers Who Love True Crime

Nicole P. Dyszlewski, Esq.

29 Ada Sawyer: The Power in the Girl

Denise C. Aiken, Esq.

33 BOOK REVIEW *Sober Curious* by Ruby Warrington

Jenna Giguere, Esq.



Editor In Chief, Nicole J. Benjamin, Esq.

Editor, Kathleen M. Bridge

Editorial Board

Victoria M. Almeida, Esq.

David N. Bazar, Esq.

Thomas R. Bender, Esq.

Sean Clough, Esq.

Jerry Cohen, Esq.

Eric D. Correia, Esq., LLM

William J. Delaney, Esq.

Nicole P. Dyszlewski, Esq.

Timothy A. Gagnon, Esq.

Jenna Giguere, Esq.

Clovis C. Gregor, Esq.

Matthew J. Landry, Esq.

Lenore Marie Montanaro, Esq.

Daniel J. Procaccini, Esq.

Miriam A. Ross, Esq.

Angelo R. Simone, Esq.

Suzannah Skolnik, Esq.

Hon. Brian P. Stern

Elizabeth Stone, Esq.

Dana N. Weiner, Esq.

Samuel D. Zurier, 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.

Association Officers

David N. Bazar, *President*

Richard P. D'Addario, *President-Elect*

Lynda L. Laing, *Treasurer*

Mark B. Morse, *Secretary*

Executive Director

Helen Desmond McDonald

Direct advertising inquiries to the Editor, Kathleen M. Bridge, Rhode Island Bar Journal, 41 Sharpe Drive, Cranston, RI 02920, (401) 421-5740.

USPS (464-680)ISSN 1079-9230

Rhode Island Bar Journal is published bimonthly by the Rhode Island Bar Association, 41 Sharpe Drive, Cranston, RI 02920.

PERIODICALS POSTAGE PAID AT PROVIDENCE, RI

Subscription: \$30 per year

Postmaster

Send Address Correction to:

Rhode Island Bar Journal

41 Sharpe Drive

Cranston, RI 02920

ribar.com



8 Tips to Help Overcome Everyday Anxiety



39

FEATURES

- | | |
|--|---|
| 3 Lessons I Have Learned | 24 Rhode Island Probate Court Listing and Judicial Communications Survey on Bar's Website |
| 4 Stay Connected | 27 Continuing Legal Education |
| 4 Build Your Client Base with the Bar's Lawyer Referral Service! | 28 Online Attorney Resources (OAR) |
| 5 Rhode Island Bar Association Volunteer Lawyer Program – 33 Years of Pro Bono Service 1986-2019 – 2019 Highlights and Accomplishments | 30 SOLACE |
| 6 Invitation to Exhibit | 30 Casemaker Tip: Getting Help with Casemaker4 |
| 9 Becoming a Fellow | 31 VLP Honor Roll |
| 10 Mark Your Calendars! Rhode Island Bar Association Annual Meeting | 32 Proposed Title Standards Proposed Standard 3.17 Open for Bar Member Review and Comment |
| 18 Bar's Government Lawyers Committee Offering Free, 1-Credit CLE | 36 Preparing Your Client for an ICE Raid CLE Program |
| 19 Do You Have an Idea for an Article, or a Point/Counterpoint Article? | 37 In Memoriam |
| 22 Thanks to Our CLE Speakers | 38 Cartoon |
| 24 Do You Have a Problem with Alcohol? | 38 Lawyers on the Move |
| | 38 Keep Your Directory Listing Up to Date! |
| | 38 Advertising Index |
| | 39 8 Tips to Help Overcome Everyday Anxiety |

Front Cover Photograph by Brian McDonald

Lippitt House Museum, Providence, RI Rhode Island's 1865 Lippitt House Museum offers guided tours, special exhibitions, lectures, art installations, concerts, and family programs. A National Historic Landmark, Lippitt House has one of the best-preserved Victorian interiors in America, allowing visitors to step into Providence's Golden Age. Following the Lippitt family's example of public service, the museum's cultural programming promotes civic engagement, the arts, and history of Providence.

Lessons I Have Learned



David N. Bazar, Esq.
President
Rhode Island Bar Association

While we are taught to zealously advocate for our clients, we also have a duty to advise them.

My last message was inspired by the Crosby, Stills, Nash & Young song “Teach Your Children Well.” That message reminded me of all of the lessons that I have learned. We all learn every day if we are willing to stay open to new ideas and actually listen to what others have to say. There are many people who have taught all of us along the way. As I thought about this, it took me back to the judges I appeared before early in my career. It is also interesting how our paths in the practice of law unfold.

As I was finishing my first year of law school, I began to search for an opportunity to work as a summer intern at a law firm. I contacted several before I was offered an interview at Sleprow, Sleprow & Rappoport. I met with Martin Sleprow and we talked about the law and the practice. He told me that they had never hired a summer intern before. I responded, “that’s perfect because I have never been a summer intern before.” We agreed I would start the next day.

I went back the next summer and soon after was offered a job upon graduation from law school. The firm had a practice that included family law, however, none of the attorneys in the office wanted to handle that work. So as soon as I passed the bar exam, I was sent to Family Court.

The first nominal divorce hearing I handled was in Westerly before then Associate Justice William R. Goldberg (later Chief Justice). To get to the courtroom, you entered a side door of the Westerly Town Hall and walked up the back stairway to the second floor. Judge Goldberg was a commanding presence and the people in the courtroom snapped to attention when he took the bench. I had the fourth case called ready nominal on the calendar. The first case was called and the lawyer began asking questions. Judge Goldberg quickly interrupted and yelled at him that he was not asking the right questions. The second lawyer received the same treatment. When the case before mine was called, the lawyer continued his case and, in my imagination, ran down the fire escape.

My case was ready, and I called my client as my first witness. I began asking questions. The Judge stopped me and asked me why I was phrasing the questions the way that I was. I told him that

I was asking the questions in that manner because he had yelled at the first two lawyers to ask those questions. He retorted, “Well that is a good way to ask the questions.” I learned to pay attention and listen to what the Judge was saying. Every judge has a way they want you to handle cases. I also learned not to be afraid.

My first trial in Family Court was before Associate Justice Edward V. Healey. As the trial began, opposing counsel was asking questions that clearly were outside the bounds of the Rules of Evidence. Judge Healey peered down at me as the questions continued. As I slowly got up, he sustained my objection before I could even make it. If you could try a case before Judge Healey, you could try a case in any courtroom.

Judge Healey loved the law. The legislature amended the equitable distribution statute to include the appreciation of value from the date of the marriage of property that was owned by one party prior to the marriage which increased in value as the result of the efforts of either spouse during the marriage. I raised the issue in a conference with the Judge and he spent the next thirty minutes asking me what I thought the legislature meant by the efforts of either spouse. Judge Healey taught me to be prepared for trial and to apply the law to each case.

I also appeared before Chief Justice Edward P. Gallogly early in my career. He reminded me of my grandfather. The case I was handling was conferenced in the judge’s chambers at a conference room table. He sat at the front of the table and the two lawyers sat on either side of him. As we each explained our positions to Judge Gallogly, he sat quietly balancing a pencil on its eraser. As I watched, I became convinced he would decide in favor of the lawyer the pencil pointed to when it fell. After we each presented our positions on visitation to the Judge, he smiled and said that the mother and father should meet at McDonalds with the child and learn to get along.

What Judge Gallogly really taught me was that we are not only attorneys-at-law but we are also counselors-at-law. While we are taught to zealously advocate for our clients, we also have a duty to advise them. In that first case, the other lawyer and I went back to our clients and encour-

STAY CONNECTED!

FOLLOW US

Facebook: @RIBarAssociation
 Twitter: @RIBarAssoc
 Instagram: @RIBarAssociation
 LinkedIn: linkedin.com/company/ri-bar-association

aged them to put the interests of their child first. It is our paramount duty to counsel our clients.

We have the opportunity to learn every day. If I have met you, smile to yourself because I learned something from you. While our early paths may be chosen for us, we can continue to learn and grow. There are so many different areas we can pursue as lawyers to help and counsel our clients. Whatever path you choose, enjoy your journey. ♦

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 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 Kathleen Bridge
 email: kbridge@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.

Build Your Client Base with the Bar's Lawyer Referral Service!



Attorney **Meredith Fearing Howlett**, a Lawyer Referral Service member, enthusiastically supports the program. *"As a private practitioner and member of a small law firm, it is essential that we have new clients walking through our door every day. My participation in the Lawyer Referral Service has guaranteed a stream of clients walking through my door, helped me get my name out there and build my client base, as well as allowed me to represent clients who otherwise would not have been able to afford an attorney. I highly recommend the LRS to all Rhode Island attorneys – whether you are a seasoned practitioner or just starting your law practice."*

Membership in the Rhode Island Bar Association's Lawyer Referral Service (LRS) is an excellent and inexpensive way to increase your client base and visibility within the community while expanding public access to legal representation. Optional special LRS projects include: **Ask A Lawyer** providing live, television studio lawyer panels in partnership with Channel 10; **Senior Citizen Center Clinics** throughout the year and the state; **Reduced Fee Program** offered to qualifying clients; and the **Arts Panel** for local artists' legal needs all offer unique opportunities for increasing your business while you provide an important public service to your community.

Applications and more detailed program information and qualifications may be found on our website ribar.com in the Members Only section. You may also request information by contacting Public Services Director Susan Fontaine at 401-421-7799 or email sfontaine@ribar.com.

Rhode Island Bar Association Volunteer Lawyer Program 33 Years of Pro Bono Service 1986-2019 2019 Highlights and Accomplishments

Program Summary

In keeping with its mission, The Rhode Island Bar Association's Volunteer Lawyer Program (VLP) continued to provide legal assistance to those who cannot obtain legal representation either on their own or through other legal resources. Administered by the Bar Association for thirty-three years, the Volunteer Lawyer Program continues to offer many interesting and relevant opportunities for the private bar to handle pro bono cases. VLP membership provides a satisfying variety of experiences that cannot be duplicated elsewhere, while opening the door to justice for low-income citizens. Volunteer Lawyer Program attorneys impact the quality of their clients' lives positively by providing critically needed representation and protections. The contributions of volunteer attorneys are essential to the system of justice. The ethical commitment of the Bar Association to the delivery of pro bono assistance is reflected by the ongoing dedication of the members to public service.



Education – Increasing Case Placement

Focusing on recruiting VLP members is essential to respond to the legal needs of the most vulnerable in our State. The most effective method of member recruitment and retention of current members is through sponsoring and providing the benefit of free continuing legal education. This is accomplished in cooperation with the Bar's

Continuing Legal Education (CLE) department and the ongoing support of the Public Service Involvement Committee members and outstanding speakers.

In September, a bankruptcy seminar, "After the Filing: Chapter 7 & 13," gave volunteer attorneys, who agreed to accept a pro bono bankruptcy case, a guide to avoiding common mistakes that may only appear after a bankruptcy has been filed. This three-credit program was offered free, and those attending had the benefit of hearing from Chapter 7 Trustee Lisa Geremia, Chapter 13 Trustee John Boyajian, and attorneys Christopher Lefebvre and Russell Raskin. Additionally, those in attendance had the opportunity to listen to the Honorable Diane Finkle share her observations and vision for effective representation. Thirty-plus bankruptcy cases were placed as a result of this presentation.

A six-credit, three-part electronic evidence seminar series, "Saw It On the Internet: The legal and ethical issues surrounding electronic evidence," was

offered free to volunteer attorneys in October and November of 2019. A challenging fact pattern for a contested custody trial was created by the panelists to focus on the role electronic evidence may play. The first session featured an introduction to the information available in various forms of electronic devices and how to access it and get it into evidence. The second session included the direct and cross examination of the plaintiff, and the third session featured the direct and cross examination of the forensic expert. Members of the Family Court bench presented their insight and attendees had the opportunity to hear the judges' views as to what was effective and ineffective. This series was sponsored by the Volunteer Lawyer Program in conjunction with the Bar's Public Service Involvement Committee. The outstanding panelists/moderators included Associate Justices Brian P. Stern, Karen Lynch Bernard and Feidlim E. Gill, attorneys William J. Balkun, Susan Jeannette Famiglietti, Rhiannon S. Huffman, Brian J. Lamoureux, Victoria S. Lombardi, Barbara L. Margolis, Janne Reisch, William K. Wray, and president of Arsenal Consulting, Mark Spencer. Offering this excellent and relevant series resulted in the placement of forty-plus pro bono family law/domestic violence cases.

In addition to the free seminars sponsored by the VLP, members who contribute and report thirty-plus hours of pro bono service annually are eligible to receive CLE coupons to be used in the following calendar year. They are given the choice of attending one, *free*, three-credit seminar or three one-credit Food for Thought seminars of their choice. Instituted in 2009, this policy reflects the Bar's longstanding support and encouragement of pro bono legal assistance and public service.

Volunteer Recognition/Events

The Pro Bono Awards presentation was held at the Bar Association's Annual Awards Reception on June 13, 2019. Bar President Carolyn Barone presented attorneys Joanne C. D'Ambra and Stephen G. Linder with the 2019 Pro Bono Publico Award for their exceptional contributions through the Volunteer Lawyer Program and Pro Bono Program for the Elderly. The amazing pro bono contributions of these two award recipients exceeded a remarkable 300-plus hours!



l to r: Russell Raskin, Esq., Hon. Diane Finkle, Christopher Lefebvre, Esq., Lisa Geremia, Esq., and John Boyajian, Esq.

Invitation to Exhibit

Rhode Island Bar Association Annual Meeting

June 18 & 19, 2020

Where can you get a two-day exhibitor space at an event attended by over 1,400 attorneys and judges for only **\$1,000**? At the **Rhode Island Bar Association Annual Meeting** on Thursday and Friday, **June 18 and 19, 2020** at the Rhode Island Convention Center in Providence, that's where. And, since requests have traditionally exceeded the supply of available exhibit spaces, immediate applications are encouraged.

Exhibitor space is available in the comfortable and high-visibility areas located immediately in front of, and surrounding, the entrances to all Annual Meeting seminar rooms. Serving as the site for all meeting food and beverage breaks, these are excellent locations for attracting attendee attention. Each space costs \$1,000. This fee includes a draped six-foot table, two chairs and two tickets for all meals, including: Thursday Luncheon Buffet; Thursday Awards Reception; and Friday Annual Meeting Luncheon.

Exhibit space is limited, and previous exhibitors receive location preference, but there are still some spaces available. Please note that sending in an application does not guarantee a space, as exhibit spaces are assigned based on availability and product and service mix. **Completed Exhibit Space Application Contracts are due no later than March 20, 2020.** Exhibit payment is due by March 20, 2020. Exhibit space assignment and confirmation occurs by April 3, 2020.

To receive 2020 Annual Meeting Exhibitor Application Forms, please contact the Bar's Director of Communications Kathleen Bridge by telephone: 401-421-5740 or email: kbridge@ribar.com.

