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RWU Law

ISSUE 7 | SPRING 2014

The Magazine of Roger Williams University School of Law

CHANGING OF THE DEANS

FROM SAUDI ARABIA TO BRISTOL

AFFORDABLE EXCELLENCE



HARD TIME

A weekend in
jail gives public
defenders new
insight into their
clients' lives



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How a Saudi woman
fell in love with
Roger Williams.



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Letters



To the Editor:

Some people assume that law reviews are obscure publications in which scholars battle for space to publish lengthy, monotonous articles and discuss complex legal issues. Those articles are in turn edited by reclusive law students who – Bluebooks and highlighters in hand – obsessively footnote every single sentence and paragraph.

This year, members of the *Roger Williams University Law Review* set out to change that perception. We set up tables in the Bistro and introduced ourselves to incoming first-year law students; we maintained a presence at the Rhode Island Bar Association's Annual Meeting; we helped organize symposia on practical and modern topics – such as last year's panels on child witnesses, or this spring's conference on enforcement actions by the NCAA. Our overarching goal was to create a more accessible publication for both students and members of the bar.

Perhaps the most visible expression of this outreach effort was the creation and unveiling of our *Roger Williams University Law Review* website (www.rogerwilliamslawreview.org) in March. The new site takes the *Law Review's* bound volumes off the shelves and brings them to the screens of computers and mobile devices everywhere. It represents our recognition that the future of publication is online – even for traditional publications such as law reviews.

With a crisp, user-friendly interface, the website offers users access to both current and back editions of the publication, as well as information about current and past members, the *Law Review's* history, and ongoing events. Since its launch, the website has already helped forge a stronger relationship between current and past *Law Review* members. In the future, it will expand to include an interactive forum in which legal scholarship and new ideas can be exchanged and sharpened. Traditionalists, however, may rest assured: the *Law Review* will also continue to publish its traditional bound volumes.

Think of the website as just the latest, value-added enhancement to an important forum provided by RWU Law for the last 19 years and counting. The *Review* has been instrumental in raising the level of legal discourse in Rhode Island, both through its articles and student comments, and through its annual Survey of Rhode Island Law, featuring commentaries on recently enacted Rhode Island statutes, as well as significant Rhode Island Supreme Court decisions. The success of the *Review* is a testament not only to the quality of its individual student members, but also to a school that has invested time and financial resources to ensure that its members have the tools they need to succeed.

During the past two decades, the *Review* has published a variety of articles penned by members of the Rhode Island bench and bar, as well as legal scholars from outside Rhode Island, all the while giving RWU Law students the firsthand experience of working with established legal professionals and honing their legal research and writing skills.

The new website expands this successful tradition by placing the *Law Review* only a mouse-click away from those interested in perusing our legal scholarship, thereby creating new opportunities for students, attorneys and scholars, among others, to experience us in a new light: not as an obscure publication for reclusive legal minds, but as a dynamic voice in a profession-wide conversation – a place that not only reviews legal concepts, but brings refreshing new ideas to the table.

Sincerely,

Antonio Massa Viana '14,

Editor-in-Chief, *The Roger Williams University Law Review*

WRITE TO RWU Law

We welcome and encourage your comments, feedback, suggestions and letters to the editor.

Email letters to: rwulawmagazine@rwu.edu

Write to: *RWU Law Magazine*
Roger Williams University School of Law
Ten Metacom Avenue
Bristol, RI 02809

Please include your full name, address and RWU Law affiliation, if applicable. Letters may be edited for clarity and/or length.

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President

Donald J. Farish, Ph.D., J.D.

Dean

David A. Logan, Esq.

Vice President for Marketing and Communications

Judith Johnson Connery

Editor / Law School Communications Manager

Michael M. Bowden, Esq.

Contributing Editors

Brian E. Clark; Michael Donnelly-Boyle; Chelsie Horne, CMP

Contributing Writers

Megha Chatterjee; Lori Cochrane; Mary Grady;
Meghan Hansen; Elaine McArdle; Lesley Riva

Director of Design & Production

Ray Talamo

Assistant Production Manager

Nicole Gildea

Contributing Designers

Jaci A. DaCosta; Daniel E. Ruth '08

Contributing Photographers

Julie Brigidi; Stephan Brigidi; Ricki Douglas;
Andrea Hansen; Jennifer Little; Lise Metzger;
David Silverman; Peter Silvia

Please direct questions, comments,
letters and other editorial inquiries to:

E-mail: mbowden@rwu.edu

Phone: (401) 254-3881

Fax: (401) 254-3185

Send subscription requests and
changes of address to:

E-mail: jwhetstone@rwu.edu

Phone: (401) 254-3004

Fax: (401) 254-3599

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A Chat with the Deans

Our Q&A with Dean David A. Logan and Dean Designate Michael J. Yelnosky

The challenge to remain ‘aggressively relevant’...

Earlier this year, the American Bar Association’s Task Force on the Future of Legal Education issued its report. We spoke to outgoing Dean David A. Logan and incoming Dean Michael J. Yelnosky about the findings.

Q: *The task force states that intense media and bar-generated criticism of legal education in recent years “is diminishing public confidence in law schools.” How is RWU Law weathering the storm?*

DL: Public scrutiny has been relentlessly negative about the value of a legal education, especially when compared to the cost and resulting debt. These attacks have created a real and sustained downward pressure on admissions.

MY: Not all of that criticism has been well-founded, and perhaps too many students are choosing alternatives to law school. But the situation has forced law schools to answer some hard and legitimate questions. The process of rethinking what you’re doing and how you’re doing it can be difficult – but it’s good for an organization, and it’s been good for us.

DL: By becoming part of the University-wide Affordable Excellence initiative, we have taken bold steps to become one of the top cost-containment schools in the country. We’re also recognized for our focus on experiential education, which significantly increases the value of a J.D.

to employers. I’m proud of how we’ve responded to these challenges.

Q: *The report asserts that legal education has become too standardized, and that the ABA should encourage “differentiation” and “experimentation” among schools to better serve their constituencies. Do you agree?*

MY: Yes. The ten or so truly national law schools tend to have curricula that reflect their unique missions – namely, to discover and publicize innovations in legal theory, and to prepare graduates to work in huge law firms representing large corporations. For example, a friend of mine who spent some time teaching at Harvard had 75 students register for her course in “Regulation of Financial Derivatives” ...

DL: And it may well make sense, for a school that routinely sends its graduates to the firms serving Fortune 500 companies, to continue focusing almost exclusively on the theory of law. These employers can afford to provide what amounts to an apprenticeship, at the clients’ expense. However, the vast majority of law schools – including RWU – must focus on preparing law students for jobs that involve the representation of individual clients, the government and small businesses – and in these contexts the newly minted lawyer must provide value from Day One.

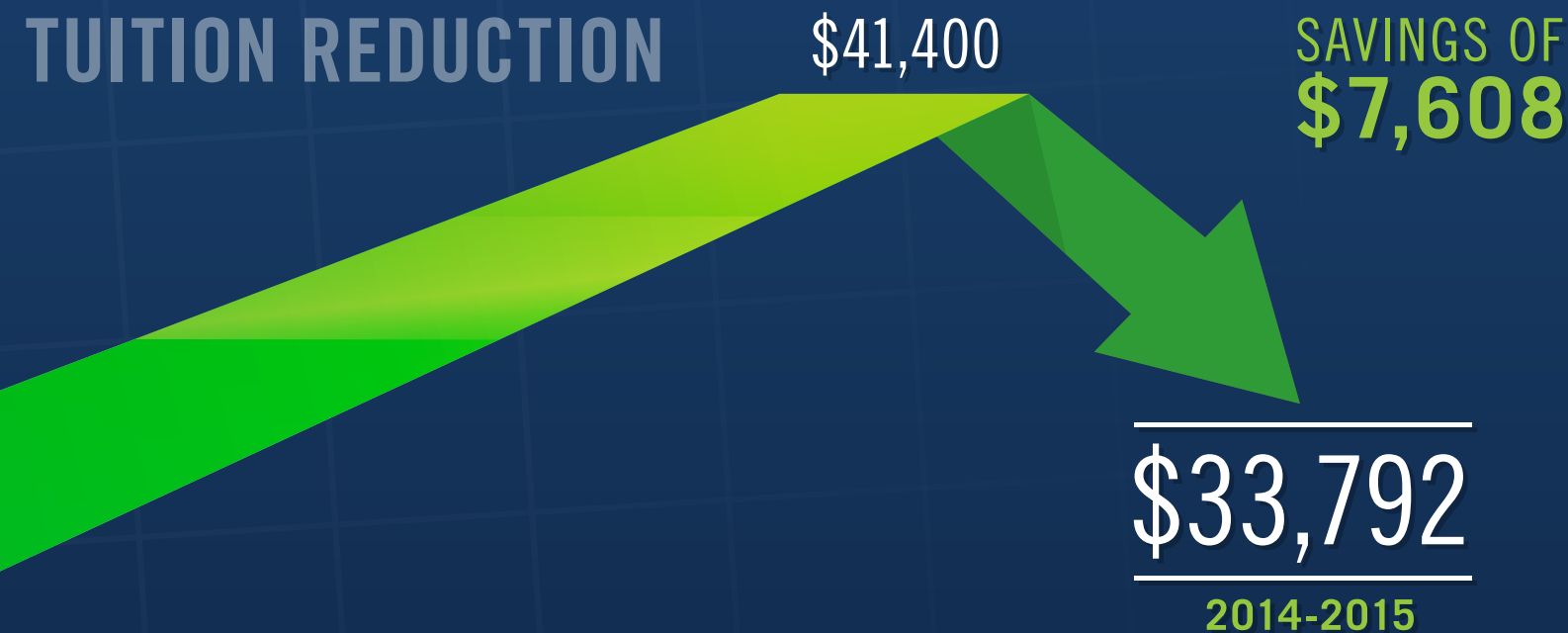
MY: We have to strike a balance. We have terrific scholars on our faculty, and we don’t focus on the immediately and obviously

practical to the exclusion of a solid grounding in legal theory. But our curriculum appropriately reflects the needs of our students and their likely career goals and practice settings.

Q: *The report states that legal education is “resistant to change.” How is RWU Law’s faculty and staff positioned to respond to the challenges of a changing professional landscape?*

DL: We started from a position of strength – our founding faculty had the foresight to put skills at the center of the curriculum, so we haven’t had to shift gears as dramatically as some schools with a longer history of teaching theory only. Our evolution toward becoming a national leader in pro bono and in guaranteeing a significant clinical experience to all students has proceeded smoothly – and I expect it will continue under Dean Yelnosky.

MY: We’ve been engaged in strategic planning, building on our strengths by expanding our experiential programs and our focus on public interest and maritime law. We’re also working to create a program that will respond to the reality that increasing numbers of non-lawyers can benefit from some legal training. Again, this kind of institutional soul searching is not easy, but – as Dean Logan noted – we started from a position of strength. The market has really come to us, in a way. RWU law is rising to the challenge that we remain relevant – indeed that we become aggressively relevant – as we move into our third decade.



Affordable Excellence Makes RWU Law a Best-Value Law School

As part of a comprehensive strategy for confronting the most pressing challenges facing America's law schools – the cost of earning a law degree; rising student debt; and the job readiness of graduates – Roger Williams University President Donald J. Farish announced that the University has expanded its signature Affordable Excellence initiative to its School of Law.

The announcement came as part of RWU Law's expanding commitment to offering students a rigorous, marketable legal education that enables graduates to emerge job-ready and prepared to thrive in their early careers, even in today's challenging legal employment market. Among other efforts during this academic year alone, the School launched a new Community Economic Development Clinic in which students provide business-related legal services to nonprofits and community-based businesses; introduced its expanded Feinstein Center for Pro Bono and Experiential Education; and instituted an explicit guarantee that

every qualified student will be afforded a substantial clinical experience.

The expansion of Affordable Excellence to the School of Law builds on what has become a signature initiative for Roger Williams University. For undergraduates, Affordable Excellence has meant both cost savings (tuition has been frozen at the 2012 level, and a four-year tuition guarantee means costs do not rise while students remain enrolled) and an enhanced, career-focused academic experience (real-world, project-based learning has become embedded in the undergraduate experience at Roger Williams).

After an initial year of success following the October 2012 launch of Affordable Excellence (including a larger-than-expected incoming class in 2013 and a major jump in freshman-to-sophomore retention), the University redoubled its commitment to the initiative this fall. In describing how Affordable Excellence will address cost and debt for law students, Farish outlined three key actions:

(1) For the 2014-15 academic year, the School of Law will reduce tuition from \$41,400 to \$33,792, an approximately 18 percent reduction (\$7,608) that brings the law school's tuition to the same rate paid by the University's architecture students; architecture is the University's other signature professional program that, like the law, requires formal licensure before graduates can practice.



Lipou Laliemthavisay '13 during one of her internships.

(2) For all law students currently enrolled and for those who enter in the 2014-15 incoming class, a tuition guarantee will be implemented immediately. The tuition rate of \$33,792 will not increase for up to three years for all students who remain continuously enrolled full time.

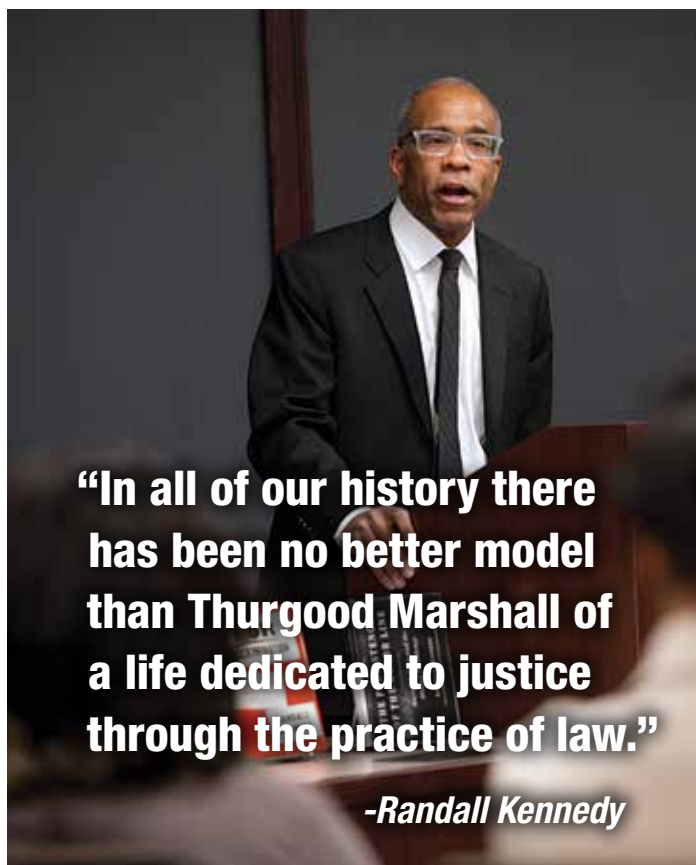
(3) Currently enrolled law students will have the option of keeping their existing financial aid award with the current price of tuition, or waiving their current financial aid award and moving to the new tuition model. As a practical matter, students with aid above \$7,608 will probably choose to keep their current level of aid, and students

with aid below \$7,608, or with no aid, will presumably opt for the new tuition model. Giving current students that option ensures that no student at the law school taking the typical 30-credit load will pay more than \$33,792.

