



2020

Rhode Island Bar Association
**VIRTUAL ANNUAL
MEETING SERIES**

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2020 VIRTUAL ANNUAL MEETING SERIES

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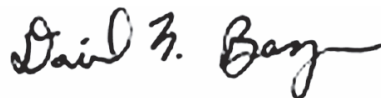
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2020 VIRTUAL ANNUAL MEETING SERIES

I can't tell you how disappointed I am that we aren't able to meet in person for our most exciting educational and social event of the year, but of course, the health and safety of our members is paramount. Our RIBA staff, Annual Meeting Planning Committee, and volunteer panelists worked so hard over the last eight months to put together what would have been another exceptional Meeting, and it would have been to our own detriment to just let it all go to waste. That is why I am so proud that we were able to turn many of our planned workshops into live webinars available to our members over the next couple of months. I realize that the most charming part of our Annual Meeting is the face-to-face interaction with colleagues, some of whom we may not have seen since the previous year's Meeting. And learning in a group setting can foster connections with our peers that are of utmost importance in our profession where one's network is so critical. I promise you that we will have all of that back as soon as safely possible. But in the meantime, we hope that you will sign up for several of the programs detailed on the following pages; the panelists have outdone themselves, as usual, to present you with unique learning experiences on timely topics to drive your professional development. And remember, your CLE credits can carry over to next year; it'll feel good to be at the top of the ladder at this time next year. Thank you for allowing me to serve you over this past year. I couldn't have picked a more challenging year to be Bar president, and I'm not sure I can say I would do it all again, but it has been an honor.



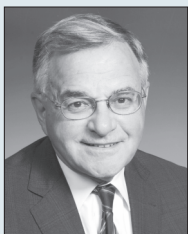
David N. Bazar, Esq.
President, Rhode Island Bar Association



Michael R. McElroy, Esq.
President
RI Bar Foundation

Rhode Island Bar Foundation

The Rhode Island Bar Foundation Annual Meeting, which will be hosted by President Michael R. McElroy and the Board of Directors, is traditionally held in conjunction with the Rhode Island Bar Association Annual Meeting, however, the 2020 annual election will be conducted remotely due to the current pandemic. The Foundation is looking forward to recognizing the new Foundation Fellows, the recipient organizations of Interest on Lawyers Trust Account (IOLTA) grants, the recipients of the Thomas F. Black, Jr., Memorial Law School Scholarships, and the recipients of the Honorable Thomas J. Caldaroni, Jr. Fellowship Awards at a later time.



Richard P. D'Addario, Esq.

Congratulations to incoming Bar President Richard P. D'Addario, Esq. whose term officially starts on July 1, 2020. The 2020 annual election will be held remotely on Thursday, June 18th at 9:00 am. More information will be distributed to Bar members in the coming weeks.

SCHEDULE AT A GLANCE

All programs are \$35 each. If you sign up for 3 or more of these programs, you will receive a \$5 discount PER PROGRAM (you must register/pay for all three at time of registration to receive discount). For example, if you sign up for three programs, the cost will be \$90. If you sign up for four programs, the cost will be \$120. *Click on any seminar title to register. If you are signing up for three or more programs, click the Special Offer banner from the registration page to register for courses and receive your discount.*