RICHARD S.
HUMPHREY
LAW OFFICES

Richard S. Humphrey
Christina Dzierzek
Allyson M. Quay

DUI / Refusal	Admiralty
DUI / Serious Bodily Injury	Personal Injury
DUI / Death Resulting	Construction
Social Host Liability	Municipal

401-624-6152 (OFFICE) 401-641-9187 (CELL)
richardhumphreylaw.com
3852 Main Road, Tiverton, RI 02878



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 18 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*

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



Session 1 (l-r) – Barbara L. Margolis, Esq., Hon. Brian P. Stern, Rhiannon Huffman, Esq., and Mark Spencer of Arsenal Consulting.



Session 2 (l-r) – Janne Reisch, Esq., William K. Wray, Jr., Esq., Victoria S. Lombardi, Esq., Hon. Karen Lynch Bernard, and William J. Balkun, Esq.



Session 3 (l-r) – Mark Spencer of Arsenal Consulting, Susan Jeannette Famiglietti, Esq., Hon. Feidlim E. Gill, Brian Lamoureux, Esq., and William J. Balkun, Esq.

During the Annual Meeting, the staff placed twenty-plus cases and provided information to recruit new members. Every attorney who accepted a pro bono case or joined a public service program was entered into a raffle for third baseline Red Sox tickets donated by WEEI 103.7 FM. Attorney Steven A. Robinson, of Robinson & Robinson in Cranston, was the winner. Steven is a longstanding member of both the Volunteer Lawyer Program and Lawyer Referral Service.



Joanne C. D'Ambra, Esq.
Pro Bono Publico



Stephen G. Linder, Esq.
Pro Bono Publico

National Pro Bono Week

Pro Bono is celebrated nationally in October and volunteer attorneys met with elderly citizens at several legal clinics held at senior organizations across the state. Also, volunteer attorneys accepted 40-plus pro bono cases in return for attending the free series “Saw It on the Internet” during this time.



Steven A. Robinson, Esq.

Placement Strategies

VLP staff attended numerous 2019 Continuing Legal Education seminars at the Rhode Island Law Center and off-site locations where they recruited new attorney members and placed cases. Pro bono case summaries were prepared and distributed to attendees to emphasize the need for pro bono legal assistance and encourage participation. This was one of several effective methods of case placement, in addition to the traditional direct calls to panel members and blast emails. Direct mail was also used to promote free CLE offerings.

Most potential clients contact the VLP by telephone to request pro bono service. The public is referred by the human service network, including the Courts, Rhode Island Legal Services and other legal assistance agencies, Community Action Programs, the Rhode Island Bar Association website, law offices, and the internet.

In 2019, the public was assisted by volunteer attorneys with bankruptcy, collections, consumer, education, employment, guardianships, landlord/tenant, license registry, non-profit, probate, tort defense, and family law issues. Although there is no longer specific funding available for foreclosure-related matters, we still receive requests from clients desperate to save their homes and will continue to provide assistance within the parameters allowed.

During December 2019, volunteer attorneys responded to the “12 Days of Pro Bono” holiday email request that listed two or three available pro bono cases daily. The generous response of our members resulted in 23 pro bono cases being placed.

Notes of Appreciation

Evaluations of the legal assistance received in 2019 reflect the amazing dedication of the volunteer attorneys and sincere appreciation of the clients and referral agencies. These client evaluations emphasize the critical need for expanded and continued private bar involvement to protect the rights of our poorest citizens. The following quote reflects the extent of the value of representation for those in dire need and mirrors so many comments received from our clients throughout the year. The following is just one example:

My attorney took my rather complex case, sorted it out quickly and showed great compassion while processing the various steps. When it became time to appear in Court, I was well prepared, making it so much less stressful.

I would also like to thank the VLP for all you did to match my case to such an awesome attorney in such a timely manner. Your assistance has given me a new lease on life.

VLP clients are prescreened by the staff for financial eligibility. They are families and individuals including veterans and the elderly in our communities statewide that truly need your help. Joining is a simple process! For more information about the Volunteer Lawyer Program, please contact Susan Fontaine at: sfontaine@ribar.com or 401-421-7758. For your convenience, VLP membership applications may be accessed on the Bar’s website at ribar.com and completed online. Once we receive your application, we will contact you.

The Rhode Island Bar Association’s Volunteer Lawyer Program is funded by Rhode Island Legal Services, Inc. and the Rhode Island Bar Foundation.

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*

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.*

Becoming a Fellow



Michael R. McElroy, Esq.
President
Rhode Island Bar Foundation

To be selected as a Fellow of the Rhode Island Bar Foundation is a professional honor. Only about 5% of the attorneys in Rhode Island have been chosen to be Foundation Fellows.

Fellows are selected from those members of the Bar Association whose professional, public, and private careers have demonstrated their outstanding dedication to the welfare of our community and maintenance of the objectives of the Bar Foundation.

If you meet these criteria and you are interested in being invited to become a Fellow, you need to be nominated to the Bar Foundation Board of Directors by an existing Fellow. The list of existing Fellows may be found on the Bar Association website under “Rhode Island Bar Foundation – Fellows Program.” Any existing Fellow can nominate a new Fellow. The Board selects new Fellows each spring.

“... so far for this fiscal year, our Lifetime Fellows have generously donated over \$20,000 for the good works of the Bar Foundation. We owe a deep debt of gratitude to both our Lifetime and our regular Fellows for their support!”

Founded in 1953, the Bar Foundation is a non-profit, charitable foundation. Its objectives are to foster and maintain the honor and integrity of the profession of law, to study, improve and facilitate the administration of justice in Rhode Island, to promote the study of law, and to promote high standards of legal education.

The Preamble to the Rules of Professional Conduct provides in part:

“As a public citizen, a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession.... A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel.”

The Bar Foundation’s Interest on Lawyers Trust Accounts (IOLTA) program carries out these objectives by making grants to non-profit organi-

zations in four main areas:

1. Providing legal services to the poor;
2. Improving the delivery of legal services;
3. Promoting knowledge and awareness of the law; and
4. Improving the administration of justice.

The IOLTA program accounts for the Bar Foundation’s most significant source of revenue. However, the Bar Foundation is also financially supported by annual contributions through our Fellows program.

Newly elected Fellows are asked to contribute \$1,500 to the Foundation over a 5-year period. Lifetime Fellows are also asked to continue to contribute even after their initial pledge has been paid. In fact, so far for this fiscal year, our Lifetime Fellows have generously donated over \$20,000 for the good works of the Bar Foundation. We owe a deep debt of gratitude to both our Lifetime and our regular Fellows for their support.

One of the Bar Foundation grantees is the Dorcas International Institute of Rhode Island.

Since 1959, the Citizenship & Immigration Services’ Immigration Law Project at Dorcas has provided free and low-cost comprehensive legal services, education, advocacy, and outreach on immigration issues to thousands of immigrants and refugees in the state.

The following story illustrates how, with the support of the Bar Foundation, Dorcas has been able to help some of our community’s most vulnerable individuals.

George (not his real name) and his two sisters were brought to the United States by their mother. Their mother was targeted by the authorities in her home country due to her political activities. She applied for and was granted asylum, as were her three children.

The mother, unfortunately, died from cancer. However, Dorcas was able to help the three children obtain green cards. When they were eligible to apply for citizenship, Dorcas also helped the two sisters with their citizenship applications.

George, however, has suffered from serious developmental disabilities since infancy.

Dorcas worked with George’s doctors to certify that his disabilities prevented him from meeting the general naturalization requirements of the

Mark Your Calendars!
Rhode Island
Bar Association
Annual Meeting

JUNE
18 - 19



The Rhode Island Bar Association Annual Meeting is on Thursday, June 18 and Friday, June 19, 2020 at the Rhode Island Convention Center. Our opening plenary speakers, the Honorable O. Rogeriee Thompson of the United States Court of Appeals for the First Circuit, and the Honorable John J. McConnell, Jr., Chief Judge of the United States District Court for the District of Rhode Island, will draw upon their career experiences to lead a discussion and provoke a meaningful conversation about diversity in the profession. Our 38 fantastic workshops include such topics as:

- > **Medical and Property Affidavits: How to Use Them Most Effectively**
- > **Legal Ethics in Literature**
- > **Civility: A Pillar of Professional Responsibility**
- > **Update on the Lawyer Well-being Project**
- > **LGBT+ Protections in the Workplace**
- > **Workplace Whistleblowers**
- > **Now What? My Client is in Florida!**
- > **Unauthorized Practice of Law in Real Estate**
- > **And more!**

Our Bar's Annual Meeting traditionally draws over 1,400 attendees, and this is one Meeting you don't want to miss!



Condominium Law

- Condo Lien Foreclosures & Collections
- "No fee to the Association"
- Custom Condominium Documents
- Condominium Association Loans
- FHA Certification

Law Offices of Richard Palumbo, LLC

535 Atwood Ave, Suite 4, Cranston, RI 02920
 401-490-0994

rpalumbo@richardpalumbolaw.com richardpalumbolaw.com
 Admitted in RI, MA and CT

command of English and capacity to pass the civics test. Because of the advocacy of Dorcas, his application was eventually approved, and he was recently sworn in as a citizen.

Foundation Fellows are committed to helping to provide legal services to the less fortunate. If you meet the criteria for selection, please consider seeking to become a Fellow of the Bar Foundation. ◇



If you have a

MARITIME INJURY CASE
we want to work with you

A battle-tested Admiralty Law Firm
 located here in Rhode Island

Maritime Injury Law - It's What We Do



1-800-383-MAYDAY (6293)

WE ARE AVAILABLE 24-7/365

John K. Fulweiler, Esquire

40 Mary Street, Newport, Rhode Island 02840
 (Proctor-In-Admiralty & Licensed Coast Guard Master)

Polishing Rhode Island's Hidden Gem of Professional Responsibility



Samuel D. Zurier, Esq.
Providence

In recent years, the national political community has debated the significance of “Constitutional norms,” or governmental practices and values that are not codified into law.¹ The debate mirrors a longstanding discussion in the legal community concerning the norms of civility and professionalism, which are not codified in the Rules of Professional Conduct. In 1995, the Rhode Island Supreme Court organized a task force to develop the Standards for Professional Conduct within the Rhode Island Judicial System (“Standards”), a set of norms the Supreme Court published in 1996 as an Appendix to Rhode Island’s Rules of Professional Conduct. Since then, the Standards have maintained a low profile. This article places Rhode Island’s Standards within historical and national contexts that can provide ideas for evaluating and enhancing our hidden gem of professional responsibility.

I. The Development of Rhode Island’s Professionalism Standards

In a 1971 address to the American Law Institute, Chief Justice Warren E. Burger sounded an alarm concerning the “necessity for civility if we are to keep the jungle from closing in on us and taking over...rational discourse and...deliberative processes, including the trial of cases in the courts.”² In 1988, the Torts and Insurance Practice Section of the American Bar Association published “A Lawyer’s Creed of Professionalism,” which was adapted and adopted by many bar associations, including Rhode Island’s in 1989.³ That same year, the Seventh Circuit Court of Appeals undertook a formal review of the issue of civility, appointing a committee to determine the extent to which “civility problems exist in litigation” and to identify the causes and possible solutions.⁴ That Committee conducted a survey of practitioners and judges which identified and documented deep concerns, especially in litigation and, within litigation, in pretrial discovery.⁵ The respondents offered a wide range of explanations, including the growth of the bar (which reduced the chance for repeated interactions between attorneys), an

increasingly competitive market for legal services, and the increased filing of motions for sanctions.⁶ In its 1991 Interim Report, the Committee published its survey results and offered recommendations, including a proposed set of normative standards of conduct for courts to adopt.⁷ In 1995, Justice Weisberger, working with the Bar Association, appointed a committee to review the issues of legal civility and professionalism in Rhode Island.⁸ That committee developed a set of proposed standards (largely based on the Seventh Circuit’s model), which the House of Delegates approved.⁹ The Rhode Island Supreme Court adopted the Standards in May 1996, publishing them as an Appendix to Rhode Island’s Rules of Professional Conduct (appearing at Article V of the Supreme Court’s Rules).

The Standards consist of 68 “obligations” among lawyers, clients, opposing parties, the public, and judges organized into six categories, such as “Lawyer’s Obligations To Opposing Parties and Their Counsel” (Category B). Each is phrased as an individual pledge, such as “I will treat all other counsel, parties and witnesses in a civil and courteous manner, not only in court, but also in all other written and oral communications.” (Portion of Obligation B-1). Taken as a whole, the Standards define a set of norms, or best practices, for legal professionals.

In a Preamble¹⁰ (which draws upon the Seventh Circuit’s model), the Standards define their scope and limitation, stating the following:

These standards should be reviewed and followed by all judges and lawyers participating in any proceeding within the State of Rhode Island. Judges and lawyers are expected to make a mutual and firm commitment to these principles. Voluntary adherence is expected as part of a commitment by all participants to improve the administration of justice within the State of Rhode Island. Copies may be made available to clients to reinforce the obligation to maintain and foster these standards.

Strict adherence to these standards, particularly those relating to a lawyer’s obligations to the court and to other counsel, may conflict with the interests and desires of a client who does

Some critics have questioned whether civility norms may conflict with the lawyer’s ethical responsibility to serve clients, whose paramount goal is to achieve a favorable outcome in their individual case without regard to the broader concerns and interests of the legal profession and/or the overall administration of justice.

JIM PURCELL ADR

Arbitration – Mediation
Facilitation – Fact Finding



- Highly experienced arbitrator and mediator.
- Former trial lawyer, Rhode Island and Massachusetts.
- Former CEO of major health insurer.
- Member of AAA and AHLA national rosters of arbitrators and mediators.
- Dedicated to the prompt and fair resolution of your matters consistent with your schedule.

James E. Purcell

JimPurcellADR@gmail.com

401-258-1262

not share or support our duty to advance the administration of justice. The standards anticipate that lawyers will resist pressure from clients to engage in behavior which is inconsistent with these principles. If the client continues to insist that the lawyer pursue a course of conduct contrary to these standards, the lawyer should, subject to the court's discretion, seek to sever or withdraw from that representation.

These standards shall not be used as a basis for litigation or for sanctions or penalties. Nothing in the standards supercedes or detracts from the existing Rules of Professional Conduct and the Code of Judicial Conduct or alters existing standards of conduct against which lawyer negligence may be determined.

The Preamble attempts to strike a difficult balance. On the one hand, the Standards are strictly voluntary and must yield in authority to all Court rules. On the other hand, the Preamble urges "strict adherence" to the Standards to promote a culture that will enhance and improve the administration of justice in Rhode Island.