The tuition reduction and guarantee will reduce the sticker price of a law degree at RWU Law by about \$30,000 and result in lower debt loads for law students, important steps forward in an environment when the availability of legal jobs nationwide has diminished and starting salaries have dropped. For future attorneys who plan to go into public interest law – a key area of

emphasis at RWU Law – the savings will be particularly meaningful.

“This reduced tuition rate makes Roger Williams University School of Law one of the best values on the East Coast and creates access for an even broader population of future attorneys,” Farish said. “As the only law school in Rhode Island, we see this as particularly important to residents of our state. Yet the supportive, personalized environment that our students treasure and our unwavering focus on hands-on learning opportunities means the quality of our education only continues to advance.”



Randall Kennedy Delivers 6th Thurgood Marshall Lecture

Randall Kennedy, Klein Professor of Law at Harvard and a former clerk to U.S. Supreme Court Justice Thurgood Marshall, delivered the sixth Thurgood Marshall Lecture this year.

In a dynamic address, Kennedy shared fascinating, behind-the-scenes stories about Marshall – his insistence on timeliness and accuracy from his law clerks (based on a slur against black lawyers he overheard as a young man); how he used his “back-channel relationship” with the FBI and its powerful leader J. Edgar Hoover to secure the release of a black minister who had been kidnapped by the Ku Klux Klan; how he persuaded a Southern candy manufacturer to change the packaging of a candy with a name and wrapping that promoted negative racial stereotypes. He was a lawyer’s lawyer, Kennedy said – “Mr. Civil Rights” before he ever ascended to the federal bench.

The Thurgood Marshall Lecture Series is supported by an endowment from the leading law firm Hinckley Allen. Past speakers have included Harvard Law Dean Martha Minow (also a former Marshall clerk) and Eric Holder, now U.S. Attorney General.



Whitehouse Class Offers Inside Scoop on the Senate

This spring, U.S. Senator Sheldon Whitehouse's class, "The Role of the Senate in American Government," offered RWU Law students "an understanding of the Senate as an institution, within its surrounding contexts of constitutional structure, political combat and human character." Assigned reading included Whitehouse's own 2012 collection, "On Virtues: Quotations and Insight to Live a Full, Honorable, and Truly American Life."

Internet Safety for 'Tweens

A group of Providence seventh graders learned about internet safety with the help of RWU Law students participating in a new, national privacy education program this spring. The law students led interactive sessions with youth at the Community Preparatory School in Providence, covering such topics as privacy basics, passwords, behavioral ads, understanding mobile, navigating social media in tricky situations and managing one's digital reputation.

"Middle school students are at a critical stage in their adolescence, where a clear sense of individualism and self begin to form," explained Yajaida Dejesus, a teacher at the school. "Adding the social pressures and complications of social media on top of that can be a lot for young students to understand and manage."

The interaction was valuable for law students as well. "The privacy education program allowed our students to get hands-on experience while having a lasting impact in our local communities," said Suzanne Harrington-Steppen, associate director of pro bono programs at RWU Law's Feinstein Center for Pro Bono and Experiential Education. She says the school hopes to expand the program next year.

"Our students looked up to the law students as mentors," Dejesus said. "I think they made a real connection while teaching them about important issues that can impact their adult lives."



Swift Justice

Marcus Swift '14 transforms hard experience into legal passion



Marcus Swift '14 arrived at RWU Law with a background as a political organizer and a passion for social justice. He knew what he wanted to do – work for change, on the side of the disadvantaged – but he wasn't precisely sure of how he was going to do it. Energized by the school's Feinstein Center for Pro Bono & Experiential Learning, however, with its extensive professional contacts and resources, he began to explore the varied field of public interest law, with an eye toward gaining as much hands-on experience in as many different areas as he possibly could.

Today, as he prepares to graduate, Swift is president of the student Association for Public Interest Law, and a board member of the Feinstein Center. Along with fellow law student Tracy Harper '13, he organized the 2013 Alternative Spring Break, which sent some 37 students to public interest legal projects around the country for a week of pro bono work in fields such as immigration, environmental law and criminal defense. Through internships, externships, clinics

organized by the school's Pro Bono Collaborative, in-house legal clinics and more, Swift has also racked up practical, skill-building experience in a striking variety of public interest fields, including employment law, criminal defense, immigration, and legal issues associated with domestic violence, homelessness and more.

For example, through a Pro Bono Collaborative clinic that worked with noted local immigration attorney Hans Bremer '08 and the Olneyville Neighborhood Association, Swift got invaluable experience in assisting undocumented immigrants who could benefit from the new Deferred Action for Childhood Arrivals (DACA).

"That experience was incredible," he says. "It gave me practical immigration experience, and led me to apply for the Immigration Clinic. The result has been that I've had the privilege of working with two of the top immigration lawyers in the state: Deborah Gonzalez '07 [then interim director of the Immigration Clinic] and Hans Bremer. Those are incredible opportunities and that

level of access is, I think, unique to RWU."

Swift comes to his passion for public interest lawyering through highly personal experience. After his parents divorced, his mother worked her way through a series of low-wage jobs. When Marcus was 12, the two were evicted from their trailer home, and spent the summer before 7th grade homeless, living in a pop-up tent camper with his mother's boyfriend and struggling to keep their heads above water.

"That certainly doesn't define me, but it's always been the thing that pushes me," he says. "A lot of people who are drawn to this work are pushed by similar experiences. Whether it's race or gender or income – they may not have had the cookie-cutter experience of the perfect family; the march through college and right to law school. They often have had some kind of experience that sets them apart, that gives them a little different perspective."

Swift's broader perspective has been a great match for a school that has embedded a focus on public interest law in its mission.

"We're one of only 24 law schools in the country that have a mandatory pro bono requirement," says Laurie Barron, director of the Feinstein Center. "And unlike many institutions, we put resources behind that focus – we offer public interest scholarships, public interest summer stipends for students to gain experience in unpaid internships, and a public interest loan repayment program," so students can take those lower-paying public interest jobs with less financial pressure.

It's the kind of support that has allowed someone like Swift to flourish. "Marcus has been a quiet leader in this area," Barron says. "He comes by his passion honestly, he can relate to his clients – there's no doubt that Marcus will work for the underrepresented when he leaves here."

– Lesley Riva

A Different Kind of Challenge

After over two decades in the Navy, a 1L readjusts to the student life

For many students, the first year of law school is one of the toughest challenges they've ever encountered. Older, nontraditional law students – such as 1L David “Tom” Peterson, who recently returned to the classroom after 22 years in the U.S. Navy – are, by contrast, somewhat more likely to take it in stride.

“I keep the same hours today I did in the Navy,” Peterson said, noting that all those years of military discipline definitely come in handy when fielding the demands of law school. “The type of work is very different, but so far it's been pretty manageable.”

A surface warfare officer trained to manage nuclear reactors on aircraft carriers, Peterson was selected to serve as the commanding officer of several ships over the course of his career, with his first opportunity to do so arising in 2004. However, a few years later, in 2008, he was assigned to a dangerous frontier mission in Afghanistan. “I was only there for nine months,” he is quick to note. “There are Army and National Guard veterans who have endured much, much worse, with multiple tours in Afghanistan and Iraq.” But for Peterson, accustomed to life at sea, it was one of the most challenging deployments of his career. “I was totally out of my element as a naval officer,” he said. “I had never envisioned ending up stationed in a landlocked country.”

But in fact, such assignments were by that time a fairly common practice (albeit a recent one, begun during the Afghanistan and Iraq wars), in which Naval personnel were called upon to serve as “individual augmentees” supporting Army operations.

“We were selected, trained, and served alongside other Army and Air Force officers in jobs that would predominately be considered Army jobs,” Peterson explained.

As Provincial Reconstruction Team

Commander for Paktika province – located in southeastern Afghanistan, along the dangerous and poorly marked Durand Line border with Pakistan – Peterson trained and led a multi-service team of 85 troops, “helping the Army, the State Department and the Afghan government to help create stability in the region.”

Disaster struck on June 18, 2008, when he lost two of his sailors to a rocket attack. “I still wear a remembrance bracelet for them,” Peterson said. “The 18th of June is always a tough day.”

Peterson retired from the Navy in 2013, after a tour as commanding officer of U.S.S. Porter (DDG 78). “That was really the pinnacle of my time in the Navy,” Peterson noted proudly. “It is the most prestigious position that I was selected for and held.”

Having always harbored an interest in the law, pursuing a J.D. seemed like a logical next step. With the G.I. Bill benefits on offer, “it was kind of a perfect time to invest in going to law school,” he said.

Perhaps predictably for a Navy man, Peterson – a native of Seattle – found Roger Williams’ proximity to the ocean a big draw. “You’re right on the water, and it’s always easy to visit a beach in Rhode Island.” On the professional side of the equation, “it’s one of only five law schools in the country offering a Maritime Law program, which fits right into my background.”

Readjusting to life as a student can be tough at times (Peterson completed his B.S. in aerospace engineering two decades ago at the United States Naval Academy at Annapolis), but Peterson says RWU Law offers ample support. “I took the Jump Start program, which gave me a great opportunity to hit the ground running when School actually started in August.”

Individual attention from the faculty



is another plus: “They’re always available to help if you ever have questions; they do a good job of helping older students get back into academics.”

At RWU Law, Peterson is involved in the Alliance, the Military Law Society, the Marine Law Society and the LGBTQ Task Force, among other groups.

He lives in Lincoln, R.I., with his husband Michael, an intern in family medicine at Memorial Hospital in Pawtucket, R.I. He is the father of four children who live with their mother in Virginia. Peterson says that, although he doesn't see his kids as often as he'd like, he makes it down “two or three times a semester” – which is a lot more frequently than during his long absences on active duty in the Navy. “Even those unpleasant days spent taking final exams are better than being half a world away from your family,” he said.

– Megha Chatterjee

How Free is the Press?

In 1964, the U.S. Supreme Court vindicated the watchdog role of journalists in the seminal case of *New York Times v. Sullivan*. Fifty years later, an impressive gathering of lawyers, judges, academics and working journalists convened at RWU Law to discuss the case's enduring impact and legacy. Two panels organized by Dean David Logan (one focusing on legal theory, the other on journalistic practice) agreed that no other contemporary U.S. Supreme Court case has done more to promote investigative journalism and define modern freedom of the press – but that, in an age of increasingly obtrusive government surveillance, protecting that freedom is more essential than ever.



GETTING TO KNOW...

Kathryn Thompson

Director of the Academic Success Program

Kathy Thompson is a perfect fit for her role at RWU Law: easygoing and approachable, she's a friendly, nonjudgmental safe-haven for students feeling overwhelmed by the demands of law school. **Bridge over troubled water:** "It's very stressful to be a law student – particularly in the first year – and one of the things I love about my job is that I can offer students a place where they can just sit and feel safe; where they can take a little break from some of the chaos and stress." **Wearer of many hats:** With years of expertise as a legal writing professor, Thompson expanded her palette considerably upon taking on the Academic Success Program in 2012. "My favorite thing is getting to know the students," she says. On an average day – whether via workshops or one-on-one meetings – she might help one student with time management skills, another with outlining, case-briefing or exam-taking strategy, and yet another with legal writing technique. "It keeps me on my toes, but I really enjoy it a lot." **Something for everyone:** "My hope is to communicate to students – in the Jump Start program, at Orientation, wherever I can – that this program is for everyone, and not just for when you're in trouble." **Striking a balance:** A busy mother of three, Thompson left a full-time teaching position at her alma mater, Suffolk Law, in 1994 when her first son was born (a second son followed; her youngest, age 12, is a daughter). For a few years, she freelanced for local newspapers "just to keep myself busy," but eventually began teaching at RWU Law, gradually building to full-time in 2007. "I love teaching and working with students," she says. "The trick is to balance your professional and family life as best you can." **Not your average shower soprano:** Unbeknownst to most, Thompson is a trained vocalist! "If I hadn't gone into teaching, I'd probably have gotten into music," she says. "I sang for years; there are a lot of vocalists in our family – my grandmother went to the New England Conservatory; my sister gives piano and voice lessons." These days, however, her main audience is at home. "I sing while cleaning or cooking; I can't *not* do it. It's just part of who I am."

– Megha Chatterjee





Keeping 'Em Honest

Chad Edgar '04 is making serious headway in the DOJ's battle to stop identity-theft tax-refund fraud by improving enforcement and prosecution.

By Elaine McArdle

Need a good reason to file your tax return early, besides beating the last-minute rush? Here's one: the sooner you file, the more likely your refund check will be deposited into your bank account rather than landing in the hands of identity thieves, warns Charles "Chad" Edgar Jr. '04, a former U.S. Army JAG officer who now prosecutes tax crimes for the U.S. Department of Justice.

"Stolen identity tax refund fraud is a

multibillion-dollar problem today," says Edgar, a CPA who has prosecuted more than 30 cases in his nearly four years in criminal enforcement with the DOJ's Tax Division, many of them related to refund fraud. The IRS's system of paying refunds, he laments, "is very susceptible to fraud and abuse."

Last year, Edgar, 34, who lives with his fiancée in Washington, D.C., was the recipient of a 61st Annual Attorney General

Award from the Department of Justice. Edgar and five of his colleagues from the Tax Division, who've collaborated to study identity theft tax refund fraud and improve enforcement and prosecution, were recognized for their outstanding work in combatting tax refund fraud. "We looked at main Justice's policies and determined that the local U.S. Attorneys should be allowed to move more quickly" than in cases where centralized review by DOJ

is appropriate, he says. “These cases are different than traditional tax cases, and they should be prosecuted differently.”

With just a bit of basic information – your name, birthdate and social security number – anyone can file a tax return in your name, seeking a bogus refund check. For example, they may file a form claiming you worked at a particular company, earned a certain amount of money, and are entitled to an earned income tax credit or a refund for overpayment of taxes. They provide their own mailing address to the IRS so the refund check comes to them; or, in a new twist, use a prepaid debit card, which can receive deposits like a bank account. Since the IRS sends out refund checks within weeks or a few months but takes as long as two years to match tax returns with W-2s filed by a company, they can’t easily determine that a return is fraudulent.

