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2015

## RWU Law: The Magazine of Roger Williams University School of Law (Issue No. 8) (2015)

Roger Williams University School of Law

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# RWU Law

ISSUE 8 | 2015

*The Magazine of Roger Williams University School of Law*

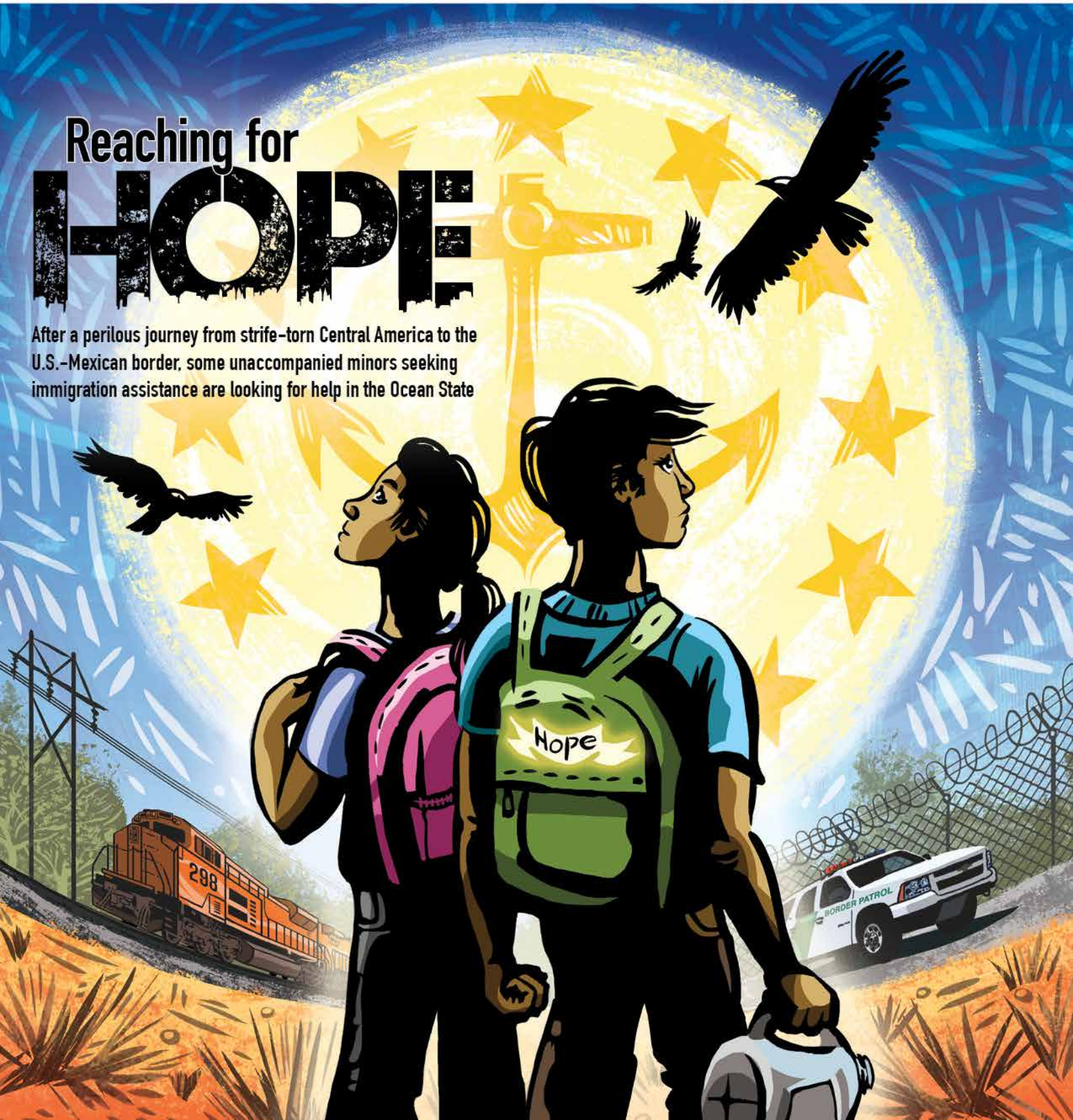
RHODE ISLAND AG'S OFFICE

WIND ENERGY'S FUTURE

DEATH PENALTY PUZZLES

## Reaching for **HOPE**

After a perilous journey from strife-torn Central America to the U.S.-Mexican border, some unaccompanied minors seeking immigration assistance are looking for help in the Ocean State







28

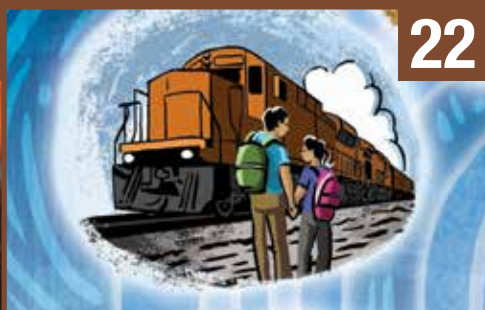
An insider's view of the Rhode Island  
Attorney General's office

# In This Issue

ISSUE 8 | 2015



8



22



36

## Features

### 22 Reaching for Hope – *by Mary Grady*

From Central America to Mexico to Texas to New England – some unaccompanied “surge kids” seeking immigration assistance have landed in the Ocean State.

### 28 The Crime Fighters – *by Alexandra Varney McDonald, Esq.*

The state government’s top attorneys are dedicated to a culture of integrity, accountability and transparency – creating a Rhode Island institution to be proud of.

### 36 Power Struggle – *by Dick Dahl*

Wind energy in New England got off to a tumultuous start, but rumors of its demise have been greatly exaggerated. In fact, experts say it’s only the end of the beginning.

## Departments

**2 The Dean’s Space**  
Dean Michael J. Yelnosky  
chats with Providence  
Mayor Jorge Elorza

**4 By the Bay**  
News from the Bristol  
campus and beyond

**14 Field Reports**  
RWU students, faculty and  
alumni in the community

**20 Trending**  
Professor Emily Sack  
on SCOTUS and the  
death penalty

**44 Amicus**  
The alumni pages

**50 Closing Argument**  
Christopher Puig ’15 brings  
the 2nd Amendment debate  
to Roger Williams





# Dean Meets Mayor

*With the law school's new Providence campus under renovation at One Empire Plaza and slated to open in May 2016, Dean Michael J. Yelnosky sat down with Providence Mayor Jorge O. Elorza to talk about the deepening symbiosis between Rhode Island's capital city and its only law school.*



**Dean Michael Yelnosky:** Even though you're the Mayor of Providence now, I hope you realize that we still consider you one of our own, Your Honor!

**Mayor Jorge Elorza:** The feeling is mutual. Whenever I talk about the law school, I always talk in terms of "we" and "us." Even though I am no longer a full-time faculty member, I always consider myself part of this school, whether in Providence or in Bristol.

able to get them excited about a vision.

**JE:** That's easy when it's such an exciting vision. I don't think there's another law school in the entire country that offers its students greater access to the bench, bar, political and community leaders than does RWU Law. And as our Providence presence expands, so will the possibilities. Regardless of your professional interest, there are options for you in Providence – in private practice, public interest, government, corporate, non-legal, educational...

*"The level of access is something  
you're not going to find anywhere else.  
The entire state is invested in the success  
of this law school."*

– Providence Mayor and RWU Law Professor  
Jorge O. Elorza

**MY:** And that Providence-Bristol combination is one that's hard if not impossible to find at other law schools. We have this beautiful, bucolic campus in Bristol, where students can concentrate on their studies in a very traditional way, particularly during their first year. But now we'll also be offering a dynamic, expanded urban campus that will enable them to take advantage of even more experiential educational opportunities – and then stick around to take some classes in the city. A few years ago, in fact, you led the task force on how to improve and increase our footprint in Providence.

**JE:** I did. My role was basically to bring the faculty together and start talking about what an expanded presence in Providence might look like, considering the different aspects and possibilities of the move. Once we were all on the same page, we reached out to other law school stakeholders throughout the city – judges, lawyers, business leaders, policymakers; many of them alumni, by the way – and they were all very excited as well.

**MY:** Watching you lead that effort, I saw some of the qualities that made you a great campaigner and candidate, and are now making you a great mayor. You're a good listener. You can keep people on topic. You're

And because we're the only law school in the state, our faculty and administrators are fully integrated into the community – and those relationships are there for students to take advantage of. Whether you're interested in externing with a judge or interning with a corporation, we have people in the School of Law who have already developed those relationships. The level of access you have to members of the community is something you're just not going to find anywhere else. The entire state is invested in the success of this law school.

**MY:** I agree. The sky is really the limit. An exciting characteristic of Providence is that everything's happening in a very concentrated area – federal courts, state courts, federal prosecutors, state prosecutors, the executive branch of the state, the legislature; it's all within walking distance. There aren't many cities I can think of where it would be better to be a law student; to have the kind of access that our students have. It provides opportunities that really are limitless. And as Providence goes, so goes Rhode Island – so I'm really excited that we're hitched to that wagon now in a much more dramatic way.

# RWU Law

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## A New Home in Providence!

*As part of a University expansion in the capital city, RWU Law will enlarge clinical and experiential opportunities for students, enhance community outreach*

In a move that will profoundly amplify the presence of Roger Williams University School of Law in downtown Providence and provide law students with enhanced access to hands-on, experiential opportunities, Roger Williams University has leased nearly 80,000 square feet of space at One Empire Plaza in the capital city.

When the new space opens in May 2016, following a complete renovation, it will replace the University's existing Metro Center at 150 Washington Street, enabling RWU Law to further enhance experiential learning opportunities in the midst of the state's legal culture. With its close proximity to the court houses, government offices, community service organizations and private law firms, the site will help the law school fulfill its explicit guarantee that every qualified student is afforded a substantial clinical experience, thereby gaining the practical, skill-building opportunities needed to graduate job-ready and prepared to thrive in their early careers.

"We will be able to provide students even more value with a 'home' in Providence where they can engage in both experiential and classroom work – to see that they are not separate but feed and complement each other," says Dean Michael Yelnosky. "A law center in the city will also give us an opportunity to take advantage of our relationships with the legal community, forge other relationships, and more easily and effectively collaborate with our partners. Providence is the hub of the legal, business, and cultural communities in Rhode Island. Our new home will permit us and our students to be part of that."

Occupying the entire fourth floor (and extending into other areas of the building as well), the RWU Law space will serve as the school's law center for Providence, more fully integrating its clinical offerings and manifesting its connection to the city and state's legal community. The Providence law campus will house the school's Criminal Defense, Immigration, Community Economic

Development and Veterans Disability Appeals Field Clinics, as well as providing additional classrooms and a large, flexible space that can be used as a mock courtroom, suitable for trial practice instruction and even use by state and federal court judges.

The classrooms will also enable law students to spend more time away from the Bristol campus, whether working in one of the clinics or in a clinical externship in judges' chambers, government offices, other public interest settings, or the legal departments of major corporations located in and around Providence. In addition, the space will house a branch office of the school's Feinstein Center for Pro Bono and Experiential Education, which is home to the nationally recognized Pro Bono Collaborative, partnering law firms, law students, and community-based organizations to provide targeted pro bono legal services.



## Earning Academic Credits 'On the Job' in D.C.

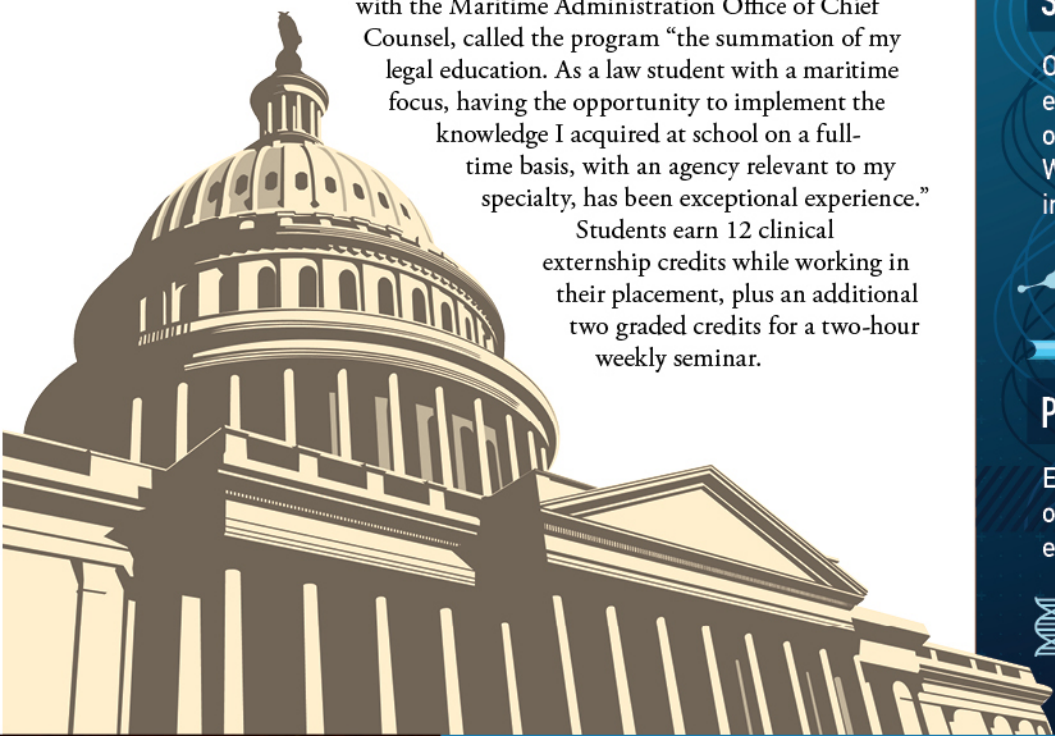
RWU Law's D.C. Semester-in-Practice Program provides an ideal opportunity for students considering a career in Washington D.C. after graduation to explore and plan for their future – by offering an entire semester spent earning on-the-job academic credits.

"The program immerses students in one of the most exciting, diversified and still-growing legal markets in the world," says RWU Law Professor of Experiential Education and former Associate Dean David Zlotnick, who directs the program. "They earn academic credit while working full-time in a government, non-profit or trade-association setting."

The students themselves are the program's biggest fans. "I have thoroughly enjoyed experiencing life as a legal professional in the nation's capital," says 3L Kyla Pecchia, who was placed in Senator Sheldon Whitehouse's Office as a Legal Fellow on the Senate Committee on the Judiciary. "The out-of-classroom experience has been invaluable, and I am confident that the skills will be transferable to my work in Rhode Island."

Army 1LT Michael J. Smitksy, also a 3L, who was placed with the Maritime Administration Office of Chief Counsel, called the program "the summation of my legal education. As a law student with a maritime focus, having the opportunity to implement the knowledge I acquired at school on a full-time basis, with an agency relevant to my specialty, has been exceptional experience."

Students earn 12 clinical externship credits while working in their placement, plus an additional two graded credits for a two-hour weekly seminar.



## Farewell to Professor Kent

It is with great sadness and fond memories that Roger Williams University School of Law notes the passing of an esteemed educator, scholar, colleague and friend, Distinguished Professor Emeritus of Law Robert Brydon Kent, H'91, who died at his Lexington, Mass., home on February 5, 2015. He was 93 years old.