The Preamble identifies one possible source of tension, namely the case in which the client instructs the attorney to engage in uncivil conduct. According to Rule of Professional Conduct 1.2(a), the attorney has the initial responsibility to choose the tactical means by which to achieve a client's goals; however, this is subject to Rule 1.4's requirement of communication with the client. In the event of a disagreement between client and attorney, Rule 1.2 provides that the client's view should prevail, a position bolstered by references in the Rules to an attorney's duty to advocate a client's position with zeal.¹¹ The Preamble to the Standards provides an attorney with ethical grounds to withdraw representation of an uncivil client pursuant to Rule 1.16(b)(4).

Some critics have questioned whether civility norms may conflict with the lawyer's ethical responsibility to serve clients, whose paramount goal is to achieve a favorable outcome in their individual case without regard to the broader concerns and interests of the legal profession and/or the overall administration of justice.¹² While the Rules of Professional Conduct permit an attorney to engage in uncivil client-centered representation, the Standards encourage (but do not require) attorneys to avoid it.

Since their publication in 1996, Rhode Island's Standards have maintained a relatively quiet presence. For a period of time after their introduction, some Rhode Island judges placed a copy of the Standards on the lawyers' courtroom desks; however, that practice ended at some point. From time to time, some Rhode Island Bar Association presidents have mentioned the Standards in their monthly messages to members in the *Bar Journal* and in broader discussions about the profession.¹³ A Supreme Court decision (in which an attorney was sanctioned for a violation of Rule 8.4 of the Rules of Professional Conduct) noted that while the Standards "are aspirational only, they should serve as a guide to all practicing attorneys."¹⁴ In one Superior Court decision, a justice referred to the Standards as an alternative source of authority to decide an issue not governed by the Superior Court Rules of Civil Procedure.¹⁵ On the other hand, in two other Rhode Island Superior Court decisions, the Court discussed the issue of civility and professionalism without referring to the Standards, instead citing other authorities.¹⁶ In short, Rhode Island's Standards have become a hidden gem of our State's legal culture.



Property Damage and Insurance Law

- Denied, Delayed, Underpaid Property Loss Claims
- Fire, Water, Ice Dams, Storm Damage, Mold, Theft, Vandalism, & Collapse Claims
- Insurance Company says "NO"... Call Palumbo!
- No Fee Unless Successful!

Law Offices of Richard Palumbo, LLC

535 Atwood Ave, Suite 4, Cranston, RI 02920

401-490-0994

rpalumbo@richardpalumbolaw.com richardpalumbolaw.com

Admitted in RI, MA and CT

II. Viewing Rhode Island's Standards from a National Context

A. Content of the Standards

The content and scope of Rhode Island's standards fall within the national mainstream, but other jurisdictions have incorporated additional norms that may be worthy of consideration here. For example, standards in other jurisdictions go beyond Rhode Island's in obliging attorneys to respond in a timely manner to communications from opposing counsel,¹⁷ to disclose to opposing counsel personal relationships with judicial officers, mediators or other presiding officials¹⁸ and to avoid ex parte communications with the court on the subject matter of a case absent good cause.¹⁹

B. Methods of Promoting a Culture of Professionalism and Civility

As previously noted, Rhode Island's principal method for promoting its Standards is to include them as an Appendix to the Rules of Professional Conduct. Other jurisdictions have developed these additional tools to reinforce their Standards in their jurisdiction's legal culture:

1. Attorney's Oath

Having established eligibility to join the Rhode Island Bar, new attorneys are required to swear the following oath:

You solemnly swear that in the exercise of the office of attorney and counselor you will do no falsehood, nor consent to any being done; you will not wittingly or willingly promote, sue or cause to be sued any false or unlawful suit; or give aid, or consent to the same; you will delay no man's cause for lucre or malice; you will in all respects demean yourself as an attorney and counselor of this court and of all other courts before which you may practice uprightly and according to law, with fidelity as well to the court as to your client; and that you will support the constitution and laws of this state and the constitution and laws of the United States. So help you God.

Other jurisdictions incorporate into the new attorney's oath a specific commitment to act with civility,²⁰ while Utah takes the additional step of incorporating a specific commitment for new attorneys to "faithfully observe the Rules of Professional Conduct and the Standards of Professionalism and Civility promulgated by the Supreme Court of the State of Utah."²¹

2. Mediation and Counseling

In some jurisdictions, attorneys or judges can file complaints involving issues of civility that do not rise (or sink) to the level of violations of the Rules of Professional Conduct. For example, the Colorado Bar Association maintains a Peer Professionalism Assistance (PPA) program that investigates professionalism complaints from attorneys and judges and, where appropriate, provides confidential advice and mediation to the parties involved. As part of this service, the volunteer PPA attorney follows up with the referring party (lawyer or judge) to provide information concerning the outcome of its intervention.²² The PPA program operates independently from the court-administered attorney disciplinary process.²³

3. Imposition of Sanctions

The United States District Court for the Northern District of Texas published a set of civility standards that can, in cases of serious violations, provide grounds for judicial sanctions.²⁴ Commentators have criticized this practice, warning that the "cure" of the resulting satellite litigation may be worse than the disease.²⁵



Injured at Work?

Accepting referrals for matters of
Workers' Compensation

Call Stephen J. Dennis Today!

1-888-634-1543 or 1-401-453-1355



Law Offices of Mariam Alexanian Lavoie

Help you Can Trust

**SOCIAL SECURITY
DISABILITY**

*Partnering with clients for nearly 30 years
to achieve superior legal results*



300 Centerville Road, Summit West, Suite 305, Warwick, RI 02886
(401) 825-7900 | mariam@mlavoielaw.com | www.mlavoielaw.com

Evan Patrick Shanley

ATTORNEY AT LAW



Workers' Compensation Law Longshore Act

401-294-4700 • eshanley@rilaborlaw.com • www.rilaborlaw.com

1130 Ten Rod Road, Suite C207 • N. Kingstown, RI 02852

GURSKY | WIENS
ATTORNEYS AT LAW, LTD

MARK A. PFEIFFER Alternative Dispute Resolution Services www.mapfeiffer.com

Bringing over four decades of experience as a Superior Court judge, financial services industry regulator, senior banking officer, private attorney, arbitrator, mediator, receiver, and court appointed special master to facilitate resolution of legal disputes.

ARBITRATION MEDIATION PRIVATE TRIAL

(401) 253-3430 / adr@mapfeiffer.com
86 State St., Bristol, RI 02809



4. Incorporation into Disciplinary Rules

Some jurisdictions have incorporated civility standards into disciplinary rules, making the standards mandatory rather than aspirational. Michigan's Rules of Professional Conduct include requirements that attorneys shall not engage in "undignified or discourteous conduct toward the tribunal"²⁶ and that attorneys "treat with courtesy and respect all persons involved in the legal process."²⁷ Other states have enforced civility standards through Model Rules 4.4 (which proscribes tactics that "have no substantial purpose other than to embarrass, delay or burden a third person,"²⁸ and 8.4(d) (which prohibits conduct "prejudicial to the administration of justice").²⁹ Florida combines these tools, incorporating civility standards into its attorney's oath, and adding language to their Rule 8.4(d) that prohibits conduct tending to "disparage, humiliate or discriminate against [anyone involved in the proceedings] on any basis."³⁰

Michigan's experience with a litigious attorney (Jeffrey Fieger, also known for representing Dr. Jack Kevorkian) demonstrates the pitfalls of mandatory civility rules. After an appeals court reversed a jury verdict in favor of the attorney's client,³¹ the attorney berated the justices on his radio program in personally insulting and profane terms.³² In response, Michigan's Attorney Grievance Commission filed a complaint with the Michigan Supreme Court's Attorney Discipline Board, claiming that the attorney violated the civility provisions of Michigan Rules 3.5(c) and 6.5(a). The Disciplinary Board declined to sanction the lawyer, holding that his statements were protected speech under the First Amendment.³³ On appeal, a narrow majority of the Michigan Supreme Court reversed, upholding the constitutionality of the disciplinary rules and remanding the case to the disciplinary board to impose a reprimand on the attorney.³⁴ In collateral litigation, a Michigan federal court issued a declaratory judgment finding the civility rules unconstitutional, but the Sixth Circuit vacated on standing and ripeness grounds.³⁵ The four case decisions make for interesting reading, but the volume of effort reflects one possible cost of mandatory civility standards, especially when the civility interest in question is a lawyer's interaction with a judge.³⁶

III. Recommendations and Conclusion

The Standards for Professional Conduct within the Rhode Island Judicial System complement the Rules of Professional Conduct (which provide a clear "floor" of unacceptable conduct) with a set of aspirational norms that can increase the quality of justice within the Rhode Island legal system while also enhancing the institution's public standing. With that said, the Standards' relative obscurity limits their ability to promote a culture of civility and professionalism within the legal system. Rhode Island can learn from the experience of other states that have addressed this issue in different ways with varying amounts of success.

To advance that goal, this writer recommends the Rhode Island legal community review its norms of civility and professionalism, discussing such topics as:

1. The state of the culture of civility within today's legal system, and whether increased attention to a set of aspirational standards would be beneficial;
2. The content of Rhode Island's Standards, and possible amendments to improve them;
3. Ways to increase the Bar's knowledge and awareness

- of the Standards through such measures as:
- a. Promoting their instruction at law schools;
 - b. Including a question on the State bar examination that requires knowledge of the Standards;
 - c. Incorporating a reference to the standards into the oath sworn by newly admitted members to the Bar;
 - d. Incorporating a certification of familiarity with and compliance with the Standards as part of the annual renewal of Bar membership;
 - e. Developing a civics and professionalism curriculum to post online;
 - f. Offering free continuing legal education classes on the subjects of civility and professionalism.
4. Whether it would be beneficial to develop a confidential mediation program (such as Colorado's) to provide discreet guidance and resolution in cases in which one legal professional questions the civility of another's conduct.

ENDNOTES

¹ See, e.g., *Chafetz, Josh & Pozen, David*, How Constitutional Norms Break Down, 65 U.C.L.A. L. REV. 1430 (2018). To quote the NEW YORKER, "All we hear about is 'norms – norms violated, norms overthrown, norms thrown back in the faces of their normalcy. Not since 'Cheers went off the air, back in the nineties, have we heard so much about Norms.'" *Chafetz and Posen, supra*, (quoting Adam Gopnik, Norms and Cliffs in Trump's America, NEW YORKER (Aug. 3, 2017)).

² *Burger, Warren E.*, The Necessity For Civility, 52 F.R.D. 211 (1971).

³ See *Interim Report of the Committee on Civility of the Seventh Federal Judicial Circuit*, 143 F.R.D. 371, 423 (1992), *President's Message, n. 8, infra*.

⁴ *Interim Report, n. 3, supra*, 143 F.R.D. at 374.

⁵ *Interim Report, n. 3, supra*.

⁶ *Id.*

⁷ *Id.*, 153 F.R.D. at 411-15.

⁸ *Sheridan, R. Kelly*, *President's Message*, 44 (May) R.I. BAR JOURNAL 1 (1996).

⁹ *Id.*

¹⁰ *The Preamble to the Standards is distinct from the Preamble to the Rhode Island Rules of Professional Conduct, but the latter (at §(7)) does encourage lawyers to "strive to attain the highest level of skill, to improve the law and the legal profession and to exemplify the legal profession's ideals of public service."*

¹¹ See *Preamble to Rules of Professional Conduct, §[8] and Commentary to Rule 1.3, §[1]*.

¹² See, e.g., *Burns, Robert and Luber, Steven*, Division of Authority Between Attorney and Client: The Case of the Benevolent Otolaryngologist, 2003 U.I.L.L.REV. 1275 (2003).

¹³ See *MacAdams, Richard*, *President's Message*, 45 Jan. R.I.B.J. 3 (1997), *Jones, Lauren* Random Thoughts As Deadline Approaches, Dec. 47 R.I.B.J. 3 (1998) and *It's The Client, Stupid*, 47 Mar. R.I.B.J. 3 (1999); *Lyons, Thomas and Deluca, Michael*, The Bar Association in the Twentieth Century, 48 Feb. R.I.B.J. 9 (2000); *DiMonte, Vincent*, Professionalism and Civility, 50 Jan/Feb R.I.B.J. 3 (2002) and *Speaking Out: 30 Years of Practice*, 55 Nov./Dec. R.I.B.J. 31 (2006). See also *Shea, Donald*, Rhode Island Chief Justice Joseph R. Weisberger, 6 ROGER WILLIAMS U.L. REV. 491, 494 (2001) (recognizing this among the many accomplishments of his tenure).

¹⁴ *In re McBurney*, 13 A.3d 654, 655 (R.I. 2011); See also *Clarke v. Morsilli*, 723 A.2d 785, 786 (R.I. 1998) (noting generally the Court's "attempts to promote civility").

¹⁵ *State of Rhode Island v. Lead Industries Assoc.*, 2009 WL 3328383 (Super. Ct.), vacated and remanded, 64 A.3d. 1183 (R.I. 2013).

¹⁶ *In sanctioning an attorney for discovery misconduct, the Superior Court in Cipriani v. Migliori*, 2005 R.I. Super. Lexis 28, cited the Preamble to the Rules of Professional Conduct and the Lawyer's Pledge, but not the Standards. *In Lambert v. Parascandolo*, 2016 R.I. Super. Lexis 13, after ruling on a motion for a new trial, the Court "pause[d] briefly to discuss the unprofessional conduct of during trial," referring to Justice Burger's speech on "The Need for Civility" (n. 2, *supra*) without referring to the Standards.

¹⁷ *Colorado Bar Association, COLORADO PRINCIPLES OF PROFESSIONALISM*, '3.5.

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 400
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

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.

AMY G. RICE

Trial Attorney
Arbitrator &
Mediator

(401) 683-6555

Amy@amyricelaw.com

Available to resolve your
dispute in court or out.





I'm Pam Hanson Carbone, Broker Owner of Domain Properties. At my firm, we understand that business referred to us is YOUR business, and we consider ourselves a member of your team.



Domain
PROPERTIES

You can count on us for exceptional attention to detail and service. Please consider my firm when referring for your client's real estate needs. We handle Residential and Commercial, and we have extensive 1031 exchange experience. Licensed in RI, MA, CT and FL.

401.331.7100

18 *State Bar of California, CALIFORNIA ATTORNEY GUIDELINES OF CIVILITY AND PROFESSIONALISM* (2009), '16.

19 *Id.*, '12 (providing exceptions to this general norm where permitted by law and where the lawyer's client will be seriously prejudiced if the application or communication is made with regular notice). For a national survey and comparison of the substantive content of civility codes, see Preston, Cheryl and Laurence, Hilary, *Incentivizing Lawyers to Play Nice: A National Survey of Civility Standards and Options for Enforcement*, 48:3 U. MICH. JOURNAL OF LAW REFORM 701 (2015).