By the time they do, the ill-gotten gains are long gone. Meanwhile, the honest taxpayer learns something is amiss only when he or she files a return and gets a notification from the IRS noting that a return in their name has already been processed. It can take months to prove the first return was fraudulent so you can get the money you’re entitled to. That’s why he urges taxpayers to file early, before a crook does it for you. And if you are the victim of this kind of crime, it’s important to work with the IRS, which will provide you with a secret personal identification number so it doesn’t happen again – otherwise, the thief may use the same taxpayer’s name and info year after year.

“Our tax system is based on voluntary compliance,” explains Edgar, who earned his LL.M. in taxation from Georgetown University Law Center in 2010, and then joined the DOJ. “Inherent in that is an element of trust – we trust that American citizens will file honest and correct tax returns. And there’s a lag in the system on checking up on whether people are being truthful.”

“These cases are different than traditional tax cases, and they should be prosecuted differently.”

– Chad Edgar '04

This type of fraud is now a top priority for the IRS, which is shoring up its defenses by trying to close that gap and taking other steps, Edgar says. Last year, the IRS investigated nearly 1,500 identity-theft-related investigations – that’s 66 percent more than the previous year, according to its website, and twice as many indictments were brought. The agency quashed 14.6 million suspicious returns from 2001 through November 2013, according to the agency’s website, halting more than \$50 billion in fraudulent returns.

A native of Braintree, Mass., Edgar graduated in 2001 from Bentley College in Waltham with a degree in accounting, intending to follow in the footsteps of his father, a CPA. But his father had also gotten a law degree late in life, and Edgar decided to pursue a J.D. at RWU Law after reading a newspaper article about it. As he was wrapping up law school in 2003, the wars in Iraq and Afghanistan were entering full swing, and Edgar wanted to serve his country. He was accepted into the Judge Advocate General program of the U.S. Army, did his training in Virginia, and then was stationed in Fort Hood, Texas, one of the largest military installations in the world.

There he provided free general legal services for soldiers such as divorces, wills, and landlord-tenant matters, until his superiors learned he was a CPA and put him in charge of Fort Hood Tax Center. Edgar soon found himself overseeing a 20-person staff that prepared more than 10,000 tax returns for active military and retirees in the 2006 tax season. Next, he worked as a military prosecutor for

several months before deploying to Iraq in August 2006 with the 3rd Signal Brigade. For 15 months in Iraq, as Brigade JAG, Edgar served as general counsel to the commander, advising on any legal issue that arose including rules of engagement. He also reviewed military contracts and prosecuted a number of criminal cases, including two separate negligent homicide cases where soldiers accidentally killed comrades by mishandling their weapons.

While in Iraq, Edgar applied for federal clerkships, and was hired after a telephone interview by Judge William E. Smith of the U.S. District Court in Rhode Island. “He took a real chance on me. He hired me sight unseen, and I feel very fortunate,” says Edgar. “That opportunity, I know for sure, had a direct, domino effect on my career. It helped get me into Georgetown” – where the cost of his graduate studies was covered by a scholarship – “and then that definitely helped me get the job at DOJ.”

Half of his work today is reviewing IRS investigations in the southern states, Edgar’s assigned territory, so that he can make recommendations to local U.S. Attorneys’ offices on whether to prosecute. The other half of his time is in handling prosecutions himself of a variety of tax crimes, including conspiracies, wire fraud, tax evasion and tax protestors, who insist tax laws don’t apply to them. He recently landed a major conviction of a long-time tax scofflaw in Fort Lauderdale, Fla., after a five-day trial.

“Thieves are creative,” he says, with a chuckle. “It’s interesting work.”

Tax Assistance Helps Families Make Ends Meet



For families living close to the poverty line, saving the few hundred dollars they might have paid to a tax preparer, or finding a tax credit they didn't know about, can make a big difference. Thanks to the pro-bono work of the 21 RWU Law students taking part in the federal Volunteer Income Tax Assistance (VITA) program this spring, hundreds of Rhode Island workers got those breaks.

"VITA is really about helping people," says Andrew Aleman, a 2L who worked for VITA when he lived in Texas, during a year off after college. He joined the Roger Williams program through the Pro Bono Collaborative last year, when just a few students were involved. "It takes me less than 30 minutes to help each client, but it can save them hundreds of dollars," he says. "We can make sure they get the earned-income credit if they qualify. People really appreciate how much money and time we can save for them."

Suzanne Harrington-Steppen, RWU's

associate director of pro bono programs, helped to develop this year's expanded project. "I recruited students, and we partnered with the East Bay Community Action Program, which sponsors sites around the region," she says. The students spent about 20 hours over winter break to complete an online training program. Four students completed the advanced-level training, which meant another 20 hours.

During the tax season, from January to April, the students volunteered for the East Bay Community Action Program, at sites in Newport, Bristol, and East Providence. "The students work in shifts, three to eight hours, once or twice a week," says Harrington-Steppen. "Overall they put in 75 or 100 hours, sometimes more." That's well above the 50 hours of pro-bono work required to graduate from RWU Law.

"The work is rewarding," says Chris Puig, another second-year law student who joined the VITA project this year. "We simplify the

complicated tax process for our clients. If they have questions, we walk them through it. Sometimes it's easy, but sometimes it's not. For example, a divorced mother with three kids at home might be entitled to a tax credit she didn't know about – if she filed as 'single' instead of 'head of household,' she'd miss out." The work helped him to grow as a person, said Puig, and expanded his ideas about where his career might take him in the future.

Harrington-Steppen plans to continue expanding the program. She hopes to recruit 30 students for next year, and create a walk-in site on campus. "We're excited because one of the goals of the law school is to teach our students how to incorporate pro bono work into their careers," she says. "VITA clinics are held around the country, every tax season, so it's an opportunity they can continue to take part in, for years to come."

Successive Valedictorians Take Seats at Top Firm

Though she graduated from Brown *magna cum laude* and holds a master's degree in education, Katherine N. Kishfy studied relentlessly at RWU Law. Her hard work paid off: she graduated *summa cum laude*, as 2012 valedictorian, landed a clerkship with Rhode Island Supreme Court Chief Justice Paul A. Suttell, and this fall started as an associate in the Providence office of one of New England's most prestigious firms, Hinckley Allen.

A few doors away, 2013 valedictorian Andrew S. Tugan is also a new Hinckley associate. Enrolling in law school after five years as a Surface Warfare Officer in the U.S. Navy, Tugan graduated *summa cum laude* while serving in the Naval Reserve, as editor-in-chief of law review, and as intern for the Hon. William E. Smith of the U.S. District Court for the District of Rhode Island.



GETTING TO KNOW...

Elizabeth Colagiovanni '10

Senior in International Tax at KLR Certified Public Accountants, Providence

Representing the Rich

International taxation is such a complicated field that it's easy for high-wealth individuals and corporations investing or working overseas to run afoul of foreign laws – or the I.R.S. That's when they turn to Elizabeth “Liz” Colagiovanni '10, who, just four years out of law school, has become an expert in helping über-wealthy clients minimize their tax bite. She may recommend foreign restructuring or an “offshore voluntary disclosure” (OVD), which means contacting the I.R.S. before it discovers undeclared offshore accounts or assets and ladles on heavy fines. **Everybody wants your money:** Colagiovanni – who, after completing her J.D. at RWU Law, earned an LL.M. in Taxation from Boston University School of Law – loves the complexity of international tax treaties and foreign law. “The more of a challenge I have, the happier I am,” she says. “With international taxation, there's always something changing.” **The rich are different from you and me:** “One couple had to pay a million dollars because they were so far behind in paying their taxes, but if they hadn't done an OVD, they'd have lost it all. You get shocked with these high-wealth individuals. I didn't want to tell them, ‘It's a \$1 million tax liability,’ but they said, ‘Hey, you just saved me 15 or 20 million.’” **The Hollywood years:** Before law school, Colagiovanni, a native of Rhode Island with an undergrad degree from Roger Williams University, spent six years in California. She got an M.F.A. in Film Industry, then worked for a film company in the accounting department, which fostered her interest in tax law. “That's when I started learning the business, that you have films that will be losses so you don't have to pay as much taxes on ones that are winners.” **The horror, the horror:** “I was the production accountant for two movies, ‘P.S. I Love You’ and also for ‘One Missed Call,’ a terrible B horror movie where a demon comes through the cell phone,” she says, with a laugh. **Future plans:** “I just got the good news that I am officially teaching an online course entitled ‘Tax & Accounting’ for the BU's LL.M. Graduate Tax Program this summer! So I'm on my way to my dream of teaching law!”

– Elaine McArdle

HARD TIME

By Lesley Riva

A weekend in
jail gives public
defenders new
insight into their
clients' lives

WHEN THE DOORS OF THE LARIMER COUNTY JAIL CLANGED SHUT BEHIND HER THIS PAST SPRING,

there were some things Lynn (Laweryson) Ward '11 knew to expect. As a Colorado state public defender, based in Fort Collins, the jail was familiar territory, a place she visited weekly, if not daily, to meet with clients. The smells, the lines, the security checks were the wallpaper to her regular routines.

But when she signed up to spend two nights in jail herself last year – one of 10 public defenders who took part in a unique program designed to give them insight into incarceration – she still had some surprises coming.

“There’s a lot of stuff you don’t think about – like the fact that clients don’t even get to wear their own underwear,” she says. “The underwear they give you has been worn by who knows how many people, the bras are kind of tattered and stretched out; everything is ill-fitting.” Or the constant noise at night. “None of us got any sleep, because it’s so loud,” Ward says. “Huge iron doors opening and closing all night, you barely close your eyes.”

The idea for the jail stay originated with Ward’s colleague Eric Vanatta, a supervising deputy state public defender in the same office. An 18-year veteran of the office, he felt it was important to gain more practical insight into what clients go through while incarcerated.

He approached correctional officials with the concept, and – somewhat to his surprise – they agreed. Ten attorneys were allowed a supervised two-night stay, tightly scheduled and strictly segregated from the general inmate population. They underwent the standard booking and intake procedures, ate the food, slept in the cells, visited the library, attended some of the classes, shuffled down the halls in their prison-issue orange jumpsuits.

“I was hoping to gain some perspective,” Vanatta says. “We’re negotiating every day on behalf of clients, and you get to a place where you’re throwing around time like it’s not that big a deal, a few days more here or there. It’s

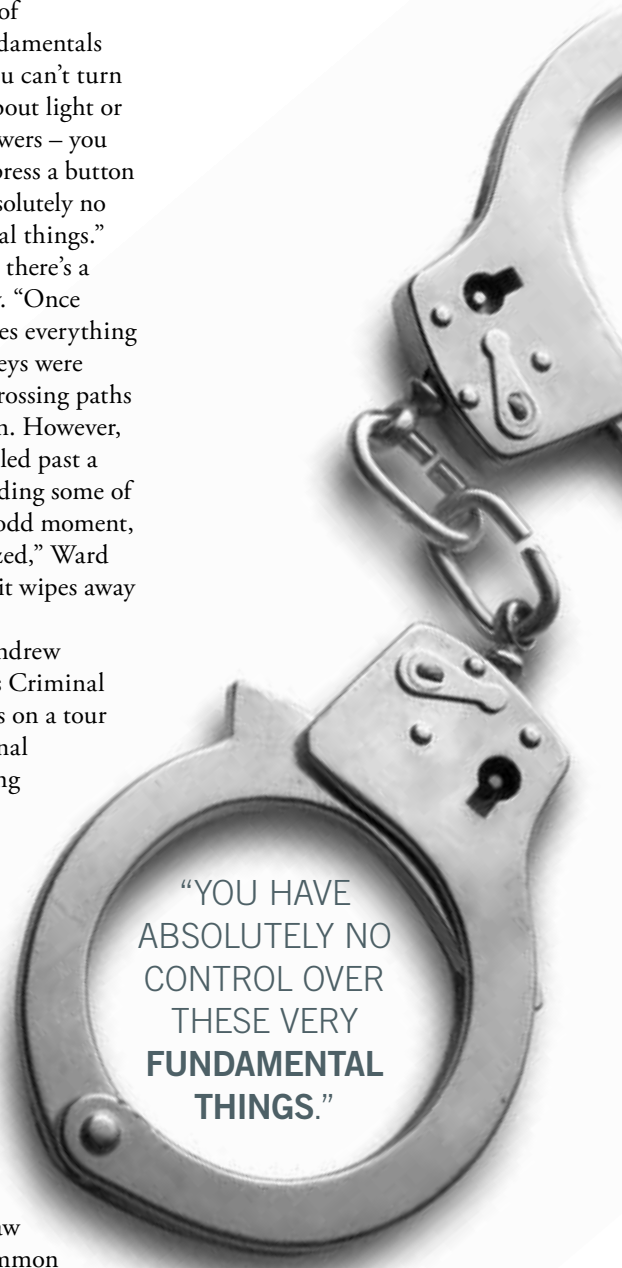
important to know what those days really mean.”

What they mean is a total lack of autonomy, even over the basic fundamentals of one’s physical environment. “You can’t turn off the lights at night, no choice about light or dark,” says Vanatta. “Even the showers – you can’t choose hot or cold, you just press a button and water comes out. You have absolutely no control over these very fundamental things.”

