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## Sunken Treasure: Law, Technology & Ethics (Maritime Law Symposium) (August 13-15)

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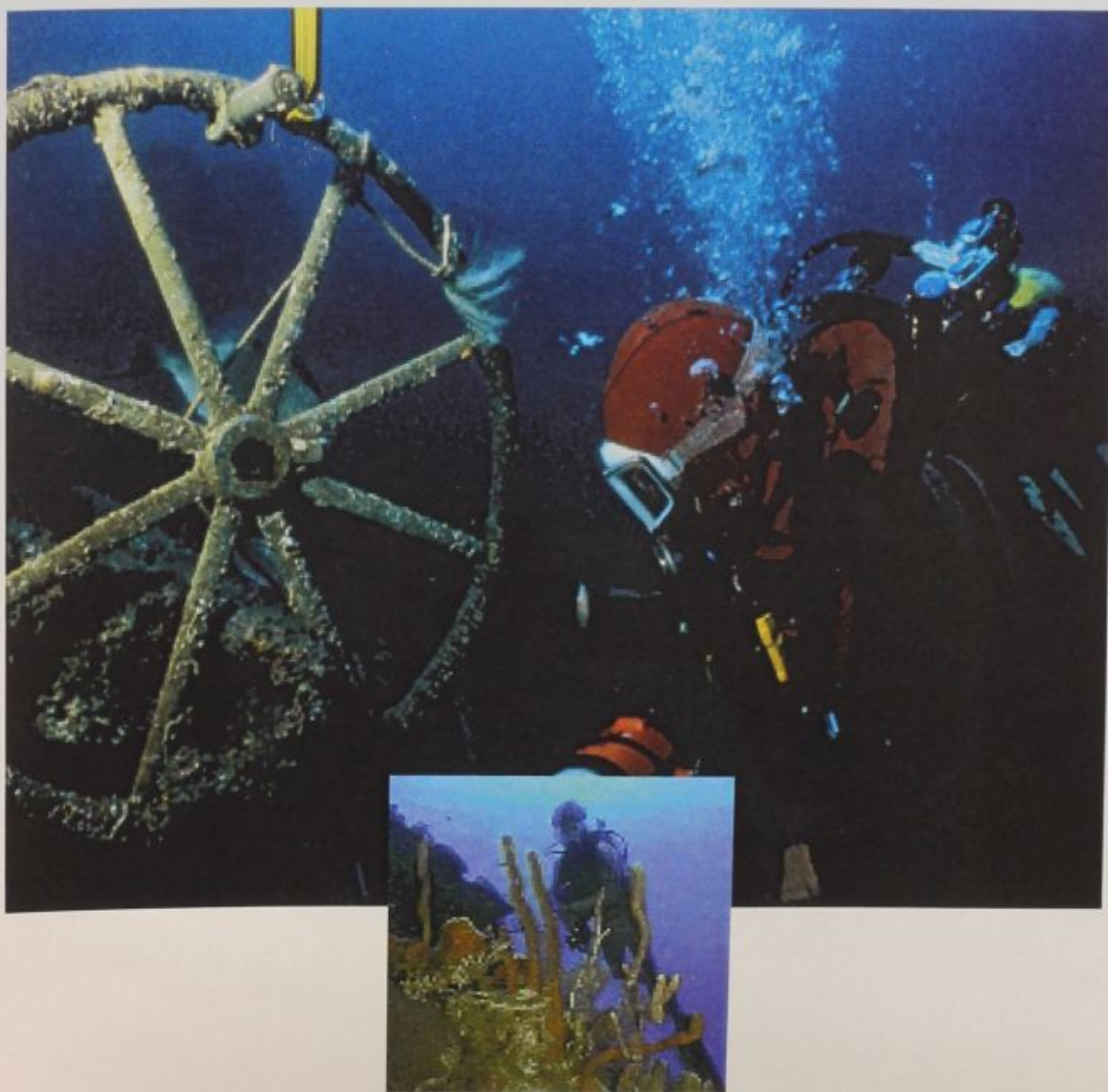
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## SUNKEN TREASURE: LAW, TECHNOLOGY & ETHICS