20 *See, e.g., SUP. CT. R. FOR GOV'T OF BAR OF OHIO, R. 1(8)(a)* (2006), ("In my capacity as an attorney and officer of the Court, I will conduct myself with dignity and civility and show respect toward judges, court staff, clients, fellow professionals, and all other persons"); Florida Board of Bar Examiners Rule 5-13, *Oath of Admission to the Florida Bar*, ("To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications"); see generally Preston and Lawrence, n. 19, *supra* at 729-31.

21 *Utah Supreme Court, RULES OF PROFESSIONAL CONDUCT, Preamble.*

22 *See Colorado Bar Association, Peer Professionalism Assistance Group.*

23 *Id.*

24 *See Dondi Properties Corp. v. Commerce Savings and Loan Ass'n*, 121 F.R.D. 284 (N.D.Tex.1988) (*en banc*, publishing civility standards) and, e.g., *Lelsz v. Kavanagh*, 137 F.R.D. 646 (N.D. Tex. 1991) (ordering removal of attorney from case as a sanction for repeated uncivil behavior in violation of Dondi standards).

25 *See, e.g., Enoch, Craig, Incivility In The Legal System? Maybe It's The Rules*, 47 S.M.U. L. REV. 199 (1994).

26 *Michigan Supreme Court, Rules of Professional Conduct, Rule 3.5(d). Compare Rhode Island Rule 3.5(d), which prohibits a lawyer from "engag[ing] in conduct intended to disrupt a tribunal."*

27 *Michigan Rule of Professional Conduct 6.5(a). Compare Rhode Island Rule 6.5, which regulates nonprofit and court-annexed limited legal services programs, which is similar to Michigan Rule 6.6. (Rhode Island does not have a Rule 6.6.)*

28 *See, e.g. In re Ortiz*, 304 P.3d 404 (N.M. 2013).

29 *See, e.g., In re Abbott*, 925 A.2d 482 (Del. 2007).

30 *Florida Supreme Court, Rule of Professional Conduct 4-8.4(d).*

31 *Badalamenti v. William Beaumont Hospital – Troy*, 237 Mich. App. 278, 602 N.W.2d 854 (1999), *appeal denied*, 463 Mich. 980, 624 N.W. 2d 186 (2001). *The Court of Appeals reversed on two grounds, namely lack of sufficient evidence and, alternatively, misconduct by the plaintiff's counsel that tainted the jury verdict (requiring a new trial). Id.*

32 *Grievance Administrator v. Fieger*, 476 Mich. 231, 719 N.W.2d 123 (2000), *cert. denied*, 549 U.S. 1205 (2007). *The Supreme Court's majority and dissenting members engaged in a sharp debate, not only about the applicability of the First Amendment, but also about whether some justices should have recused in light of their prior interactions with Mr. Fieger, including his support or opposition during their judicial election campaigns. Id.*

33 *See Grievance Administrator, id.*

34 *Id.*

35 *Fieger v. Michigan Supreme Court*, 2007 U.S. Dist. Lexis 64973 (E.D. Mich.), *vacated*, 553 F.3d 955 (6th Cir. 2009), *cert. denied*, 558 U.S. 1110 (2010).

36 *The case holdings reviewed First Amendment issues because the lawyer criticized the judge in the judge's capacity as a government official, an issue that arguably would not apply in other instances of uncivil conduct. See also In re Snyder*, 472 U.S. 634, 647 (1985) (reversing suspension of attorney who wrote a "harsh" letter to the court concerning a fee petition). In hindsight, the Grievance Administrator might have done better to charge the attorney with violating Rule 8.4 for his misconduct at trial, given that the Court of Appeals found that misconduct at trial tainted the jury's consideration of the case and thus the administration of justice. See *Badalamenti*, n. 31, *supra*. ◇

Slip & Fall - Henry Monti



19 Slip & Fall Jury Trials
Over 1,000 Slip & Fall Arbitrations
CLE Slip & Fall Lecturer

Gemma Law Associates, Inc.

401-467-2300

henry@gemmalaw.com

What the SECURE Act Means to You



Marc J. Soss, Esq.
Licensed in FL, RI and CT

Retirement planning is poised for the first major piece of retirement legislation in a decade. After the *Setting Every Community Up for Retirement Enhancement* (“SECURE Act”) was approved by the Senate by a vote of 71 to 23, and the House by a vote of 297 to 120, President Trump signed it into law on December 20, 2019, as a part of spending and tax-extension bills. The SECURE Act creates sweeping changes that immediately affect retirees and savers alike.

IRA CONTRIBUTIONS & DISTRIBUTIONS

Extended Contribution Age for those Working

Dating back to 1960s concepts, prior law prohibited contributions to a traditional IRA account for those that had reached age 70½, even if still working. This created a dilemma as life expectancies increased and individuals worked later in life to fund longer retirements. The SECURE Act now permits individuals to continue contributing to an IRA, so long as they continue working.

Required Minimum Distributions

Beginning January 1, 2020, the age at which an individual will be required to begin making withdrawals from their traditional retirement account will increase from age 70½ to 72. This change will primarily benefit retirees who don't need the funds and have not already reached age 70½. Those who are currently 70½ or older must continue withdrawing their required minimum distributions under current rules. However, those who reach age 70½ on or after January 1, 2020 are subject to the new rules and will have an extra year and a half before they need to start making mandatory withdrawals.

Stretch IRA

The SECURE Act effectively removes the Stretch IRA concept as an estate planning tool. A surviving spouse may continue to withdraw the inherited IRA account over their life expectancy, even if the funds are received through a conduit trust. However, with limited exceptions, other beneficiaries will be required to draw down the account over a ten (10) year period. The funds may be withdrawn

incrementally over the ten (10) year period, or all in one (1) or more years (including everything in year ten (10)).

The ten (10) year rule will be suspended for a disabled or chronically ill (certification required) individual until the disability or illness ceases or they pass away. If the beneficiary has not reached the age of majority, they will also be excluded from the ten (10) year withdrawal requirement and the funds can be distributed on a slower schedule. However, once they reach the age of majority the ten (10) year withdrawal requirement will apply.

This provision will not affect individuals who have already inherited an IRA and will only apply to those who inherit them starting on January 1, 2020. This will preclude the account from continuing to grow on a tax-deferred basis into the future.

SECTION 529 PLANS

The Act expands the utilization of 529 education savings accounts to include the costs associated with registered apprenticeships; homeschooling; up to \$10,000 of qualified student loan repayments (including those for siblings); and private elementary, secondary, or religious schools. If the 529 plan funds are utilized to pay down student debt interest, the interest will not qualify for an “above-the-line” deduction.

RETIREMENT ACCOUNTS & PLANS

Part-Time Workers Can Now Participate in 401(K) Plans

Since their establishment, employers have been able to exclude part-time employees (employees who work less than 1,000 hours per year) from participation in 401(k) plans. The Act no longer permits the practice and requires employers to establish a dual eligibility requirement. Employee eligibility can be established by completion of either a one (1) year of service requirement (with the 1,000-hour rule) or three (3) consecutive years of service where the employee completes at least 500 hours of service.

Penalty-Free Retirement Account Withdrawals

The SECURE Act permits the withdrawal of up to \$5,000 of retirement account funds to cover

Plans will contain “safe-harbor language” that eliminates their liability if an insurer whose products they use runs into financial trouble.

Bar's Government Lawyers Committee Offering Free, 1-Credit CLE

The Rhode Island Bar Association's Government Lawyers Committee is sponsoring a free-to-Bar-members, one-credit, Committee CLE seminar. On **Thursday, March 5th, from 12:30 pm – 1:30 pm** at Rhode Island Bar Association headquarters, 41 Sharpe Drive in Cranston, Rhode Island Superior Court Associate Justices Brian P. Stern and Richard A. Licht will present "Administrative Appeals – Perspectives from the Bench." This program will provide participants with the opportunity to learn about administrative appeals filed in the Superior Court from the perspectives of the honorable panelists, both of whom held distinguished positions in executive agencies before taking the bench. Moderator Jenna Giguere (DBR) will facilitate the panel discussion to address matters of procedure, standard of review, and best practices in Superior Court appeals under the Administrative Procedures Act (APA).

To register, and for additional information, please contact Amy Morales: Amy.Morales@dbr.ri.gov.

the expenses associated with a child birth or adoption. The withdrawal will avoid the customary ten percent (10%) early-withdrawal penalty so long as it is finalized within one (1) year of the child's birth or adoption is finalized. The withdrawal will be subject to income tax unless recontributed into their retirement account.

Eligibility requires the adoptee to be younger than 18 years old or physically or mentally incapable of self-support. However, the penalty will still apply if you're adopting your spouse's child.

Annuity Information and Options Expanded

Under the SECURE Act, retirement account administrators will be required to provide annual "lifetime income disclosure statements" to participants. The statements will reflect how much the participant would receive monthly if their total 401(k) account balance was used to purchase an annuity. The new disclosure statements will not be required until one (1) year after the IRS issues interim final rules, creates a model disclosure statement or releases assumptions that plan administrators can use to convert account balances into annuity equivalents, whichever is latest.

The SECURE Act also creates the opportunity for employers to offer annuities as part of their retirement plans. Plans will contain "safe-harbor language" that eliminates their liability if an insurer whose products they use runs into financial trouble. The annuities will also be portable and provide a method to roll them into a new 401(k) annuity or IRA and avoid surrender charges and fees.

Disaster Tax Relief

This Act provision creates a waiver from the Section 72(t) additional income tax penalty for qualified disaster distributions from retirement plans up to \$100,000. Individuals will have three (3) years to ratably spread the income tax payments on the distribution or repay the distribution back into the retirement plan.

Auto-Enrollment 401(K) Plans Enhanced

Many companies today automatically enroll eligible employees into their 401(k) plans. While employees may opt out, most don't. The employer sets a default contribution rate for employees participating in an auto-enrollment 401(k) plan. The employee can, however, choose to contribute at a different rate. In a common type of plan known as a "qualified automatic contribution arrangement" (QACA), the employee's default contribution rate starts at three percent (3%) of his or her annual pay and gradually increases to six percent (6%) with each year that the employee stays in the plan. The Act increases the current ten percent (10%) cap on QACA automatic contributions to fifteen percent (15%), except for a worker's first year of participation.

Help for Small Businesses Offering Retirement Plans

The SECURE Act contains three (3) provisions designed to assist more small businesses to offer retirement plans for their employees. The provisions include (i) an increase in the tax credit, from \$500 to \$5,000, available for fifty percent (50%) of a small business's retirement plan start-up costs; (ii) a new three (3) year \$500 tax credit for a small business's start-up costs for new 401(k) plans and SIMPLE IRA plans that include automatic enrollment and those that convert an existing retirement plan




New England's Trusted Personal Injury and Disability Law Firm

AMONG THE TOP 5% OF RHODE ISLAND ATTORNEYS

<p style="font-size: small;">Since 1999</p> <p style="font-weight: bold; font-size: large;">PERSONAL INJURY</p> <p>Helping the injured.</p> <p style="font-weight: bold; font-size: large;">MEDICAL MALPRACTICE</p> <p>Serving clients and their families.</p> <p style="font-weight: bold; font-size: large;">SOCIAL SECURITY DISABILITY</p> <p>Obtaining personal, economic and social justice.</p>	<p>Joseph P. Marasco Donna M. Nesselbush</p> <p>Anthony S. Buglio Christopher L. Crowley Nicklyn Gaines Dolphin Jane R. Duket Mark H. Grimm Ryan P. Kelley Timothy P. Lynch Thomas L. Moran Noah M. Zimmerman</p> <p><i>Of Council:</i> Bartley McNally Philip M. Weinstein</p>
---	---

RHODE ISLAND | PROVIDENCE | WAKEFIELD | WARWICK | WOONSOCKET
MASSACHUSETTS | QUINCY CONNECTICUT | NEW LONDON

Call 401.274.7400 or visit M-N-Law.com

to an auto-enrollment plan; and (iii) commencing in 2021, an easier method for small businesses to join together to provide retirement plans for their employees and have a “pooled plan provider” administer it.

Section 131(c) of the Internal Revenue Code (“IRC”) defines difficulty of care payments as compensation to a foster care provider for the additional care required because the qualified foster individual has a physical, mental, or emotional handicap. Under the IRC this compensation is exempt from taxation. The SECURE Act amends IRC sections 415(c) and 408(o) to allow these healthcare workers to contribute to a retirement plan or IRA by treating their exempt compensation for purposes of calculating the contribution limits to defined contribution plans and IRAs.

Other Benefits

The Act reinstates for one (1) year the exclusions for qualified State or local tax benefits and qualified reimbursement payments provided to members of qualified volunteer emergency response organizations (volunteer firefighters and emergency medical responders) and increases the exclusion for qualified reimbursement payments to \$50 for each month during which a volunteer performs services. ◇

Do You Have an Idea for an Article, or a Point/Counterpoint Article?

You have a lot to share, and your colleagues appreciate learning from you. We are always in need of scholarly discourses and articles, and we also encourage point-counterpoint pieces. Or, if you have recently given, or you are planning on developing a Continuing Legal Education seminar, please consider sharing your information through a related article in the *Rhode Island Bar Journal*. While you reached a classroom of attorneys with your CLE seminar, there is also a larger audience among the over 6,500 lawyers, judges and other *Journal* subscribers, many of whom are equally interested in what you have to share. For more information on our article selection criteria, please visit the Bar’s website, under News and *Bar Journal*, and click *Bar Journal* Homepage. The Editorial Statement and Selection Criteria is also on page 4 of every issue. Please contact Director of Communications Kathleen Bridge at 401-421-5740 or kbridge@ribar.com if you have any questions.

IF YOU WANT TO PRACTICE LAW, WITHOUT WORRYING ABOUT YOUR BUSINESS... YOU’RE IN LUCK.

As a Rhode Island Bar Association member benefit, Red Cave Consulting provides FREE business management consulting services for Rhode Island attorneys. Red Cave has consulted with 3000+ law firms in the past 10 years. Put our experience to work for you.



CALL: (617) 398-7181
EMAIL: JARED@REDCAVELEGAL.COM

Or visit the Bar website’s Law Practice Management page to get started.

“Too Many Law Firm Partners Think, a hacker is not interested in me”

Eric M. Short,
Founder & President of Secure Future Tech Solutions

This is just not true. Hackers look for low hanging fruit like a law firm with little or no security.

Our Team of Experts Offer...
Cyber Security
Managed Services
BackUp & Disaster Recovery
Email Encryption
Cloud Computing
Computer Repair



Call 401-921-2607 or email sales@securefuturetech.com

SHARED LAW OFFICE SPACE AVAILABLE

Law Office

Without committing to a long-term contract.
In a fully-equipped existing law office. Choose
size office with too many to list amenities and
ready to go.

Budget-Friendly and Scalable

Pay only for the space you need.

Amenities

Class A space
Parking
Receptionist
Conference rooms
Secretarial stations
And much more

Contact

Janet J. Goldman, Esq.
51 Jefferson Boulevard
Warwick, RI
785-2300

Rhode Island Women Lawyers: Past, Present, & Future

This series was inspired by Roger Williams University School of Law's annual *Women in Robes* event, and was created in alliance with their exciting new project *The First Women*, which recognizes and honors the first women of the Rhode Island bar.