- 1 Cross-Examinations: Homicidal or Suicidal?**
May 27, Wednesday
12:30 – 3:00pm, 2.5 credits
- 2 Arbitration Essentials: Preparation and Procedure**
May 28, Thursday
12:00 – 1:00pm, 1.0 credit
- 3 The 20/20 of Animal Law Practice Part One: Animal Inclusion in Estate Planning and Correlation Between Animal Abuse and Child/Human Abuse**
June 3, Wednesday
12:30 – 2:00pm, 1.5 credits
- 4 Field Guide to Rhode Island Real Estate Liens and How to Find Them Through the Title Search Process**
June 4, Thursday
10:45am – 12:00pm, 1.5 credits
- 5 Medical and Property Affidavits: How to Use Them Most Effectively**
June 5, Friday
12:30 – 1:30pm, 1.0 credit
- 6 Now What? My Client Is in Florida!**
June 10, Wednesday
2:00 – 4:00pm, 1.0 credit + 1.0 ethics
- 7 Health Care Data: Who's Protecting It, How to Get It (Legally), and the Consequences for Breaking the Privacy Laws**
June 11, Thursday
10:45am – 12:00pm, 1.5 credits
- 8 Update on the Lawyer Well-Being Project**
June 12, Friday
3:00 – 4:15pm, 1.5 ethics
- 9 COVID-19 Issues for Employers**
June 18, Thursday
10:45am – 12:00pm, 1.5 credits
- 10 Navigating Multi-Level Regulatory Schemes: Examples in Cannabis and Liquor**
June 18, Thursday
10:45am – 12:00pm, 1.5 credits
- 11 Helping Clients and Their Families Navigate Long-Term Care Eligibility**
June 18, Thursday
1:30 – 2:45pm, 1.5 credits
- 12 Understanding Business Valuations, Tracing of Assets and Expenses and Executive Compensation**
June 18, Thursday
2:00 – 3:15pm, 1.0 credit + .5 ethics
- 13 Special Needs Planning: What Estate Planners and Plaintiffs' Attorneys Need to Know**
June 19, Friday
9:00 – 10:15am, 1.5 credits
- 14 The 20/20 of Animal Law Practice Part Two: Vicious Dog Hearings and Animal Businesses and Liability**
June 24, Wednesday
12:30 – 2:00pm, 1.5 credits
- 15 Commercial Law Update: Part 1**
June 29, Monday
9:00 – 10:15am, 1.5 credits
- 16 Commercial Law Update: Part 2**
June 29, Monday
10:45am – 12:00pm, 1.5 credits
- 17 Drones in the National Airspace: Where We Are and Where We Are Heading, An Overview of FAA Regulations and Legal Hurdles**
June 30, Tuesday
1:00 – 2:00pm, 1.0 credit

CANCELLATION POLICY All sales are final and not returnable. A purchased program can be viewed as an on-demand program if you miss the live version. For more information, please call the CLE Office (401) 421-5740.

SCHEDULE

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May 27, Wednesday

12:30 – 3:00pm

2.5 CREDITS

LEVEL – ALL

1 Cross-Examinations: Homicidal or Suicidal?

Presenter: Michael J. Colucci, Esq., *Olell & Penza, LLP*

Often viewed as the source of most trial highlights, cross-examination, when done right, can and should be persuasive, powerful and, when appropriate, lethal. It is an unfortunate reality that too many of us ignore the corollary that when done wrong, cross-examination can too often be suicidal. This program explores a variety of highly effective and unique techniques designed to enhance your ability to achieve a lethal cross-exam while avoiding the pitfalls that cause needless harm and injury to your case.

May 28, Thursday

12:00 – 1:00pm

1.0 CREDIT

LEVEL – BEGINNER

2 Arbitration Essentials: Preparation and Procedure

Presenters: Jennifer L. Sylvia, Esq., *Moses Ryan, Ltd.*

Benjamin A. Pushner, Esq., *Law Offices of Jeffrey S. Glassman, LLC*

Jason M. Nystrom, Esq., *Law Offices of Patrick T. Conley, Jr.*

Arbitration can be a great alternative dispute resolution method to obtain an effective, efficient, and timely outcome for your client. This seminar provides an overview of the proper rules and procedures for the most common types of arbitration, such as statutory arbitration for motor vehicle accidents, court-annexed arbitration, and binding arbitration. It also includes practical tips from the plaintiff and defendant perspectives, as well as from the viewpoint of an arbitrator.

June 3, Wednesday

12:30 – 2:00pm

1.5 CREDITS

LEVEL – BEGINNER

3 The 20/20 of Animal Law Practice Part One: Animal Inclusion in Estate Planning and Correlation Between Animal Abuse and Child/Human Abuse

Presenters: David P. Craven, Esq., *David Craven, Attorney at Law*

Shelley G. Prebenda, Esq., *Law Office of Shelley G. Prebenda*

The human-animal bond is a valuable and dynamic relationship, and many clients need attorneys to resolve their animal-related legal needs. This program is a practical guide for how to include your client's pets as part of their estate plan. This includes helping your clients ensure for the care and custody of their pets during incapacity and after death.