*August 13-15, 1998  
Newport, Rhode Island*



MARITIME LAW SYMPOSIUM  
*Sunken Treasure: Law, Technology and Ethics*  
*Newport & Bristol, Rhode Island*

Thursday, August 13, 1998

3:00 - 5:30      *Registration* - Lobby, Newport Marriott

5:30 - 7:00      *Opening Reception* - Atrium, Newport Marriott

Friday, August 14, 1998

(All sessions on Friday will take place at Roger Williams University)

8:45 a.m.      Bus departs for Roger Williams University campus, Bristol

9:30 - 9:40      *Welcome*

9:40 - 10:15      *An Overview of Commercial Salvage in the Context of Marine Archaeology* - Professor Joseph C. Sweeney (Fordham University) With its incorporation of the law of finds and its respect for states' rights, treasure salvage law has been called one of the most "maddeningly complex" areas of modern admiralty practice. This lecture offers a bird's eye view of the subject while paying particular attention to such problem areas as jurisdiction, choice of law, and governmental immunity.

10:15 - 10:50      *Canadian Treasure: Law and Lore "The Bejewelled Mud"* - Steven R. Yormak, Esq. (Yormak & Yormak, London, Ontario) Unlike the United States, which has been grappling with the legal issues arising from treasure salvage for years, Canada has only recently begun to address the subject. This session provides an overview of Canadian treasure salvage law and explains why it is developing along lines that are very different from the United States.

10:50 - 11:00      *Break*

11:00 - 11:30      *Archaeology & the Search for Shipwrecks* - Ian Roderick Mather (University of Rhode Island) will examine past, present, and future uses of technology for the location of submerged cultural resources. Visual, acoustical, and magnetic search techniques will be discussed.

11:30 - noon      *The Abandoned Shipwreck Act Through the Eyes of its Drafter* - Dr. Anne G. Giesecke (Washington, D.C.) The author of the Abandoned Shipwreck Act provides a look back at the struggles surrounding its passage and comments on how the statute is holding up after a decade of court rulings.

12:15-2:00 p.m. *Lunch at the School of Law*

1:30-2:00      *Revolutionary War Shipwreck Artifacts* - on display in the Center for Economic and Environmental Development building, Room 203.



MARITIME LAW SYMPOSIUM  
*Sunken Treasure: Law, Technology and Ethics*  
*Newport & Bristol, Rhode Island*

*Note: Attendees interested in recovery issues should follow the (a) track. Attendees interested in preservation issues should follow the (b) track.*

2:00-2:30      (a) *Getting the Expedition "In the Water"* - Edward W. Horan, Esq. (Horan and Horan, Key West, FL) Getting a treasure salvage expedition into the water requires sponsors, personnel, equipment, insurance, and lots of planning. This presentation will provide tips on how attorneys can help their clients have a smooth sendoff.

(b) *Should There Be Such A Thing As Treasure Salvage?* - Ole Varmer, Esq. (National Oceanic and Atmospheric Administration, Silver Spring, MD) Depending on one's point of view, treasure salvage is either history's best friend or worst enemy. This lecture offers a critical examination of the benefits and drawbacks of treasure salvage.

2:30-3:00      (a) *Wrecked Again: How the State of Illinois Destroyed the Lady Elgin* - Paul N. Keller, Esq. (Park Ridge, IL) Because of the current system of overlapping jurisdiction, a treasure salvor's attorney must be prepared to deal with officials from many different governmental units. This session identifies the various actors and offers suggestions for negotiating with them.

(b) *Salvor-Sovereign Relations: The Sovereign's Perspective* - Philip A. Berns, Esq. (United States Department of Justice, San Francisco, CA) Despite the passage of the Abandoned Shipwreck Act, the federal government continues to play an important role in regulating treasure salvage. This address will describe the more important aspects of the federal government's treasure salvage policies.

3:00-3:15      *Break*

3:15-3:45      (a) *Post-Recovery Issues* - Richard T. Robol, Esq. (Columbus-America Discovery Group, Columbus, OH) Salvors who are lucky enough to find treasure face a myriad of post-recovery issues, from negotiating movie deals and book contracts to dividing up the profits among the investors and crew. This presentation offers tips for dealing with the most common post-recovery problems.