In addition to his tenure at RWU Law, he taught on the law faculties at Boston University, Harvard and Cornell. Professor Kent co-authored *Cases and Other Materials on Civil Procedure* in 1967; and authored his comprehensive and influential treatise, *Rhode Island Practice: Rules of Civil Procedure*, in 1969. When informed that many members of the Rhode Island bench and bar considered it "the Bible of Rhode Island Civil Procedure," he replied, "That is no doubt a tribute to its antiquity and not its authority."

## AT RWU LAW, EXPERIENCE IS IN OUR DNA:

### CLINICAL EXPERIENCE

Every qualified student is guaranteed a substantial clinical experience through our in-house legal clinics or externship programs.



### SEMESTER-IN-PRACTICE EXTERNSHIP

Our Semester-in-Practice Externship enables students to earn a full semester of credit working in Rhode Island, Washington, D.C. – or anywhere in the world.

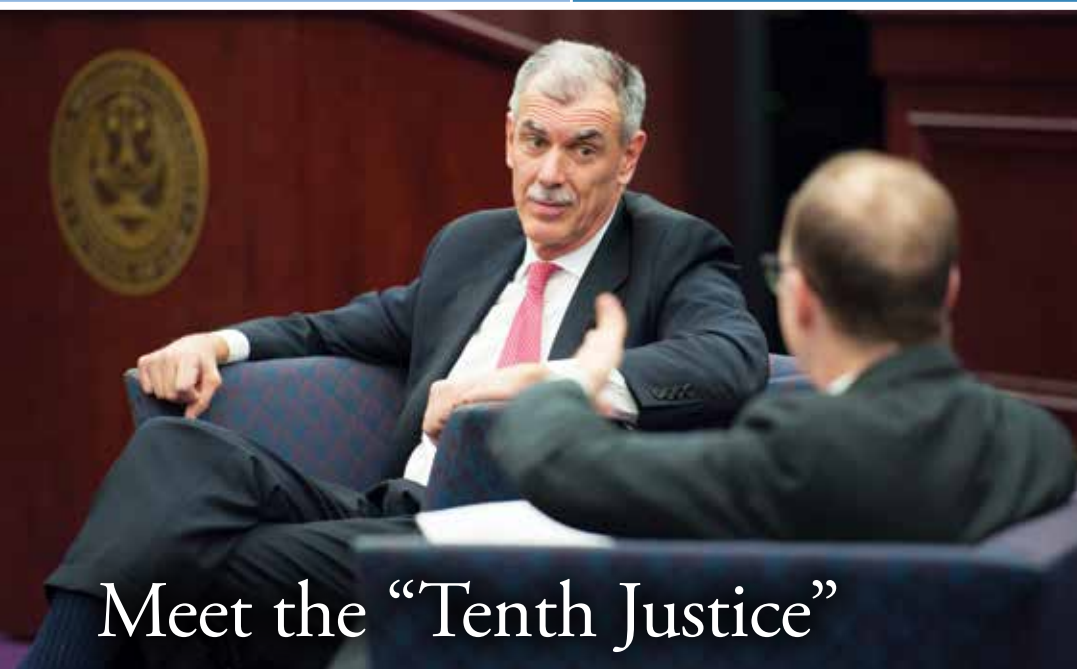


### PRO BONO EXPERIENTIAL

Every student completes a minimum of 50 hours of required pro bono experiential learning before graduation.







## Meet the “Tenth Justice”

Sometimes referred to as the “tenth justice” of the U.S. Supreme Court, the Solicitor General is among the most influential and knowledgeable members of the legal community with regard to Supreme Court litigation other than the justices themselves.

RWU Law welcomed Donald B. Verrilli, Jr., 46th Solicitor General of the United States, for a “Fireside Chat” with Professor Jared Goldstein, a one-time Bristow Fellow in the Solicitor General’s Office.

Though the Solicitor General is best known as the lawyer appointed to represent the U.S. government before SCOTUS, Verrilli said this role is “only a small portion of the job.” The SG’s office currently consists of Verrilli plus four deputy SGs and 16 assistant SGs; that is, 21 lawyers in total to brief and argue in virtually every case to which the United States is a party – in all, around 2,000 per year, he said.

“We shape the litigation disposition of the U.S. government,” Verrilli said, determining not only the legal position that the United States will take in the Supreme Court, but also filing *amicus curiae* briefs in cases where the federal government has a significant interest.

It’s “not a cookie-cutter process,” he said.

Most of the time, the government’s litigation disposition is “pretty clear, and doesn’t vary much from administration to administration,” Verrilli noted. But occasionally, making a determination can be a fraught process, particularly when two departments – Defense and State, for example – have opposite views on the topic. Failing to consult all government stakeholders in any given issue can metaphorically result in a “thermonuclear explosion” of offended feelings, he said.

Verrilli minimized the current court’s conservative/liberal divide, arguing that “each Justice has his or her own judicial philosophy” and that “they tend to follow where their judicial philosophies lead.” (He later smiled wryly, however, as he declined to analyze the case of *Bush v. Gore* (2000), which happened well before his tenure in office. “That was a unique case,” he said. “Hopefully, there will never be another one [like it].”)

Overall, Verrilli said, “I have the best lawyer job on the planet – it’s hard not to be motivated! I’m appreciating it every single day.”

## ‘WikiLeaks’ Lawyer is Weisberger Professor

Renowned “WikiLeaks lawyer” David Coombs has been named the Joseph R. Weisberger Visiting Professor of Law, and will continue teaching at RWU Law through the 2015-16 academic year. Coombs – who had previously taught here as an adjunct faculty member and rejoined the faculty in 2014 as a visiting professor – is coaching the school’s trial team and teaching subjects related to criminal law and trial advocacy.

Coombs’s law practice focuses on defense work in military courts-martial proceedings. He became the focus of national media attention as lead defense counsel for Chelsea Manning f/k/a PFC Bradley Manning, the soldier accused of the largest leak of government documents in United States history.

Coombs was widely praised for his representation of Manning in the complex trial, which was followed by a request for a presidential pardon and a lawsuit seeking gender-reassignment hormone therapy for Manning while she serves her sentence in an Army prison. In February, Manning became the first Army member to receive hormone therapy at the military’s expense.



**RWU Law 3Ls Casey O’Brien, Meghan Kruger and Patrick O’Connor won second place for Best Respondent’s Brief in the 22nd Annual Judge John R. Brown Admiralty Moot Court Competition, the nation’s premiere admiralty law competition, held March 19-21, 2015, in Charleston, S.C., and co-sponsored by the University of Texas School of Law and the Charleston School of Law.**



# More Bang for Tuition Bucks

With the number of first-year students up 24 percent since Fall 2013 – despite an admissions climate characterized by sharply shrinking enrollments at law schools across the country – RWU Law extended its Affordable Excellence initiative through 2015-16, along with the school's three-year tuition guarantee, in an ongoing effort to confront increasing costs, rising debt and the job-readiness of graduates – among the most pressing challenges facing legal education today.

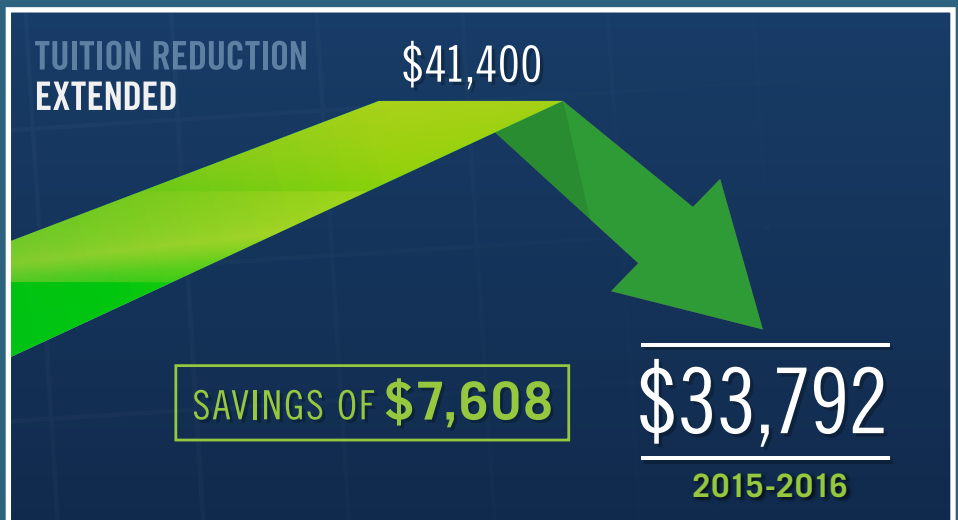
The effort was noticed nationwide. The *Wall Street Journal* profiled RWU Law as one of “a handful of U.S. law schools” that successfully boosted enrollment in a down economy by reducing tuition. The *New York Post* singled out Roger Williams Law for praise, saying, “Good for these law schools for working to give their students more bang for the college dollar. The smarter schools will follow.” And a *Providence Journal* editorial lauded both the School of Law and the University as a whole, noting that “at a time when the cost of a college education is becoming a growing obstacle to middle-class people, it is encouraging to see that one university is trying to open the door a little wider.” The editorial added that the “idea that a university is freezing tuition and promising to hold it steady can only be good news to students, and their parents, who often help pay those hefty bills. Both

are used to seeing increases, but Roger Williams is bucking the trend and perhaps sharing a simple lesson for other schools.”

For RWU Law students, the continuation of Affordable Excellence – first implemented for the current 2014-15 academic year – means the 18-percent tuition reduction (to \$33,792) now extends through 2015-2016, along with the school's three-year tuition guarantee. Together, the reduction and guarantee translate to some \$30,426 in saving over the course of three years, compared to the previous model. The ultimate outcome is lower debt loads for students – an important step forward in an environment

where the availability of law jobs nationwide has diminished and starting salaries have dropped.

“We have disrupted the market on cost,” says RWU Law Dean Michael J. Yelnosky, noting that among more than 200 law schools in America, Roger Williams is one of only a half dozen to decrease tuition. “We’re now the best-priced, ABA-accredited private law school in the Northeast, and applicants are responding. The significant turnaround in our first-year enrollment is a clear indication that we’re giving students what they want – a high-quality, hands-on legal education at an affordable price.”





## SOUNDING THE ALARM ON MASS INCARCERATION

*Moving Beyond the Problem and Toward Solutions*

### ‘Getting Proximate’

This spring, an extraordinary gathering took place at RWU Law, “reexamining an inordinately expensive criminal justice system that has incarcerated a greater percentage of its citizens – especially Blacks and Latinos – than any other country in the world,” said the symposium’s primary organizer, Judge Judith Savage, RWU Law’s Distinguished Jurist in Residence.

More than 350 attendees – including virtually the entire state judiciary – filled the Appellate Courtroom and several overflow rooms. The audience included a broad cross-section of lawyers, academics, community organizers and law students.

Bryan Stevenson, executive director of the Equal Justice Initiative and author of *Just Mercy*, opened with a powerful address, stating “we must get proximate to the challenges we want to solve,” and get to know victims of mass incarceration face to face.

Two such individuals, James Monterio (who later founded the Billy Taylor House and directs prison programs for College Unbound) and Luis Estrada (now a paralegal and office manager at a Providence law firm) captivated the audience with their deeply personal narratives.

Featured speaker Marc Mauer, executive director of the Sentencing Project in Washington, D.C., explained the causes and consequences of mass incarceration; while Caitlin O’ Connor of the Rhode Island

Department of Corrections, brought the topic home with sobering statistics specific to the state.

The timely symposium took place during the same week U.S. Supreme Court Justice Anthony Kennedy wrote a *New York Times* op-ed declaring the corrections system “one of the most overlooked, misunderstood institutions in our entire government.”

For Judge Savage, it rounded out a year at RWU Law during which she taught “Criminal Procedure: Adjudication,” and a seminar built around Michelle Alexander’s *The New Jim Crow*, which formed the seed of the symposium. Students helped plan the event, which Savage found “fitting, because society will be looking to the next generation of lawyers to solve this pervasive problem.”

Judge Savage, who retired in 2013 after two decades on the Rhode Island Superior Court, says “RWU Law has a critically important mission in Rhode Island, and it has been an honor collaborating with the students, faculty and administration to advance this mission.”



### FAST FACTS



#### THE UNITED STATES IS THE WORLD'S LEADING JAILER

5% of the world's population, but 25% of its prisoners.

#### OUR INCARCERATION RATE IS HISTORIC

2.2 million Americans currently incarcerated, up 500% from 1975.

#### WE IMPRISON DISPROPORTIONATELY.

One of every three African-American males and six Latino males born today will likely be incarcerated during his lifetime.

#### THE COSTS ARE STAGGERING.

The U.S. correctional system is an \$80 billion enterprise doing incalculable damage to communities and individual lives.

#### MASS INCARCERATION HAS NOT MADE US SAFER.

Mass incarceration results from policy changes, not increases in crime.

#### AND IN RHODE ISLAND ... WE ALSO HAVE MASS PROBATION.

More than 24,000 Rhode Islanders are currently on probation (the U.S.'s third highest probation rate), posing a serious obstacle to education and jobs.

# What's Next for Law?

Disruptive changes are transforming the legal marketplace and profession.

That's the challenging – yet hopeful – message of lawyer, author and management consultant Gerry Riskin, who delivered RWU Law's Third Annual Professor Anthony J. Santoro Business Law Lecture, "The Business of Law: Disruptions in the Market for Legal Services." Here's the takeaway:



## The CHALLENGES

### ✗ *Gradual change is gone forever.*

"The glacier of the legal profession is now moving so fast you can see it."

### ✗ *Non-lawyer practice is coming.*

"In 10 years, UPL – the unlicensed practice of law – will be a dead letter."

### ✗ *Do-it-yourself legal technology has arrived.*

Businesses such as Axiom Law and Legal Zoom will lure more consumers seeking bread-and-butter legal services such as wills and simple contracts.

### ✗ *Industry-focused technology is using "Big Data."*

New predictive algorithms are being developed that can estimate the likelihood of litigation success before a single document is filed, and "e-discovery" programs will take even more lucrative work away from lawyers.

## The SOLUTIONS

### + *Don't fear technology – use it.*

Refocus on the skills that only human beings can bring to the table. Become a "curator," using technology to navigate "highly complex, one-off" realities of human and business interaction that no computer could ever anticipate.

### + *Think like an entrepreneur.*

"We need to turn the spotlight onto initiative, and leave it on. The enemy is complacency."

### + *Create the future.*

Focus on "research and development" to find better ways to serve clients in an evolving marketplace.

### + *Change your mindset.*

Be visionary and collaborative, creative and open-minded, and get comfortable with "trial-and-error" risk-taking.



Contract Law comes to life when it's understood in its everyday business context. That's exactly what happened this spring when the "Open Door Speaker Series: The Transactional Side of Things" brought students together with practicing lawyers in a variety of corporate settings.

The series launched in February with a panel of in-house counsel (all RWU Law alumni) from Alex and Ani, FGX International, and Moran Shipping Agencies on the topic on "Real-World Contract Drafting." Next, a panel of CVS Health in-house counsel and business leaders revealed the inside scoop of corporate law in action with the panel, "360° of a Large Corporate Deal." A few weeks later, GTECH's Deputy General Counsel shared a glimpse into a frenetic "Day in the Life of an International Business Lawyer."