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SCHEDULE

June 4, Thursday

10:45am – 12:00pm

1.5 CREDITS

LEVEL – ALL

4

Field Guide to Rhode Island Real Estate Liens and How to Find Them Through the Title Search Process

Moderator: Rebecca C. Cox, Esq., *Connecticut Attorneys Title Insurance Company (CATIC)*

Presenters: Linda M. Tessman, Esq., *Fidelity National Title Insurance Company*

Michael B. Mellion, Esq., *Fidelity National Title Insurance Company*

Is a hospital lien a lien on real estate? If unpaid motor vehicle taxes appear on a municipal lien certificate, does that make them a lien on real estate? When does a lien for unpaid common area charges on a condominium unit arise? What is the priority of this lien and how is it released? And just how are these liens found through the title search process? This seminar answers these and other questions about liens that attach to Rhode Island real estate, and how to find them by performing a title search. The seminar materials provide a brief description of the most commonly encountered statutory real estate liens and include a handy reference table explaining when they expire or how they are released, including hyperlinked citations to supporting statutes.

Attendees also learn how to identify liens through the title search process, which liens enjoy a “super lien” status, which liens attach to after-acquired property, and which liens survive a foreclosure.

June 5, Friday

12:30 – 1:30pm

1.0 CREDIT

LEVEL – INTERMEDIATE

5

Medical and Property Affidavits: How to Use Them Most Effectively

Presenters: Mark B. Morse, Esq., *Law Office of Mark B. Morse, LLC*

Donna M. Lamontagne, Esq., *Lamontagne, Spaulding & Hayes, LLP*

This presentation concentrates on the use of medical affidavits and property damage affidavits as evidence in trial. The discussion reviews the most effective use of affidavits, the statutory requirements for use of affidavits, and the effect of the 2012 amendments to R.I. Gen. Laws § 9-19-27. Practical evidentiary considerations are also discussed.

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SCHEDULE

June 10, Wednesday

2:00 – 4:00pm

1.0 CREDIT + 1.0 ETHICS

LEVEL – INTERMEDIATE

6

Now What? My Client Is in Florida!

Presenters: Bernard A. Jackvony, Esq., *Pannone Lopes Devereaux & O’Gara LLC*
Leah A. Foertsch, Esq., *Pannone Lopes Devereaux & O’Gara LLC*
Jason Palmisano, Esq., *Pannone Lopes Devereaux & O’Gara LLC*
Gene Carlino, Esq., *Pannone Lopes Devereaux & O’Gara LLC*
Rebecca Murphy, Esq., *Pannone Lopes Devereaux & O’Gara LLC*

Florida is the perennial leading destination for Rhode Islanders, whether it’s the enjoyment of a winter vacation home, a business venture, or establishing domicile in Florida. In addition to no income tax and no estate tax in Florida, and creditor and homestead protections, there are other benefits to being in Florida part-time or full-time. Attorneys enhance serving client interest by knowing these differences and the impact they have on their Rhode Island clients.

June 11, Thursday

10:45am – 12:00pm

1.5 CREDITS

LEVEL – BEGINNER

7

Health Care Data: Who’s Protecting It, How to Get It (Legally), and the Consequences for Breaking the Privacy Laws

Presenters: Deborah George, Esq., *Robinson+Cole*
Kelly McGee, Esq., *Lifespan Corporation*
Adelita Orefice, Esq., *Barrett & Singal, PC*

In this session, participants learn about the federal and state laws that protect an individual’s health care information, the conditions under which a health care provider can share an individual’s health care data (particularly with attorneys), the obligations of health care provider business associates to protect health care data, and the common causes and consequences of health care data breaches, including recent Office of Civil Rights Enforcement Actions.

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June 12, Friday

3:00 – 4:15pm

1.5 ETHICS

LEVEL – ALL

8

Update on the Lawyer Well-Being Project

Moderator: Nicholas Trott Long, *Lawyers Helping Lawyers Committee*

Speakers: Charlene Pratt, Esq., *RI Office of the Public Defender*
Cassandra Feeney, Esq., *Adler, Cohen, Harvey, Wakeman*
Stacie Collier, Esq., *Nixon Peabody, LLP*

This session presents the progress made and continuing challenges in Rhode Island and the national effort to improve lawyer well-being.