The Honorable Mary M. Lisi

During the civil rights movement of the late 1950s, scenes of dogs attacking unprotected people trying to get their fair share of the American dream struck Judge Mary M. Lisi as “wrong and unjust” and “a perversion of our democratic society.” In the 1960s, she watched young men forced to go to war in Vietnam and the bitter divisions that rocked our country over our involvement in that war. Despite the strong impressions made by these events, she did not yet think about becoming a lawyer.

Instead, she studied to become a teacher at college—one of the three “traditional” career options most women followed (the others included becoming a nurse or secretary, but she “didn’t do blood” and “couldn’t type”). As she strived toward achieving her goal of becoming an educator, the 1970s brought the Watergate scandal. She observed a president violate his oath of office while the people around him perpetrated crimes. Judge Lisi thought to herself, “I want to do more with my life and my education.” Against the backdrop of Watergate, and with encouragement and inspiration from the progress of the women’s movement, she decided to go to law school.

After law school, she became an assistant public defender. She immediately applied to work as a trial lawyer in the Juvenile Division of the RI

Public Defender’s Office because she wanted to help children turn their lives around. For Judge Lisi, it was a great learning experience. Then Public Defender, William Reilly initially said he would ease her in during a transitional period, which, by her account, “lasted about 20 minutes.”

When she started in practice in 1977, there were only a handful of women at the Public Defender’s Office, including Barbara Hurst in the Appellate Division and Allegra Munson in the Superior Court. There were only two female judges in Rhode Island at that time, Justice Corinne Grande and Justice Florence Murray, but no female judges in Family Court.

During her time at the Public Defender’s Office, it was not unusual for her to be the only woman in the courtroom. Although her class at law school was almost fifty percent women, she found that, in practice, many male colleagues and judges seemed uncomfortable interacting with women in the profession. Fortunately, she was able to navigate discriminatory tactics using her quick wit to diffuse the situation. On one occasion, she was inappropriately asked by a judge what kind of perfume she was wearing, and rather than responding in a negative manner, she joked that it was not her perfume but that of the male prosecutor. Her disarming approach to deflate gender-based comments sent a signal that she would not tolerate such conduct, and she found the comments toward her stopped.

The caseload and time in court was staggering as an assistant public defender. “There was no time to start to worry about things, you just had to go in and do it,” she reflected. After four years in the position, Judge Lisi started to grow her family. She recalls getting “the look” from male practitioners and judges as her pregnancy began to show. Although she transitioned to part-time work at the Office of the Child Advocate, there were no family or maternity leave policies. Similar to at least one prior interviewee, Judge Lisi recalls working through her entire pregnancy until the date she delivered her child.

After working at the Office of the Child



Cassandra L. Feeney, Esq.
Adler, Cohen, Harvey,
Wakeman & Guekguezian,
LLP, Providence



Etie-Lee Schaub, Esq.
Providence City Solicitor’s
Office

Advocate, she became the director of the Court Appointed Special Advocate (CASA) Program in the Rhode Island Family Court, where she supervised over twenty on-staff individuals and close to 200 volunteers in addition to managing her own caseload. Judge Lisi is very proud of the work she did in making the CASA Program an effective voice for children in foster care and a model for other states.

After five years as director of the CASA Program, she was hired by the Rhode Island Supreme Court as deputy disciplinary counsel. She later went on to become chief disciplinary counsel. As she did throughout her entire career, she approached this role even-handedly, seeking to protect the public. When she started, the work was mostly confidential. She recalls one of her first cases involved investigating and prosecuting twenty Family Court lawyers who had loaned money to a judge before whom they practiced.

In 1991, Judge Lisi was appointed to the State’s Select Commission to investigate the failure of the Rhode Island Share and Deposit Indemnity Corporation. She, along with fellow Commission members and special counsel, conducted the investigation over two years, which included hundreds of depositions and culminated in a series of publicly televised hearings. That was the first time in her career that her legal abilities were seen by members of the public. Judge Lisi believes she made a favorable impression during her work as a member of the Commission and, as a result, she was recommended to Senator Pell for a federal judgeship.

Judge Lisi was the first woman to become a federal judge in Rhode Island. She was very warmly received—as an equal and as a colleague—by the other judges of the Federal Court. She recalls one judge with a “traditional” family asked her how she “does it,” i.e., having a career and children and a husband with a career. She responded, “You just do it.”

When Judge Lisi first went on the bench, she noticed that there were very few female attorney litigators. She has a few theories as to potential

Thanks to Our CLE Speakers

The success of the Rhode Island Bar Association's Continuing Legal Education (CLE) programming relies on dedicated Bar members who volunteer hundreds of hours to prepare and present seminars every year. Their generous efforts and willingness to share their experience and expertise helps to make CLE programming relevant and practical for our Bar members. We recognize the professionalism and dedication of all CLE speakers and thank them for their contributions.



Below is a list of the Rhode Island Bar members who have participated in CLE seminars during the month of January.

Joseph M. Flynn, Esq.
Molina Flynn Law Offices

John P. Laroche, Esq.
Laroche Law

VALUE APPRAISALS on Antique, Collector, and Special Interest Vehicles for:

RHODE ISLAND SALES TAX REFUNDS

**INSURANCE—CLAIM SETTLEMENT—SELLING A VEHICLE
BUYING A VEHICLE—COLLATERAL—ESTATE SETTLEMENT**

DIVORCE SETTLEMENT—DONATION OR GIFT

PLUS: DIMINISHED VALUE & LEMON LAW

GREEN HILL
VEHICLE
APPRAISALS

www.classiccarappraisalsgh.com

David F. Calabrese
I-VAN Certified Vehicle Appraiser
AACAA— SENIOR MASTER JUDGE
Cell Phone: 203-232-2730

40 Border Avenue Wakefield, RI 02879
Local Phone: 401-782-6857
E-mail: appraisal@ghappraisal.com

Serving Rhode Island & SE MA to Cape Cod
Certified by The International Vehicle Appraisers Network
www.i-van.org

causes of the lower number of female litigators and partners at law firms. One such cause is the antiquated family leave structure that “needs to change.” Without an equal partner at home, saddling a woman with the full burden of housework in addition to her professional work responsibilities may cause self-deselection from pursuing a career as a litigator.

Over time, Judge Lisi noticed that the number of female litigators did increase, as did the number of men taking on household chores. Judge Lisi is encouraged to see more men taking on what is oftentimes viewed as “women” roles: “We are all in this together, and we all have to share an equal load.”

Judge Lisi reflected she was very fortunate that she married one of those “very special guys.” She attributed much of her ability to successfully manage and balance her heavy workload and career, volunteer, overcome adversity, and raise a family to the love and support provided to her by her husband. He was her best friend and a tremendous partner through it all. During the time they raised two children and while both pursued demanding careers, her husband shouldered his fair share of the work at home while still maintaining a successful career as a practicing attorney.

Judge Lisi also found additional support from colleagues. She was very close to Justice Murray, who was the first female judge in Rhode Island, a “force of nature,” and a wonderful mentor. Justice Murray understood the conflicting obligations between a professional life and personal life as a wife and mother. Judge Lisi also had her trusted assistant Susan (nicknamed “Radar,” based on the character from the show *M*A*S*H*), who often knew what Judge Lisi needed before Judge Lisi knew she needed it.

Her advice to lawyers navigating the system: “Set your priorities and know what they are.” If you are a parent, remember that only you can be that child’s mother or father. If you understand your number one priority—including if that is to be a mother or father—everything else falls into place. The other piece of advice is balance: “It cannot always be just the law, the law, the law. You need to have balance in your life.” One recommendation for balance is to “maintain friendships with those who are not lawyers or in the profession, because they can give you perspective and add a different point of view.”

Judge Lisi also shared the importance of volunteering and getting involved in organizations to supplement your work and who you are: “These activities provide opportunities for you to meet people outside the profession, while also providing an opportunity to share your insights, experiences, and advice, all with a view towards advancing the profession.”

If you are interesting in sharing your story or know someone who is, please contact Cassandra L. Feeny at cfeeny@adlercohen.com and/or Etie-Lee Schaub at etieschaub@gmail.com. ♦

PELLCORP INVESTIGATIVE GROUP, LLC

**Your
One
Call**

Private Investigations

Edward F. Pelletier III, CEO
(401) 965-9745

pellcorpinvestigativegroup.com

7 Podcasts for Lawyers Who Love True Crime



Nicole P. Dyszlewski, Esq.
Head of Reference, Instruction,
& Engagement
Roger Williams University School
of Law Library

Through extensive research, this podcast creates an unflattering but entertaining narrative of Providence with a menagerie of memorable characters and a series of interrelated events.

Like many others, one of the earliest reasons I can remember for wanting to become a lawyer is because I like crime stories. I am interested in hearing the gritty details about crime scenes, cold case investigations, depraved hearts, and bad decisions. Unfortunately, my day job as a law librarian at Roger Williams University School of Law does not provide many opportunities to hear gritty details about any such thing. I compensate by listening to true crime podcasts on my commute to work. If you are like me and love true crime, here is a list of seven suggested podcasts to amuse, enthuse, and enthrall you.

Serial

Commonly regarded as the true crime podcast that started it all, this foundational podcast went viral in its first season in 2014. Each season is a non-fiction, law-related story told in weekly serialized segments. Season one's focus is on the 1999 disappearance/murder of Baltimore-area teen Hae Min Lee and the subsequent conviction of her ex-boyfriend and classmate Adnan Syed. The podcast investigates this crime and extensively re-evaluates Syed's guilt. *Serial*, at least season one, is a must-listen if only because it paved the way for true crime in the podcast medium.

Crimetown

For many, the stories told in this podcast will be familiar. Season one focuses on organized crime and corruption in Providence. The podcast is less about one crime (i.e., *Serial*'s the murder of Hae Min Lee) and more about depicting the history of the relationship between politics and organized crime in Providence. Through extensive research, this podcast creates an unflattering but entertaining narrative of Providence with a menagerie of memorable characters and a series of interrelated events. While this podcast has been criticized, most notably by Providence Mayor Jorge O. Elorza, of glorifying crime and government corruption, it is a guilty pleasure nonetheless.

A Killing on the Cape

On this list of recommendations because of the case's notoriety and because it takes place in New England, this podcast is about the 2002

murder of Christa Worthington on Cape Cod. The Worthington murder case was oft discussed in the press because of the victim herself and the number of colorful suspects, but likely best known by lawyers as the case which introduced DNA sweeps to a town in Cape Cod. Two books on the Worthington murder which complement this podcast are *Reasonable Doubt: The Fashion Writer, Cape Cod, and the Trial of Chris McCowen* by Peter Manso and *Invisible Eden: A Story of Love and Murder on Cape Cod* by Maria Flook.

Criminal

Criminal is a different type of true crime podcast. Instead of telling one story over a season of episodes, each episode of this podcast is about a different crime story. The focus of *Criminal* is less on grisly crimes and more on the historical, anthropological, cultural, and unusual aspects of the crime stories discussed. Despite focusing on crime stories, the show is restrained with regard to grisly details and sensationalism. Instead, there is a strong focus on storytelling and brevity. Most episodes are fact-filled but quite short. Because each episode is about a different story, there is something there for everyone. Ranging from episodes on historical crimes (See Episode 84, Masterpiece, about the theft of a poodle in the 1950s) to botanical mysteries (See episode #5, Dropping Like Flies, about an alleged Venus Flytrap crime ring) and everything in between, this podcast is perfect for those with an interest in crime, a sense of humor, and an ear for good storytelling.

Dr. Death

Dr. Death is a podcast that is so gruesome and disturbing that the story sounds fictional. It tells the story of an underqualified and overconfident young neurosurgeon who left over thirty of his patients dead or seriously injured from his incompetent care. The story is as much about the doctor himself as it is about the patients who suffered and the system that failed to protect them. Everything about this podcast is painful, from the graphic depictions of botched surgeries to the tragic interviews with the families of patients who died or were severely injured in surgery. This podcast is especially of interest to those who work in

Do You Have a Problem with Alcohol?

Alcohol has been described as “cunning, baffling, and powerful.” For many, its use is fraught with problems that can destroy a profession, a family, or a life.

Unlike some medical problems, there are no exact diagnostic tools that will determine whether someone is “over the line” with their drinking. Often those with an alcohol problem have great difficulty acknowledging it.

The following twenty questions may be helpful in determining whether you or someone close to you may have a problem with alcohol.

TWENTY QUESTIONS

1. Have you had problems at work (lateness, missed time, errors, etc.) due to drinking?
2. Is your drinking making your home life unhappy?
3. Do you drink in order to help you feel more comfortable around people?
4. Have you spent money on alcohol that was supposed to be spent on other things, like children's clothes? Rent? Money owed to others?
5. Have you been spending time with people you don't really care for just because of alcohol?
6. Has your alcohol and other drug use led you to take dangerous risks?
7. Do you get cravings for alcohol during a specific time of day?
8. Has your drinking led you to do things you are ashamed of?
9. Have you ever consumed alcohol in the morning?
10. Have you been involved in physical or serious verbal fights when drinking?
11. Do you ever drink in order to escape worries?
12. Is it hard for you to imagine living your life without alcohol?
13. Have you ever thought you should cut back on your drinking?
14. Has anyone ever criticized your drinking?
15. Have you ever been arrested for an alcohol-related incident?
16. Have you ever had trouble remembering what happened as a result of drinking?
17. Have you ever had a health problem because of your drinking?
18. Have you ever lied about your drinking?
19. Have you ever lost interest in things or activities that you used to find enjoyable?
20. Do you feel like your life simply isn't working out?

If your answer to any one of these questions is “yes” you may benefit from discussing your answers with Judith Hoffman or one of her colleagues at the Coastline Employee Assistance Program, a private, non-profit assessment and referral program with which the Bar Association has contracted. Simply call 401-732-9444 or toll free 1-800-445-1195 and identify yourself as a Bar Association member. Any communication is strictly confidential.

You may also contact, in complete confidence, any member of Lawyers Helping Lawyers Committee, at right.