## Countdown!

RWU Law's Marine Affairs Institute is home to some of North America's top experts and scholars on marine law and policy. That makes us one of only:

5

law schools in the U.S. specializing in Marine Affairs

4

state Sea Grant Legal Programs in the U.S.

3

law schools offering a joint degree in law and marine affairs

2

law schools specializing in admiralty and maritime law

... and the only

1

that offers them all!

## Protecting Children Around the World

Following three years as First Secretary at The Hague Conference on Private International Law in the Netherlands, Professor Louise Ellen Teitz returned to full-time teaching at RWU Law last fall.

From 2011 until 2014, Teitz led the Conference's efforts on a range of global family law conventions, treaties and projects, on topics ranging from parental child abduction to child protection, from cross-border custody to domestic violence issues, and encompassing legal systems worldwide, including traditional Islamic law. She was only the second American (and fourth woman) to have held the leadership position since the organization's founding in 1893.

"Professor Teitz has never been the type of academic to live in an Ivory Tower," says Dean Michael J. Yelnosky. "She regularly engages with the legal profession, both domestically and abroad, and puts her expertise to practical and important use. With her return from the Hague, our students are benefiting from the important and practical experiences she had at the highest levels of international law and policy-making."

Professor Teitz said that's increasingly important in today's legal landscape. "Increasingly, lawyers find themselves

dealing with events and transactions that touch on more than one legal system," she says. "When I first started teaching Transnational Litigation, it was considered an esoteric subject that most people had no use for. Today, it's essential to be aware of other legal traditions as a means of helping clients deal with situations that now routinely have international elements."

Professor Teitz has taught Civil Procedure and related subjects to an entire generation of lawyers, including a large percentage of the Rhode Island Bar – current Rhode Island Attorney General Peter F. Kilmartin '98L, B.A.'88, for example, was among her many students. But the nature of her work at The Hague brought a different kind of satisfaction.

"The opportunity to have an immediate impact on child protection and human rights was an amazing experience," she says. "To help an abducted child be returned to a parent cross-border gives personal meaning to my academic and diplomatic work." She also hopes to "open doors for my students through contacts I made in Ministries of Justice and Ministries of Foreign Affairs in over 100 countries and at numerous international organizations."





## GETTING TO know

### Mikéla Almeida '16

*President of the Multi-Cultural Law Students Association, president of the Moot Court Board, hip-hop choreographer*

Providence hip-hop choreographer Mikéla Almeida '16 had planned to set her dancing aside while studying at RWU Law. Then tragedy struck. Just before her second 1L exam, Almeida learned that her fiancé, Ariel Falzone, had been killed in an accident. Devastated, she channeled her heartbreak into choreographing and staging a 20-dancer piece entitled "Can't Let Go," performed last fall at DanceWorks, Boston's largest performance-based dance organization for advanced and technically trained dancers. Dedicated to Falzone, the piece showcased her lyrical style; what Almeida calls "emotional hip-hop." **Moving and shaking:** Nor has she neglected her legal aspirations: Almeida is incoming president of the Moot Court Board, has completed two judicial externships and served as research assistant to Professor Elizabeth Colt, and this summer will be a student intern with the Rhode Island AG's office. **Tripping the law fantastic.** Her experiences have helped her realize she doesn't have to give up dance to become a lawyer. "I'll definitely stick with dancing for the rest of my life," she said. "It's great stress release. It gives me the opportunity to be in my creative element. It's just me and my hip-hop sneakers and a mirror, and I'm ready to go." **Her big break(dance):** As a sophomore at Syracuse University, Almeida was an athlete — a softball player and coxswain for the women's rowing team — who'd never danced in front of an audience. Then a friend convinced her to try out for the school's Caribbean hip-hop dance troupe. "I hung out with a lot of boys when I was younger, so I knew a little breakdancing. I did that at the audition, and they loved it! They said, 'You're in!'" **Keeping it diverse:** As president of the Multi-Cultural Law Students Association, issues of inclusion and diversity are critically important to Almeida, whose heritage is Cape Verdean and Portuguese. "RWU Law has just been doing a great job pulling people together, not just with racial diversity but also geographical. So now we can include viewpoints and perspectives from different areas and races, and really discuss what's going on."

— Elaine McArdle







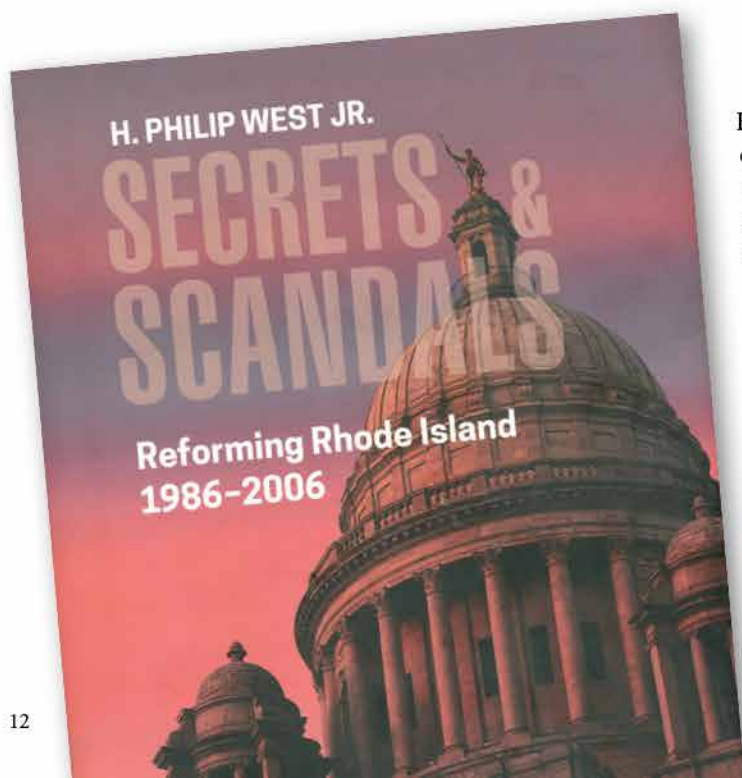
“

***The current racial and social crosswinds blowing throughout our nation have created ambivalence over just how far we have progressed in terms of racial advancement and social justice. But the fight for civil rights is a marathon, not a sprint.***

***So while we must be prepared for the challenges that await us, we should also take pride in the distance we have already traveled. As Dr. King once said, ‘the arc of the moral universe is indeed long, but it does bend toward justice.’***

”

RWU Law crowned this year’s Martin Luther King, Jr. Celebration with a special keynote address by Paulette Brown, the first female, African-American president-elect of the American Bar Association. Brown is a labor and employment law partner and chief diversity officer with the Morristown, N.J., office of Edwards Wildman Palmer.



Between 1986 and 2006, a sort of revolution occurred in Rhode Island: even as a dispiriting series of scandals shook the state’s corrupt political culture, a small counter-movement driven by activists, media watchdogs and public disgust prompted an updraft of investigation and reform that ultimately changed Rhode Island for the better.

One of the premier activists of that time was Philip West, former Executive Director of Common Cause of Rhode Island, who recently published a monumental insider’s account of the period, titled *Secrets & Scandals: Reforming Rhode Island, 1986-2006*. A crowded room of RWU Law students, alumni, faculty and staff joined numerous Common Cause stalwarts for an evening of reminiscing – as well as an address and book signing by West himself.

In his remarks, West pointed out RWU Law’s vital role in keeping government honest. “We needed lawyers in the state who weren’t dependent on the courts or the General Assembly,” he said. “I celebrate this place and its meaning.”



# A Live Lesson in Litigation

Court was in session at Roger Williams University School of Law – for real – when the Honorable John “Jack” McConnell, Jr., of the United States District Court for the District of Rhode Island heard arguments on two Motions for Summary Judgment last fall. The event was followed by Q & A sessions with the judge and lawyers.

Around 175 students (including all 1L Civil Procedure sections), faculty and staff members packed the appellate courtroom to hear arguments in what Judge McConnell called two “incredibly complicated and well-argued cases.” Also present were Judge McConnell’s law clerks, Aileen Sprague and Amy Moses, as well as RWU Law 3L Liz Maxwell, who is currently completing an externship with the judge.

The first case argued was *A Touch of Merengue LLC v. United States of America*, in which the plaintiff, was represented by Edward Pepe of Cranston; and the defendant U.S. by Leslie Kane of the U.S. Attorney’s Office. The case involved a convenience store owner challenging the government’s decision to disqualify it from participation in the Food Stamp program for alleged fraud. “Judge McConnell sets a nice tone,” Kane told students during a break after the arguments. “Often Federal Court is so formal it’s terrifying.”

Kane added that the secret to success in motion practice is “insane preparation,” while admitting that she

was put off-balance when Judge McConnell “threw my entire argument aside” on a key point, and took the questioning in an unanticipated direction.

“The key is to really listen to what the judge is asking and respond to that. Don’t just spout off on your own thing,” she said. Pepe agreed, adding, “When I don’t know the answer, I say so and move on to a different issue.”

The second case was *Henrikson v. East Greenwich Fire District*, et al, in which plaintiff Kristen Henrikson was represented by William J. Conley, Jr. and Deidre Carreno of Providence; defendant the Town of East Greenwich by James T. Murphy and Mary Welsh McBurney of Providence; and defendant East Greenwich Fire Fighters Association, Local 3328, represented by Elizabeth Wiens ’03 and Marc Gursky of North Kingstown. The case involved alleged gender discrimination by the fire department.

In a second Q & A session following these arguments, Judge McConnell commented, “All of the briefs in these cases were outstanding, which makes my work easier – in that I have awesome, well-presented material; but it also makes deciding the case more difficult, precisely because all sides presented so well.”

He also stressed that “the questions judges ask you in oral argument are meaningful. If you can understand why they’re asking these questions and take your cues from that, you’ll be very good at oral argument.”



**“The questions judges ask are meaningful. If you take your cues from that, you’ll be very good at oral argument.”**

**– The Honorable John McConnell, Jr.**



Marek Bute '05 joins clients Antioco Carrillo and Theo Small at the Clark County Courthouse in Las Vegas the day their marriage license was issued.



## *‘This is Freedom. This is Equality.’*

**Marek Bute '05 spearheaded the drive for same-sex marriage in Nevada. Here's his account of the battle's final days.**

By Marek Bute '05, Partner, Snell & Wilmer, Las Vegas

Attorney Marek Bute '05 represented Antioco Carrillo and Theo Small, one of eight same-sex couples in the case of *Sevcik v. Sandoval*, which successfully overturned Nevada's ban on gay marriage. After the ruling was upheld by the Ninth U.S. Circuit Court of Appeals, a conservative group called the Coalition for the Protection of Marriage filed motions to stay marriage licenses pending appeal to the Supreme Court of the United States. A day later, those motions were withdrawn, and Small and Carrillo became the first same-sex couple to be granted a marriage license in Las Vegas.

Here, Bute recalls the dramatic days following the Ninth Circuit decision:

At 12:52 pm on Tuesday, October 7, 2014, the notice came through in bold letters on my iPhone: FILED OPINION AFFIRMED, REVERSED, AND REMANDED. Clumsily rushing to pull up the opinion, I read all 95 pages on my tiny screen – weeping, first gently, then uncontrollably, in the privacy of my parked car. One simple line from Judge Reinhardt stood out more than any other: “The lessons of our constitutional history are clear: inclusion strengthens, rather than weakens, our most important institutions.”

We had done it. The lower court's decision was reversed. Marriage equality now existed in Nevada. Then a text came from Antioco: “Hi dear we won the case check your email!!!!!!” Soon emails were

*"It's difficult to marvel at how quickly things are moving when you think of the grander scope – of how many decades of struggle, work and effort went into laying the foundation that supports the current marriage equality framework. On the other hand, I can't help but get excited at the pace at which things are progressing now."*

– Marek Bute '05

flying amongst the legal team. Social media exploded. I had no words. Though I knew this moment was coming, it was surreal.

At 5:08 p.m., the Ninth Circuit issued its mandate – now it was real. Licenses would issue the next day at 2:00 p.m. Hugs, kisses, tears, smiles, joy, frustration, exasperation, relief, disbelief – you could feel and see it all. And a moment to recognize and celebrate the decades of work put in by local and national legislators, community leaders, advocates, organizations and allies – because this was not something that happened overnight. The foundation they built through years of blood, sweat and tears gave us the legal ammunition we needed to succeed. We stand proudly on their shoulders today.

As I got ready for work the next morning, on Wednesday, October 8, another notice popped into my inbox. An order. From SCOTUS. The case had been stayed. Marriage equality had existed for 14 hours and 28 minutes, only to be stayed? Obviously this was a mistake, so we worked on fixing it. I waited with Antioco and Theo and several other couples at the courthouse, hoping things would clear up by 2:00 p.m. At 3:31 p.m., SCOTUS corrected its order and vacated the stay as to Nevada. Marriage was back. But wait: no licenses would issue that day because of pending motions by the Coalition. Absurd! The stay had been lifted – there was no legal basis to withhold licenses! Utterly disappointed, but remaining optimistic, the couples took their line passes and called it a day. The confusion was exhausting.

Meanwhile, our legal team pulled together a 30-page brief in response to the Coalition. It was now Thursday. Marriage equality had existed for 32 hours and 42 minutes, but not a single license had yet issued. We were still on hold, though it was unclear why. At 10:15 a.m., in a surprise move (and before we could file our brief), the Coalition withdrew its motions. At 11:53 a.m., the Ninth Circuit reissued its mandate. Marriage equality was (once again!) the law in Nevada.

I rushed to meet Antioco and Theo at the courthouse. They were hesitantly hopeful. I was determined. For hours, the media frenzy kept the energy buzzing, while all contacts worked to get the injunction signed. Finally, at 4:51 p.m., the injunction was filed. Those receiving the notice, including myself, simultaneously shouted out confirmation and the crowd went wild. The clerk announced the immediate issuance of licenses, and escorted Antioco and Theo through the media tunnel to the window – as plaintiffs in the case, they would be the first in Clark County.

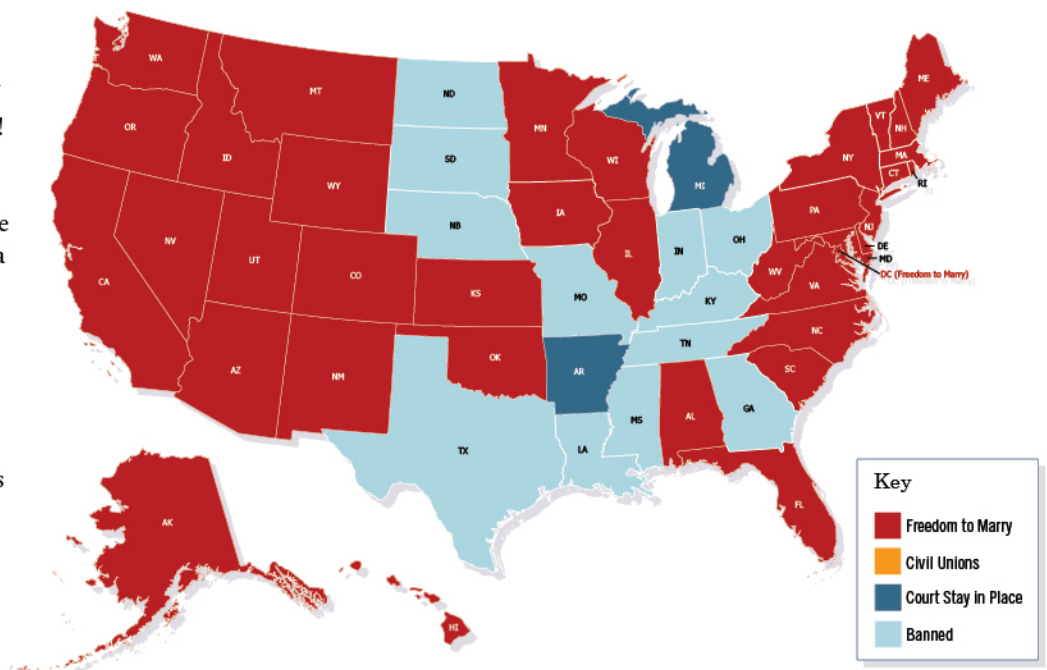
The next moments were a blur – until I saw them step out of the crowd, proudly clutching their license and absolutely beaming with joy, pushing through to give me a big hug and kiss before being consumed by the media. Within minutes, [fellow plaintiffs] Ron Quinn and Ken Solis stepped out in the same fashion. They were followed by Senator Kelvin Atkinson and Sherwood Howard, who surprised the

entire crowd with a pop-up wedding on the courthouse steps, making history as the first gay couple legally married in Clark County. The moment was unforgettable.