(b) *The Rhode Island Ship Gem: Slavor or Propaganda* - Dr. D.K. Abbass, Director, Rhode Island Marine Archaeology Project (Newport, RI) Numerous public and private agencies are working to ensure that the riches of the deep are preserved for both present and future generations. The many different efforts now underway will be profiled in this talk.

4:00              *Bus returns to the Newport Marriott*

6:45              *Bus leaves for Clambake*

7:00-10:00      *New England Clambake* - International Yacht Restoration School, Newport

MARITIME LAW SYMPOSIUM  
*Sunken Treasure: Law, Technology and Ethics*  
*Newport & Bristol, Rhode Island*

Saturday, August 15, 1998

*(All sessions on Saturday take place at the Newport Marriott)*

9:30-9:35 a.m. *Announcements*

9:35-10:25 *The Trouble with Treasure: Ethical Dilemmas for the Salvage Attorney* - Peter E. Hess, Esq. (Wilmington, DE) Like other lawyers, attorneys who represent treasure salvage must be keenly aware of their ethical obligations. This lecture analyzes the most common professional responsibility problems encountered by treasure salvage lawyers including fee arrangements, client secrets, and candor towards third parties and tribunals.

10:25-10:55 *Treasure Salvage and the United States Supreme Court: Issues Remaining after the Brother Jonathan* - Professor John Paul Jones (University of Richmond, VA) Although the United States Supreme Court has issued two major opinions on treasure salvage during the past fifteen years, numerous questions remain unanswered. This session will suggest what they are and how they might be resolved.

10:55-11:10 *Break*

11:10-noon *"Pirates, Plunder and Protection: Do We Need An International Treaty to Preserve the Underwater Cultural Heritage?"* - A Debate Between Professors James A.R. Nafziger (Willamette University, WA) and David J. Bederman (Emory University, GA) In 1993, the Committee on Cultural Heritage Law of the International Law Association concluded work on a Draft Convention on the Protection of the Underwater Cultural Heritage. Professor Nafziger, who served as the Committee's Rapporteur, will debate the merits of the treaty with Professor Bederman, one of the convention's leading opponents.

noon-5:00 p.m. *Optional Outdoor Activities*

- Sailing
- Colonial History Walking Tour

5:30-7:00 *Closing Reception* - Atrium, Newport Marriott



MARITIME LAW SYMPOSIUM  
*Sunken Treasure: Law, Technology and Ethics*  
*Newport & Bristol, Rhode Island*

MARITIME LAW SYMPOSIUM CHAIRMEN



**Matthew P. Harrington** - Matthew P. Harrington is Dean of Academic Affairs, Associate Professor of Law and Director of the Marine Affairs Institute at Roger Williams University in Bristol, Rhode Island and Co-Associate Editor of the *Journal of Maritime Law and Commerce*. At

present, Professor Harrington is writing a book for Lloyd's of London Press entitled "American Admiralty Law and Practice." Professor Harrington holds a B.Th. from McGill University, a J.D. from Boston University, and an LL.M. from the University of Pennsylvania.



**Robert M. Jarvis** - Robert M. Jarvis is a Professor of Law at Nova Southeastern University in Fort Lauderdale and is the Editor of the *Journal of Maritime Law and Commerce*. Currently editing a book for Cornell Maritime Press entitled "The Law of Cruise Ships," Professor Jarvis

holds a B.A. from Northwestern University, a J.D. from the University of Pennsylvania, and an LL.M. from New York University.

SPEAKERS



**D.K. Abbass** - Dr. Kathy Abbass is the director of the Rhode Island Marine Archaeology Project (RIMAP) - a shipwreck preservation clearinghouse, research institute, and training center located in Newport. Prior to founding RIMAP, Dr. Abbass served first as a professor at Norfolk State University in Virginia and later as the director of the Museum of Yachting in Newport. An accomplished marine surveyor, Dr. Abbass holds a B.A., an M.A., and a Ph.D. (in anthropology) from Southern Illinois University.



**David J. Bederman** - David J. Bederman is a Professor of Law at Emory University in Atlanta and the Case Note Editor of the *Journal of Maritime Law and Commerce*. Professor Bederman has served as counsel in numerous historic shipwreck cases including those involving the *Brother Jonathan*, *Seabird*, and *Pangaea*. Professor Bederman holds an A.B. from Princeton University, a J.D. from the University of Virginia, and a Ph.D. from the University of London. Following his graduation from law school, Professor Bederman clerked for the Honorable Charles E. Wiggins of the United States Court of Appeals for the Ninth Circuit.