Brian Adae, Esq.	(401) 831-3150
Neville J. Bedford, Esq.	(401) 348-6723
Thomas R. Bender, Esq.	(401) 272-3500 x150
Susan Leach DeBlasio, Esq.	(401) 274-7200
Kathleen G. Di Muro, Esq.	(401) 944-3110
R. Francis DiPrete, Esq.	(401) 647-3177
Christy B. Durant, Esq.	(401) 272-5300
Cassandra L. Feeney, Esq.	(401) 521-6100
Brian D. Fogarty, Esq.	(401) 821-9945
Jenna Giguere, Esq.	(401) 462-9593
Douglas Paul Johnson, Esq.	(954) 525-2345
Kenneth Kando, Esq.	(401) 826-2070
Stephen P. Levesque, Esq.	(401) 490-4900
Nicholas Trott Long, Esq. (Chairperson)	(401) 351-5070
Joseph R. Miller, Esq.	(401) 454-5000
Henry S. Monti, Esq.	(401) 467-2300
Susan Antonio Pacheco, Esq.	(401) 435-9111
Sara J. Pierson, Esq.	(401) 680-5333
Janne Reisch, Esq.	(401) 601-5272
Michael J. Riley, Esq.	(401) 300-4000
Adrienne G. Southgate, Esq.	(401) 301-7823
Elizabeth Stone, Esq.	(401) 327-4456
Dana N. Weiner, Esq.	(401) 331-6300
Judith G. Hoffman, LICSW, CEAP, Coastline EAP	732-9444 or 800-445-1195

Lawyers Helping Lawyers Committee Members Protect Your Privacy

Rhode Island Probate Court Listing and Judicial Communications Survey on Bar's Website

The Rhode Island Bar Association regularly updates the Rhode Island Probate Court Listing to ensure posted information is correct. The Probate Court Listing is available on the Bar's website at ribar.com by clicking on **FOR ATTORNEYS** on the home page menu and then clicking on **PROBATE COURT INFORMATION** on the dropdown menu. The Listing is provided in a downloadable pdf format. Bar members may also increase the type size of the words on the Listing by using the percentage feature at the top of the page. The Bar Association also posts a chart summarizing the preferences of Superior Court justices relating to direct communications from attorneys, and between attorneys and the justices' clerks which is updated yearly. The chart is available by clicking **MEMBERS ONLY** on the home page menu and then clicking **JUDICIAL COMMUNICATIONS**.

medical malpractice or health law. At the core of this podcast is a naked look at how bureaucracies can obfuscate ethics. Despite being difficult to listen to at times, *Dr. Death* is a moving and riveting look into how medical oversight may or may not have worked for the patients of one doctor.

Bear Brook

This podcast from New Hampshire Public Radio is about a very cold case of four bodies discovered in barrels near Bear Brook State Park in NH. The podcast is sweeping in scope, covering the discovery of two bodies in 1985, the discovery of two additional bodies in 2000, the subsequent police investigation, a California murder conviction in 2002, the science of radio-isotope testing, and a recent break in the case from the use of genetic genealogy technology. One of the most compelling parts of this podcast is that the identities of the victims are not known and much of the narrative revolves around identifying and honoring them. This is in contrast to other true crime podcasts whodunits where catching the perpetrator is what advances the narrative. Bear Brook is well produced and manages to synthesize a complex multi-decade crime story with significant implications on forensic science into a clear, understandable, and bingeworthy podcast.

To Live and Die in LA

This podcast feels like it is, and sometimes is, happening in real time and you, the listener, are part of the investigatory team. Neil Strauss, the host, best known as a music journalist and not a crime writer, takes listeners on a journey of discovery as he attempts to uncover the whereabouts of a missing woman in California. The story, filled with side roads and switchbacks, is compelling. However, the podcast's mood of urgency at times feels chaotic. The podcast's best attribute is its biggest downfall: it is personal. The disappearance of actor Adea Shabani is deeply troubling to her family and friends and their pain comes through clearly during their interviews. All that ensues during the podcast's first season is so tragic and so personal to those being interviewed that listening sometimes feels voyeuristic and exploitative. This podcast is included in this list not just because it is a good story, but because it provides fascinating insights into how everyday technologies can aid criminal investigations and law enforcement. ◇

IMMIGRATION LAW

JAMES A. BRIDEN

Blais Cunningham & Crowe Chester, LLP

150 Main Street, Pawtucket, RI 02860

401-723-1122

1031 Exchange Services, Inc.

EXCHANGE WITH CONFIDENCE



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

Providence, RI • Alexandria, NH

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.



What's A Business Worth?



Jennifer Baptista
CPA, CFE, CVA



Kevin Papa
CPA, CVA, ABV, CFF



Bill Piccerelli
CPA, CVA, ABV

Our experienced
professionals can help.

We assist with:

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

**PICCERELLI, GILSTEIN
& COMPANY, LLP**

144 Westminster Street
Providence, RI 02903
401-831-0200 • pgco.com

CLE Publications Order Form

NAME _____

FIRM or AGENCY _____

MAILING ADDRESS (Cannot be a P.O. Box) _____

CITY & STATE _____

ZIP _____ PHONE _____

EMAIL ADDRESS _____

BAR ID # _____

Check enclosed (made payable to RIBA/CLE)
Please do not staple checks.

MasterCard VISA AMEX Discover

Exp. Date _____ Security Code _____

Card No. _____

Signature _____

Mail entire page to: CLE Publications
 Rhode Island Bar Association
 41 Sharpe Drive
 Cranston, RI 02920

OFFICE USE ONLY

Check No. _____

Date Rec'd _____

Amount _____

Date Sent _____

Title	Book #	Price	Choose		Qty.	Total
			Book	USB		
Business						
Expeditious Removal of Mechanics' Liens	18-16	\$30				
Commercial Law 2019: Update	CL-19	\$40				
Family						
Divorce Law for Estate Planners: Estate Planning for Divorce Lawyers	18-17	\$35				
QDRO Practice in RI from A-Z	09-13	\$40				
Law Practice Management						
The State Law Library	19-06	\$35				
Let's Talk Communication!	18-12	\$35				
Closing Your Practice	18-07	\$25				
Preventing & Avoiding Wiring Funds to a Hacker	18-02	\$50				
Billing Clients	13-02	\$25				
Practical Skills						
Criminal Law Practice in RI	19-09	\$70				
Civil Law Practice in RI Superior Court	18-04	\$60				
Workers' Comp. Practice in RI	18-01	\$70				
Residential Real Estate Closings in RI	17-02	\$70				
Domestic Relations Practice	16-07	\$70				
Basic Commercial & Real Estate Loan Documentation	12-02	\$55				
Civil Practice in District Court	12-01	\$40				
Probate/Elder Law						
Trust Us... Modern Wills/Trusts	19-03	\$30				
The Trust Planning Playbook	18-11	\$25				
Portability	13-05	\$35				
Real Estate						
NEW! RI Title Standards Handbook (updated November, 2019)	TS-19	\$45				
Landlord/Tenant Handbook	16-04	\$15				
RI Real Estate Liens: A Field Guide	14-02	\$25				
Trial Practice						
Depositions: Learn and Limit	19-07	\$30				
Sexual Harrassment	19-05	\$30				
2019 DUI Law & Hardship Licenses	19-04	\$40				
Cross Examination Techniques	18-19	\$30				
Changes to CMS Enforcement	18-10	\$40				
NEW! Recent Developments in the Law 2019	RD-19	\$55				
Immigration 101	18-08	\$30				
Objections & The Evidence Maze	18-06	\$30				
Auto Accident Reconstruction	13-01	\$35				
Model Civil Jury Instructions	03-02	\$49 ⁹⁵				
RI Law of Workers' Compensation	WC-12	\$40				

Publication Total Shipping and Handling Cost

Up to \$45	\$6
\$45.01 - \$75	\$9
\$75.01 - \$100	\$12
\$100.01+	\$15

Please allow 2-3 weeks for delivery. All books are sent by FedEx Ground.

Books \$ _____

Shipping/Handling \$ _____

Sub-Total \$ _____

7% R.I. Sales Tax \$ _____

Total \$ _____

RI Bar Association Continuing Legal Education Seminars

Register online at the Bar's website ribar.com and click on CONTINUING LEGAL EDUCATION on the left side menu or telephone 401-421-5740. All dates and times are subject to change.

March 10
Tuesday
The Ties That Bind: Avoiding Inappropriate Entanglements in the Practice of Law
1:00 – 2:00 p.m., 1.0 ethics credit
ONLY available as a LIVE WEBCAST!

March 12
Thursday
Blockchain, Virtual Currency and Smart Contracts Basics for Lawyers
Rhode Island Law Center, Cranston
12:45 – 1:45 p.m., 1.0 credit
Also available as a LIVE WEBCAST!

March 13
Friday
Cannabis Law: Understanding Medical Marijuana and Adult Use
Rhode Island Law Center, Cranston
2:00 – 4:00 p.m., 2.0 credits
Also available as a LIVE WEBCAST!

March 18
Wednesday
Trial Objections – A Cheat Sheet
Rhode Island Law Center, Cranston
2:00 – 4:30 p.m., 2.5 credits

March 25
Wednesday
Planning for and Administering an Estate – A Practical Skills Seminar
Rhode Island Law Center, Cranston
9:00 a.m. – 3:00 p.m., 4.0 credits + 1.0 ethics

March 26
Thursday
Representing Clients Before Veterans Treatment Court
Rhode Island Law Center, Cranston
12:45 – 1:45 p.m., 1.0 credit
Also available as a LIVE WEBCAST!

March 31
Tuesday
Nice Lawyers Finish First
1:00 – 2:00 p.m., 1.0 ethics credit
ONLY available as a LIVE WEBCAST!

April 9
Thursday
The Law of Service Animals
Rhode Island Law Center, Cranston
12:45 – 1:45 p.m., 1.0 credit
Also available as a LIVE WEBCAST!

*Times and dates subject to change.
For updated information go to ribar.com*

NOTE: You must register online for live webcasts.

RHODE ISLAND LAW CENTER LOCATION
41 Sharpe Drive in Cranston, Rhode Island

Continuing Legal Education Telephone:
401-421-5740.

~ **SAVE THE DATE** ~
Rhode Island Bar Association
Annual Meeting
June 18 & 19, 2020
Rhode Island Convention Center

Reminder: Bar members may complete six credits through participation in online CLE seminars. To register for an online seminar, go to the Bar's website: ribar.com and click on CONTINUING LEGAL EDUCATION on the left side menu.



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*



COIA & LEPORE, LTD.
Attorneys at Law

WORKERS' COMPENSATION RI & MA



John F. Cascione, Esquire

226 South Main Street
Providence, RI 02903
401.751.5522

information@coialepore.com

Attorney To Attorney Referrals

RHODE ISLAND BAR ASSOCIATION'S

Online Attorney Resources (OAR)

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:

Administrative Law	Business Law
Civil Law	Creditors and Debtors
Criminal Law	Domestic/Family Law
Federal Court	Probate and Estates
Real Estate	Workers' Compensation

TO CHOOSE YOUR OAR OPTION:

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

Go to the Bar's website at **ribar.com**, login to the **MEMBERS ONLY**, and click on the **OAR** link.

BALSOFILORE & 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
(401) 334-3320

Ada Sawyer: The Power in the Girl



Denise C. Aiken, Esq.
Providence

We have been reflecting over the past year on the remarkable career of Ada Lewis Sawyer, Rhode Island's first female attorney, as the 100th anniversary of her admission approaches. In 1920, the year she passed the bar examination, Ms. Sawyer was 27 years old.

I believe her story truly begins many years prior to that date.

In 1909, the year Ada graduated from high school in a class of 40, she was one of four students awarded an honors diploma for "excellency in studies and deportment." Ada was 17 years old. In 1909 women were still unable to vote nor could they control their property. The Royal Mill, the Jackson Mill, and Quidwick Mill, all in Rhode Island, were still employing children as young as 11 and 12 years old.

In 1909, there were only 1,000 women lawyers in the whole of the United States. (See the article "The Woman's Rebellion" *The Saturday Evening Post*, June 1909)

A girl graduating from high school in 1909, even a very bright girl, had few options. Add to that the fact that Ada L. Sawyer was not the child of privilege, but one of four daughters of a modest working man. There was to be no college or "finishing school" for her. How different when compared to the options open to the daughters of my colleagues.

Three days after her graduation from high school she was hired by Percy W. Gardner, with whom she would work until that man's death in 1955. Today I look at the courage of that 17-year-old girl entering a field not held by her father or other family members. She charted a new course for herself and, ultimately, for all of us women practicing law in Rhode Island.



Ada Sawyer, Esq.

The *Journal* will feature a series of articles related to Ada Sawyer and how she enhanced the status of women in Rhode Island. The articles are leading up to a commemorative event, organized by the Bar Association's Ada Sawyer Centennial Planning Committee and supported by the RI Women's Bar Association and the Roger Williams University School of Law, scheduled for October 15, 2020.

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 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 or 401.421.5740.

Casemaker Tip: Getting Help with Casemaker4



We hope you have taken the opportunity to check out Casemaker4. We think you will find it is an intuitive system that is easy to use, but we also understand that you may want some extra help. Casemaker's support is here to help.

While in the Casemaker system you can click on the **Videos** link in the upper right corner. Here you can review a tutorial overview that covers all you need to get started with Casemaker4.

Also available in the upper right is the **Help** link. Clicking this link will place you in the **Casemaker Learning Center**. Here you are provided with a link to **Quick Start Guide**, an additional link for our videos and a link to their weekly search tips archive.

The **Help** page includes their **Contact Us** link. This provides their **Customer Support Information** and includes their toll-free telephone number as well as email address, and a link to live chat, both on the **Help** page and in the **Features Toolbar**. Casemaker's live Customer Support is available Monday – Friday from 8 AM till 8 PM Eastern.

There is also a **Webinar** link. These webinars are free, and you can attend as many times as you like. They are presented by Casemaker's support staff training expert and cover everything you need to know to use Casemaker4 effectively.

Casemaker is also on social media. On Facebook and Twitter, they regularly post tips, tricks, and updates about Casemaker4 and all of Casemaker's other tools and services.

A free member service to all Rhode Island Bar Association attorneys, Casemaker's 24 hours a day, 7 days a week, 365 days a year, online legal research improves lawyers' ability to stay current with the law and provides cost effective client service.

To access Rhode Island Casemaker, connect to the Rhode Island Bar Association website at ribar.com.

CASEMAKER
WEB LIBRARY

HONOR ROLL

Volunteers Serving Rhode Islanders' Legal Needs

The Rhode Island Bar Association applauds the following attorneys for their outstanding pro bono service through the Bar's Volunteer Lawyer Program, Elderly Pro Bono Program, US Armed Forces Pro Bono Project, Foreclosure Prevention Project, and Legal Clinics during December 2019 and January 2020.