We owe a debt of gratitude to our predecessors (too many to name) who fought for decades to get us here. Thanks are also due to our legislators, community leaders, and advocacy organizations that continue to fight for our basic human rights. Although marriage equality is not the end of our work (think ENDA, transgender rights), take a moment to revel in this victory. And, now that we have marriage equality, respect the institution. Don't rush to get married just because it's legal. Appreciate that, whether or not you ever do, you now have the *right* to marry anyone you love in Nevada. *That* is freedom. *That* is equality.

Now, we wait in anticipation of a (hopefully victorious) ruling from the Supreme Court of the United States on the issue of marriage equality once and for all.

The State of Same-Sex Marriage Laws in U.S., as of April 2015.





## Access to Justice: A New Voice

The Roger Williams community gathered with elected officials, members of the bench and bar, and allied community organizations this spring to formally launch the Rhode Island Center for Justice, a nonprofit public interest legal resource to help address the growing volume of unmet legal needs among that state's most vulnerable individuals, families and communities.

"Public service has always been an essential component of the legal profession," said Rhode Island Supreme Court Chief Justice Paul A. Suttell, speaking at the launch. "The Center for Justice promises to be a valuable tool in our efforts to meet the legal needs of low-income families in the civil arena."

The Center's Board of Directors, led by Chair Miriam Weizenbaum and Vice-Chair Amato DeLuca of the law firm of

DeLuca & Weizenbaum, joined RWU President Donald J. Farish, RWU Law Dean Michael J. Yelnosky and others in discussing the need for increased access to justice in Rhode Island for community members struggling with housing, employment, immigration and other critical issues.

"Few places in the U.S. are in greater need of these services than Rhode Island," Weizenbaum said. "The Center for Justice will be a voice for those who would often otherwise be without qualified legal assistance."

An innovative staffing model for the Center, developed in cooperation with the law school, features a two-year postgraduate fellowship program open exclusively to Roger Williams Law alumni from the previous five graduating classes. With a current staff of three full-time



attorneys – including alumni Misty Delgado '11, B.A.'08, and Marissa Janton '11, B.A.'02, the Center has already undertaken initial work in the areas of housing, employment and immigration.

"There is a desperate need for more poverty lawyers in the community, and our graduate fellows at the Center will help meet that need," Dean Yelnosky said. "Our graduates win, and the community wins."



Forty years ago, one out of every ten civil cases in federal court went to trial. Today, that number has shrunk to one in 100. One consequence of the "vanishing trial" is a lack of opportunities for newer lawyers to become real "trial lawyers," with hands-on experience in such skills as questioning a witness, making objections, appealing to a jury and persuading the court to admit evidence.

This concern motivated Chief Judge William E. Smith, of the United States

District Court for the District of Rhode Island, to found the Litigation Academy as an intensive, hands-on litigation opportunity for newer lawyers to obtain and practice federal trial-related skills. A creative partnership between the federal court, RWU Law and the Rhode Island Chapter of the Federal Bar Association, the Academy officially launched in October 2014 with a Deposition Training program that used professional actors as witnesses and included federal court judges as well as experienced

Rhode Island trial lawyers as teachers. The program repeats in the spring, and a program on cross-examination is planned for this fall.

"Given that fewer and fewer trials are held in the federal courts," says Judge Smith, who is also chair of RWU Law's Board of Directors, "it is important to everyone – including not only lawyers, but others whose lives are touched by the legal system – to find some way to get less experienced lawyers the training they need."



# GETTING TO know

Elizabeth Tylawsky '08, B.A.'05

*Director, Business Valuation and Litigation  
Support Group, Meyers, Harrison & Pia, LLC;  
New Haven, Conn.*

Liz Tylawsky has risen to the top in two very different, very demanding fields: she's a successful taxation and business valuation expert, specializing in "high-net-worth marital dissolution cases" – and last fall she was crowned World Champion at the Grand National and World Championship Morgan Horse Show in Oklahoma City. **Breaking from the pack:** Upon completing law school in 2008 – just in time for the Great Recession – Tylawsky wondered, "What can I do to make myself more marketable?" She decided to augment her J.D. with a Master of Science in Accounting and Taxation, *summa cum laude*, from the University of Hartford. "It made me a lot more marketable than an LL.M. would have."

**Why tax?** "If you'd asked me at the beginning of law school, I would have said, 'Absolutely not, it sounds so boring.' But Professor Santoro was awesome – very knowledgeable, lots of experience, great stories. He made the subject very interesting."

**Star power:** Today, Tylawsky finds her work "unbelievably fascinating. We get a lot of very high-profile clients – celebrities, supermodels, hedge-fund types – which is fun. You talk to them on a regular basis and become really close; you get to see their whole lifestyle." **Versatile degree:** "Though I'm not actually practicing, my law degree is still very useful. We work with attorneys on a daily basis, and being able to communicate on the same level makes everyone's job easier." **Lifelong love of horses:**

"I've been riding and competing since I was six. It's always been part of my life. I often say that's the reason I went to school: so I could afford my horses!"

**And one in particular:** Her seven-year-old Morgan's name is Casanova, though she usually calls him Nova (or, after their big win, Supernova!). **Back in the saddle:** "The type of riding I do is called saddle seat. It's a much more formal, high-stepping, showy style of riding with fancier horses."

**Where horses and taxes meet:** "Horses are the one business where you can show a profit only two out of seven years, and take a loss for five years. In every other business, you have to show a profit two out of five years." **Other interests?** "I don't have time for anything else! All I do is work and ride!"

– Michael M. Bowden





## A Systematic Approach Helps Create Thriving Niche in Disability Law

# SOCIAL SECURITY CLAIM

In early 2012, Ryan Levitre '07, who had been concentrating in disability law with a firm in Providence, decided to join a new kind of venture: Citizens Disability, LLC, a non-profit company set on becoming the nation's leading advocacy group for Social Security disability cases. Levitre was only the fifth lawyer to join Citizens. Today, just three years later, it has 100 lawyers on staff – an astonishing 20-fold increase – and is still growing.

"When I started, we were in Marlborough, Mass., in cubicles, and I think the whole company had five attorneys and 25 people total," Levitre recalls. "Now we're in Waltham, Mass., in the Bank of America building, with 100 lawyers and maybe 400 people total, and we're hiring a new class [of lawyers] every month" – the growth spurred by a national caseload that has spiraled into the thousands.

One of Citizens' preferred sources for recruiting new lawyers is Roger Williams Law. Indeed, 10 more RWU Law alumni have followed Levitre to the company, including Diane Shea '08, with whom he worked in Providence and whom he enticed to join Citizens last year.

"It's a great, great, great company to work for," enthuses Shea, who had been working in the disability law field since

she was an intern as a law student. So sold is she on the company's unique approach to its clients, practice, and employees that she relishes convincing fellow RWU Law alumni to come on board. "Ryan and I are trying to bring in as many Roger Williams graduates as possible," she says, including for a new internship program launching this summer.

### A Team Approach

During an era in which so many law firms are struggling to survive, the rapid growth of Citizens Disability is extraordinary – especially when the number of people applying for Social Security disability benefits has decreased each year since the company launched, according to statistics from the Social Security Administration. What makes it different?

For one thing, Citizens Disability is a non-profit company, not a law firm, Levitre explains. In addition to the legal department – where lawyers receive months of training before taking on cases, have dedicated mentors and work in teams – it also has a medical records department that assists clients with acquiring the appropriate documentation to support their claims. "Clients always have someone to talk to," Shea says. "It's never, 'Leave a message and we'll call you back.'"

The company's training program is also central to its identity, Levitre says. "A lot of attorneys learn to swim on their own. That's not where we want to be; it doesn't serve our clients. By the time our lawyers are released on a real case, they have a strong understanding of the medical aspects, of the regulations," he says. Even when they take on their own caseloads, a team leader continues to oversee their work. "We still review their work until we're entirely confident they're on their way."

Then, in screening cases, "We make sure we're taking cases we believe in," says Levitre. "We don't just take anybody who calls up and says they're disabled; they have to have a viable claim." Clients don't pay unless a claim is successful; then the firm receives 25 percent of the accrued benefit amount the client receives, up to \$6,000.

While it has cases throughout the U.S., Guam and Puerto Rico, Citizens maintains only a single office, in Massachusetts, which keeps overhead down. For cases in other jurisdictions, it contracts with local lawyers to develop the foundation, then sends its own staff attorneys to advocate in hearings.

### Working with the System

"We try to handle cases in a way that's really respectful both to the Social



# DISABILITY

Security system and the clients,” Shea says. Instead of viewing the Social Security Administration as an adversary, she says, the company trains lawyers and staff to understand what the agency and administrative law judges need in order to rule in a client’s favor. “We try, with our company, to help define the way Social Security looks at medical impairments,” she says. “We see what they’re looking for, in terms of what evidence is most important and what will lead to them approving a client’s claim.”

Not only does this lead to a high rate of success – the company wins about 60 percent of its cases, it estimates – it means that clients, no matter the outcome, feel they aren’t alone in battling federal bureaucracy. “The Social Security system is very difficult to navigate,” says Shea. “It has tons of acronyms, and it’s very deadline-based. If you miss them, certain things expire or you may not be eligible again.”

That’s where the emotional reward comes in: “I find it very rewarding to help people who are in a tough spot,” she says. “Some clients don’t have any income for years, a lot are losing their homes or having trouble accessing medical coverage. I find that people are very, very appreciative when you explain the system to them and help them out.”

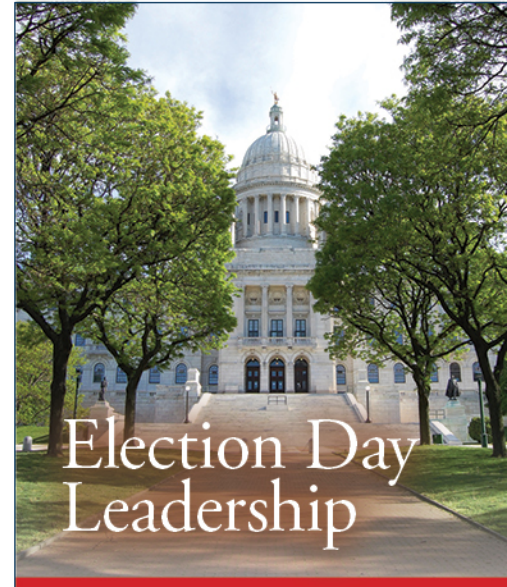
Scott Gilmond ’11, who joined Citizens in June 2014 after working in the disability field in Providence, agrees. “A lot of the clients we represent are in dire financial situations, where they are homeless or near-homeless and their medical conditions limit them from doing anything,” he says. “It’s heartening when you’re able to help out someone in a situation like that.”

Contrary to what one might suppose, the work itself is varied and intellectually stimulating, they say, in large part because it requires mastering complex medical concepts on conditions ranging from post-traumatic stress to fibromyalgia, from brain injuries to skin disorders. “Every case is different, even if they appear the same on paper,” says Shea.

Moreover, attorneys get loads of experience cross-examining expert witnesses and presenting medical evidence to administrative law judges. “You’re basically going to court every day,” says Shea, who estimates she’s handled at least 250 cases in just over a year at Citizens.

And she enjoys the extensive travel. “I’ve been to Houston, Denver, New York City, D.C. and Baltimore,” she says. “I’m doing hearings all over, before many different judges. In my old job, it was the same local judges, day in and day out.”

– Elaine McArdle



Election Day 2014 was cause for pride at RWU Law, which saw several of its own win important offices:

- **Professor Jorge O. Elorza** was elected Mayor of Providence, Rhode Island’s capital and largest city;
- **Alumnus Peter Kilmartin ’98** won a second term as the Rhode Island Attorney General.

Other successful candidates from RWU Law were current 3L **Daniel P. Reilly**, who captured a General Assembly seat as state representative for District 72, encompassing parts of Middletown and Portsmouth; **Robert B. Jacquard ’86, ’99L**, who was reelected to his seat as a state representative for District 17, Cranston; and **Stephen R. Archembault ’00**, who was reelected as a state senator for District 22, covering parts of Smithfield, North Providence and Johnston.



# Trending@ RWU Law

## Death Penalty Puzzles

The strange case of Charles Warner provides macabre insight into the procedural workings of the Supreme Court of the United States – and the profound implications of its decisions

By Professor Emily Sack



On the evening of January 15, 2015, Oklahoma prisoner Charles Warner died by lethal injection shortly after the Supreme Court denied his application for a stay of execution. Warner had also filed a petition for *certiorari*, in which he argued that the lethal injection protocol used by Oklahoma violated the Eighth Amendment's prohibition on cruel and unusual punishment. Eight days *after* Warner was executed, the Court granted the petition for *certiorari* in his case.

How could the Court refuse to stay a man's execution and then, just a few days later, agree to hear the merits of his case? The technical answer is that the procedures of the Court permit such a Kafkaesque result – it takes a majority of the Court, five Justices, to grant a stay, but only four to grant a petition for *certiorari*. Justice Sotomayor, joined by Justices Ginsburg, Breyer and Kagan, had vigorously dissented from the denial of the stay. Presumably these four dissenters voted to grant the petition and hear the merits of the case (which was still pending despite Warner's death because three

other Oklahoma death row prisoners remained as petitioners). We cannot know if there were additional votes in favor of hearing the case, because the Court does not release votes on the granting of *certiorari* petitions.

However, there are deeper unresolved questions. Though the four Justices had the power to grant the petition on their own, it seems unlikely they would have done so unless they believed there was some chance of getting a fifth vote when the Court considered the merits of the case. Did at least one other Justice indicate that he might consider such a case favorably? If so, wouldn't that Justice have voted to grant the stay of Warner's execution a week earlier?