**Philip A. Berns** - Philip A. Berns is the Attorney-in-Charge of the Torts Branch of the United States Department of Justice in San Francisco. Prior to assuming his current position, he was for many years an attorney in the Admiralty Section of the United States Department of Justice in New York City. An Associate Editor of *American Maritime Cases* and a past member of the Executive Committee of the Maritime Law Association of the United States, Mr. Berns holds a B.S. from the New York State Maritime College and an LL.B. from Brooklyn Law School.



**Anne G. Giesecke** - Anne G. Giesecke currently serves as Vice President-Environmental Activities for the American Bakers Association in Washington, D.C. Prior to entering the private sector, Dr. Giesecke worked for the United States Department of the Interior and the United States Environmental Protection Agency. While on detail from the Department of the Interior to the Merchant Marine and Fisheries Committee of the United States House of Representatives, she drafted the legislation that became the Abandoned Shipwreck Act of 1987. Dr. Giesecke holds a B.A. and an M.Ed. from Boston University, an M.A. from the State University of New York (Binghamton), and a Ph.D. (in anthropology) from Catholic University.



**Peter E. Hess** - Peter E. Hess maintains his own law practice in Wilmington, Delaware. One of the nation's leading treasure salvage lawyers, he has served as counsel in cases involving the recovery of the *Andrea Doria*, *Lady Elgin*, and *Sindia*. In 1989, he received the Order of Excellence Award from the Alliance for Maritime Heritage Conservation. In addition to serving as the chairman of the Philadelphia chapter of the famed Explorers Club, Mr. Hess is an adjunct professor of law at Widener University. He holds a B.A. from the University of Virginia and a J.D. from Tulane University and is admitted to practice in Delaware, New Jersey, and Pennsylvania.



**Edward W. Horan** - Edward W. Horan is a partner in the Key West law firm of Horan and Horan. During his career Mr. Horan has represented both the legendary explorer Mel Fisher and his company, Treasure Salvors, Inc., in connection with their recovery of the fabled Spanish galleon *Nuestra Senora de Atocha*. Mr. Horan holds a B.S. and a J.D. from Florida State University and is a member of the Florida bar.



**John Paul Jones** - John Paul Jones is a Professor of Law at the University of Richmond and an Associate Editor of the *Journal of Maritime Law and Commerce*. An expert on constitutional law, in 1992 Professor Jones served as an advisor to the Constitutional Commission of the Republic of Albania. Professor Jones holds a B.A. from Marquette University, a J.D. from the University of San Diego, and an LL.M. from Yale University. Following his graduation from law school, Professor Jones clerked for the Honorable David Schwartz of the United States Court of Claims.



**George Jay Joseph** - George Jay Joseph is the founder and publisher of the *Journal of Maritime Law and Commerce*. In addition to overseeing its operations (as well as those of its sister publication, the *Journal of Law and Education*), Mr. Joseph is the Chairman of Yellow Transportation, Inc., the leading ground transportation company in the greater Baltimore/Washington, D.C. area. Mr. Joseph holds a B.A. from Pennsylvania State University and an LL.B. from the University of Virginia.





**Paul N. Keller** - Paul N. Keller is the City Attorney for the city of Park Ridge, Illinois. Mr. Keller also serves as counsel to the noted explorer Harry Zych and has appeared on Mr. Zych's behalf before numerous federal courts in connection with his salvage of the historic shipwrecks *Lady Elgin* and *Seabird*. Mr. Keller holds a B.A. from Albion College and a J.D. from Wayne State University and is admitted to practice in the District of Columbia, Illinois, and Michigan.



**Ian Roderick Mather** - Ian Roderick Mather is an Assistant Professor of Maritime History at the University of Rhode Island (Kingston). An expert on the archaeological investigation of historical shipwrecks and cultural resource management, he has conducted extensive field research for the United States Army, Corps of Engineers, and the Florida Department of Transportation. Professor Mather holds a B.A. in history and philosophy from Leeds University, an M.A. in nautical archaeology and maritime history from East Carolina University, and a D.Phil. in history from the University of Oxford.