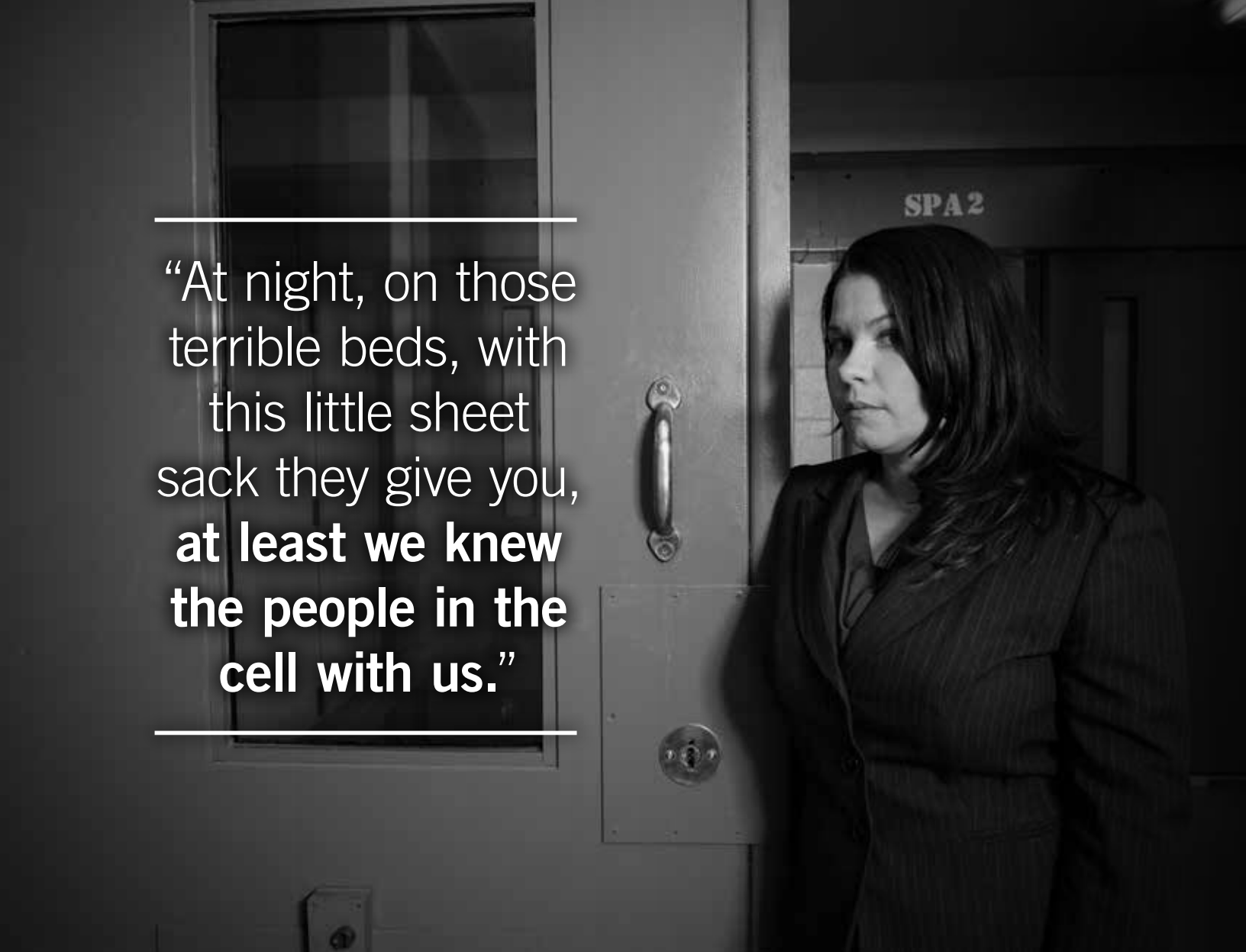
Along with personal autonomy, there’s a stripping away of personal identity. “Once you’re all wearing orange, it changes everything about you,” Ward said. The attorneys were kept in protective custody, never crossing paths with the general inmate population. However, at one point they were mistakenly led past a group of inmates in the hall, including some of their own clients. “It was such an odd moment, because not one of us was recognized,” Ward says. “It really brought home how it wipes away your identity.”

Each semester at RWU Law, Andrew Horwitz – who directs the school’s Criminal Defense Clinic – takes his students on a tour of Rhode Island’s Adult Correctional Institution to get a feel for the living conditions and to meet with a group of inmates. “I think [the jail stay] is a fabulous idea,” he says. “Anyone doing this work would benefit from that kind of experience. I’ve always thought the tour I do is a tour that every prosecutor and judge should be required to take. They don’t really understand the realities people face when they are advocating for jail time.”

Horwitz said Roger Williams law students tend to have two very common reactions to his tour of the ACI. “They are very uncomfortable with the dynamic of witnessing other human beings who have no privacy and no control over their lives. And they come away



“YOU HAVE
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FUNDAMENTAL
THINGS.”



“At night, on those terrible beds, with this little sheet sack they give you, at least we knew the people in the cell with us.”

with a much more profound sense of how oppressive and dehumanizing it is; even the language used by the guards, where they talk about not meals, but feedings; not number of people, but number of bodies.”

Ward takes pains to underline that the Larimer County Jail is a forward-thinking institution. “I’ve been to a lot of different correctional institutions, and dealt with a lot of sheriff’s offices, and this is a pretty good jail,” she says. “They are very professional; they understand you catch more flies with honey, and for the most part, they treat our clients with respect.”

Colorado correctional officials were open to feedback at the end of the stay, noting the attorneys’ comments on the intake process, and listening carefully at

a debriefing session. And while insisting, for safety concerns, on protective custody for their charges, guards did their best to simulate the jail experience, putting the attorneys through the standard booking process, stripping them of their personal possessions, serving up jail-house food and prison-issue toiletries, even issuing one attorney with a disciplinary citation for venturing into an off-limits area.

Ward noted that she and her colleagues were well aware they were spared much of the worst of the experience. “At night, on those terrible beds, with this little sheet sack they give you, at least we knew the people in the cell with us. We knew we were safe,” she says. Still, the strain of even this shortest of stays took a toll. “When the guard came in after the first night, he

looked at us and said, ‘I’d never believe even one of you was an attorney, let alone all of you.’”

In the end, along with new insight into the physical and emotional reality of jail time, there were some positive impressions that Ward came away with. She and her colleagues attended some of the self-improvement classes the jail offers, met the mental health professionals and others offering services to inmates, and said she would now be more willing to recommend those services to clients.

Perhaps most importantly, the experience has altered the way she presents herself to clients. She is conscious of choosing her most professional attire, for example, even during jail visits. “The contrast is just so stark, between us and



them, and I want them to feel they have a thorough professional on their side," she says. "I want them to have faith in me."

And now, when clients tell her she has no idea what they're going through, she has an answer. "I always tell them, 'I'm never going to know what it's like to walk in your shoes, but I'm certainly doing my best to try and understand.'" **RWU LAW**



2. R. THUMB

2. R. INDEX

2. R. MIDDLE

A SPIRITED DEFENSE

WITH ITS STRONG PUBLIC INTEREST FOCUS AND DYNAMIC CRIMINAL DEFENSE CLINIC, RWU Law has produced a number of graduates doing high-impact work as public defenders.

A trial attorney with the prestigious Brooklyn Defender Services in Brooklyn, N.Y., **Timothy Gumkowski '06** is one of those graduates who found his passion for public interest while lawyering on the Bristol campus.

"I came in thinking I wasn't going to be a trial attorney," Gumkowski says. "Then I had my first opportunity to do my first mock trial, and I thought 'Yes! This is what I want to do.'" He cites Larry Ritchie, professor of evidence and coach of the mock trial team, as a major influence, along with Andrew Horwitz, who directs the criminal defense clinic. "Those two were very influential, and allowed me to find what turned out to be my calling."

Through the clinic, Gumkowski had perhaps the seminal experience of his law school career: he became the first law student in Rhode Island to try a case in front of a jury. "Tim got an acquittal," says Horwitz. "He did beautifully, and it was a very exciting experience for him. I was thrilled that he wanted to go on to do criminal defense."

After a two-year clerkship at the United States Court of Appeals for the Second Circuit, Gumkowski has spent the last six years as an attorney in the very office where Horwitz served as a public defender some two decades ago.

"I absolutely love it," he says. "Recently, a lot of the cases I consider successful have to do

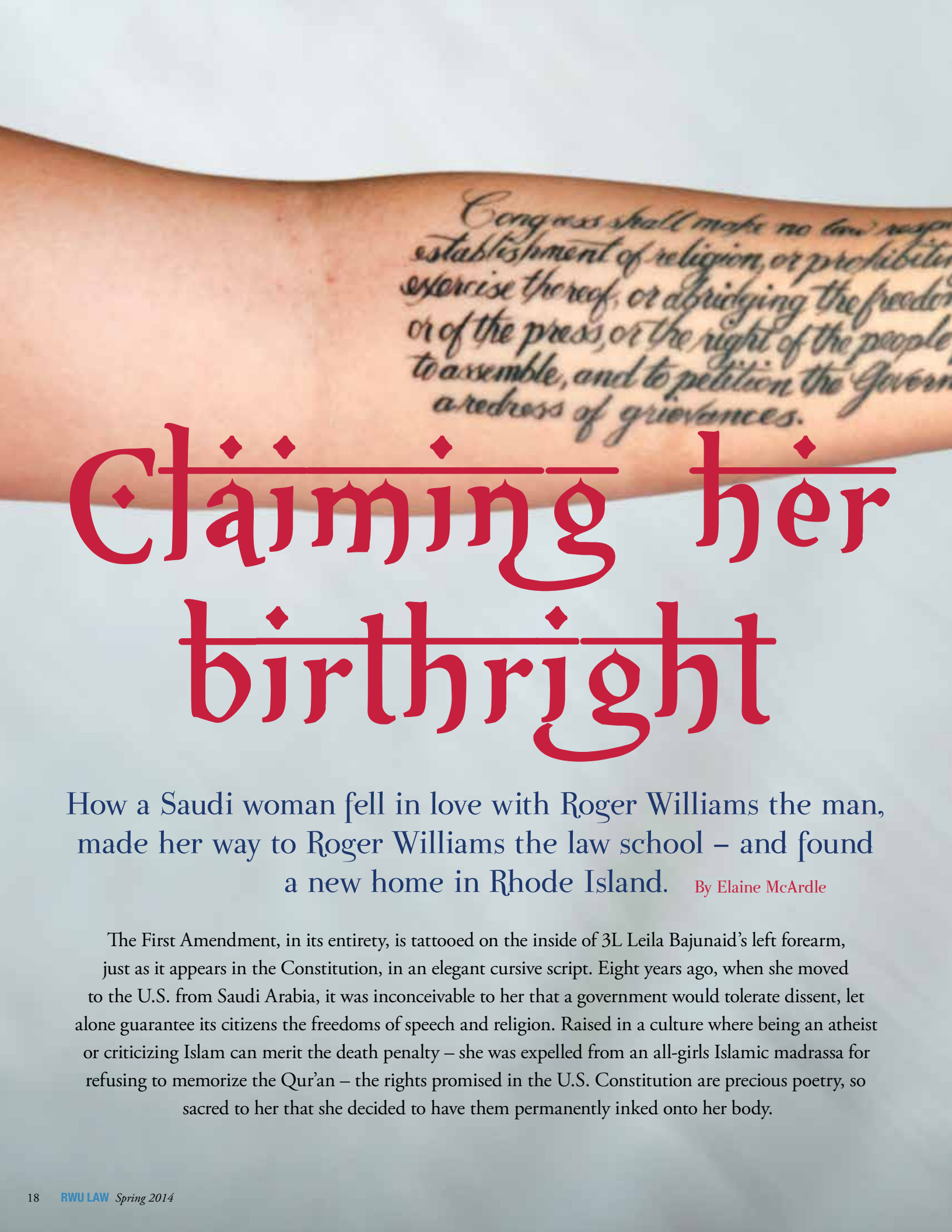
with the conduct of police officers, who seem to be stretching and exceeding the limits placed on them by the constitution. That conduct often goes unchecked, because it's essentially the word of a police officer against someone accused of a crime. That's where I come in."

Akin Adepoju '04 had a slightly different trajectory. Now a federal defender in the trial and capital habeas units in the federal defender's office for the western district of Pennsylvania, he handles both trial and capital cases. Before his appointment as a federal defender, he worked with the Fair Trial Initiative, a death penalty litigation organization in North Carolina. He too cites the law school's strong focus on public interest law as an influence, and credits Professors Ritchie and Horwitz as role models.

"The path that led me to law school was really to do civil rights work, to advocate for people, and create opportunities for the disadvantaged and give them a voice," he says. That passion for social justice still informs the work he does today.

"It's work that has changed me permanently, made me a much better person than I would have otherwise become," he says. "I grew up in a working family, just making ends meet. I had all the basics, but really nothing more. And yet, I had parents and siblings who cared about me. Now I've seen people who really had nothing. I've seen profound poverty, profound helplessness; profound hopelessness. That's what you see when you do capital work. And it made me realize that I had everything that mattered."

— Lesley Riva



*Congress shall make no law respecting
establishment of religion, or prohibiting
exercise thereof, or abridging the freedom
of the press, or the right of the people
to assemble, and to petition the Government
for a redress of grievances.*

Claiming her birthright

How a Saudi woman fell in love with Roger Williams the man,
made her way to Roger Williams the law school – and found
a new home in Rhode Island. By Elaine McArdle

The First Amendment, in its entirety, is tattooed on the inside of 3L Leila Bajunaid's left forearm, just as it appears in the Constitution, in an elegant cursive script. Eight years ago, when she moved to the U.S. from Saudi Arabia, it was inconceivable to her that a government would tolerate dissent, let alone guarantee its citizens the freedoms of speech and religion. Raised in a culture where being an atheist or criticizing Islam can merit the death penalty – she was expelled from an all-girls Islamic madrassa for refusing to memorize the Qur'an – the rights promised in the U.S. Constitution are precious poetry, so sacred to her that she decided to have them permanently inked onto her body.





“My first week in college, the professor in my American government class started talking about the Bill of Rights and the First Amendment, and I honestly could not believe it,” recalls Bajunaid, an honors graduate with a degree in political science from California State University at Bakersfield, who plans to become an advocate for social justice. “To come to a country where not only are we allowed to believe whatever we want, but are explicitly encouraged to respect the diversity of religious belief systems was something new to me. The First Amendment’s guarantee of my right to choose to practice – or not to practice – a religion is a celebration of the freedom that Roger Williams himself fought for in Rhode Island, long before the Constitution was ratified.”

Indeed, her devotion to her newly discovered rights – born in Texas while her father was studying abroad, she’s an American citizen – and a particularly strong affinity for Rhode Island’s founder, Roger Williams, is the very reason she enrolled at RWU Law.

“I looked at the history of Roger Williams and learned that Rhode Island was founded on the separation of religion and government – that’s what attracted me here,” says Bajunaid, whose right arm is tattooed with the RWU Law’s logo, the scales of justice. “Since its inception, Rhode Island has acted as the sole dissenter. When the 12 other colonies signed the U.S. Constitution, Rhode Island refused to follow through, demanding assurance from the Founding Fathers that these rights be explicitly implemented in the Constitution. What Roger Williams went through, being persecuted and exiled and then ending up in Rhode Island – I feel like I’m following in his footsteps.”

Now one of the state’s biggest cheerleaders – “I believe it’s the best place on the planet!” she says – she’s convinced

her mother, brother, and younger sister to join her, with hopes her father will soon; the family live together in Tiverton. “I love the culture, history and diversity here. People here are very tolerant, open and liberal. In Saudi Arabia, I felt like people always judged me, were pretty harsh and strict, and made me feel bad about my beliefs or actions. Here, I feel I can be whatever I want to be and people will respect me. I feel I can be totally free.”

“The First Amendment’s guarantee of my right to choose to practice – or not to practice – a religion is a celebration of the freedom that Roger Williams himself fought for in Rhode Island, long before the Constitution was ratified.”

– *Leila Bajunaid '14*

♣️ *Pàssjòn – ànd Hùmòr*

The moment she matriculated, Bajunaid embraced a wide range of public interest opportunities, including the Women’s Prison Project, volunteering for Marriage Equality Rhode Island to support same-sex marriage, and participating in an Alternative Spring Break project with the ACLU in Rhode Island, observing courts to make sure language interpreters were provided to litigants who weren’t native English speakers. Last summer, she worked in New York City



for Diana Adams, a nationally known lawyer who concentrates on family law cases for the LGBTQ community and other non-traditional families.