The procedural riddles do not end there. The three remaining petitioners were scheduled to be executed before April 2015, when the Court is due to hear arguments in the case. Again, despite the grant of *certiorari*, the Court was not required to grant stays of their executions. However, circumstances had now changed: the Court had agreed to hear



the merits of the case, and the Oklahoma Attorney General had actually applied for a stay until the case was decided – or at least until the state could obtain a “viable alternative” to use of midazolam, the drug at issue in the Oklahoma injection protocol. On January 28, 2015, just a day before the now-lead petitioner, Richard Glossip, was scheduled to die, the Court granted the stays. The order was unsigned, and so we do not know which Justice(s) joined the four who had dissented from the previous denial, to reach the five required.

The substantive issues raised by the case are no less important than the procedural conundrum it has highlighted. The Court has never found a particular method of execution to be unconstitutional, and in 2008 in *Baze v. Rees*, the Court specifically considered and upheld the three-drug lethal injection protocol used by Kentucky. However, since *Baze*, the only U.S. manufacturer of the barbiturate used as part of the Kentucky protocol had stopped its production. European manufacturers began to refuse to export the drug to the U.S. for use in executions, and in 2011 the European Union issued strict export restrictions for a range of related drugs used for this purpose. Unable to obtain this drug, corrections officials in several states have turned in recent years to new and untested drugs and drug combinations for their executions, often without revealing their source.

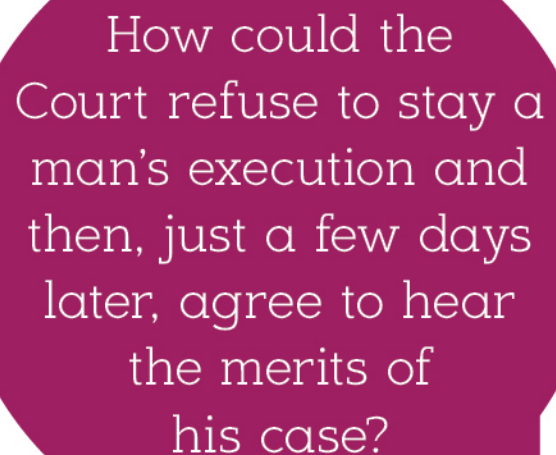
In April 2014, for the execution of Clayton Lockett, Oklahoma experimented with a different drug as part of its three drug protocol – midazolam, a benzodiazepine which is designed to render the inmate unconscious, so that he would not

feel severe pain from the effects of the subsequent drugs that would kill him. The Lockett execution was macabre – he was awake and writhing on the execution table after the drugs were injected and began to speak, saying that the drugs weren’t working. Though the execution process was terminated more than 40 minutes after the drugs were administered, he finally died. Midazolam also was used in what the *New York Times* called “problematic executions” in other states in the past year, where the prisoners appeared to gasp for several minutes before dying. Yet, after review, Oklahoma decided to continue use of midazolam in executions, though at a higher dosage and with some revised procedures.

In *Glossip v. Gross*, the Court will consider whether executions using midazolam are unconstitutional. It also likely will revisit the legal standard for determining the constitutionality of a particular method of execution, an issue on which the *Baze* Court was badly splintered.

In the past several decades, the Court has shown little appetite for considering whether the death penalty is unconstitutional *per se*. However, in recent years, it has narrowed its use, largely focusing on the types of offenses or offenders that may be death-penalty eligible. A decision granting relief to the petitioners in *Glossip* will not invalidate the death penalty. But given

the unavailability of more accepted drugs, it would make the death penalty difficult, if not impossible, to implement in practice. As Justice Sotomayor stated in her dissent from the denial of Warner’s stay: “Petitioners have committed horrific crimes, and should be punished. But the Eighth Amendment guarantees that no one should be subjected to an execution that causes searing, unnecessary pain before death.” The outcome of *Glossip* may provide us with more clues to this divided Court’s understanding of the meaning of the Eighth Amendment. Perhaps the events of this case also will lead the Court to reconsider its procedures in death penalty cases, to prevent the grisly and unseemly prospect of failing to stay the execution of a man whose case it deems worthy of substantive review.



How could the Court refuse to stay a man’s execution and then, just a few days later, agree to hear the merits of his case?



# Reaching for HOPE

From Central America to Mexico to Texas to New England — some of the unaccompanied ‘surge kids’ seeking immigration assistance have landed in the Ocean State **Last June**, when more than 10,000

Written By  
Mary Grady

Illustrations by  
Tom Parsons

children traveling on their own crossed the southern border into the United States, the problem of unaccompanied minor immigrants suddenly made the evening news — but the influx is nothing new. Their numbers have been steadily increasing since at least 2012, according to the federal Office of Refugee Resettlement.











## Most of the children

are boys 14 and over, fleeing violence and poverty in Guatemala, El Salvador and Honduras. Eventually, some of them arrive in Rhode Island — usually because they have relatives here — and some of those, if they're lucky, find their way to the Immigration Clinic run by Roger Williams University School of Law in downtown Providence.

"Their journey here is extraordinarily difficult and dangerous," says Peter Margulies, director of the clinic and a professor at RWU Law. The children often travel alone across Mexico, hitching rides on the roofs of train cars. "To avoid being caught they have to jump off the train while it's still moving," he says. "Then they have to cross the border, through desert and inhospitable terrain. Often they are taken here by so-called 'coyotes' — paid smugglers — who might abuse them, particularly young girls. There's a lot of risk, every step of the way."

The trip is grueling but, like all immigrants, the children are driven by the hope for a better life. "Often these children have been neglected at home, or they may have been abused by their parents," says Margulies. "Some of them were doing very

difficult and dangerous work from a very young age, such as heavy construction jobs, or applying toxic pesticides without protective gear."

### Into the 'Immigration Maze'

Once these children make it across the border, most of them are soon picked up by U.S. officials. After spending a few weeks or months in custody, they may be released to a relative or a community sponsor, but their future is still uncertain. They must find their way through a complex and daunting judicial system to obtain legal status so they can stay in the U.S.

"They need lawyers at every stage," says Margulies. "It's virtually impossible to navigate through the immigration maze on your own. But if you have a lawyer, then you have a chance."

By providing pro bono services to these young migrants, RWU Law's Immigration Clinic helps give them that chance. "They can apply for status as a Special Immigrant-Juvenile," says Margulies. This option depends on the child showing they are a victim of abandonment, abuse, or neglect by one or both parents. "But this status is like Cinderella — there's an expiration date," Margulies adds. "You

have to file this form before you're 18, otherwise you turn into a pumpkin. You're no longer eligible. Those are heartbreaking cases. If you miss that deadline, it's very difficult — virtually impossible — to gain legal status." To avoid reaching that critical date, Margulies says, the clinic likes to start working with youngsters when they're 15 or 16, to ensure the child can navigate the lengthy process through probate, family court and immigration court in time.

### Life-Changing Work

The downtown clinic also serves as a training ground for RWU Law students. Six to eight second-year law students work in the clinic every semester, under Margulies' guidance. For some, the experience can be life-changing. "When I came to law school, I thought I would be a criminal prosecutor," says 2L Alice Cunningham. "But after I spent a semester in the Immigration Clinic, my goals really shifted."

Cunningham was inspired by the courage and fortitude of the immigrants she worked with. "I spent a lot of hours at the clinic, but every day when I left, I felt like I was really making a difference and really helping people," she says. "The clients were so grateful. I worked really hard there and I felt like





it was really appreciated — it was nice.” She now is working toward a career in immigration law.

Other students help out in the clinic as interpreters. 2L Carlos Hernandez, who was born in Mexico, came to the U.S. with his family as a teenager, legally, when his father accepted an engineering job in Texas. Last year, while still in San Antonio, he volunteered to help out at a shelter where unaccompanied minors were being held after crossing the border. “There were little kids, as young as eight years old, traveling by themselves,” he recalls. “To see what those kids went through, it was just heartbreaking.”

The experience convinced him that he should go to law school and focus on immigration law. “The system is broken and needs to be fixed,” he says. “I’m lucky that I’m here legally, but in Texas I have friends who are here illegally — it’s a very personal issue.” As soon as he arrived at RWU Law, he volunteered to work at the Immigration Clinic as an interpreter.

“It was a very rewarding experience,” says Hernandez. “I enjoy being face-to-face with the community and helping them out.” The work proved helpful to his own resolve, as well. “I was struggling a bit my first semester,” he says. “But being at the clinic reminded me of what my goals are, and reassured me that I’m on the right path.”

### Making an Impact

Since the clinic launched in 2009, its network of former students and staff has been expanding into the surrounding communities, making a significant impact. Deborah Gonzalez ’07 maintains a private practice in nearby East Providence, and devotes a

large portion of her time to pro bono and “low bono” work in the immigrant community.

“Once you meet with a minor, it’s hard to say ‘I’m sorry, if you don’t have the money I’m not going to represent you,’” she says. “And as a mother, it’s even worse. All I can think, when I hear these kids’ stories, is, ‘That could have been my daughter.’ We were just lucky to be born here, but this kid wasn’t so lucky.”

Gonzalez — who was recently recognized by RWU Law as a “Champion for Justice” honoree for her work in immigration law, and will be joining the faculty next year as Assistant Clinical Professor of Law and Director of the Immigration Clinic — says systemic change is needed to help to ease the burden on these struggling children. “I wish the court process was a little more streamlined,” she says, adding, however, that this kind of change will

require legislative initiatives, which are slow and not always successful.

Gonzalez has also been working with the RWU Alumni Association to find ways to encourage graduates of the law school to take on more pro bono cases. “For example, we’re working on ways to break up the work into small pieces, so it’s not so cumbersome,” she says. “Then if each lawyer could devote just three or four hours to a case, and help move things along, that would make it much easier for lawyers to commit to the time.”

Community outreach and education also are vital, Gonzalez says. “These kids sometimes miss out on the opportunity to pursue their immigration case as an unaccompanied minor just because they didn’t know they were eligible, or they don’t know about the age-18 deadline,” she says, echoing







Margulies' experience. "Once they're 18, they have fewer options, and the claims are harder to prove."

### Knowledge is Power

Others at RWU Law also are working on ways to extend the pro bono network beyond the Immigration Clinic, and to reach out to the community to find the youngsters who need legal services. Eliza Vorenberg, director of the law school's pro bono and community partnerships, and Suzanne Harrington-Steppen, associate director of pro bono programs, work to develop relationships with local nonprofit groups, such as the Dorcas International Institute, and with alumni of the law school who are working within the local community.

"Last year, we started offering community presentations and clinics to help connect with minors and others in the immigrant community," says Vorenberg. The programs include an overview of immigrants' rights and potential paths to citizenship, plus one-on-one consultations between lawyers and families, with help from RWU Law student interpreters.

"There's a lot of misinformation out there, besides a lack of information," says Harrington-Steppen. "We're trying to figure out these broader strategies to educate the community and identify these kids in time, before they're too old and miss out on their options. Providing families with

information and resources is really powerful. More community programs are in the works for Central Falls, Providence and the East Bay.

Harrington-Steppen agrees with Gonzalez that another part of the solution is to find ways to make the work easier to handle for busy lawyers in private practice. "Each case can take up to a year and a half," she says. "None of the work is super-complicated, it just takes a while; there are a lot of pieces to it." The goal, shared by everyone at the

downtown law clinic, is to ensure that no immigrant child falls through the cracks, and that each one gets his or her best shot at a chance to make a better life.

"I recently had a minor who came to see me and was turning 18 that week," says Harrington-Steppen. "I asked the guardian, 'Why didn't you come see me earlier?' The response: 'I didn't know I had to.' We have to get the word out." **RWU LAW**







# The Human Face of the 'Surge'

R. is 20 now, but with his slight build and shy demeanor, he seems younger. Nonetheless, he has experienced struggles in life unimaginable to most Americans.

Born in Guatemala, R. was the youngest in a family of 12 children. His parents didn't have enough money to take care of them all, he says. When he was 16, an older brother living in Rhode Island encouraged him to leave home. R.'s siblings pitched in to pay \$300 to a "coyote" — a smuggler of immigrants — who would lead him, a cousin and a group of other children to the border.

It took them about a month to travel across Mexico to Texas. "We walked, and rode in buses, and in cars," R. says. "Sometimes we were fed, sometimes we weren't. The guide was kind of rough with us." Once he crossed the border, R. was detained by officials, spending 20 days in a jail for adults. Then he was transferred to a jail for

minors, where he stayed for three months before being flown to Rhode Island to join his brother.

A relative gave him the number of the RWU Law Clinic, and R. started right away working toward legal status. "I went to Johnston three times, to Boston twice. I was scared they were going to deny my case and send me back to Guatemala," he says. Deborah Gonzalez '07, along with three RWU students, helped him at every step. "Everything was smooth and everything was good."

Now R. is a legal permanent resident, with a driver's license and a Social Security number. He plans to find work, and finish school, but beyond that he hasn't thought much about his future. Except for one thing: five years from now, he can become a U.S. citizen.

And one thing more: He has no plans to ever return to Guatemala.





# The CRIME ET





*The State  
Government's  
Top Attorneys  
are Dedicated  
to a Culture  
of Integrity,  
Accountability  
and  
Transparency*

*By Alexandra Varney  
McDonald, Esq.*

*Photography by  
Peter Silvia*

ICHTERS



**T**he late Rhode Island Chief Justice Joseph R. Weisberger used to bemoan his state's centuries-old "inferiority complex." Though one would think Little Rhody – with its 400 miles of coastline, Gilded Age mansions and vibrant culture – would be popular among its million-plus residents, it is in fact among the least likely of the 50 states to be praised by its own citizens as a great place to live, a Gallup Poll found last year.

One major reason for this lack of civic pride is a serious deficit of trust in state government institutions. Fortunately, that trust is slowly being rebuilt – and nowhere is the improvement more apparent than at the Rhode Island Office of the Attorney General, where lawyers are dedicated to maintaining a culture of integrity, accountability and transparency. The effort is led by the Attorney General himself, Peter F. Kilmartin '88, L'98.

Kilmartin points to his office's day-to-day functioning and body of work, which includes prosecution of government officials, as well as championing stronger access to public records and open government legislation. "Look at our record," he says. "We have been willing in this office to prosecute law enforcement officers for breaches of the law. I think that lends credibility to the office."

### A Different Approach

The Rhode Island Attorney General's Office is unique in being the sole prosecutor of felonies for the entire state. It's a "You-are-the-DA" type of system," says Kilmartin. "That is the bulk of our work, by virtue of the fact that every felony case comes to this office for prosecution or evaluation for potential prosecution."

According to Marjorie Thorpe, director of communications at the National Association of Attorneys General, Rhode Island is one of only three states in the country with this type of jurisdictional setup, the other two being Alaska and Delaware. "And even in this group, each office functions somewhat differently," explains Thorpe.

With all felonies prosecuted by the AG's office, Kilmartin – who is both a former state legislator and a former Pawtucket police officer – has prosecuted a number of cases involving corruption and crime by government officials, including former colleagues.

In 2012, for example, the AG's office prosecuted North

Providence Police Chief John Whiting. He was found guilty of larceny and soliciting a fellow police officer to receive the money. More recently, Assistant Attorney General Paul Carnes '97 prosecuted former state representative Leo Medina of Providence, who was found guilty of unlawful appropriation of funds.

Amid recent nationwide protests and media scrutiny directed at the justice system for failure to indict police officers, Kilmartin says his office uses its power to bring all wrongdoers to justice, whatever their connections or stature.

"It is our responsibility as prosecutors to apply the law evenly, without fear or favor, to all those who break the law," Kilmartin contends. "It is then, and only then, that we can protect the confidence the public has instilled in our criminal justice system."