DECEMBER 2019

Volunteer Lawyer Program

Ryan Avery, Esq., *Mirageas & Avery, LLC*
Rebecca F. Clarke, Esq., *Newport*
William J. Delaney, Esq., *The Delaney Law Firm, LLC*
Peter M. Iascone, Esq., *Peter M. Iascone & Associates, LTD.*
Andrew Kanter, Esq., *Kanter Law Office, LLC*
Phillip C. Koutsogiane, Esq., *Law Offices of Phillip Koutsogiane*
Felicia A. Manni-Paquette, Esq., *Azzinaro, Manni-Paquette*
Robert A. Mitson, Esq., *Mitson Law Associates*
Timothy J. Robenhymer, Esq., *Warwick*
James L. Sheridan, Esq., *Narragansett*
John S. Simonian, Esq., *Pawtucket*
Gregory P. Sorbello, Esq., *Peter M. Iascone & Associates, LTD*

Elderly Pro Bono Program

John Boyajian, Esq., *Providence*
Elizabeth A. Elmasian, Esq., *Providence*
Richard K. Foster, Esq., *Coventry*
Sherry A. Goldin, Esq., *Goldin & Associates, Inc.*
Ellen L. Jordan, Esq., *Saunderstown*
Robert Kando, Esq., *Pawtucket*
Robert H. Larder, Esq., *Woonsocket*
Peter J. Rotelli, Esq., *E. Providence*
Elizabeth Peterson Santilli, Esq., *Cutcliffe Archetto & Santilli*
Gregory P. Sorbello, Esq., *Peter M. Iascone & Associates, LTD.*
Christine Anne Stowell, Esq., *Tate & Latham LLC*

US Armed Forces Pro Bono Project

Rachael K. Pierce, Esq., *Figliola & Romano*
Mariah L. Sugden, Esq., *Newport*

JANUARY 2020

Volunteer Lawyer Program

Tiffinay A. Antoch, Esq., *Heitke Cook Antoch LLC*
Michael A. Castner, Esq., *Jamestown*
Steve Conti, Esq., *N. Providence*
Joanne C. D'Ambra, Esq., *Cranston*
Christopher E. Friel, Esq., *Law Office of Christopher E. Friel, LLC*
Michael K. Glucksman, Esq., *Law Office of Michael Glucksman*
Doris A. Lavalley, Esq., *Lavalley Law Associates*
Dadriana A. Lepore, Esq., *Coia & Lepore, Ltd.*
Amy Manfred, Esq., *Amy L. Manfred Attorney At Law*
Jennifer A. Minuto, Esq., *Providence*
Marcela Ordonez, Esq., *Law Office of Marcela Ordonez*
Tia M. Priolo, Esq., *Westerly*
John S. Simonian, Esq., *Pawtucket*
Mariah L. Sugden, Esq., *Newport*

Elderly Pro Bono Program

Cristina A. Azzinaro, Esq., *Azzinaro Manni-Paquette*
Michael A. Castner, Esq., *Jamestown*
James P. Creighton, Esq., *Johnston*
Joanne C. D'Ambra, Esq., *Cranston*
Kathleen G. Di Muro, Esq., *Law Office of Kathleen G. Di Muro*
Jane Fearing Howlett, Esq., *Bristol*
Ellen L. Jordan, Esq., *Saunderstown*
Doris A. Lavalley, Esq., *Lavalley Law Associates*
James S. Lawrence, Esq., *Lawrence & Associates, Inc.*
Christopher M. Lefebvre, Esq., *Consumer & Family Law Center*
of Claude F. Lefebvre, Christopher M. Lefebvre
Kermin Liu, Esq., *Law Office of Kermin Liu*

Elderly Pro Bono Program Continued

James T. Marasco, Esq., *Law Office of James T. Marasco*
Anthony F. Muri, Esq., *Muri Associates LLC*
Thomas P. Quinn, Esq., *McLaughlinQuinn LLC*
Susan D. Vani, Esq., *Providence*

US Armed Forces Pro Bono Project

Armando E. Batastini, Esq., *Nixon Peabody, LLP*

The Bar also thanks the following volunteers for taking cases for the Foreclosure Prevention Project and for participating in Legal Clinic and Ask a Lawyer events during December and January.

Foreclosure Prevention Project

Cristina A. Azzinaro, Esq., *Azzinaro Manni-Paquette*
Michael A. Castner, Esq., *Jamestown*
Anthony F. Muri, Esq., *Muri Associates LLC*
Peter J. Rotelli, Esq., *E. Providence*
James L. Sheridan, Esq., *Narragansett*
Gregory P. Sorbello, Esq., *Peter M. Iascone & Associates, LTD.*

Legal Clinic

Gregory P. Sorbello, Esq., *Peter M. Iascone & Associates, LTD.*

Ask a Lawyer

Kermin Liu, Esq., *Law Office of Kermin Liu*
David F. Reilly, Esq., *Law Office of David Reilly*

For information and to join a Bar pro bono program, please contact the Bar's **Public Services Director Susan Fontaine** at: sfontaine@ribar.com or **401-421-7758**. For your convenience, Public Services program applications may be accessed on the Bar's website at ribar.com and completed online.



COIA & LEPORE, LTD.
Attorneys at Law

Celebrating 50 Years
of successfully representing clients

A special thank you to our clients,
colleagues, family and friends

In loving memory of:
Albert J. Lepore, Sr. (1941-2010)
Albert J. Lepore, Jr. (1962-2019)

226 South Main Street
Providence, RI 02903
401.751.5522
information@coialepore.com

Proposed Title Standards
Proposed Standard 3.17
Open for Bar Member Review
and Comment

The Rhode Island Bar Association's Real Estate Title Standards and Practices Committee, chaired by Michael B. Mellion, Esq., at their meeting on November 21, 2019, voted unanimously to submit the following Proposed Standard 3.17 to the Rhode Island Bar Association's Executive Committee for its consideration. Bar members are invited to comment on these proposed changes, no later than April 1, 2020, by contacting Rhode Island Bar Association Executive Director Helen Desmond McDonald by postal mail: 41 Sharpe Drive, Cranston, RI 02920 or email: hmcDonald@ribar.com.

SECTION III CONTINUED

PROPOSED STANDARD 3.17
CONVEYANCE OF FRACTIONAL INTEREST

A deed from a grantor holding a fractional interest conveying the identical fractional interest to a grantee will be presumed to convey the grantor's entire fractional interest, provided that (a) there is no language in the deed indicating that the grantor intended to convey less than the entire fractional interest, (b) that no other instruments from the grantor purporting to grant an interest in the same land have been recorded within two (2) years from the recording of the deed conveying the fractional interest, and (c) there is no other record evidence within that two (2) year period indicating that the grantor claims to hold title to any interest in the land.

COMMENTS:

If a grantor intends to convey his or her entire fractional interest, it is recommended that the deed use language stating that the grantor conveys "all of my right title and interest", or "all of my right title and interest, consisting of a one-half interest", or simply "my one-half interest".

History

Approved by the Executive Committee of the Rhode Island Bar Association on _____.

OFFICE BUILDING FOR SALE



999 CHALKSTONE AVENUE
PROVIDENCE, RHODE ISLAND

- **SIZE: 3,800 SF**
- **HIGH TRAFFIC LOCATION**
- **AMPLE PARKING (20+ SPACES)**
- **CLOSE TO ROUTES I-95, I-195, 6 AND 44**
- **MINUTES TO BUSINESS AND FINANCIAL DISTRICT**
- **SALE PRICE: \$595,000**



Contact: Robert Nickerson
(O) 401-751-3200
(C) 401-578-5400
(E) bob@mgcommercial.com



Marie Theriault, Esquire, Broker/Owner

Real Estate (Buyers & Sellers)
Residential and Commercial
Probate & Divorce Real Estate Sales
Over 25 years legal experience

www.oceanroadsrealty.com

238 Robinson Street, South Kingstown, RI 02879 **401-447-4148**

BOOK REVIEW

Sober Curious

by Ruby Warrington



Jenna Giguere, Esq.
Deputy Chief of Legal Services
Department of Business
Regulation

... the “sober curious” lifestyle movement is an interesting take on a real problem in our legal profession that is worth thinking about.

The National Task Force on Lawyer Well Being identified alarming rates of 21-36% of lawyers qualifying as “problem drinkers.”¹ However, for many lawyers who do not consider themselves to be “addicts,” the increasing attention to this topic in continuing legal education may not seem that personally relatable. A fresh perspective is presented by the “Sober Curious” lifestyle movement and its bedrock book of the same name by Ruby Warrington, catching the attention of national news outlets like the *New York Times*, *Washington Post*, *CNBC*, *NPR*, and *Good Morning America*. Media coverage indicates that the “sober curious” lifestyle has resonated particularly with millennials, with the emergence of dry bars, craft non-alcohol beer, expensive “mocktails,” and hashtags like #SoberLife catering to this generation as part of its broader wellness movement.

A critical disclaimer is that *Sober Curious* (written by a lifestyle writer without mental health training) is NOT a substitute for those that require professional substance abuse treatment. But for others, the “sober curious” lifestyle movement is an interesting take on a real problem in our legal profession that is worth thinking about.

Sober Curious takes a positive and flexible tone in encouraging readers to ask themselves the question “would my life be better without alcohol?” Being “sober curious” starts with a no-pressure experiment to see how you feel physically, mentally, and socially when you take a break from alcohol. It does not require subscribing to a belief that all alcohol is all bad in all circumstances, nor does it require the participant give themselves or their past drinking patterns any particular negative label. It does not require making a long-term commitment to *never* drink again. But at the same time, it offers a way to realize the benefits of not drinking like many aspects of physical and mental health, increased productivity and balance, and saving money, just to name a few.

The book aims to help the reader face their “FOMA” (Fear of Missing Alcohol) and successfully master “Sober Firsts” (the first time through any particular activity without alcohol), catchy terms used throughout Warrington’s book. Warrington talks about the intense sense of fulfill-

ment that being “sober curious” can lead to. She describes a “high” of being *fully* present without the interference of mind-altering substances and feeling of empowerment from conquering the choice not to drink.

According to Warrington, attempting to realize the aforementioned benefits of not drinking by removing alcohol, adding nothing, and just waiting to feel this way will lead to a failed experiment. A truly successful “sober curious” lifestyle requires seriously exploring all the reasons we choose to drink alcohol and *actively* finding and practicing healthy alternatives to address those underlying needs and insecurities. Warrington assures this hard work will be worth it in the end as she discusses some suggested methods, summarized below.

Rather than drinking to slow down an overactive mind, the “sober curious” path is to put in the work to build healthy practices that focus the mind on something enjoyable (such as meditation, crafting, cooking) and away from stressing and overworking. Rather than using alcohol as an attempted “escape” from painful emotions, a good cry may serve as a means of release, as difficult as that may be to endure. Addressing alcohol’s association with having a good time means that the “sober curious” will be tasked with actively seeking ways to cultivate a sense of adventure and a fascination with the world by trying and learning new things just for the fun of it (without relying on alcohol). To replace the use of alcohol as a “Band-Aid” for loneliness, find a community you connect with and engage in service, which might include anything from truly listening to someone in need to more formalized volunteer projects. As for daring to live without the use of alcohol as a “social lubricant,” this means getting out of one’s comfort zone and anticipating a certain level of “awkwardness,” but doing so has great potential to build confidence in one’s true (chemically unaltered) self.

With all the discussion of the benefits of not drinking, Warrington predicts and answers the reader’s question—so why is she pitching “sober curious” vs. “sober sober” (her term for AA-style sobriety)? Warrington’s opinion is that abstaining from alcohol completely presents the difficulties of two cognitive phenomena. “Ego fatigue” makes



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

41 Sharpe Drive

Cranston, RI 02920

Questions? Please contact Virginia Caldwell at 421-6541

or gcaldwell@ribar.com

avoiding alcohol more stressful if it is perceived as an all-or-nothing proposition; and “euphoric recall” causes recollections of alcohol-fueled events to inflate the positive and discount the negative. Warrington suggests that when a choice to have a drink on a *rare* occasion is preceded by deep self-reflection about the “when, where, and why,” a “controlled relapse” may address the “ego fatigue” and “euphoric recall.” This important element of self-reflective caution is echoed when Warrington emphasizes that the “sober curious” lifestyle is not about setting up rules like “only on special occasions” which only tend to perpetuate an unhealthy relationship with alcohol.

In summary, the “sober curious” lifestyle movement offers a way to realize the benefits of a healthier relationship with alcohol without demonizing alcohol or requiring any particular commitment. It is an evolving experiment that challenges us to contemplate why we drink and take action to find healthy alternatives. The “sober curious” adventure leads us to have fun with “sober firsts,” gain confidence in mastering life without mind alteration, and feel the pleasure of living fully present. Are you ready to explore?

ENDNOTE

¹ https://www.americanbar.org/groups/lawyer_assistancetask_force_report/. ◇



Enright Law advises and represents clients facing employee rights issues including

- Discrimination
- Sexual Harassment
- Wage and Hour
- Retaliatory Termination
- Whistleblower Protection
- Family/Medical Leave
- Unemployment Appeals

ENFORCING EMPLOYEES' RIGHTS



696 Reservoir Avenue, Cranston, RI 02910

tom@enrightlawoffice.com

employmentlawri.com

(401) 526-2620

FLORIDA LEGAL ASSISTANCE



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

Marc J. Soss, Esquire

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

Business Valuation Services

Thoughtful & Credible Assessments of Value



BVS

BARRETT VALUATION SERVICES, INC.

The Business Valuation Advisors

BUSINESS VALUATIONS FOR

*Estate and Gift Planning
Federal Estate Tax Reporting
Marital Dissolution
Shareholder Disputes*

John E. Barrett, Jr., CPA, ABV, CBA, CVA

989 Reservoir Avenue, Cranston, RI 02910

Tel: (401) 942-3900

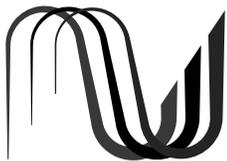
Email: jbarrettval@hotmail.com

Visit our website resource page at

www.barrettvaluation.com

Investment Management | Wealth Planning

Our best thinking is what's in
your best interest.



NAPATREE CAPITAL

Jeff Liguori | Jim Maynard | Peter Miniati, JD CFP®

The Foundry
275 Promenade Street, Suite 122
Providence, RI 02908

401.437.4716

www.napatreecapital.com
info@napatreecapital.com

Rhode Island Legal Services Campaign for Justice

Call to Serve!

Rhode Island Legal Services, Inc. needs **YOUR** help in fundraising for our annual Campaign for Justice! We are **recruiting committee volunteers** who are eager to help the local Rhode Island community. Your participation on this committee will assist us with our fundraising efforts during our Campaign for Justice.

Participating on the **Campaign for Justice Committee** is an excellent opportunity to give back to people in need, network with community passionate individuals, and become more involved in RILS' mission to provide legal aid to low-income Rhode Islanders.

A Planning Meeting will be held on **Friday, September 20th**. Lunch to be provided.

If you are interested in volunteering for the **Campaign for Justice Committee**, please send an email expressing your interest to Annie Dwyer at adwyer@rils.org or call 401-633-9139.



Make a Contribution!

Unable to volunteer? Continue to support our mission to serve Rhode Islanders and their families by making a **tax-deductible donation**.

Donations can be made via our website or by mailing a check, made payable to Rhode Island Legal Services, Inc.