“She’s the kind of student we love to attract, the kind who has a really interesting background, is committed to public interest law, and is ready to take in any and all experiences she might gain while she’s here,” says Laurie Barron, Executive Director Feinstein Center for Pro Bono & Experiential Education, who is overseeing Bajunaid’s externship this semester at the Rhode Island Office of the Child Advocate. “She’s very enthusiastic, passionate about the issues she cares about, and she’s great to have in class.”

Professor Bruce Kogan, Acting Director of Clinical Programs, taught Bajunaid last fall semester in the school’s Mediation Clinic, where students help work out disputes between parties in civil and family court cases. “She was particularly attuned to instances where there were cultural concerns, or where some of the family issues were caused because [the parties] didn’t share same values or came from different backgrounds,” Kogan says. Bajunaid also stood out in her desire to go beyond merely resolving the immediate issues in dispute. “She wanted to improve the situation of the parties and wanted to focus on if there was a way for them to come to a



better understanding of each other," he added.

And Bajunaid, who exudes energy and is quick to laugh, also brought a certain liveliness that complements her passion for her cases. "Although she knows the work we do is serious, she doesn't take herself seriously," says Kogan. "Leila has a sense of humor that I think was appreciated in the group meetings, especially when the students were talking about tough cases that didn't work out."

❖ The Outsider

Bajunaid's father, a Saudi raised in a traditional family, completed his masters and Ph.D. in finance and economics at Texas Tech University in the 1980s; while on spring break in the Philippines, he met and fell in love with her mother, a Filipino. They married – itself a bold step, as his family was Muslim and his new wife Catholic – and as he finished his studies, Leila and her older sister were born in the U.S., though the family returned to Saudi Arabia while they were still babies. In the privacy of their home, Leila's parents encouraged her and her siblings to read forbidden authors such as John Stuart Mill and Jeremy Bentham, and watch banned movies, including "Monty Python and the Holy Grail," which treated traditionally "serious" cultural and

religious topics with a healthy irreverence and humor. "My father has always been a free thinker, and he taught me to be the same way," she says. "He always asked questions, and he made us ask questions."

But in a nation where women still aren't allowed to drive, and will be allowed to vote next year for the first time ever by edict of a new and more progressive monarch, Bajunaid's family life was at radical odds from her classmates'. At an all-girls' school – much of Saudi Arabia

Bajunaid feared something much worse for her parents. Her classmates gasped when she raised her hand and revealed her mother was Christian. "The whole class looked at me, they shamed me, and the teacher said, 'We hope Allah has mercy on her soul.'" Traumatized, Bajunaid returned home crying; her parents assured her the school taught lies, but she felt increasingly isolated. "All day I was a Muslim; all night I was an atheist," she says.

At 16, Bajunaid was expelled from school after she "purposefully refused to recite the Qur'an during the oral recitation final exam." She enrolled in a boarding school in Lebanon and then, three years later, moved to California and entered college.

When she graduates from RWU Law in May, she plans to take the Rhode Island and Massachusetts bar exams, then travel for a year before launching her public interest-focused legal career. She's graduating with no student debt as both her undergraduate and legal studies were paid for entirely by the Saudi government, through the Saudi Arabia Cultural Mission. The irony is not lost on her, but she notes that few women take advantage of the program, and she believes she's one of a handful of female law students who have.

One day, she says, she would like to return to Saudi Arabia to work for human rights. "I've seen it through history; the oppressed eventually rise up. It's inevitable," she says. "When that does happen, they'll need legal advocates. My ultimate goal is basically to make a difference in the world, as clichéd as that sounds. But I have been an oppressed woman in a patriarchal society, and I've been given this opportunity. The story of my life is still being written, but I know I'm definitely on the path toward ending women's oppression in places like Saudi Arabia." **RWU LAW**

First Amendment Fan

FAVORITE BOOK

"America's War on Sex: The Attack on Law, Lust and Liberty."
by Marty Klein

FAVORITE MOVIE

"The People vs. Larry Flynt"

QUOTE

"Personally, I don't think any speech should be regulated. I'm an absolutist. I'm for complete freedom of speech, 100 percent."

EARLY INFLUENCES

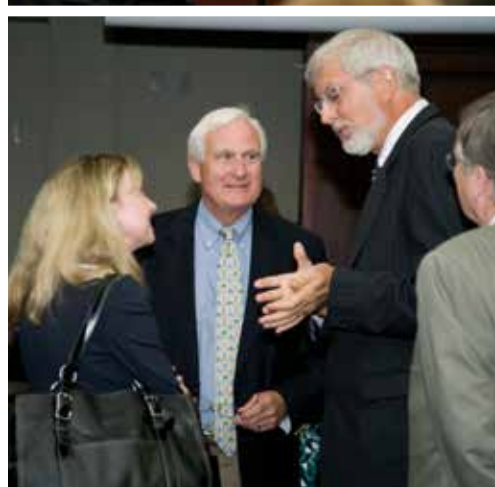
"My father made me watch Quentin Tarantino when I was a kid! And South Park! And George Carlin!"

is gender-segregated – she quickly ran afoul of the restrictions.

"When I was really young, probably eight or nine, I began asking questions," she recalls. "There was one teacher talking about the importance of praying five times a day, and she said, 'If you miss a prayer, the punishment you will receive in hell is the minimum punishment of walking barefoot on the hottest fire ever, and it will be so hot your brain will liquefy and ooze out of your ears.' They say a lot of stuff like that, really graphic."

With such severe repercussions for Muslims who didn't adhere to the rules,







A Job Well Done

Having led RWU Law through a critical second decade and into its third, one of America's longest serving deans steps down

By Michael M. Bowden



As Roger Williams University School of Law wraps up its 20th anniversary celebration, Dean David A. Logan, who has led the school for half its existence, is preparing to step down and return to teaching full-time. Founding faculty member and Distinguished Service Professor of Law Michael J. Yelnosky will officially take over RWU Law's deanship on July 1 (*see accompanying feature*).

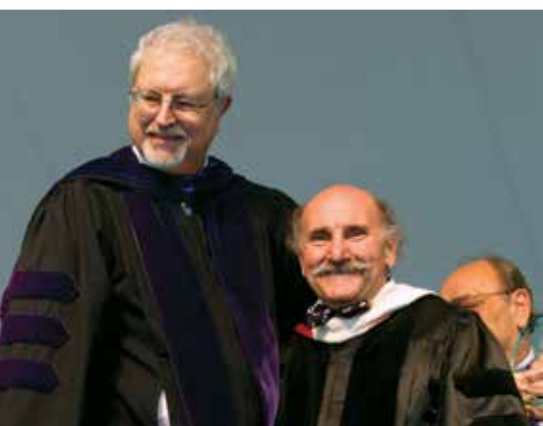
Dean Logan has headed the School of Law since 2003, which places him among the 15 longest-serving law deans in America. (The average law school deanship is four years.) Logan said his long tenure reflects a match that still works to this day.

"From the moment I set foot on campus, I was impressed by the law school's energy and potential," he said. "I saw a talented faculty and staff and a solid student body, but also an opportunity to help RWU Law build a reputation for quality in the bench, bar and legal academy."

By all accounts, Logan succeeded admirably.

"It has been my distinct privilege to serve with Dean David Logan," said University President Donald J. Farish. "He has been totally focused on making the law school the very best it can be, and he has been on the forefront of expanding its horizons in every direction. Much of the success of the law school is directly attributable to Dean Logan's leadership of an exceptionally talented and committed faculty and staff."

Chief Justice Paul A. Suttell of the Rhode Island Supreme Court agreed.



“Dean Logan displayed foresight and an ability to identify trends, thereby ensuring the positive impact of the school on the region.”

-R.I. Attorney General Peter F. Kilmartin '98

“David Logan has certainly made a positive mark on the Rhode Island legal community,” he said. “The law school has thrived under his leadership. He has also been instrumental in developing a close, mutually beneficial relationship with the Rhode Island judiciary. On a personal level, I will miss his sage advice and good humor, but I am delighted to learn that he will continue at the law school as a professor.”

Rhode Island Attorney General Peter F. Kilmartin, who is a 1998 graduate of RWU Law and an alumnus of the University’s undergraduate criminal justice program, also spoke to Logan’s impact in the state’s legal community: “Dean Logan has displayed foresight and an ability to identify trends, thereby ensuring the positive impact of the school on the region. He has positioned the school well for the future – and I am pleased to see that future includes continuing to instruct at the school. I have professionally and personally enjoyed our relationship throughout my tenure as Attorney General, and am pleased he will not only continue to be a resource for the office, but also for me personally.”

The Logan Legacy

Under Logan’s stewardship, the School of Law attained membership in the prestigious Association of American Law Schools (AALS) and saw marked improvement of bar-pass rates and job placements – particularly in judicial clerkships, a key measure of law school success.

During his tenure, the law school also launched important experiential learning opportunities, including the groundbreaking Pro Bono Collaborative, the Immigration Clinic and the In-House Counsel Externship program.

“I particularly applaud David’s diligence in ensuring that every law student now has the opportunity to work in an externship or clinic setting prior to graduating, thereby obtaining the experience he or she will need to secure a position after passing the bar exam,” President Farish noted.

Chief Justice Suttell added that these programs provide “much-needed legal services to low-income Rhode Islanders as well as a variety of hands-on learning opportunities to law school students.”

Logan’s commitment to expanding the availability of legal services to underserved communities was recognized in such honors as Rhode Island Legal Services’ Equal Justice Award and the AALS’s Deborah Rhode Award for Pro Bono and Public Service. In addition, he secured funding for a loan forgiveness program for graduates entering public service.

Logan’s decade at RWU Law saw the school achieve an increasingly diverse faculty, staff and student body; in 2010, he won the Providence NAACP’s Community Service Award.

He also helped raise the school’s profile. As a nationally recognized expert on mass torts, Logan has been frequently quoted in local, national and even international media. His blog – a chatty, bi-weekly snapshot of events and personalities

at RWU Law – was recently rated top among the three law dean blogs (followed by Northwestern and Case Western) on OnlineColleges.com’s national list of the “Top 10 Blogs by University Deans.”

High Profile

Before arriving at Roger Williams, Dean Logan was from 1981 until 2003 a member of the faculty at Wake Forest University School of Law where he earned a number of professional awards for his teaching of Torts, Media Law, and Professional Responsibility. His publications, focusing on the intersection of tort law and the First Amendment, have appeared in major journals, including the *Michigan Law Review* and the *Virginia Law Review*.

Logan is an elected member of the American Law Institute, and served as an advisor to the Restatement (3d) of Torts. Prior to that, he clerked for a federal judge and practiced with a major Washington, D.C. law firm, where he represented Native American tribes.

He is also a frequent commentator on legal issues, having appeared on television (The O’Reilly Factor, Fox News, NBC Evening News, and Nightline), radio (Morning Edition, All Things Considered, and Marketplace), and print media (*Time*, the *Wall Street Journal*, the *Washington Post*, the *New York Times*, and the *Financial Times*). In recent years, he has been widely quoted on the complex civil liability issues arising out of the BP oil spill in the Gulf of Mexico – as close to the action as the *New Orleans Times-Picayune*, and as far-flung as the BBC and Voice of Russia.

He was born in New York City and grew up in the Washington, D.C. area. He earned his B.A. from Bucknell University, his M.A. from the University of Wisconsin, and his J.D. from the University of Virginia. He was a varsity basketball player, head DJ at the campus radio station, and even did a brief stint as a music critic for *Rolling Stone*.



Back to the Future

When Dean David A. Logan arrived in Bristol in 2003, Roger Williams University’s flagship publication, *The Bridge* (predecessor to *RWU Magazine*), published a profile introducing him to the community (“A Fun Ride From Good to Very Good: Dean David Logan Charts a New Course For the Law School,” Issue No. 2, 2003).

The incoming dean said he found RWU’s campus “breathtaking in its beauty” and its community infused with an infectious energy and optimism about the future. “A lot of necessary groundwork was laid in the first decade as the school found its sea legs and began putting together the faculty and the administrative staff it needed to be a really strong and stable institution,” Logan said. Now the task was to position RWU Law as a serious regional and national player in legal education. His six-point strategy for success, one decade ago:

1. Attract and retain good faculty. Augment the excellent core faculty that founded and nurtured the school through its first 10 years.
2. Recruit the strongest students possible. While the top half of classes had always been very good, the lower half “needed work” – but “we’re closing the gap” every year.
3. Bolster academic support programs. “Every student who comes in our door should be able to walk out and pass any bar exam in America.”
4. Bolster diversity. RWU Law must reach out “to people with the potential to be real impact players in their communities after graduation.”
5. Enhance clinical offerings. Nurture and grow the school’s strong clinical programs, as well as the Public Interest and Marine Affairs Institutes.
6. Enhance RWU Law’s public visibility. Expand RWU Law’s visibility in local and national media to “help build the school a reputation as a legal resource of nationwide importance.”

Having spent the previous two decades helping 150-year-old Wake Forest University School of Law in Winston-Salem, N.C., rise from a local, Southern Baptist outpost to a nationally respected legal institution, Logan definitely had the administrative chops. But whereas transforming Wake Forest was akin to making a difficult “battleship turn,” transforming Roger Williams – a young school unburdened by hidebound tradition – would be “more like turning a cruiser.” “All the signs are good,” Logan added. “All the winds are blowing in the right direction.”

– MMB



When people look back at the history and development of Roger Williams School of Law 10 years hence, 20 years hence and beyond, what will they say about “The Logan Years”? RWU Law Magazine asked the outgoing dean to name four accomplishments he would most like people to remember him for. His responses:

1 Stability

“One thing that the best leaders can do is give people a sense of confidence in their organization’s future. When you’re constantly getting new leaders, your confidence in the future is eroded. So in a sense, just by soldiering on for 11 years I was able to bring stability and continuity to a place that had never really had it; you’ve got the same guy sitting in this chair in 2013-14 that you had in 2003-04. A stable leadership generally reflects a stable institution, and that stability will be continued and enhanced because our next dean is Professor Michael Yelnosky. He’s a founding member of the faculty, and he served as my associate dean for four years; you could not get any more stability short of my sticking around. In terms of what I do on this job, Michael probably knows 99 percent of what I know – and what he doesn’t yet know, I’ll give him before I exit.”