### Keeping Government Accountable

According to Amy Kempe, public information officer for the AG, the office employs 100 assistant and special assistant attorney generals (SAAGs), 41 of whom are RWU Law graduates. Some are assigned to the Open Government Unit, helping to ensure Rhode Island citizens that someone is keeping an eye on their government. They also educate elected and other officials on their legal mandates, such as complying with Sunshine Laws and public records requests. "The citizens of Rhode Island like to hold their public officials accountable," says Kempe.

Assistant AG Michael W. Field '97 works in the Civil Division and is chief of the Open Government Unit. He authored the first edition of the *Open Government Guide*, which is updated regularly to reflect any changes made in the legislature or case law.

"There is a common phrase that 'perception is reality,' and among the main responsibilities of the Open Government Unit is to shed light on government operations," says Field. "Doing so is a significant statewide responsibility, because transparency affects people's confidence and perception of government."

The unit investigates citizens' complaints against public bodies for violations of both the Open Meetings Act (OMA) and the Access to Public Records Act (APRA). In 2012, Kilmartin championed changes to strengthen APRA, making information more easily accessible and increasing fines for public officials who violate the law.

CONT.



*“It is our responsibility as prosecutors to apply the law evenly, without fear or favor, to all those who break the law. It is then, and only then, that we can protect the confidence the public has instilled in our criminal justice system.”*

*—Rhode Island Attorney General Peter F. Kilmartin '98, B.A.'88*



# EVIDENCE



**John Perotta** – *Special Assistant Attorney General, Daily Criminal Calendar Unit*

**Lynda Barr '01** – *Special Assistant Attorney General, Narcotics and Organized Crime Unit*



**Lisa Pinsonneault '98** – *Special Assistant Attorney General, Open Government Unit and Government Litigation Unit*

**Michael Field '97** – *Assistant Attorney General and Chief of the Open Government Unit*



**Alison DeCosta '07** – *Special Assistant Attorney General, Child Abuse Unit*

**Roger Demers '97** – *Special Assistant Attorney General, Chief of the Elder Abuse Unit*



# DIGNITY

“Democracy is built on the principle of transparent, open and accessible government, which is the key to maintaining the public’s trust of its elected officials,” contends Kilmartin. “The reforms to APRA achieve this goal and usher in a new era of transparency and accountability for government in Rhode Island.”

### Top in the Nation

The Better Government Association took notice. A Chicago-based non-partisan national watchdog organization, the BGA ranked Rhode Island first in the nation on its Integrity Index, measuring each state’s commitment to enacting freedom of information, open meetings and whistleblower laws.

Last summer at RWU Law, the office of the AG held its 16th annual Open Government Summit, a free program designed to educate elected officials, public employees and the community at large on government accountability.

Lisa A. Pinsonneault ’98, a SAAG in the Open Government Unit, gave a presentation at the summit, detailing the statutory requirements of both OMA and APRA, including an updated review of case law, best practices and frequent trouble areas. Pinsonneault is the AG’s contact person for all citizens with issues about open government.

Malena Lopez Mora ’10, a native of Argentina who grew up in Connecticut, also investigates possible violations of APRA or OMA. “If it’s appropriate, the office files lawsuits against the public body for violations,” she says.

In fact, Kempe says, Kilmartin has filed 11 open government lawsuits on behalf of the state’s citizens – more than his two predecessors combined.

In addition to their open government work, these RWU Law alumni take on other civil litigation cases. Pinsonneault is part of the Government Litigation Unit, where she defends the state and its agencies. She currently has a number of cases where plaintiffs allege they have been injured on state property.

Mora also works in the Insurance Advocacy Unit and represents the state in various litigation matters. “I assist consumers with health insurance-related issues, such as denials of payment for treatment and access to medical treatments,” she says.

Kilmartin notes that the varied caseload carried by these RWU Law alumni speaks to “the breadth of knowledge and unique skills”

they need to call on in their everyday work, both with the public and with government officials.

### Crime Fighters

While battles against high-profile corruption and government accountability may get the lion’s share of media attention, other attorneys (including 28 RWU Law alumni) are busy in the AG’s Criminal Division, which still generates the bulk of the office’s workload.

Special Assistant Attorney General Roger R. Demers ’97 – now chief of the Newport County Office – has conducted felony jury trials on cases as varied as robbery, sexual assault, child molestation and murder. For a decade he was chief of the Elder Abuse Prosecution Unit, work that he found particularly satisfying and important.

“Sometimes, just getting an elderly victim to a position of safety away from the perpetrator can be very rewarding,” says Demers, a native of Woonsocket.

Many RWU Law graduates credit their RWU Law education, and the Criminal Defense Clinic in particular, as integral to preparing for their work in the AG’s office. As a “Rule 9” student attorney for the defense clinic, for example, Special Assistant AG Kimberly R. Ahern ’09 learned the ropes of courtroom practice by managing several misdemeanor offenses, including domestic abuse and DUIs.

“It was the first time I got to be in a courtroom every day,” says Ahern. “It changed my outlook. Having that experience gave me the confidence to end up here” at the AG’s office.

Ahern is now a special prosecutor with the AG’s Domestic Violence and Sexual Assault Unit (she also works on environmental crimes). Recently, she was lauded for prosecuting a Providence man now serving two years for the malicious killing of his ex-girlfriend’s puppy. “In many of these cases, you have an abuser who is attempting to inflict pain on their significant other by harming that person’s pet. It’s just horrible,” says Ahern. “One thing that gives me satisfaction is helping that victim with the process and hopefully, bringing her – or his – abuser to justice.”

Ahern remains actively involved with the law school as current president of the RWU Law Alumni Association, working on educational, social and professional opportunities to engage alumni. “It was during my time at Roger Williams that I saw firsthand the amazing work lawyers are doing in the community, and knew I



wanted to be a part of it,” says Ahern.

While at RWU Law, Mora also practiced with the Criminal Defense Clinic. She says that experience sparked her interest in public service and easily translates to her current work. “Whether you’re doing some sort of civil litigation or criminal litigation, the steps to prepare a case are essentially the same,” says Mora. “It taught me how to put my clients’ needs first and foremost.”

Mora’s professor in the Defense Clinic was Andy Horwitz, Assistant Dean of Experiential Education. Horwitz agrees that the clinical experience transfers across all areas of practice. “We’re working on a daily basis on all of the skills it takes to be a good lawyer,” he says, adding that students who go on to become criminal prosecutors – like Ahern – carry with them their RWU Law clinical experiences and perspectives.

“My hope is that they hold onto what they’ve experienced and remember the person they are prosecuting is a human being and needs to be treated with dignity and respect,” Horwitz says.

When RWU Law recently celebrated its 20th anniversary, Field – who was part of the school’s second graduating class – co-authored a historical review of the school for its law review. He says having so many of the school’s graduates at the AG’s office, including the AG himself, demonstrates the evolution and impact of the school.

“It’s just one example of how the prediction that RWU Law would become a dominant force in the fabric of Rhode Island’s legal community has proven true,” he says. **RWU LAW**



# RESPONSE



*“My hope is that RWU Law graduates hold onto what they’ve experienced, and remember the person they are prosecuting is a human being and needs to be treated with dignity and respect.”*

*— Andrew Horwitz, RWU Law Assistant Dean of Experiential Education*

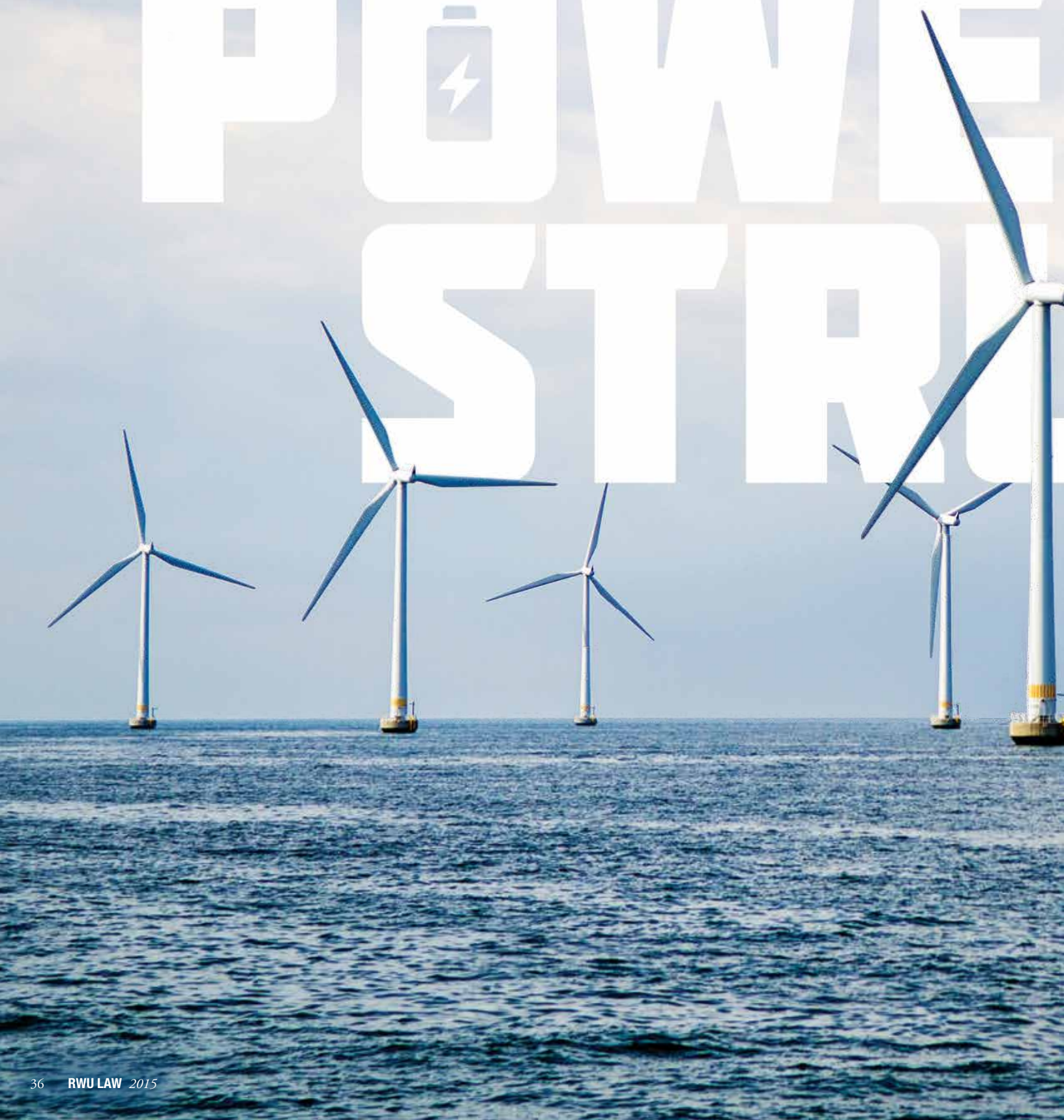


**The AG Team –**  
Twenty-six of the 41  
RWU Law alumni  
now serving with the  
Rhode Island Office of  
the Attorney General

# SIBILITY



# POWER STRIKE



# R WU L E

Wind energy in New England got off to a tumultuous start, but rumors of its demise have been greatly exaggerated. RWU Law lawyers and law students are preparing for the future today.

By DICK DAHL







When Cape Wind unveiled its plans to build the nation's first offshore wind farm 14 years ago, its construction seemed imminent. Offshore wind operations had already taken root and been proven effective in European waters, and it appeared that the time had come to replicate them here.

Cape Wind had picked a location near Cape Cod for good reason. The waters off the coastline of southern New England have been called a potential Saudi Arabia of wind energy. The wind is strong and consistent, the waters relatively shallow, the waves of modest height. And unlike the Great Plains, another region considered prime for the harnessing of wind, the waters off southern New England lie near dense population markets.

Unfortunately for Cape Wind, however, too many impediments stood in the way of the company's ambitious plans; and when National Grid and Northeast Utilities terminated their power purchase agreements in January, its future was cast into doubt.

However, that doesn't mean that the saga of Cape Wind is necessarily a tragic tale. The long battle to site its turbines has resulted in a new regulatory structure that may finally enable the construction of offshore wind farms in the U.S.

## Waiting in the Wings

Currently, a company called Deepwater Wind intends to begin construction this summer on the nation's first such project – a modest, five-turbine operation targeted to provide electricity for Block Island starting next year – and has plans to begin construction the following year on a 35-turbine wind farm called Deepwater One, on a 256-acre site 15 miles southwest of Martha's Vineyard.

Other projects are waiting in the wings. The Interior Department's Bureau of Ocean

Energy Management, created in 2010 to better manage the nation's offshore energy resources, has now held four lease sales for wind-energy development rights in specific locations. The most recent was on Jan. 29, when BOEM gave two companies, RED Developments, Inc., and Offshore MW LLC, the rights to build wind farms in a large area beyond Nantucket.

A new era of renewable offshore wind energy may be dawning in the U.S., with southern New England at its cutting edge.

But how, exactly, did this come about?

One reason, according to RWU Law adjunct professor Harlan M. Doliner, is that in addition to the ideal nature of its ocean waters, southern New England has the infrastructure – both physical and intellectual – to support an offshore wind farm. It is home to myriad marine-related institutions – the Woods Hole Oceanographic Institution, the University of Rhode Island's Graduate School of Oceanography, and RWU Law's own Marine Affairs Institute – and manufacturing and service companies. “We have the intellectual capital here and we have the companies, both big and small, that make the gizmos,” he said. “Plus, we have 400 years of seagoing tradition.”

While the region may have had the ready resources to support wind-farm technology, the larger problem – a highly uncertain regulatory authority – needed to be addressed first.