56 Pine Street, Suite 400, Providence, RI 02903
401-274-2652 • www.rils.org





*A local connection for your
Florida Real Estate needs*

Attorney Owned and Operated Since 2004



Anthony M. Gallone, Jr., Esq.



Timothy H. Olenn, Esq.

Ph: 561-912-0922 olenn@AlliantFL.com

1 Lincoln Place, 1900 Glades Rd, Suite #245 Boca Raton, FL 33431

Preparing Your Client for an ICE Raid CLE Program



On January 16th, at the RI Law Center, Joseph M. Flynn, Esq., of Molina Flynn Law Offices, presented "Preparing Your Client for an ICE Raid." The program reviewed what sparks an ICE raid, tips for advising, defending your client against ICE enforcement actions, and how organizations can maintain compliance. This has become more important as ICE raids have reached a record high, and they are more prevalent in sanctuary cities and with employers using e-verify. This program is now available On Demand through the Bar's website.

Police Expert

Experience Testifying in Rhode Island Superior Court as an Expert in Police Procedures

- Did the police follow the law?
- Did the police respond appropriately?
- Did the police follow department policy?
- Did the police fail to act?



Rob Disario



617-957-2248

P.O. Box 40 South Walpole, MA 02071

robdisario.com/freebook

Representing Residents Injured in Nursing Homes



Anthony Leone

Past President of the Rhode Island Association for Justice

- Abuse and neglect
- Pressure and bed sores
- Resident falls
- Bed rail strangulation
- Dehydration and malnutrition related injuries
- Medication errors



1345 Jefferson Boulevard, Warwick, Rhode Island 02886

Tel (401) 921-6684 info@leonelawllc.com

In Memoriam

Gordon P. Cleary, Esq.

Gordon Paul Cleary, 67, died on Sunday, December 8, 2019. He was the husband of Dolores Aguon Cleary for forty-four years. Born in Flushing, NY, he was the son of the late John Cleary and Margaret Sweeney Cleary of Tiverton. Gordon graduated from Portsmouth High School in 1970. He went on to receive his undergraduate degree from the University of Rhode Island in 1974, graduating summa cum laude. He then went on to complete his legal studies at The George Washington University School of Law, receiving his Juris Doctorate in 1977. Graduating with highest honors, he was inducted into The Order of the Coif. He worked for thirty-seven years as a partner for the law firm of Vetter and White Inc. in Providence, RI, specializing in transportation/maritime and business litigation. He was voted as Rhode Island Super Lawyer for multiple years. Gordon served on the board of directors at the Addiction Recovery Institute in Pawtucket for the last twenty years. Upon his retirement from law, he was appointed as a director at ARI. He was a devout member of St. Mary's Parish since 1986, eventually becoming a Eucharistic minister and member of the church's finance committee. Besides his wife, he leaves one sister, Eileen Cleary Quindazzi and her husband Denis, of Tiverton, and five brothers: Thomas Cleary of Tiverton, John Cleary and his wife Carol of Barrington, Michael Cleary and his wife Lisa of Tiverton, Patrick Cleary and his wife Carolyn of Middletown and Matthew Cleary and his wife Shelli of Little Compton. He was also the father of the late Michael F. P. Cleary. He was predeceased by his sister Margaret Rose Cleary Farrell and nephew Adam Michael Cleary.

Joseph R. Palumbo, Esq.

Joseph R. Palumbo, 72, died on December 28, 2018. Born in Providence, he was the son of the late Joseph and Helen (Ricciardi) Palumbo. He married his wife of 48 years, Carol (Irons) Palumbo, on August 10, 1970. Joe was a graduate of Barrington High School and Providence College. He earned a law degree from Boston College and was an attorney in private practice for over 40 years. He was a member of the Newport County, Rhode Island and American Bar Associations. He was very active in the community, including serving as town solicitor of Middletown and Little Compton, president of the Newport Lions Club, a long-time member of the Board of the Newport County Community Mental Health Center, a member and sponsor of Newport Festa Italiana, and the proud sponsor of his daughters' little league softball team. Besides his wife, he is survived by his daughter Kristen, of Niantic, CT, his daughter Becky of Middletown, his son Matt of Flagstaff, AZ and his beloved grandson Brooks Venancio.

BUSINESS VALUATIONS

WE VALUE YOUR BUSINESS



Jack Cacchiotti, ASA

Accredited Senior Appraiser

 JCACCHIOTTI@RM-LLP.COM

 Qualified as an Expert in RI & MA Superior & Family Courts

 CPA with a Masters Degree in Taxation

Business Valuation & Litigation Support Expertise:

Estate Planning & Gifting
Mergers & Acquisitions

Divorce Litigation
Bank Financing

Shareholder Disputes
Buy/Sell Agreements



restivomonacelli

PROVIDENCE
BOCA RATON, FL

CERTIFIED PUBLIC ACCOUNTANTS
BUSINESS ADVISORS

401.273.7600
WWW.RM-LLP.COM



Arbitrator
■
Investigator
■
Mediator

Nicholas Trott Long, Esq.

401-351-5070

nicholas@ntlong.com

www.ntlong.com

R.I. Zoning Handbook, 3rd Edition by Roland F. Chase, Esq.

**NEW
EDITION!**

The essential guide to R.I.
(and federal) zoning law, written
in plain English and backed up by
thousands of detailed citations.

Completely updated!

From Lawyers Weekly Books

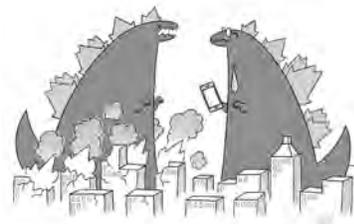
<http://books.lawyersweekly.com> or call Bill Cardinal at 617-218-8194

Caption This! Contest

We will post a cartoon in each issue of the *Rhode Island Bar Journal*, and you, the reader, can create the punchline.



Winning caption for
January/February



“Rhode Island.. I said Rhode Island NOT Long Island, Mr. Fancy GPS ... why can't you just stop and ask for directions like everyone else!”

THOMAS RYAN, ESQ.

How It Works: Readers are asked to consider what's happening in the cartoon above and submit clever, original captions. Editorial Board staff will review entries, and will post their top choices in the following issue of the *Journal*, along with a new cartoon to be captioned.

How to Enter: Submit the caption you think best fits the scene depicted in the cartoon above by sending an email to kbridge@ribar.com with “Caption Contest for March/April” in the subject line.

Deadline for entry: Contest entries must be submitted by April 1st, 2020.

By submitting a caption for consideration in the contest, the author grants the Rhode Island Bar Association the non-exclusive and perpetual right to license the caption to others and to publish the caption in its Journal, whether print or digital.

Advertiser Index

Ajootian, Charles – 1031 Exchange Services	25
Alliant Title and Escrow – Florida	36
Arbitrator – Nicholas Trott Long	37
Balsofiore & Company, Ltd. – Forensic Accounting, Litigation Support	28
Barrett Valuation Services, Inc.	35
Briden, James – Immigration Law	25
Coia & Lepore, Ltd.	32
Coia & Lepore, Ltd. – John Cascione	28
Coia & Lepore, Ltd. – Mediation	28
Dennis, Stephen – Workers' Compensation	13
Domain Properties – Real Estate Sales/Leasing	16
Enright Law LLC	34
Expert Witness – Rob DiSario	36
Fulweiler LLC – Marine-Related Legal Services	10
Gursky Wiens – Attorneys at Law, Ltd.	14
Humphrey, Richard – Law Offices	6
Lavoie Law LLC	13
LawPay	Back Cover
Leone Law, LLC – Anthony R. Leone II	36
Marasco & Nesselbush	18
Mathieu, Joan – Immigration Lawyer	6
Mignanelli & Associates, LTD. – Estate Litigation	15
Morowitz, David – Law Firm	8
Napatree Capital LLC/Wealth Advisors	35
Ocean Roads Realty – Real Estate Sales	32
Office Building for Sale – 999 Chalkstone Ave	32
Palumbo, Richard – Condominium Law	10
Palumbo, Richard – Property Damage & Insurance	12
PellCorp Investigative Group, LLC	22
Pfeiffer, Mark – Alternate Dispute Resolution	14
Piccerelli, Gilstein & Co. – Business Valuation	25
Purcell, Jim – ADR	12
Red Cave Legal Consulting	19
Restivo Monacelli LLP – Business Valuation Services	37
Rhode Island Legal Services	35
Rice, Amy – Arbitrator & Mediator	15
SecureFuture Tech Solutions	19
Shared Law Office Space Available	20
Slip & Fall – Henry S. Monti	16
Soss, Marc – Florida Estates/Probate/Documents	35
Vehicle Value Appraisals – Green Hill	22
Zoning Handbook, 3rd Edition – Roland Chase	37

Lawyers on the Move

Alicia L. Anthony, Esq. is now an associate at **Hinckley Allen**, 100 Westminster Street, Suite 1500, Providence, RI 02903.

(401) 457-5182 aanthony@hinckleyallen.com hinckleyallen.com

Ryan M. Gainor, Esq. is now a partner at **Hinckley Allen**, 100 Westminster Street, Suite 1500, Providence, RI 02903.

401-457-5324 rgainor@hinckleyallen.com hinckleyallen.com

Michael R. McElroy, Esq. and **Leah J. Donaldson, Esq.** are pleased to announce that their law firm, located at 21 Dryden Lane, Providence, RI 02904, has changed its name to **McElroy & Donaldson**.

401-351-4100 mcelroylawoffice.com

Keep Your Directory Listing Up to Date!

The Bar's online Attorney Directory is available for the convenience of Bar members, clients, and potential clients, so be sure to keep your listing up to date! Attorney Directory contact information may include the Bar member's name, photograph, law office name, postal address, email address, telephone number, and facsimile number. Have your photo taken at the Bar Association, or send in your own headshot to Erin Cute at ecute@ribar.com. Photographs must be provided in a jpg format of at least 300 dpi.

8 Tips to Help Overcome Everyday Anxiety



Re-Frame

Negative thoughts can take root in your mind and distort the severity of the situation. When negativity creeps in challenge your fears, ask if they're true, and see where you can take back control.

Acknowledge

Ignoring your anxiety won't make it go away, and it may make it even worse. Part of being an emotionally healthy person is acknowledging your feelings and not judging them.

Find Support

Build a strong support system. Talk it out when your worries start spiraling. Just talking face to face about your concerns can make them seem less threatening.

Get Moving

Exercise is a natural and effective anti-anxiety treatment. It relieves tension, reduces stress hormones, boosts feel-good chemicals, and physically changes the brain in ways that make it less anxiety-prone and more resilient.

Breathe

Inhale and exhale slowly throughout the day when you're feeling stressed. By evening out your breath, you'll slow your heart rate which should help calm you down.

Get Help

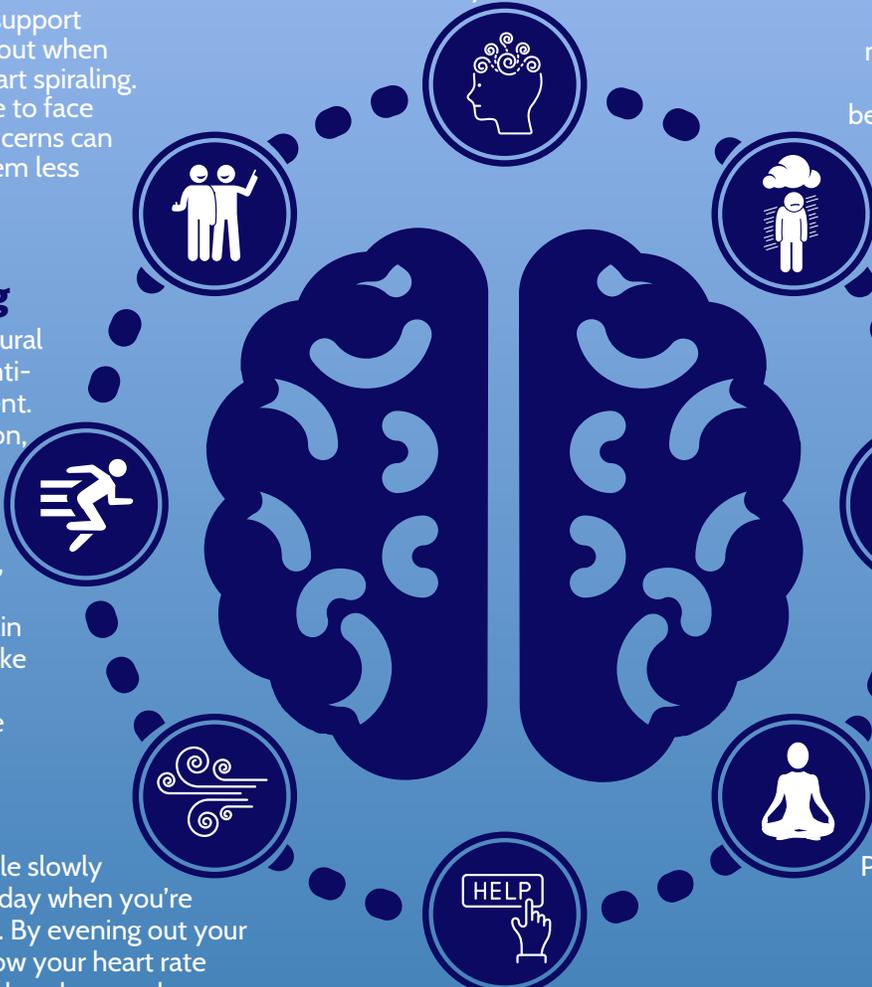
If you've given self-help a fair shot, but still can't seem to shake your worries and fears, it may be time to see a mental health professional.

Write it Down

Writing down what's making you anxious gets it out of your head and can make it less daunting. Putting your thoughts on paper can also help you find a pattern of what triggers your anxiety.

Take a Time-Out

Practice yoga, listen to music, meditate, get a massage, or learn relaxation techniques. Stepping back from the problem helps clear your head.



Lawyers Helping Lawyers

A Rhode Island Bar Association Member Benefit. For more information, visit our website at ribar.com, and the *Do You Need Confidential Help Quick Link*. Also learn how to log in to *Coastline EAP*, a private non-profit consulting service contracted by the Association to assist you at no charge.

LAWPAY[®]

AN AFFINIPAY SOLUTION

POWERING PAYMENTS FOR THE LEGAL INDUSTRY

Powerful Technology

Developed specifically for the legal industry to ensure comprehensive security and trust account compliance

Powering Law Firms

Plugs into law firms' existing workflows to drive cash flow, reduce collections, and make it easy for clients to pay

Powering Integrations

The payment technology behind the legal industry's most popular practice management tools

Powered by an Unrivaled Track Record

15 years of experience and the only payment technology vetted and approved by 110+ state, local, and specialty bars as well as the ABA



RHODE ISLAND
Bar Association

Proud Member
Benefit Provider

ACCEPT PAYMENTS WITH LAWPAY
877-947-2631 | lawpay.com/riba