3 Reputation

“I think the law school’s reputation with the bench, bar and academy has risen over the past 11 years. Some of this had already begun when I got here: various faculty members pursuing their passions, their projects and moving the public conversation forward. But over the past decade, all of this has accelerated and become more visible. In addition, we now have on our team – either as adjunct faculty, members of governing boards, or employers – some of the very best judges and lawyers in Southern New England. Many of them had a toe in the water 11 years ago, but they’re ‘all in’ now. This isn’t because I have some magic touch, but because I helped key individuals move from a somewhat vague, inchoate interest in the law school to a concrete excitement about our people and programs.”

2 Student-Centeredness

“I think I brought a recognition that we live or die by the success of our graduates. The faculty was already delivering a great education when I got here; what I did was augment that with an array of support professionals. We developed a very strong Career Services program by bringing to RWU Law a national leader in the field, Tony Bastone. We put together an excellent Academic Support program with a full-time director; we also have a director of diversity, a writing specialist and a professional bar-prep person. All this has dramatically improved our bar-pass rates as well, which also gave us a lot of credibility. And we continue to enhance our relationships with potential employers – judges, lawyers and beyond. We’ve got a terrific reputation for quality that our graduates can carry with them into the marketplace, wherever they go – whether it’s traditional practice, government or further afield.”

4 Commitment to Diversity

“I’ve had a commitment to diversity from Day One, and here are two proof points: (1) a quarter of our entering class this year is diverse, which is almost four times higher than it was when I arrived; and (2) look at our assistant and associate deans – five women, three of them women of color, and an openly gay male – those are my ‘wing men.’ The leadership of the law school is very much, in its day-to-day operations, in the hands of a diverse and talented group of people. I think that’s the other real accomplishment I can bequest to Michael: the on-the-ground reality that we are now a much more diverse faculty, staff and student body than we were when we started.”

– MMB

“I like what I do, and I like the people I’m doing it with – be that faculty, staff, students, alumni, or lawyers and judges out in the community.”

-Dean David A. Logan

Reflections and Plans

As his tenure winds do an end, Logan reflected that his years at the helm of RWU Law have been gratifying, fulfilling – and overwhelmingly positive.

“I like what I do, and I like the people I’m doing it with – be that faculty, staff, students, alumni, or lawyers and judges out in the community,” he said. “Most days are good and a fair number of them are great. Part of it is that, by nature, I’m a glass-half-full sort of person; and part is that I’m just ambitious – when I do something, I really throw myself into it, whatever it may be.”

Logan says his work has been improved and enhanced by a remarkably supportive group of colleagues. He recalled, “When I took this position, some experienced law deans told me, ‘Beware of the former deans on your faculty: they’re going to sandbag and undercut you at every opportunity – it’s just one of the unpleasant realities of taking on a deanship when you come from the outside.’ But that didn’t happen to me; in fact, it was just the opposite. For the past 11 years, Tony and Bruce [former Deans and current Professors Anthony J. Santoro and Bruce I. Kogan] could not have been better, more supportive colleagues to me. And I hope to keep that tradition going. I’m here to support the new dean.”

A popular teacher of torts law even during his deanship, Logan plans to return to teaching next fall. “I’ve taught a half a load for the last eight years,” he said. “So while serving as a full-time



administrator, I’ve also kept my teaching skills sharp. I’ve also been writing – I published an essay recently, updated a book, wrote some Op-Eds, and I’ve got another article coming out this summer. I’ve never abandoned my core teaching and scholarship pursuits. I especially look forward to teaching a seminar on the history of the Civil Rights movement.”

What he miss the deanship? “Well, there’ll be fewer rubber-chicken dinners to attend, but I guess there’ll be fewer fancy dinners as well,” he joked. “Figuring out what to do on my weeknights and weekends – that’s really going to be the big difference, but the day-to-day rhythm of the job isn’t going to change. I will still work full time; I’m just that kind of guy. I mean, look at Bruce and Tony – they teach overloads here. How can I not jump back in and be fully engaged when those guys are?”

Logan pauses and shrugs with a smile. “Ultimately, I’d say, it all depends on what Dean Yelnosky wants me to do.”

RWU LAW



MS UNIVERSITY
OF LAW





The Road Ahead

On July 1, founding faculty member Michael J. Yelnosky becomes the fifth dean of RWU Law. Here's an introduction to the man and his plan. . .

By Michael M. Bowden

When Professor Michael J. Yelnosky takes his seat as the fifth dean of Roger Williams University School of Law this summer, he'll bring with him an unparalleled depth of institutional knowledge – as a founding faculty member, former associate dean and key faculty leader at Rhode Island's only law school, few know the terrain better – together with an energetic vision to launch the school into its third decade.

Yelnosky's selection was announced by Roger Williams University President Donald J. Farish in January, concluding a search process initiated last August, when Dean David A. Logan – one of America's longest-serving law deans – announced that he would return to teaching at the end of this academic year (*see accompanying feature*).

A founding faculty member who served a four-year term as associate dean for academic affairs from 2004 to 2008, Yelnosky (who, in 2011, was named distinguished service professor of law) played an integral role in the School of Law's early history and participated in developing many of its signature programs. At a time when major challenges face the legal profession and legal education nationwide, he emerged as an ideal candidate for moving the school forward while providing continuity and stability.

"Not only has Michael Yelnosky been an instrumental force in RWU Law's emergence as a major influence on our region's legal culture, educating practice-ready lawyers and serving the area's neediest populations, he has been a consistent voice of wisdom, innovation and progress as the school adjusts

to changing professional and economic realities outside the academic world,” Farish said. “His deep understanding of the law school’s strengths, combined with his insight and vision on meeting the challenges now facing legal education, make him the ideal choice for this vital role going forward.”

‘Kind of a Baseball Guy’

As one of the original law faculty members hired by Founding Dean Anthony J. Santoro (now a senior law professor here) when the school opened in 1993, Yelnosky has spent almost his entire career in legal education at RWU Law.

“The first time I set foot on campus, there was no law building yet,” he recalled recently. “Tony was running the ‘law school that was to open’ out of an office in the top of the University Library. He had kind of a war room up there, where he was recruiting faculty and doing all of the work that was necessary to integrate the law school into the University and the legal community – all the things you need to do with a start-up.”

Witnessing the school’s growth and evolution in the years since then has been a gratifying experience.

“I have seen the school grow into a remarkable institution through the hard work and talents of the faculty, staff, students, alumni, trustees and our many other friends and supporters – members of the bench and bar and other community and government leaders,” Yelnosky said. “I look forward to helping us continue to design and implement innovative approaches to preparing our students for modern law practice while remaining true to our core values of teaching, scholarship and community service.”

As dean, Yelnosky will bring a distinctive new personality to the table – one that’s both friendly and low-key; simultaneously laid-back and intensely focused. He self-effacingly shrugs, “I’m generally not the most interesting guy in

“His deep understanding of the law school’s strengths, combined with his insight and vision on meeting the challenges now facing legal education, make him the ideal choice.”

-RWU President Donald Farish

the room” – but in fact, he is likely to be the best informed, with a mastery of the data and comfort with the statistics that few can match.

“I’m kind of a baseball guy,” he explained. “I believe in the value of the daily-ness of things. Each person you meet, each opportunity you have to connect, each program that you implement – it all builds up. I was one of those baseball-card nerds who knew everyone’s batting average and all that. And I still like to sink my teeth into stuff, crunch the numbers. I like to be as steeped in the data as I can possibly be.”

Professional Educator

A research fellow with NYU School of Law’s Center for Labor and Employment Law, Yelnosky is a widely recognized expert in employment and labor law. He has served as president of the Rhode Island chapter of the Labor and Employment Relations Association, and he arbitrated a major dispute between the Rhode Island Brotherhood of Correctional Officers and the State Department of Corrections.

Another focus of his scholarship involves the judicial selection process. He has written several articles and hosted a major symposium on Rhode Island’s judicial merit selection system, and the results of his research into the role of the ABA in the federal judicial selection process will soon appear in the *Roger Williams Law Review*. In 2013, he published an op-ed in the *Washington Post* that summarized the major findings of that research. He is regularly quoted in

the media on these and other topics.

In the classroom, Yelnosky has long been a favorite with 1L students in Civil Procedure and with second- and third-year students in Employment Law, Labor Law, Employment Discrimination, and Judicial Behavior and Social Change Litigation, which he taught with the Honorable William E. Smith, chief judge



of the U.S. District Court for the District of Rhode Island.

In his previous administrative role as associate dean, Yelnosky was instrumental in leading the law school's successful effort to gain membership in the prestigious Association of American Law Schools (AALS). He also designed and conducted annual studies of the scholarly output of the faculties of most American law schools, which documented the achievements of the faculty at Roger Williams (fifth in New England, trailing only Yale, Harvard, Boston University and Boston College) and garnered national attention.

The Road to RWU Law

Yelnosky grew up in a family of five children in the Philadelphia suburbs. He

originally planned to be a high school teacher and earned his B.A., magna cum laude, in secondary education at the University of Vermont. However, after a harrowing experience as a student teacher – “they chewed me up and spat me out, as only 14 and 15 year olds can do” – he opted for the LSAT and went on to earn his J.D., graduating *cum laude* from the University of Pennsylvania School of Law.

Before entering academia, he served as a law clerk for the Honorable Edmund V. Ludwig – “one of the great professional and personal friendships of my life” – in the U.S. District Court for the Eastern District of Pennsylvania and worked for two law firms: Mellon, Webster & Mellon; and Morgan, Lewis, & Bockius. Soon afterward, Judge Ludwig helped him

secure a teaching position at Villanova University School of Law. Yelnosky “loved it” and never looked back, teaching for a stint at Chicago-Kent College of Law/IIT before finally settling at Roger Williams.

Yelnosky and his wife, Laurie Barron, director of the Feinstein Center for Pro Bono & Experiential Education at the law school, are the parents of 13-year-old twins. Yelnosky took up running a few years ago, and he has already completed six marathons, including two Boston Marathons. His PR is 3:11:24, which he ran in Philadelphia in 2012. He was qualified to run Boston again this April, but recently broke his ankle and had to sit out Boston 2014. **RWU LAW**





How will Roger Williams University School of Law change under Dean Michael J. Yelnosky? What are his plans and priorities for meeting the challenges ahead? RWU Law Magazine asked the incoming dean to discuss the four goals he would most like to achieve during his tenure. His responses:

1 Making Law School Affordable

“This is a challenging time for law schools in general, and we are not insulated from what is happening nationally. Yet there are benefits to getting your cage rattled once in a while. In some ways it forces you bring your A-game. I’d say we’re a better organization now than we were even a year ago, in part because we really are trying to respond to the market; to think hard about how much it’s costing our students to get this degree, what they’re getting during their three years here, and what they need to forge satisfying professional lives when they leave.

“Affordable Excellence is a terrific manifestation of that process – of us looking and listening and saying, ‘We hear you.’ The cost of legal education is a serious problem. It means that some people who wanted to become lawyers won’t even apply to law school; and that some who do pursue the field will discover that, because of the associated debt, they can’t work in their preferred slice of the field. Moreover the financial burden pressures some students to work while they’re in law school, which in turn may distract them from preparing as best they can for classes, for the bar exam, and ultimately for practice.

“So in every way, reducing tuition is a terrific idea – for our students, for the profession and, ultimately, for clients. One of the frustrating things about being in legal education is that you see, on the one hand, lawyers who have problems finding the jobs they want, where they want them, when they want them. Then on the other hand you see this tremendous amount of unmet legal need. Most of us got into this field because we truly care about equal access to justice issues, so it’s a real conundrum – and part of the solution is ensuring that students don’t leave law school with crippling debt.”



2 Continuing to Create Innovative Programs

“Our primary goal is to prepare students as best as we can for their careers. At RWU Law, we started out ahead of the curve on this issue. When the law school was founded, we had more of an experiential education ethic than you were seeing at many law schools at the time. That led to the hiring of a cohort of faculty who took experiential education very seriously – people with amazing professional backgrounds. As a result, we were able to create an extremely robust program here, one that we can be extraordinarily proud of. Our “Guarantee” that every qualified student will be afforded a substantial clinical experience is just the latest manifestation of our ability to innovate in ways that help our students.

“That’s also one of the benefits of being a little smaller. We’ve always been a pretty intimate school, but we’re now in a position where, from the time a student walks in our door, we know who that student is and what that student’s aspirations are. That will help us continue to integrate the various aspects of our curriculum in an intentional way, to more effectively move students from where they are when they arrive to where they want to be when they graduate.”

4 Educating Non-Lawyers

“It’s important for us to keep thinking about what the practice of law might look like 20 years from now, or even just 10. One area where we may very well see some change relates to people who don’t have a J.D., doing things that today only lawyers can do. Part of this stems from the influence of technology. In the old days, for example, writing wills could be part of a lawyer’s bread-and-butter business. But today almost anyone can create a simple will with the push of a button – at legalzoom.com, for example. So it’s gotten a lot harder for someone with three years of legal training to write enough of those wills – or charge enough for them – to make ends meet.

“Moreover, an increasing number of people who are not lawyers come in contact with the law or lawyers as a regular part of what they do for a living. The faculty here recently approved a one-year Master of Legal Studies program, designed to provide legal training for that growing population of workers. They could be individuals who work in human resources, health care, the marine field, alternative energy; they could be artists and inventors with intellectual property issues; they could be people

3 Enhancing Providence Presence

“Though our home base is Bristol, we’re already in Providence too, of course, and we do a lot of amazing things there; our clinics are really spectacular. But I’m envisioning something with greater visibility and a higher profile – a law center for Providence that fully integrates all our clinical work while manifesting our connection to the city’s legal community; a center that includes space for the students who are spending larger periods of time away from the campus in Bristol, whether doing clinical work in our criminal defense, immigration, or community economic development clinics in Providence or working in clinical externships in judges’ chambers, government offices, other public interest settings, or the legal departments of corporations like Schneider Electric (a global energy company with 140,000 employees in over 100 countries) or CVS.

“That’s an extraordinarily exciting prospect for us. There’s certainly a symbolic value, but, more importantly, there’s a tangible value for our students in having a ‘home’ in Providence where they can engage in both experiential education and classroom work, to see that they’re not separate things, that they feed and complement one other. A law center in the city will also give us an opportunity to take advantage of relationships that we can forge with other partners there. Providence is the hub of the legal, business and cultural communities in Rhode Island, and we want to be part of that – we want our students to be part of that. The synergies could be really transformative.”

who do contract compliance for companies working with the state and federal government. The law has so permeated human activity that a much larger slice of the population can now benefit from legal training than was the case in the past.

“Right now in the U.S., we have what you might call a unitary system for delivering legal services: it’s J.D.s only, because of licensing requirements and rules about unauthorized practice of law. But there is increasing pressure on regulators from consumers who don’t always want to or cannot pay top dollar for legal services that could be delivered by someone without three years of post-graduate legal education. There are important consumer protection issues at stake, but I think the trend will be to loosen restrictions on the unauthorized practice of law. Washington State has recently announced some changes, and New York State will now permit law students to take the bar after 5 semesters of law school in exchange for using their sixth semester to provide legal services to indigent clients. Both are ways of trying to fill that ‘justice gap’ I referred to earlier – the inability of too many individuals to get affordable legal services.”