**James A.R. Nafziger** - James A.R. Nafziger is the Thomas B. Stoel Professor of Law and Director of International Programs at Willamette University in Salem, Oregon. A past member of the Executive Council of the American Society of International Law, Professor Nafziger currently serves as the Vice President of the American branch of the International Law Association (ILA). As Rapporteur of the ILA's Committee on Cultural Heritage Law, he played a leading role in the promulgation of its Draft Convention on the Protection of the Underwater Culture Heritage. Professor Nafziger holds a B.A. and an M.A. from the University of Wisconsin and a J.D. from Harvard University.



**Richard T. Robol** - Richard T. Robol is the Executive Vice President and General Counsel of the Columbus-America Discovery Group, Inc. of Columbus, Ohio and is also of counsel to the Virginia Beach law firm of Huff, Poole & Mahoney. Admitted to practice in the District of Columbia, Ohio, and Virginia, Mr. Robol holds a B.A. from the University of Virginia and a J.D. from Harvard University. Upon his graduation from law school, Mr. Robol clerked for the Honorable John A. MacKenzie of the United States District Court for the Eastern District of Virginia.



**Joseph C. Sweeney** - Joseph C. Sweeney is the John D. Calamari Distinguished Professor of Law at Fordham University in New York City. A co-author (with Nicholas J. Healy) of the highly-respected treatise *The Law of Marine Collision* and a member of the Editorial Board of the *Journal of Maritime Law and Commerce*, Professor Sweeney has served as the United States Representative or Alternate Representative to numerous diplomatic conferences on international transportation and trade law. He holds an A.B. from Harvard University, a J.D. from Boston University, and an LL.M. from Columbia University.





**Ole Varmer** - Ole (pronounced Ola) Varmer is an Attorney-Advisor in the Office of General Counsel for Ocean Services of the National Oceanic and Atmospheric Administration (NOAA) in Silver Spring, Maryland. In that position, he represents the NOAA on environmental and historic preservation matters before numerous domestic and international bodies, including the International Maritime Organization and the United States Congress. Prior to joining the NOAA, Mr. Varmer was an Attorney-Advisor at the United States Department of Commerce. Mr. Varmer holds a B.S. from Columbia Union College and a J.D. from Yeshiva University.



**Steven R. Yormak** - Steven R. Yormak is a partner in the London, Ontario law firm of Yormak & Yormak. An experienced courtroom advocate, Mr. Yormak currently serves as an advisor to the group of salvors whose test case is helping to shape Canada's emerging law of treasure salvage. Mr. Yormak received his B.A. from Tufts University and his LL.B. from the University of Western Ontario and is admitted to practice in Ontario.

The views and opinions expressed by the speakers are their own and do not necessarily represent those of the Roger Williams University School of Law or the *Journal of Maritime Law and Commerce*.

## GENERAL INFORMATION

### Artifacts Display

We are pleased to have artifacts for display that have been recovered from Revolutionary War shipwreck artifacts. The Rhode Island Historical Preservation and Heritage Commission is hosting a display in the Center for Economic and Environmental Development building, Room 203 (through the double doors) on Friday during registration, the morning break, and again from 1:30 p.m. to 2:00 p.m.

### Badges

All registrants must present the official Maritime Law Symposium badge to be admitted to Symposium events. Clambake and luncheon tickets are in the badge holder behind your badge. Badges have been provided for guests and should be presented at Symposium events.

### Clambake

This traditional New England dinner will be served under a tent on the pier at the International Yacht Restoration School (IYRS), just a few minutes from the Marriott Hotel. (A shuttle is provided). The Restoration Hall and Gallery at IYRS will be open to Maritime Law Symposium registrants. A guide will be available to answer questions about the classic power and sailing yachts of yesteryear which are undergoing restoration.

The cost of the Clambake is included in the Symposium registration fee, but guests who haven't already done so will need to purchase a ticket by Friday morning at 10:00 a.m. from the Symposium Registration Desk at the Hotel or at the School of Law.

### CLE/Proctor Points

The 1997 Maritime Law Symposium -- *SUNKEN TREASURE: LAW, TECHNOLOGY & ETHICS* has been approved for CLE credits, including one hour of ethics, and the Maritime Law Association has approved the Symposium for Proctorship Points. Certificates are available from the Registration Desk.