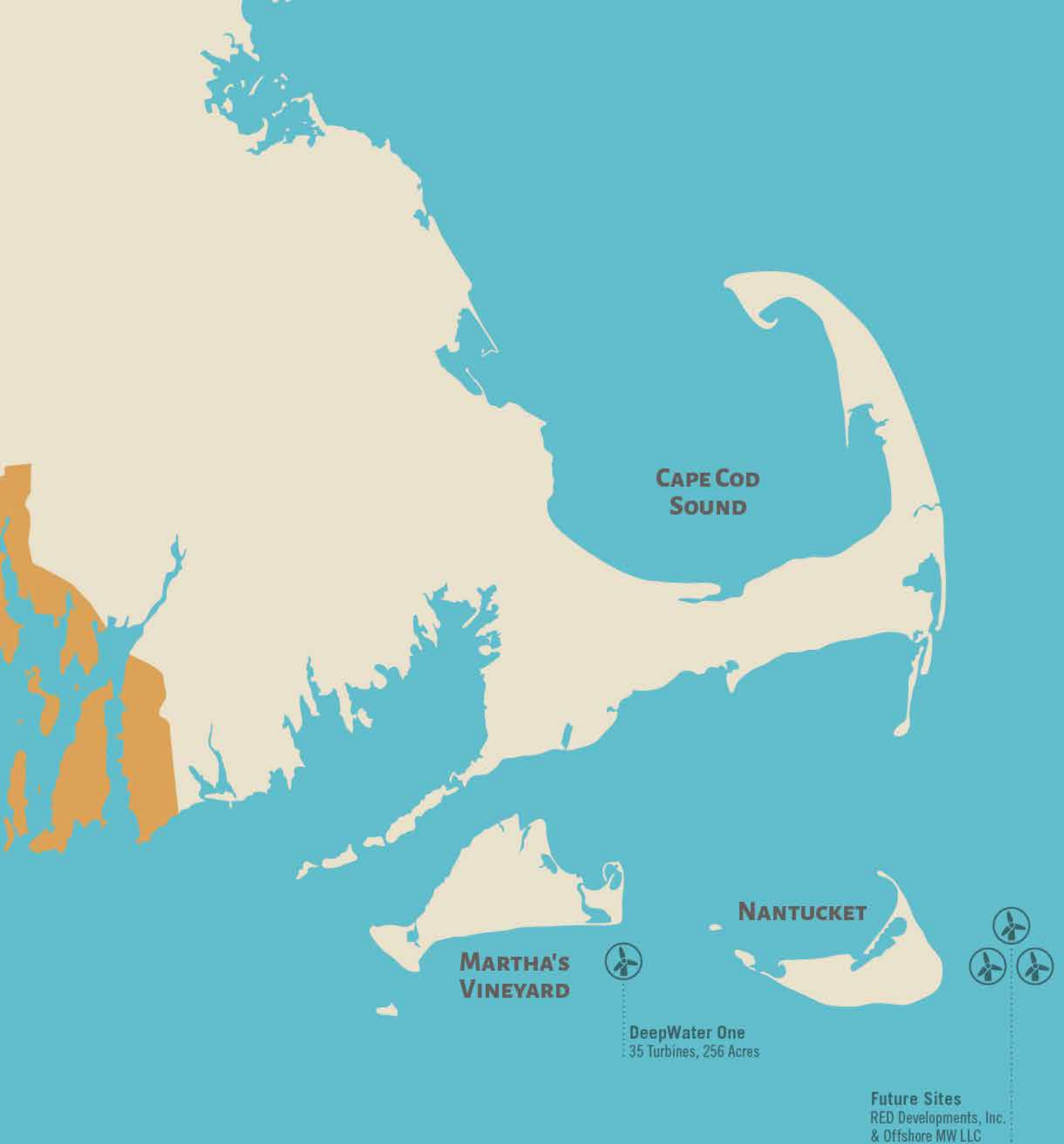
“When Cape Wind came along, there really wasn't any regulatory structure between the feds and the states as to how to go about getting approvals for siting a large-scale wind farm in federal waters,” said Dennis Esposito, interim director of the Marine Affairs Institute at RWU Law. “We started putting a considerable amount of effort into promulgating regulatory revamps and upgrades so that now wind projects have a pretty good road map as to what the regulatory agencies are.”



### BLOCK ISLAND



**DeepWater Wind**  
Five Turbines



“We have the intellectual capital here and we have the companies, both big and small, that make the gizmos...”

Harlan M. Doliner, Adjunct Professor





“With the Ocean SAMP, the state of Rhode Island decided that we were going to be in the driver's seat, that we were going to tell the developer where the wind turbine should be.”

Jennifer McCann, director of the U.S. Coastal Program at the University of Rhode Island Coastal Resources Center





## Zoning the Ocean

On the federal level, the Energy Policy Act of 2005 authorized a reconfiguration of the Interior Department's Minerals Management Service into BOEM and vested it with offshore lease-granting powers. At about the same time, Massachusetts and Rhode Island launched their own state actions to better regulate offshore wind development. In 2010, Massachusetts adopted its Ocean Management Plan in an attempt to accomplish that purpose. And in 2011, Rhode Island culminated an ambitious effort – the development of an Ocean Special Area Management Plan, or Ocean SAMP – that was approved by the National Oceanic and Atmospheric Administration as the first such state plan to be deemed enforceable in federal waters.

Jennifer McCann, director of the U.S. Coastal Program at the University of Rhode Island Coastal Resources Center (which facilitated the Ocean SAMP project) and director of the extension at Rhode Island Sea Grant, dates the origin of the Ocean SAMP to 2007. That was when Governor Donald Carcieri and the state's Office of Energy Resources decided that development of offshore renewable energy siting could provide an important step toward the state's goal of deriving 16 percent of its electrical power from the state's own renewable sources by 2019. The governor, she recalled, also saw offshore wind as a desirable new job-creating industry.

The Ocean SAMP is akin to a zoning document, the result of an "ecosystem-based" study of all ocean populations and uses to identify the best locations for offshore wind facilities.

"With the Ocean SAMP, the state of Rhode Island decided that we were going to be in the driver's seat, that we were going to tell the developer where the wind turbine should be," McCann says. "It was a two-year process and the idea was to determine if there is a place for renewable energy in our offshore waters and, if so, how is that maintained?"

## Hammering Out the Details

During that two-year period, the state's Coastal Resources Management Council held more than 100 public meetings to gather comments and further solicited input from scientists. In addition, McCann says, "the RWU Law program has played an instrumental role in providing legal background information. Several of the law students as well as some of the faculty have provided legal research on potential opportunities for strengthening policy as well as just basic research – what are the laws and the statutes – around a specific issue."

The Ocean SAMP covers 1,467 square miles and means that Rhode Island is the first state to extend its ocean planning into federal waters and receive "consistency review" authority from the federal government. The location of the Deepwater Wind project off Block Island is a direct result of the SAMP.

"It has basically turned the tables a little bit," says Esposito. "Now that alphabet soup of federal agencies out there has to take a very close look at the state plan in issuing leases for construction of these activities."


The Ocean SAMP is also in accordance with an executive order, the National Ocean Policy, which was issued by President Barack Obama in 2010 and calls for the same sort of "ecosystem-based management" that the Ocean SAMP called for.

The policy has been lauded by environmentalists, fishing-industry officials and state authorities, but it has also been attacked by Republicans as an attempt to extend federal regulatory reach and limit extraction of energy resources.

Adam Dietz '14, who earned a joint J.D. and Master of Marine Affairs degree through RWU Law and URI, and is now an associate practicing admiralty law in the Tisdale Law Offices in Southport, Conn., believes that the National Ocean Policy is on shaky ground because it is the product of an executive order and not an act of Congress.

He said that the policy aspires to encourage ocean health and strong coastal economies "by encouraging an interdisciplinary and cross-jurisdictional





“Adaptable energy – and especially alternative energy like a wind farm that doesn’t require consuming fossil fuels – is just better management and better planning.”

John Ryan-Henry, RWU Law 2L

approach to make sure that everybody’s playing by the same rulebook, and one of the ways it did this was by creating regional planning bodies.”

The order created nine of them, and ordered federal agencies such as the Environmental Protection Agency and the NOAA to be part of them and to adhere to the planning bodies’ directives. But because they were created by executive order, no money has been earmarked for them. Instead, they are operating on grants and the money that agencies have in their budgets.

“It’s not that corporations dislike wind energy,” Dietz says. “It’s more that they’re saying, ‘Can we really rely on the regulatory framework before we invest all this money?’ When you’ve got an executive order that has created this entire structure, the answer is no. When we have a new president, they could just yank the whole thing. It’s not a very stable platform to build on.”

### **Better Management, Better Planning**

Still, Dietz does believe that wind farms are finally on their way, a view that now is widely shared and is prompting law students to target offshore renewable energy in their career plans. One of them is John Ryan-Henry, a second-year student at RWU Law, who has his sights set on a career in coastal zone management.

“Any good management plan going forward is going to have to come to grips with our aging infrastructure,” he says. “So adaptable energy – and especially alternative energy like a wind farm that doesn’t require consuming fossil fuels – is just better management and better planning.”

He added that at a time when fisheries have been in general decline in New England, an offshore wind industry provides an opportunity for coastal economies to “find a new focus.”

The physical evidence of coastline economic transformation is already evident. In January, a ribbon-cutting ceremony marked the opening of Massachusetts Energy Center’s new Marine Commerce Terminal in New Bedford, a facility designed to support offshore wind projects.

To Doliner, that’s one more important step toward the realization of a day when southern New England becomes the center of American offshore renewable energy generation.

“We’re the first to stand up this kind of infrastructure,” he says. “So if someone says, ‘We want to build a wind farm,’ and they have all the permits in place, they still wouldn’t be able to start if they don’t have a staging area for the materials, the offshore service vessels that take people back and forth and so on. If you’re an investor, wouldn’t you want to go into an area that’s already been designated as acceptable for your project?” [RWU LAW](#)



# ENVIRONMENTAL *Champions*

## MORGAN MCCARTHY '14

*A recent graduate takes her first steps in renewable energy by helping her hometown prepare for the future.*

Morgan McCarthy '14 is playing a vital role in her home town of Orleans, Mass. as it takes its first steps toward renewable energy.

She completed the joint J.D./Master of Marine Affairs program offered by RWU Law and the University of Rhode Island Department of Marine Affairs late last year and quickly became involved in Orleans' effort to reduce its dependence on fossil-fuel energy.

"I went to town meeting and I just got up and introduced myself," she says. "Maybe it looked a little weird, but it was a good way to get my name out there."

That introduction led to membership on the town's Renewable Energy Committee and then a part-time job as a consultant to the town.

"One of the things I do is to help the board of selectmen and the town administrator understand the [renewable energy] industry," she says. "A lot of them don't know a lot about the field. Basically, we're just exploring options for expansion of renewable energy use for the Town of Orleans."

The town has already begun moving in that direction, having procured a grant for solar panels on the roof of its Council on Aging building as well as installation of a solar array on top of a capped landfill.

But it's looking for more options and is relying on McCarthy to guide them in the process.

Specifically, Orleans is interested in joining a renewable energy "offtake agreement," which would enable the purchase of energy from wind or solar energy facilities located elsewhere. The town rejected an initial offtake offer from Cape & Vineyard Electric Cooperative, a regional agency, and asked McCarthy to provide assistance in looking at private companies that offer offtakes. At the beginning of this year, the list had been winnowed to three companies.

"So, hopefully, within the next year, we will have signed an offer with a private company for more renewable energy," she says.

Now that she's taken her first professional steps since graduating from RWU Law and URI, McCarthy is certain that she wants a career as an environmental lawyer and she hopes to apply her legal skills to offshore renewable energy.

"I absolutely love the ocean; I can't get enough of it," she says. "I'd like to stay because I love the Cape and I love Orleans. Right now, I'm trying to build on my role here and just see what happens."



## JACKIE ROLLER '11

*Helping the National Oceanic and Atmospheric Administration maintain regulatory consistency among states.*

"I've always had a passion for things ocean-related," says Jackie Roller '11, a coastal management specialist at the National Oceanic and Atmospheric Administration.

Growing up close to the coastline in Connecticut, Roller knew she wanted to pursue a marine-related career. She came to the Ocean State with that goal, enrolling in the J.D./Master of Marine Affairs joint program offered by RWU Law and the University of Rhode Island Department of Marine Affairs. With those credentials in hand, she was selected as a Presidential Management Fellow at NOAA and began working there in 2013.

Roller is part of a three-person "National Interest Team," which is within NOAA's Office for Coastal Management and focuses its work on the intersection between state and federal interests in coastal management. Specifically, she says, her team is guided by Section 307 of the Coastal Zone Management Act of 1972, known as the "federal consistency" provision.

States such as Rhode Island that join the National Coastal Zone Management Program, have a strong tool in maintaining control over their coastal zones because federal activities must then be consistent as much as possible with the enforceable policies of a state coastal management program.

"Our job is to help implement the federal consistency provision," she says. "So typically our role is to make sure that everyone understands what the regulations require, and if conflicts come up we can help mediate those issues."

Although all three members of the National Interest Team are lawyers, Roller says J.D.s are not a prerequisite for the job.

However, she says, a legal background is definitely helpful. "It's very legal- and policy-intensive and involves a lot of interpreting of regulations. I think if I didn't have the legal background, it would be much more challenging."







# Non-Litigation Lawyering

How Kendra Levesque '13 discovered that transactional, corporate law involves a whole lot more than pushing paper...

## PROFILE Kendra Levesque '13

By Elaine McArdle

As corporate counsel with GTECH Corporation, a global leader in operating and providing technologies in the worldwide gaming markets, Kendra Levesque '13 loves the variety and pace of her work. "GTECH is an international company with a multi-faceted business," says Levesque, where her work, based in Providence, is never dull.

"A lot of people see corporate work as boring and think corporate attorneys are just paper-pushers stuck at their desks all day drafting contracts, but that definitely has not been my experience," says Levesque. "Of course, it helps to be working for a large, dynamic international company."

As the junior member of the company's legal department, Levesque plays a supporting role on a variety of projects. She assists with procurements, which are the core of GTECH's business; reviews and negotiates contracts; drafts and negotiates non-disclosure agreements; and helps draft quarterly and annual reports. Most recently, she's been focused on a multi-billion-dollar deal: the planned acquisition of International Game Technology, a leading company for designing and manufacturing computerized gaming equipment and software, by

GTECH S.p.A., the parent company of GTECH Corp.

"Working on the planned acquisition of International Game Technology has been a particularly exciting experience – at times stressful, but nonetheless exciting," says Levesque, who has assisted with the drafting of certain regulatory and finance documents, and coordinated with outside counsel.

As a self-described "precocious child" growing up in Hudson, N.H., Levesque planned to follow in the footsteps of her TV courtroom heroes, Matlock and Perry Mason. "I was hooked on becoming a lawyer before I'd even finished elementary school," says Levesque. After graduating from George Washington University *magna cum laude* in 2010, she headed to RWU Law because it was reasonably close to home – and because she loved the campus and all the school offered.

"Like most law students, I thought I would be a litigator," recalls Levesque, who did summer internships at the Providence City Solicitor's office and at a Providence personal injury and social security law firm. Then came a career-altering decision. During the first semester of her



***“A lot of people see corporate attorneys as just paper pushers – but that’s definitely not my experience!”***

***– Kendra Levesque '13***

## UPCOMING EVENTS

*Mark your calendar.*

Events and Important RWU Law Alumni Dates

**June 18**

**Law Alumni Association Annual Breakfast**

*Held in conjunction with the*

*Rhode Island Bar*

*Association Annual Meeting*

**7:45 a.m. - 9:15 a.m.**

Rhode Island Convention Center, Providence

**September 25 – 26**

**3rd Annual Law Alumni Weekend**

Watch <http://law.rwu.edu/calendar> for details

**September 27**

**16th Annual Law Alumni Association**

**Scholarship Golf Tournament**

Watch <http://law.rwu.edu/calendar> for details

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3L year, Levesque took a contract drafting class with Professor of Legal Practice Cecily Banks. “That really opened my eyes to the possibility of a non-litigation career,” says Levesque.

At the time, Banks was in the process of launching the Corporate Counsel Clinical Externship Program, through which eligible second-year and third-year students receive hands-on practical training, for academic credit, with top corporate lawyers in southern New England. During her final semester in law school, Levesque was selected for the program’s inaugural class; her classmates landed placements with the legal departments of CVS Pharmacy, Inc., the Boston Red Sox, and the New England Patriots. After formal interviews with a series of lawyers – many of whom she works with today – Levesque was chosen as the first legal extern ever hired by GTECH Corp. When she graduated from RWU Law *magna cum laude*, the corporation hired her first as a contract lawyer, and then brought her aboard as corporate counsel.

When she’s not working on major international business deals, she says she’s “a bit of a foodie – but not in a serious way, I just like good food and exploring all the amazing restaurants Rhode Island has to offer.”