The Enemy Within

Adrienne Serbaroli '07 Combats Sexual Assault in the Marine Corps

PROFILE

Adrienne Serbaroli '07

By Mary Grady

It's never easy taking a sexual assault case to court, but for a young woman or man in the Marines, it's harder still. "It's a terrible, awful experience to have to go through," said Adrienne Serbaroli '07, a captain and judge advocate in the Marine Corps. "It's traumatic."

"Adi" Serbaroli is one of only 15 Marine lawyers from around the country who were recently handpicked to join the newly formed Marine Corps Victims' Legal Counsel Organization, which launched on November 1, and became fully operational on January 1. The program provides experienced Marine lawyers to advise and represent victims in sexual assault cases.

"We are essentially pioneers of something that has never been done in the military before," said Serbaroli. "[The new program] is in direct response to the complaints voiced by victims through the media and to Congress over the past two to three years."

As in civilian life, sexual assault cases can be complex and murky, Serbaroli explained, often involving he-said/she-said scenarios, with memories sometimes muddled by alcohol.

In the Marines, an added layer of complexity stems from the differences in stature and power inherent in the military system.

"There's a culture of blame against the victim," Serbaroli said. And the complex legal process itself "can be very confusing and intimidating," she said. "I'm somebody who's going to guide them through that process. I can figure out if there's a way for me to help them make the right decision. I can protect them."

Her clients are often young, relatively inexperienced and in need of much support. Only six percent of Marines are women, so they can feel especially isolated. Male victims – Serbaroli has had three male clients so far – can find the process even more difficult. Cases often take a year or two to find resolution, and it's an exhausting process. "I do a lot of empowering of [my clients]," said Serbaroli. "It's hard, it's very emotionally draining, but I feel like it's necessary."

Serbaroli said her education prepared her well for this challenging role. Growing up in New York, she attended all-girl schools, and graduated from Barnard, an all-women college at Columbia University. When she decided to pursue a law degree at Roger Williams, she was unsure of her ultimate goals.



“There’s a culture of blame against the victim. I can protect them.”

– Adi Serbaroli '07

“I didn’t have a direction, but I knew I wanted to do big things. I needed to challenge myself, and I thought a law degree would give me a lot of options.”

With graduation looming, she decided to check out military careers. “The Marine Corps requires its officers to go through all the intense, rigorous physical training – they put us through a wringer – and that appealed to me,” she said. “I enjoy being pushed like that. You learn real, practical leadership.” After graduating from RWU in spring 2007, she went straight to Officer Candidate School, and then passed the bar on her first try the following year.

Her work with sexual assault cases is “really hard and really challenging,” said Serbaroli – and that’s exactly what she signed up for. “I feel really lucky,” she said. “This work is very important to me, and I feel like I’m good at it.”

She expects this assignment, based in San Diego, to last another year or so, and then she’ll be reassigned again. “We’re supposed to be jacks of all trades,” she said. Serbaroli doesn’t know where she’ll be living or what she’ll be doing next; but it turns out that’s exactly the life she was looking for. “I’m definitely challenged, a lot, on a regular basis,” she said, laughing.

The challenges should keep on coming: she just signed up for another five years.

Class Notes

1997

Anthony Leone has been appointed to serve on the Board of Governors for the American Association for Justice.

1998

Dennis Meyers, a commercial litigator of Tampa Bay Business Law LLP, graduated from Leadership Hillsborough in Tampa, Fla., in June of 2013, and has been appointed to its Board of Directors for a three-year term.

Vicki Ray is deputy chief counsel in the Office of the Principal Legal Advisor, Immigration and Customs Enforcement, U.S. Department of Homeland Security, in Boston.

John “Jack” Sutherland III has been selected as winner of the 2014 *Providence Business News* “Career Achievement” Award.

2002

Lucy Holmes Plovnick and her husband Robert Plovnick welcomed their third child, Valerie Mae Plovnick, on October 25, 2013. Lucy is a partner at Mitchell Silberberg & Knupp LLP in Washington, D.C., and her practice focuses on intellectual property law and litigation.

2003

Jessica Kallipolites was promoted to administrative director of the Connecticut Bar Examining Committee in December 2013. Jessica married in September 2012.



Amy S. Mello became a partner at Perry, Hicks and Deshaies, LLP, in New Bedford, Mass., on Jan. 1. The firm now practices under the name Perry, Hicks, Deshaies and Mello, LLP.

2004

Amanda Williams is an attorney for the Missouri Department of Social Services Administration Hearing Unit in St. Louis. She was recently admitted to the Illinois State Bar.

UPCOMING EVENTS



Mark your calendar.
Events and Important RWU Law Alumni Dates

May 29

Pro Bono Collaborative Fundraiser Reception
5:30 p.m. - 7:00 p.m.
Citizen Plaza Rotunda, Providence



June 19

Law Alumni Association Annual Breakfast
Held in conjunction with the Rhode Island Bar
Association Annual Meeting
7:45 a.m. - 9:15 a.m.
RI Convention Center, Providence



August 1

**Rhode Island Attorney General
Open Government Summit**
8:30 a.m. - 12:00 p.m.
RWU Law, Bristol, R.I.



September 18

**3rd Annual Prof. Anthony J. Santoro
Business Law Lecture**
5:30 p.m.
Omni Providence Hotel, Providence



For details on these and many other exciting upcoming events, visit
law.rwu.edu/calendar



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Class Notes

2005

Rui Alves is Of Counsel with Barton Gilman, LLP in Providence.



Marek Bute is a commercial litigation partner at Snell & Wilmer LLP in Las Vegas. He obtained an AV Preeminent rating from Martindale-Hubbell, and was just named one of "39 Persons of Influence" in Las Vegas by *Desert Companion* magazine.

Alicia J. (Byrd) Samolis, a partner at Partridge Snow & Hahn LLP, was recognized as a "Rising Star" in the 2013 *Rhode Island Super Lawyers*.

2006

Nicole (Dulude) Benjamin was promoted to Counsel at Adler Pollock & Sheehan, P.C., where she has launched a new blog titled "The Fast Five on Rhode Island Appellate Practice" (www.RIAppeals.com), featuring updates on Rhode Island appellate law and pointers for practice before the Rhode Island Supreme Court.

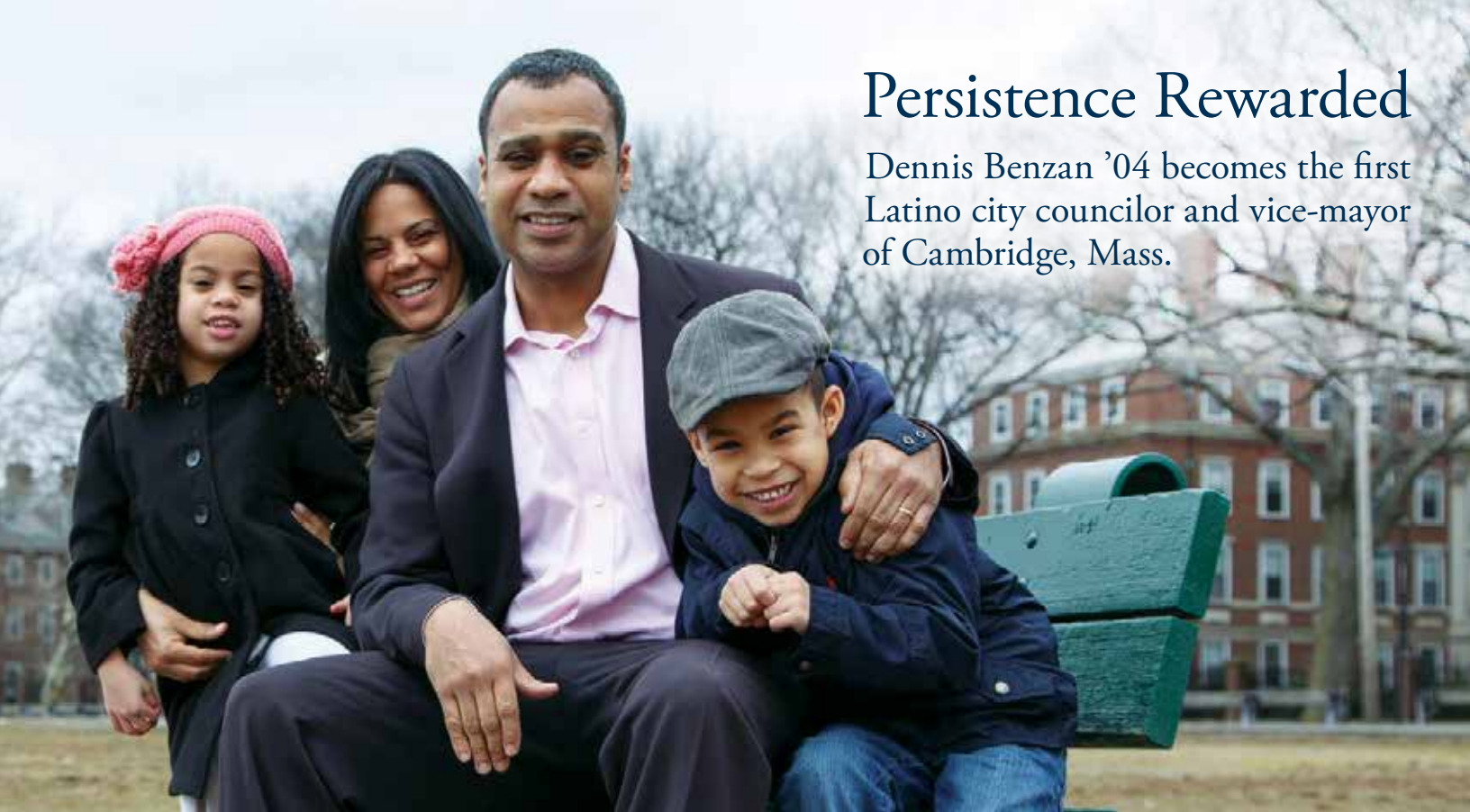
Martinelle Cole is the director of professional development at Davis Wright Tremaine, LLP, in Seattle.

2007



Weayonnoh Nelson-Davies is the lead benefits attorney at Central-West Justice Center, an affiliate of the Community Legal Aid in Worcester, Mass. She also represents patients with the Medical-Legal Partnership.

Elizabeth A. Suever and **Robert S. Knychalski** welcomed their first son, Andrew Robert Knychalski, on January 11. Elizabeth is an associate at Roberts Carroll Feldstein & Pierce Inc. in Providence, and Robert is associate general counsel at FGX International Inc. in Smithfield, R.I.



Persistence Rewarded

Dennis Benzan '04 becomes the first Latino city councilor and vice-mayor of Cambridge, Mass.

PROFILE Dennis Benzan '04

By Mary Grady

It took four tries over 17 years, but this past November, Dennis Benzan finally won elected office, and he's now serving as city councilor and vice-mayor in his hometown of Cambridge, Mass.

To make the victory that much sweeter, he won more votes than any other first-time candidate (his previous runs were for other positions). He's also the first Latino to serve on the council and the first to be elected vice-mayor, a position he won in a vote by his peers. "It's unusual for a first-time city councilor to be voted in as vice-mayor," he says. "And I was voted in unanimously."

Benzan brings unflagging energy and a long history in the city to his new job. "Both of my parents immigrated to Cambridge," he says. "My mother came from Puerto Rico and my father from the Dominican Republic. My family was able to move from poverty to the middle class because my parents found job opportunities in the factories here." In today's complex, high-tech economy, education is the key to success, Benzan says, and he believes the city council can do more to ensure today's students find a way forward.

In his own life, Benzan says, education opened doors. "Even when I was in high school, I always wanted to be involved in public service," he says. He attended Howard University, in Washington, D.C., and served as an intern in Congress. At 23 years old, he returned to Cambridge and ran his first race, in 1996, for a seat in the state legislature. "At

the time there was not one Latino in the legislature; I would have been the first," he says. "But I lost that race by three percent." He tried once more in 1998, and lost again. "I learned a valuable lesson, that it was important for me to prepare myself a bit more," he says.

He decided to go back to school for a law degree, and enrolled at Roger Williams. "It's extremely difficult to organize a campaign and win elected office," he says. "If you want to be a viable candidate, you have to be able to out-fundraise and outpace everyone else." He says his time at RWU was "extremely helpful" in developing those skills; and in 2010, after working in private practice for a few years, he decided to make another run for elective office. This time he competed in a tough special election called to fill a vacant seat in the state senate. "It was the middle of winter, and we only had six weeks to run," he says. He lost again.

In last year's race, he put everything he'd learned to use, developing a strong platform based on the need to invest in science and technology education for all the city's youth. He trained his own enthusiastic campaign staff, and raised more money than ever before. This time he won. "This would have been the last election for me, if I didn't win," says Benzan. Now 42, he's well into his first two-year term, and looking forward to many more.

"We'll be running for re-election again next year," he says. "It never stops."

Nobody likes to
draw a blank



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- Keep us informed and your fellow alumni in the loop! You may upload submissions for the Class Notes section of the next issue of *RWU Law* using the RWU Law Alumni Online Community or you can email lawalumni@rwu.edu.
- Professional and personal photos are welcomed. Please be sure the image is at least 300 dpi at a print size of 4 x 6 inches or larger. Please note that we publish as many images as space allows in the magazine.

*If you do not know your unique login ID number for the online community, please contact the Alumni Office at (401) 254-4541 or email lawalumni@rwu.edu

2008

Peter Carvelli is an associate with the law firm of Dussault & Zatir, P.C., in New Bedford, Mass. His practice will focus on Personal Injury and Workers' Compensation Law.

Tate Johnson is vice president of client development at Brook Hollow Financial/Brook Hollow Capital.

2009



Sally McDonald joined the litigation team at Pannone Lopes Devereaux & West LLC in Providence.

2010

Samuel Rosado is a staff attorney with the State of New Jersey, working with Government Records Council and the Department of Community Affairs.

2011



Jeffrey Basting is an asylum officer with U.S. Citizenship and Immigration Services at the Los Angeles Asylum Office. As an asylum officer, Basting

adjudicates asylum applications and conducts credible-fear screenings for the U.S. Citizenship and Immigration Services' refugee and asylum division. Basting previously served in the Peace Corps in Khon Kaen, Thailand, from January 2012 through October 2013. He coordinated activities between public and private community partners in the areas of dengue fever prevention, HIV/AIDS prevention and outreach, tourism development, and small business development.

Justin Pruett is a client services consultant for Deloitte Transactions & Business Analytics LLP, in Arlington, Va.