### Directions

For those in private vehicles, directions between the School of Law and the Marriott Hotel are listed on page 9 of this booklet.

### Extracurricular Activities

Those who have registered for extracurricular activities are to meet in the Marriott Hotel lobby at least 15 minutes prior to the listed start time. There is still (limited) space for several of the activities. If you are interested, please inquire at the Maritime Law Symposium Registration Desk in the hotel lobby on Thursday (3:00 - 7:00 p.m.) or Friday (7:30 - 11:30 a.m.).

You may also avail yourself of the *Dine Around Service* to make dinner reservations for Thursday or Saturday evening. Newport is a resort town and dinner reservations are difficult to make at the last moment. This is also Jazz Festival weekend.

### Meals

Symposium registration includes Opening Reception, refreshment breaks on Friday and Saturday, the Luncheon on Friday, the Clambake on Friday evening and the Closing Reception on Saturday. Your spouse or guest is welcome to the Opening and Closing receptions at no additional charge.

There are limited tickets available for the Clambake, please stop by either of the Registration Desks (hotel or law school) by 10:00 a.m. on Friday if you need extra tickets. Payment of the \$65 fee is due and can be made at either of the Registration Desks.

### Messages

A message board will be located at the Registration Desk to facilitate communications between participants and to receive additional messages.

### No Smoking

Roger Williams University has a no smoking policy in effect within the building.

### Parking

For those registrants who arrive at the Roger Williams University campus in their own cars, parking has been reserved. Identify yourself to Security as a registrant of the Maritime Law Symposium and you will be directed appropriately.



### Phones

There are no public telephones in the CEED Building, but there are three in the School of Law --two public phones located on the main floor of the School of Law next to the elevators. There is also a public phone on ground level at the far side of the cafeteria. The phone is through the small hallway near the mailboxes.

If there is an emergency while in the CEED building on Friday, please visit the Registration Desk for assistance.

### Registration Desk

The Registration Desk will be staffed during Symposium hours. Staff will be pleased to assist you wherever possible.

### Shuttle

The Symposium will provide transportation to the School of Law for Friday sessions. On Friday evening, buses will arrive at the Marriott Hotel at 6:45 p.m. to transport guests to the New England Clambake at the International Yacht Restoration School.

### Weather

New England weather is variable at best. If you are participating in any of the outdoor activities, you are advised to check the weather in advance and be prepared. All events, including the "Sail the Bay" excursion will go "rain or shine."

### Acknowledgments

The Maritime Law Symposium would like to acknowledge the generous support of George Jay Joseph, Esq., of the *Journal of Maritime Law and Commerce*.



**Journal of Maritime Law  
and Commerce**

In addition, the student Maritime Law Society of Roger Williams University School of Law provided staffing assistance for the Maritime Law Symposium.

### 1998 Conference Committee

#### Chairmen

Dean Matthew P. Harrington  
Director of the Marine Affairs Institute and  
Associate Professor, Roger Williams University  
Ralph R. Papitto School of Law and Associate  
Editor, *Journal of Maritime Law and Commerce*

Professor Robert M. Jarvis  
Editor, *Journal of Maritime Law and Commerce*  
Professor, Nova Southeastern University School of Law

George Jay Joseph, Esq.  
Publisher, *Journal of Maritime Law and Commerce*

#### Director

Debora M. Spano  
Director of Advancement  
Roger Williams University  
Ralph R. Papitto School of Law

#### Secretary

Cheryl A. Meegan  
Roger Williams University  
Ralph R. Papitto School of Law

#### DIRECTIONS TO ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW

Exit the Newport Hotel parking lot, cross America's Cup Avenue straight through the traffic light onto Marlborough Street. Turn left onto Broadway.

Follow Broadway -- it turns into Rt. 114 N (West Main Road). Follow for 5-6 miles -- until you reach a fork -- stay left and continue on Rt. 114. At light, turn left onto Turnpike Avenue (Rt. 114N). At next light, turn left onto the Mt. Hope Bridge. Roger Williams University is to your right at the base of the bridge. The main gates will be approximately 500 yards ahead on your right. Security will direct you to the reserved parking area.