June 18, Thursday

10:45am – 12:00pm

1.5 CREDITS

LEVEL – ALL

9

COVID-19 Issues for Employers

Presenters: Timothy C. Cavazza, Esq., *Whelan Corrente & Flanders LLP*
Matthew H. Parker, Esq., *Whelan Corrente & Flanders LLP*

Employers have faced a complicated web of issues as a result of the COVID-19 pandemic. The presenters will answer the most frequently asked questions they have been facing and provide updates on the latest legislation and guidance coming out of the state and federal governments. Topics will include disability discrimination; disability inquiries; medical examinations; reasonable accommodations; leaves of absence; RI Healthy and Safe Families and Workplaces Act; Families First Coronavirus Response Act; temporary caregiver leave; traditional FMLA; ADA; loans, tax credits, and other funding opportunities; EIDL grants; PPP loans; employee retention credit; separation pay; WARN Act; unemployment benefits; layoffs v. furloughs; health insurance; and the CARES Act.

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SCHEDULE

June 18, Thursday

10:45am – 12:00pm

1.5 CREDITS

LEVEL – ALL

10

Navigating Multi-Level Regulatory Schemes: Examples in Cannabis and Liquor

Moderator: Jenna Giguere, Esq., *RI Department of Business Regulation*

Presenters: Dylan Conley, Esq., *Law Office of William J. Conley, Jr.*

Nicholas J. Hemond, Esq., *DarrowEverett LLP*

Benjamin L. Rackliffe, Esq., *Pannone Lopes Devereaux
& O’Gara LLC*

Lisa S. Holley, Esq., *Lisa Holley Law, LLC*

Attorneys representing clients in heavily regulated industries work within a complex framework of interacting federal, state, and municipal laws and authorities. Practical examples from two such industries, liquor and cannabis, give an interesting context to a panel discussion exploring practice in areas of overlapping jurisdictions.

June 18, Thursday

1:30 – 2:45pm

1.5 CREDITS

LEVEL – BEGINNER

11

Helping Clients and Their Families Navigate Long-Term Care Eligibility

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

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

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

Make sure your clients are financially eligible for Medicaid long-term care before you file! The presenters walk attendees through case studies for single and married persons needing nursing home care. Discussion includes information on preplanning, crisis planning, and how to stay abreast of changes to State Medicaid rules and regulations.

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SCHEDULE

June 18, Thursday

2:00 – 3:15pm

1.0 CREDIT + .5 ETHICS

LEVEL – ALL

12

Understanding Business Valuations, Tracing of Assets and Expenses and Executive Compensation

Moderator: Vincent A. DiMonte, Esq., *Attorney at Law*

Presenters: Jane E. McAuliffe, CDFA, *Collaborative Divorce Strategies*
Catherine E. Parente, CPA/ABV/CFE, CVA, CFE, MAFÉ,
Sansiveri Kimball & Co, LLP

This workshop explores the various approaches to business valuations and forensic tracing of pre-marital and marital assets and expenses in divorce. The presenters will also explore executive compensation and obstacles in valuing and dividing restricted stock units, non-qualified stock options, and incentive stock options, as well as the tax consequences. The panel will include case studies in their presentation.

June 19, Friday

9:00 – 10:15am

1.5 CREDITS

LEVEL – BEGINNER

13

Special Needs Planning: What Estate Planners and Plaintiffs' Attorneys Need to Know

Presenters: Elizabeth S. Phillips, Esq., *Hackman & Phillips Elder Law RI LLC*
Amanda E. Tarzwell, Esq., *Law Office of Gayle F. Tarzwell*

This panel provides an overview of special needs trusts, ABLE accounts, and other tools practitioners can use to preserve a client's eligibility for means-tested benefits such as Supplemental Security Income (SSI) and Medicaid. Through case studies, the presenters discuss how these strategies work together to meet the needs of clients. This presentation is beneficial not only to estate planners, but also litigators handling personal injury, medical malpractice, and workers' compensation claims to ensure clients understand their options and protect their benefits when receiving a settlement or proceeds from a lawsuit.

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June 24, Wednesday

12:30 – 2:00pm

1.5 CREDITS

LEVEL – BEGINNER
INTERMEDIATE

14

The 20/20 of Animal Law Practice Part Two: Vicious Dog Hearings and Animal Businesses and Liability

Presenters: Mark B. Morse, Esq., *Law Office of Mark B. Morse, LLC*
David P. Craven, Esq., *David Craven, Attorney at Law*

The human-animal bond is a valuable and dynamic relationship, and many clients need attorneys to resolve their animal-related legal needs. This program offers practical recommendations for how to advise animal-related businesses on contractual issues, liability exposure and mitigation, insurance considerations, and effective policies and procedures.