Jackie Roller is a natural resource management specialist for the NOAA National Ocean Service and her work primarily involves the Coastal Zone Management Act. She completed her Presidential Management Fellowship with NOAA in August 2013.

2012

Jonathan Cook, a partner with Wu, Grohovsky & Whipple PLLC, in Washington, D.C., was invited to speak at an ABA meeting on whistle-blower law with representatives from the United Kingdom.



Amy Goins was elected president of the Board of Common Cause Rhode Island in November 2012 after serving as secretary of the board for one year. She joined the board in 2010. Amy is currently employed as an assistant city solicitor for the City of Providence Law Department.

Katherine Kramer is working for a new non-profit, the Center for Sustainable Fisheries in New Bedford, Mass. Kramer is researching legal issues that arise from the language employed in statutes governing scientific methods used.

Jesse Passmore is a tax associate at KPMG LLP, a Mergers & Acquisitions Tax group, in New York City. Passmore deals primarily with large multi-national corporations and private equity funds, working on how to structure proposed transactions. After graduating from RWU Law, Passmore went on to Georgetown Law, where he earned his LL.M. in Taxation, with a certificate in International Taxation.



Jenna Pingitore is an associate at Taylor Duane Barton & Gilman in Providence.

Jolee Vacchi and her husband Christopher Vacchi welcomed Jillian Elyse Vacchi, born January 4 at Women and Infants Hospital in Providence.

2013

Carolan Porter is an associate attorney at Leone Law, LLC in Warwick, R.I.

George C. Whaley joined James V. Aukerman & Associates in Wakefield, R.I., as an associate attorney. He will be counseling clients in estate planning, organizing new businesses, zoning, subdivisions and real estate.

Leadership RI and RWU Law Alumni

Nicole J. (Dulude) Benjamin '06, counsel at Adler Pollock & Sheehan P.C., was chosen to serve on the Leadership Rhode Island Board of Governors. Leadership Rhode Island is a nationally recognized community leadership development organization, founded in 1981 to create and support a legacy of leaders for the state.



LEADERSHIP
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Other Leadership RI and RWU Law alumni include:

Kathleen Connell '00
John Dean '08
Stephen DeSesto '00
Richard DeMerchant '08
Paul A. Doughty, Jr. '99
Michael Edwards '10
Stephanie Frederico '03
Lisa Holley '01
Katy Hynes '02
Matthew Jerzyk '08
John Leidecker '97
Anthony R. Leone II '97

Michael McCarthy '03
Robert McDonough '06
Neal Pandozzi '99
Matthew Plain '05
Katherine Powell '01
Timothy Sullivan '01
James Sullivan '01
Camille Vella-Wilkinson '06
Jeffrey A. Williams '12
Sarah Wilson '12
William Wray '13

CURRENT RWU LAW STUDENT, LRI ALUMNUS

Jacob Bissaillon '16

CURRENT LRI STUDENTS, RWU LAW ALUMNI

Amy Goins '12

Kyle Zambarano '04

LRI ALUMNUS, CHAIR, RWU LAW BOARD OF DIRECTORS

Adjunct Professor Mark Mandell

Please note that Leadership RI only began tracking alumni data in 2010, and this list may be incomplete.

The "20 for 20" Campaign

Attention RWU Alumni! Let's demonstrate our collective pride – both in our alma mater's many achievements over the past two decades and in its ongoing legacy of *Fulfilling the Promise* for the future – by participating in the "20 for 20" Campaign.

Gifts made by alumni to the RWU Law Annual Fund will support our fundraising goal of reaching 20% alumni participation – in this, RWU Law's 20th Anniversary year. To maintain our excellent quality and reputation among peer institutions, it is essential that the percentage of our alumni who make an annual gift to their alma mater remains competitive as well.

It's not too late to help us reach our goal and light all of the candles on our anniversary cake! Please make a gift to the RWU Law Annual Fund on or before the end of our fiscal year – June 30, 2014.

RWU Law
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Please visit <http://law.rwu.edu/give> to make a secure online gift to the RWU Law Annual Fund. Or, mail your gift, made payable to "RWU Law" to: The Office of Annual Giving, Roger Williams University School of Law, Ten Metacom Ave., Bristol, R.I. 02809.

Closing Argument



A Culture of Impunity

Laws are only worth their weight in enforcement

By Melanie Shapiro '12

Co-Founder, Citizens Against Trafficking

Co-Founder, Shapiro & Kravitz, LLC

Rhode Island now has one of the strongest anti-prostitution laws in the country. For 29 years, however, a loophole in the law permitted indoor prostitution, making Rhode Island a major sex tourism destination and a magnet for pimps.

I learned about this loophole in a women's studies course at the University of Rhode Island. I, like most people, had not known that it existed. I lived in Federal Hill at the time. Once I was aware of this loophole, I learned about several spa-brothels in my neighborhood. I felt angry and helpless. I wanted to know how it had happened. I decided to focus on the issue for my honors thesis under the guidance of Dr. Donna M. Hughes. The goal of my research was to see how prostitution was decriminalized indoors in Rhode Island and whether sex trafficking existed in the state. The project eventually turned into a major legislative campaign.

Sifting through bureaucratic pushback, I discovered a sex discrimination case filed in 1976 that had influenced the change. See *COYOTE v. Roberts*, 523 F. Supp. 352 (1981). During the mid to late 1970s, the local community, particularly in the West End of Providence, expressed frustration to lawmakers. At that time prostitution was a felony and, while prostitutes waited for their cases to be heard, they would wind up back on the streets in the same neighborhoods. No amount of arrests seemed to fix the problem.

In 1980, the Rhode Island General Assembly passed amendments that dropped the charge to a misdemeanor in

order to speed up the process and keep prostitution off the streets. In doing so, language about indoors was removed and the loophole was created (the intentionality of which is unclear). This amendment mooted the *COYOTE* case and the issues raised in the case were never addressed on the merits.

Over the years, there was an incredible surge in the sex industry, particularly in indoor venues. For instance, from 1998 to 2009, the number of spa-brothels in Rhode Island grew from two to 40. In 1998, Judge Robert Flanders of the Rhode Island Supreme Court opined that the law was meant to bar prostitutes from "hawking their wares in public" *State v. Demagistris*, 714 A.2d 567, 573 (R.I. 1998). Thus, the loophole permitted indoor prostitution.

I determined that sex trafficking was occurring in Rhode Island. With the loophole in place, the hands of law enforcement were tied and the state's participation in federal programs, such as the FBI Innocence Lost Initiative, was thwarted. With no underlying offense, police were unable to generate probable cause and the Mann Act (which criminalized the transportation of women across state lines for prostitution) was a futile tool. Fast forward through an arduous state legislative campaign championed by House Democrat Joanne Giannini and, in late 2009, then-Governor Donald Carcieri signed into law a prostitution bill that finally closed the loophole.

I was both hopeful and exhausted. It appeared that a number of brothels



shut down on their own, deterred by the new law. Some johns were deterred, too. Largely, however, there was silence – a “watch and wait” period – and then back to business as usual. The tremendous bipartisan body that drove the political will to make this law possible faded away once the bill became law, and with that retreat, law enforcement retreated as well.

A law is only worth its weight in enforcement. Rhode Island now has a prostitution law with teeth – one that gives law enforcement the tools they lacked; that targets pimps, johns and landlords, and provides victims with affirmative defenses to avoid unjust prosecution. But the political will to enforce it is disappointingly lacking.

I'm guilty of shrinking back, too. After a very harrowing campaign, I was still a 1L. For me, it was back to endless reading, fielding the Socratic Method and tackling the brief. I naively assumed that, now that there were no legal obstacles, law



“When machine is broken and no one cares, it rusts; but when it is manned and greased, with gas in the tank, it will work again.”

- Melanie Shapiro '12

enforcement would be able to and would in fact put much effort into investigating the brothels, taking down the sex traffickers. It did not happen.

The political will must stay vigilant. The break in persistence has led to a number of oversights and failures. For one, the law includes biannual law enforcement reporting requirements. Second, a commission was statutorily appointed to serve these oversight functions. Unfortunately, the agency head appointed to lead the trafficking commission could not serve, because funding to that agency was cut. Nevertheless, no new head was

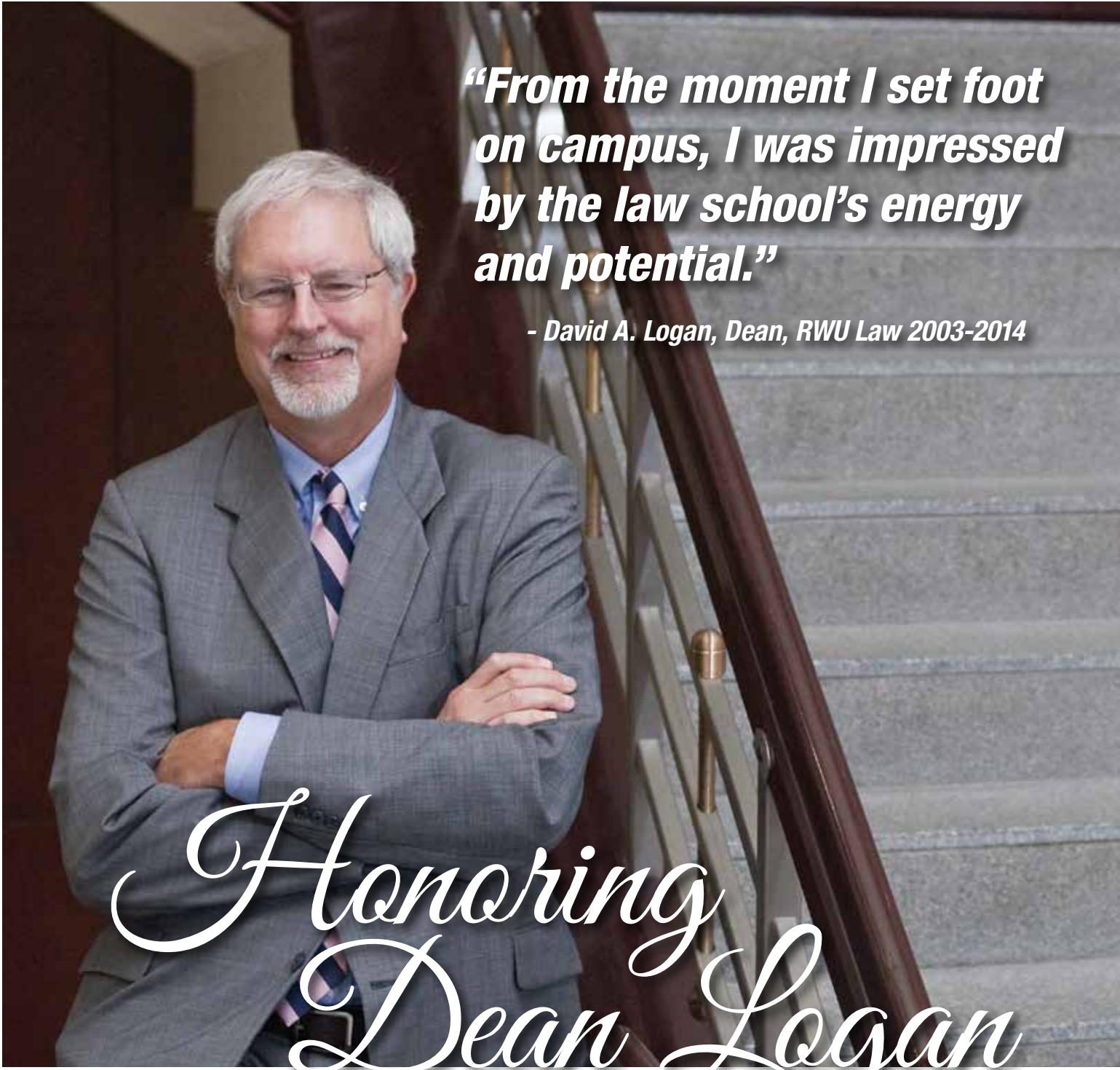
nominated and the commission never convened.

There have been a few arrests and raids, but convictions are rare. It is hard to feel the progress, too, when I walk through Providence and see the same brothels open for business that I investigated during the prostitution law campaign. If I look online, I see familiar spas advertising.

This problem is not unique to Rhode Island. It is not only rampant at the state level, but also pervasive at the federal level. I spent a summer working with Michael J. Horowitz, Esq. (who was President Reagan's general counsel in the Office of

Management and Budget), a pioneer of many human rights laws, including the Trafficking Victims Protection Act. When I worked with Michael, our focus was not on creating new laws or introducing legislation; it was about cutting through red tape and putting pressure on political appointees and agencies to carry out their statutory duties.

When machine is broken and no one cares, it rusts; but when it is manned and greased, with gas in the tank, it will work again. [RWU LAW](#)



“From the moment I set foot on campus, I was impressed by the law school’s energy and potential.”

- David A. Logan, Dean, RWU Law 2003-2014

Honoring Dean Logan

At the helm of RWU Law since 2003 – placing him among the 15 longest-serving law deans in America – Dean David Logan is stepping down at the conclusion of this academic year to return to full-time teaching. Much of the success of the law school is directly attributable to his leadership and his tireless focus on expanding RWU Law’s horizons in every direction to make it the very best it can be. His legacy shines in the positive impact the School of Law has made – and continues to make – on the Rhode Island legal community and beyond.

In recognition of the Dean’s extraordinary dedication of service, alumni, faculty, staff and friends of RWU Law are uniting in support of a campaign to permanently name a signature space at the School of Law in his honor. Please join the campaign to honor Dean Logan by making a gift to RWU Law before the end of the fiscal year, June 30, 2014.

Visit: <http://law.rwu.edu/LoganCampaign> or mail your gift, made payable to “RWU Law”, to: The Office of Annual Giving, Roger Williams University School of Law, Ten Metacom Ave., Bristol, R.I. 02809.

A capacity crowd of students, alumni, faculty, staff and friends filled the Providence Biltmore's Grand Ballroom for RWU Law's annual Public Interest Auction. Driven by a new online bidding system, the event raised thousands of dollars to fund the school's Summer Stipend Program. Guests – including Congressman David Cicilline; U.S. District Court Judges William E. Smith and John J. "Jack" McConnell, Jr.; R.I. Chief Justice Paul Suttell; Claire Richards, Counsel to Governor Chafee; John Marion, Executive Director of Common Cause; and Robert Barge, head of R.I. Legal Services – enjoyed great food and a festive atmosphere while supporting a very worthy cause.



As part of our ongoing commitment to sustainability, Roger Williams University prints RWU Law Magazine entirely on paper certified by the Rainforest Alliance™ to FSC® standards. By using FSC certified paper, we're sure that the raw materials used to produce this magazine come from forests that are managed according to FSC's strict social and environmental standards.