## Marine Affairs Institute

The Marine Affairs Institute at the School of Law was established to serve as a focal point for the research and study of legal and policy issues surrounding the use of the oceans and coastal zone.

Of particular concern are the legal implications of commercial development, policy and legal problems involving environmental management, shipping and other uses of the waters, and the rights and obligations of commercial and coastal states.

The goal of the Marine Affairs Institute is to encourage discussion and research into these issues. In addition to research, the Institute provides a forum for discussion through a lecture series, symposia, faculty exchanges, and scholarly publications on issues of importance in marine affairs.

The proximity of the Roger Williams School of Law to the state's 400 miles of coastline — makes the Institute uniquely situated for the study of maritime affairs and the associated legal issues.

Through outreach efforts like this symposium, the Marine Affairs Institute is taking a leadership role in marine legal scholarship in the Northeast, offering an opportunity for legal scholars to present papers and conduct timely public policy debate on issues relating to maritime law. The Maritime Law Symposium allows the academic world to come together with practitioners to explore the legal and policy issues of timely topics in the field of maritime law.

As a co-sponsor, the *Journal of Maritime Law and Commerce*, will publish the articles and papers disseminating from the conference in the winter 1999 issue of the *Journal*.

### *Journal of Maritime Law and Commerce*

The papers being delivered at this symposium will be published in the April 1999 issue of the *Journal of Maritime Law and Commerce*. The papers delivered at the 1997 symposium appeared in the April 1998 issue of the *Journal*.

The *Journal* was founded in 1969 by George Jay Joseph, a Washington, D.C. lawyer who perceived a need for a law review that would be devoted exclusively to maritime law. The *Journal* is published four times a year by the Jefferson Law Book Company of Baltimore, Maryland.

During its existence, the *Journal* has presented works by such renown authors as Charles L. Black, Jr., Nicholas J. Healy, David J. Sharpe, Joseph C. Sweeney, Alex L. Parks, David W. Robertson, William Tetley, and Herbert R. Baer. In all, the writings of more than 700 individuals have appeared in the *Journal*.

Many of the articles that have appeared in the *Journal* have helped to shape their respective fields. This has been particularly true in such areas as the carriage of goods, marine insurance, maritime arbitration, oil pollution, and personal injury and wrongful death. It is therefore not surprising that the *Journal* has been cited in over 100 published court and arbitration decisions, including the following decisions of the United States Supreme Court: *American Dredging Co. v. Miller*, 510 U.S. 443 (1994), *The Bremen v. Zapata Off-Shore Co.*, 407 U.S. 1 (1972), *Carnival Cruise Lines, Inc. v. Shute*, 499 U.S. 585 (1991), *Exxon Co., U.S.A. v. Sofec, Inc.*, 517 U.S. 830 (1996), *Japan Line, Ltd. v. County of Los Angeles*, 441 U.S. 434 (1979), *National Labor Relations Board v. International Longshoremen's Association*, 447 U.S. 490 (1980), *Trans World Airlines, Inc. v. Franklin Mint Corp.*, 466 U.S. 243 (1984), and *United States v. Reliable Transfer Co.*, 421 U.S. 397 (1975).

The *Journal* is currently edited by Professor Robert M. Jarvis of Nova Southeastern University. Prior to him, the *Journal* was edited by Professor Albert H. Garretson of New York University (1969-70), Professor David M. Sassoon of Georgetown University (1970-79), Professor Nicholas J. Healy of New York University (1980-88), Professor Healy and John P. McMahon, Esq. of New York City (1989-90), and Mr. McMahon (1991-95).

More information about the *Journal* can be obtained by visiting its web site at <<http://www.jmlc.org>>.

### Future Symposia

The Maritime Law Symposium is a biennial summer event of the Roger Williams University School of Law and the *Journal of Maritime Law and Commerce*. The next symposium will take place in August 10-12, 2000 in Newport, Rhode Island and will concern the Limitation of Liability Act. The Newport Marriott will again be the Host Hotel for our 2000 Symposium.

More information about the 2000 symposium appears on the next page and there is a brochure in this year's Registration Packet with an advance registration form. Registrants of this year's Symposium can register for a special rate of \$250 if they register by September 15, 1998.