June 29, Monday

9:00 – 10:15am

1.5 CREDITS

LEVEL – ALL

15

Commercial Law Update: Part 1

Presenters: Steven O. Weise, Esq., *Prosauker Rose, LLP*
Edwin Smith, Esq., *Morgan Lewis & Bockus, LLP*
Patrick A. Guida, Esq., *Duffy & Sweeney, Ltd.*
Lisa Kresge, Esq., *Brennan, Recupero, Cascione, Scungio
& McAllister, LLP*
Thomas S. Hemmendinger, Esq., *Brennan, Recupero, Cascione,
Scungio & McAllister, LLP*

A review of various commercial law-related court decisions from around the United States with some emphasis on Rhode Island Supreme Court, Superior Court, and U.S. District Court cases decided in the RI District Court and for which written decisions were issued during the last 12 months.

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June 29, Monday

10:45am – 12:00pm

16

Commercial Law Update: Part 2

1.5 CREDITS

LEVEL – ALL

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

Edwin Smith, Esq., *Morgan Lewis & Bockus, LLP*

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

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

Thomas S. Hemmendinger, Esq., *Brennan, Recupero, Cascione, Scungio & McAllister, LLP*

Part two of the panelists' review of various commercial law-related court decisions from around the United States with some emphasis on Rhode Island Supreme Court, Superior Court, and U.S. District Court cases decided in the RI District Court and for which written decisions were issued during the last 12 months.

June 30, Tuesday

1:00 – 2:00pm

17

Drones in the National Airspace: Where We Are and Where We Are Heading, An Overview of FAA Regulations and Legal Hurdles

1.0 CREDIT

LEVEL – ALL

Presenter: Kathryn M. Rattigan, Esq., *Robinson+Cole LLP*

Drones are becoming increasingly important for businesses of all types and sizes, and while many drone applications already exist, many more will certainly arise as drone technology continues to evolve and advance. In this seminar, the presenter explains how drones can collect valuable data and increase productivity, safety and efficiency across all industries. The discussion also reviews the Federal Aviation Administration's Part 107 regulations, waivers, the FAA "DroneZone" and the FAA's LAANC portal, enforcement at both the state and federal level, voluntary best privacy and cybersecurity practices, and how our clients can comply with these regulations and practices when their drones hit the sky.

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Rhode Island Bar Association Annual Awards

While we will not be able to honor this year's outstanding award winners in June, we are looking forward to planning an event, to take place as soon as we're able to do so safely, to properly recognize the outstanding work of the following members who have demonstrated an extraordinary commitment to the profession.

Rhode Island Bar Journal Lauren E. Jones, Esq. Writing Award

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

Members will be notified of winner in early June

2020 Pro Bono Awards

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

VOLUNTEER LAWYER PROGRAM

Doris A. Lavalley, Esq.

PRO BONO PROGRAM FOR THE ELDERLY

Gregory P. Sorbello, Esq.

CONTINUING SERVICE AWARD

Phillip C. Koutsogiane, Esq.

Victoria M. Almeida Servant Leader Award

Presented to an individual who demonstrates the principles and values of servant leadership and who is a beacon of light and hope to others by illuminating the path to greater justice for all. A servant leader is one who puts the needs of an organization or others before oneself. A servant leader has the innate quality of wanting to serve others and, for that reason, takes the care to ensure the needs of others are met.

Christine J. Engustian, Esq.

Ralph P. Semonoff Award for Professionalism

Presented to an attorney who has, by his or her ethical and personal conduct, commitment and activities exemplified, for fellow Rhode Island attorneys, the epitome of professionalism in the law, advancing the calling of professional practice through leadership, high standards of integrity, commitment and dedication.

Thomas M. Dickinson, Esq.

Florence K. Murray Award

Presented to a person who by example or otherwise has influenced women to pursue legal careers, opened doors for women attorneys, or advanced opportunities for women within the legal profession.

Susan Leach DeBlasio, Esq.

Honorary Members

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

Robert E. Allen Jr., Esq.

Hon. Haiganush R. Bedrosian

Robert V. Colagiovanni, Esq.

Hon. Francis J. Darigan, Jr.

Hon. Stephen J. Fortunato Jr.

Ernest D. Humphreys, Esq.

William H. Ise, Esq.

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