In August 2002, the symposium will focus on the use of evidence in admiralty cases.





## MARINE CASUALTIES AND THE LIMITATION OF LIABILITY ACT

*August 10-13, 2000*

*Marriott Hotel, Newport, Rhode Island*

Since its passage in 1851, the Limitation of Liability Act has proven extremely contentious. Now, as its sesqui-centennial approaches, the *Journal of Maritime Law and Commerce* and the Roger Williams University School of Law are pleased to announce that they have chosen the Act as the subject of their next biennial symposium.

In keeping with the traditions established by previous symposia, the program will consist of both plenary and concurrent sessions and will include leading practitioners and eminent scholars. The first plenary session will provide an overview of the Act from three perspectives: historical, contemporary, and comparative. The speakers will be Professor Jeffrey A. Weiss (State University of New York), Donald C. Greenman, Esq. (Ober, Kaler, Grimes & Shriver), and Dr. Frank L. Wiswall, Jr.

The concurrent sessions will focus on specific types of marine casualties, including fires, collisions and allisions, terrorist attacks, pollution releases, and crew uprisings. The "Ships as Perpetrators" track will feature presentations by Eugene J. O'Connor, Jr., Esq. (Freehill, Hogan & Mahar), Professor Joseph C. Sweeney (Fordham University), and Laurie Crick Sahatjian, Esq. (Dyer, Ellis & Joseph). The "Ships as Victims" track will offer remarks by Douglas B. Stevenson (Seamen's Church Institute), Richard A. Corwin, Esq. (Trimar Defense Services, Inc.), and Eric F. Ellen, Esq. (ICC International Maritime Bureau) (confirmation pending).

The final plenary session will identify the ethical issues raised by the use of the Act (Chester D. Hooper, Esq. - Haight Gardner Holland & Knight), examine the reasons for the United States Supreme Court's continuing fidelity to the Act (Professor Craig H. Allen - University of Washington), and conclude with a debate between Professor Robert M. Jarvis (Nova Southeastern University) (pro) and Professor Matthew P. Harrington (Roger Williams University) (con) as to whether the Act should be abolished.

For more information about the symposium, please contact Debora M. Spano, Director of Advancement, Roger Williams University School of Law, Ten Metacom Avenue, Bristol, RI 02809-5171, phone (401) 254-4652, fax (401) 254-4655, e-mail <dms@rwulaw.rwu.edu>.



ROGER WILLIAMS UNIVERSITY RALPH R. PAPITTO SCHOOL OF LAW  
Bristol, Rhode Island

Roger Williams University School of Law offers a challenging education to students of law at an institution whose hallmark is excellence. There is close interaction between students, faculty and staff; interaction uniquely available in a small institution where all are laboring toward a common goal. With a faculty/student ratio of 20:1, the faculty is accessible to students.

The four-level law building, designed exclusively for the study of law contains state-of-the art technology in legal education and is completely self-contained. In addition to the extensive law library, the law building contains class and seminar rooms, a law practice center including trial advocacy and appellate moot court rooms, and all ancillary services.

The School of Law faculty reflects a diversity in experience and expertise. With 26 full-time faculty members, there is a broad range of expertise including — admiralty, copyright, international law, labor, product liability, public trust, and securities regulation. In addition, 37 adjunct professors expand the curriculum with their expertise.

A significant aspect of the School of Law curriculum is the comprehensive skills training program which enables law students to master those analytical, communicative and other lawyering skills that facilitate effective legal problem solving. Simulation courses provide practical training in trial advocacy, client interviewing, counseling and appellate advocacy. The Lawyering Skills Program brings pragmatic application to a solid foundation of legal doctrine, preparing students for their clinical experience.

Through the Louis Feinstein Legal Clinic, supervised law students provide *pro bono publico* legal service in the areas of criminal and family law to individuals and organizations in the community which might not have access to legal representation. The law clinics are housed in new facilities at the Roger Williams University Metropolitan Center for Education and Law in Providence.

Full approval by the American Bar Association was granted to Roger Williams University School of Law in February, 1997. This is the earliest date that the School of Law, which enrolled its first class in August 1993, was eligible for Full accreditation under ABA rules.





Sponsored by the Maritime Affairs Institute of  
Roger Williams University School of Law and the  
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