- Featuring spotlights on alumni and their accomplishments
- Highlighting new volunteer opportunities with the Law Alumni Association
- Promoting alumni networking events

Please send alumni spotlight suggestions to  
**[lawalumni@rwu.edu](mailto:lawalumni@rwu.edu)**



## Class Notes

### 1996

**Matthew Keris** was elected president of the Pennsylvania Defense Institute. He is a shareholder at Marshall Dennehey Warner Coleman & Goggin in Scranton, Penn. Matthew focuses his practice on medical malpractice, general liability and auto defense work.

### 1997

**Gregory Mancini** was named to Secretary of State Nellie Gorbea's transition committee. He currently serves as executive director and general counsel for BuildRI.

**Lynne Radiches** was appointed staff attorney in the Office of the Court Appointed Special Advocates in the Rhode Island Family Court.

### 1998

**Lawrence Zimmerman** was awarded the Strike Force Award by The Georgia Association of Criminal Defense Lawyers, one of the largest organizations in the country. The award recognizes his volunteer work successfully defending members cited for contempt by the trial courts. Lawrence was involved with a number of high-profile cases that became national stories.

### 2000

**Rory Z. Fazendeiro** was appointed shareholder at Adler Pollock and Sheehan P.C. in Providence. He has a diverse business law practice focusing on real estate and corporate transactional matters as well as litigation, construction, commercial lending and a full range of property-related and commercial contract matters. Rory also has extensive experience serving as outside general counsel to corporate clients on employment matters and general risk management, and for many years has represented and advised professional and amateur sports clubs and athletes.

### 2002

**Susan C. Kiernan** was named partner at the law firm of Cameron & Mittleman in Providence. Susan focuses her practice on public finance, which includes serving as bond counsel and counsel to issuers, underwriters, banks and borrowers on numerous taxable and tax-exempt debt financings. She also works on complex project financings for the benefit of nonprofit organizations, including hospitals, nursing homes, continuing care retirement communities, cultural institutions, public and private universities and preparatory schools.

### 2003



**Keri Ebeck** was named partner at the Cleveland, Ohio-based default services law firm Weltman, Weinberg & Reis. Keri is part of a team of approximately 85 attorneys offering creditors' rights service to clients for more than 80 years. With nine offices throughout Ohio, Pennsylvania, Illinois, Michigan and Florida, WWR is a full-service bankruptcy, consumer and commercial collection, compliance, litigation and real estate default services firm. She is admitted to practice before the U.S. District Court, which includes the Eastern, Middle and Western Districts of Pennsylvania and the Northern and

Southern Districts of Indiana; the Third Circuit Court of Appeals; and the U.S. Supreme Court. Ebeck was also elected to the Bankruptcy and Commercial Law Section Council of the Allegheny County Bar Association.

### 2004

**Thomas Mello** of New Bedford, Mass., accepted the Community Partner Champion award for the Committee for Public Counsel Services at the inaugural Champions for Justice event.

**Kathleen (Giles) Williams** was named partner at Tressler LLP in Newark, N.J. She handles matters involving toxic torts, products liability, construction accidents and defects, premises liability, and other general liability issues in the state and federal courts of New Jersey, New York and Pennsylvania. She has extensive experience resolving complex matters, in which liability is strongly contested, through mediation and arbitration. Kathleen lives in central New Jersey with her husband Dan Williams '03 and their children Libby and Daniel.

**Kyle Zambarano** was appointed shareholder at Adler Pollock and Sheehan P.C. in Providence. Kyle specializes in litigating and resolving a wide range of commercial disputes, including disputes between competing businesses, implicating non-competition provisions and trade secret law, as well as complex tort cases.



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# Complexity and Heartbreak

Rosa Elvira Arias '09 works on the front lines of immigration law.

## PROFILE Rosa Elvira Arias '09

By Michael M. Bowden

As a working immigration attorney in Providence and the daughter of immigrants herself, Rosa Elvira Arias '09 knows that serious hurdles exist for newcomers arriving in the United States. But nothing prepared her for what she encountered while volunteering as a pro bono attorney at the temporary immigration detention center in Artesia, N.M., last year.

"It really opened my eyes," Arias said. "I was representing women and children from Central America: Honduras, El Salvador and Guatemala. They were fleeing horrible circumstances in their native countries – violence, sexual assault, murder, gang threats, extortion. They had come to the United States for refuge."

But something, she soon realized, was very wrong.

"These individuals were being deprived of even the most basic due process there, very basic human rights," Arias said. "The Artesia facility's purpose was not to review any asylum applications, which everyone I met there was eligible for. The goal was to expedite removal and just send them back to their home countries."

So the Spanish-fluent Arias spent days in a makeshift interview room in a trailer, completing applications for as many of these women as possible. "It was heartbreaking," she said. "They had to tell their stories in front of their children, in front of the other detainees. Stories of rape and violence, very personal experiences. But they were so desperate, they had no other choice. Before we had arrived they had no access to any attorneys – and hundreds of women had already been deported without ever even talking to an attorney or a judge."

Coming from a family of immigrants, Arias feels a personal stake in the U.S. immigrants' struggles. Born in New York City to

Dominican parents, Arias – the eldest of four children – spent her childhood in Virginia, before moving to Rhode Island as a teen. After attending Hope High School, Arias went on to the University of Rhode Island, graduating *cum laude* with a major in psychology and a minor in "Justice, Law, & Society" – then she headed straight to RWU Law.

During her 2L year, a "very close family member" faced immigration removal proceedings, and Arias offered to assist. "I wanted to at least research the case and provide some kind of help," she said. "But that's when I realized just how complex immigration law is." There was nothing she could do – her relative was deported.

"I was sad, confused and disappointed," Arias recalled. "I was in denial, in shock; it really hurt a lot. But that pain sparked in me a lifelong passion for helping others, particularly those facing immigration proceedings. I wanted to help people who were at a disadvantage; people who were poor."

She took an Immigration Law course with Professor Peter Margulies, applied and got into the school's Immigration Law Clinic in its inaugural year, and did an internship at Gonzalez Law Office in East Providence, R.I. She also completed a judicial internship with the Honorable O. Rogerie Thompson, then at the Rhode Island Superior Court. Today, Arias has achieved her dream of helping the neediest.

"Being an immigration attorney is very challenging," she said, "partially because we have a system that's broken. There's only so much I can do, so I try not to be too hard on myself. But I'm also a very emotional person, and I haven't become jaded. So it is still very difficult."



## 2005

**John D. Russell** was appointed shareholder at Adler Pollock and Sheehan P.C. in Providence. John's varied practice includes representing clients in corporate and business law matters, commercial real estate transactions, mergers and acquisitions, commercial public finance, tax law, private equity and land use and zoning issues.

**Rui P. Alves** was named partner at Barton Gilman LLP in Providence. Rui handles all aspects of domestic relations matters, including divorce and complex custody disputes in both Rhode Island and Massachusetts. He also defends individuals charged with criminal offenses. Rui has been named as a Rhode

Island Rising Star by Super Lawyers for six consecutive years (2009-14), and is active in the community, serving as immediate past President of the Board of Directors for Samaritans of Rhode Island. He resides in Barrington, R.I., with his wife and two daughters.

**Michelle McConaghy** was named chief of the U.S. Attorney Civil Division's Defensive Unit for the District of Connecticut, which defends claims filed against the United States, including tort, medical malpractice, employment discrimination, immigration and foreclosures.

## 2006

**Nicole Benjamin** was appointed shareholder at Adler Pollock and Sheehan P.C. in Providence. Nicole is a member of the firm's litigation department and handles a broad range of civil cases in federal and state court, with an emphasis on complex commercial litigation. She also authors the blog, "Fast Five on Rhode Island Appellate Practice," which provides periodic updates on Rhode Island appellate law and pointers for practice before the Rhode Island Supreme Court.

**Martinelle Cole** is chair of the National Education for Women's Leadership Program at the University of Washington Women's Center, where she also serves on the advisory board. She is the director of professional development at Davis Wright Tremaine, LLP in Seattle.

**Tim Groves** joined the Rhode Island Foundation as a development officer. He is responsible for inspiring philanthropy by providing charitable planning advice and offering high-level relationship management. Previously, Tim was an attorney at Barton Gilman LLC in Providence.

## 2007

**Deborah Gonzalez** was presented with the Alumni Public Interest Champion award at the inaugural Champions for Justice event.

**Ethan Ordog** of the Begley Law Group in Moorestown, N.J., received this year's Robert W. Criscuolo Award, presented annually to an attorney under the age of 36 who demonstrates significant contributions to the bar association, community service and other civic activities.

The Honorable Ronald E. Bookbinder, Assignment Judge of Burlington County, for whom Ordog clerked in 2007 and 2008, presented the award.

**Sara Sweeney** was named in-house counsel at FM Global in Johnston, R.I. and she is president of the Rhode Island Women's Bar Association.

## 2008

**Amy Crane** was named Deputy Legal Counsel for Retirement to Rhode Island Treasurer Seth Magaziner.

**Kate Godin** is a Legal Research and Writing Specialist for the Office of the Federal Public Defender for the Western District of Texas.

**Matt Jerzyk** was named Deputy Legal Counsel to the Rhode Island Speaker of the House.



**Daniel Meyer** is an associate at the law firm of Duffy & Sweeney in Providence. He joined the firm's corporate & commercial law team with

significant experience in general corporate law, real estate development and financing, and mergers and acquisitions. Daniel represents firm clients in the manufacturing, real estate, banking, private equity and venture capital sectors. He also serves as a board member and secretary for the Institute for the Study & Practice of Nonviolence, a nationally lauded organization that targets the reduction of gang violence in Rhode Island.

**Megan Maciasz DiSanto**, married Thomas J. DiSanto, Esq. at The Henry Ford Museum in Dearborn, Mich., on May 31, 2014. Megan is a staff attorney in the Office of General Counsel at the Rhode Island Supreme Court. The couple resides in Providence.

## 2009

**Rod Alciconis** welcomed a son, Denly Jean-Paul Alciconis, in September 2014. Rod is the founder of Alciconis Law Office in Philadelphia. He specializes in personal injury law and immigration.

**Amy Howes** is the electronic resources librarian at the law firm of Hinckley Allen in Providence.

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- New Job? Promotion? Award Recipient? Recently Married? New Child?
- 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](mailto:lawalumni@rwu.edu).
- Check out the Professional Networking Center – build your profile and volunteer for career panels and professional networking initiatives.
- Professional and personal photos are welcomed and will be published in the magazine as space allows.

\*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](mailto:lawalumni@rwu.edu)



She completed her Master's in Library Science at the University of Rhode Island. Previously, she worked in the law libraries of the University of Connecticut Law School and RWU Law.



**Jillian Jagling** is an associate at Pannone Lopes Devereaux & West in Providence.

**Jonathan Kellerman** and Jennifer Bizier announce their engagement. A wedding is planned for September 2015.

## 2010

**Hala Furst** is the cybersecurity business liaison with the Private Sector Office for the U.S. Department of Homeland Security in Washington, D.C.

## 2011

**Jared B. Arader** joined the Government and External Relations Department at UJA-Federation of New York.

**Katie (McManus) Majewski** is an associate at Partridge Snow and Hahn LLP, in Providence.

## 2012

**Peter Eraca** is the associate director of admissions at Seton Hall University School of Law in Newark, N.J.

**Amy Goins** is an associate at Ursillo, Teitz & Ritch in Providence.



**Stephen Nelson** is an associate at the law firm of Duffy & Sweeney in Providence. He joined the commercial litigation team.

Prior to joining Duffy & Sweeney, he was a law clerk in the Rhode Island Supreme Court for the Honorable Francis X. Flaherty. A resident of East Greenwich, Stephen is currently the president of the Main Street Association of East Greenwich, in which he has been active since 2007.

**Adam Riser** married Dr. Sean Ciullo with several RWU Law alumni in attendance.



## 2013

**Christa Harris** is an associate at Bengtson and Jestings LLP, in Providence. She focuses her practice on insurance defense and other civil litigation matters, including premises liability, motor vehicle accidents, insurance coverage and products liability.

**Shannah Kurland** is a Soros Justice Fellow and has established a project that documents police misconduct and provides legal support to people challenging abusive police practices in Providence.

**Angela Lawless** is an attorney with the Rhode Island Public Defender's Office.

**Rachael Levine** is an associate at the Terbrusch Law Firm in Danbury, Conn. She focuses her practice on divorce, the allocation of parental rights, and post-decree matters.

**Luis Mancheno** is an Immigrant Justice Corps Fellow/Immigration Attorney at The Bronx Defenders in New York.

## 2014

**Jose Batista** is president of the Rhode Island Latino Civic Fund and the Rhode Island Latino Political Action Committee. He was also named to the Providence Ethics Commission by Mayor Jorge Elorza.

**Brandy Disbennett-Albrecht** and **Scott Albrecht** were

married in November 2014 in Charleston S.C. They were joined by fellow alumni Samantha Clarke '14 and Kelsie Leon '14. Brandy is working at Bergmann & Moore, LLC, a veterans' disability law firm in Bethesda, Md. She published an article on the military testing of drug effects on non-consenting soldiers titled, "An Analysis of CIA and Military Testing of LSD on Non-Consenting U.S. Service Members and Recovery Through the VA Disability System," in *The Tennessee Journal of Race, Gender and Social Justice*. Brandy and Scott reside in Virginia.



**Allyson Entz** is a staff attorney at the Committee for Public Counsel Services in Fall River, Mass.

**Kathleen Nee Zambrano** was married to Carlos Zambrano in August 2014. She is an associate with the law firm Harrington & Vitale in Providence and Director of Rhode Island Treasurer Seth Magaziner's transition committee.

## RWU LAW ALUMNI ASSOCIATION

### 15<sup>TH</sup> ANNUAL SCHOLARSHIP GOLF TOURNAMENT

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# An Eye on the Target



## An RWU Law student takes the 2nd Amendment debate out of the classroom – and onto the shooting range ...

By Christopher Puig, 3L

There's nothing like being helpless against an intruder in one's own home to make a person reconsider the wisdom of owning a firearm for protection. At least that was the game-changing experience for former NRA President Sandra Froman. Before the intrusion, Froman says, she had never really taken a position on the Second Amendment. Afterward, however – though she was fortunate enough to escape unharmed – her views changed dramatically, and she became one of the nation's most powerful advocates for the right of ordinary Americans to own firearms.

As with so many social issues today, opinions on the “true meaning” of the Second Amendment have become polarized. Most people take a position and defend it tooth and nail, rarely pausing to reflect on the merits of the other side's view. But as lawyers (or lawyers-in-training), we should hold ourselves to a higher standard. Just as a skilled litigator would never approach a case without considering both legal theory and real-world facts, we should not jump to theoretical conclusions about the Second

Amendment until we have taken our assumptions out into the field and sought a more rounded, hands-on, experiential understanding of the issue.

With this in mind, I decided last semester to give RWU Law students an opportunity to put their theories to the test. As president of RWU Law's student chapter of The Federalist Society, and with the support of my board members, I planned an event designed to help law students better understand the Second Amendment. One challenge with debates on gun rights is that many Americans – including many lawmakers and lawyers – have never held, owned or fired a firearm; and so they may not understand the enormous responsibility, care and power that comes with that right. Some of these people have (or may someday have) a powerful role in shaping the future of the Second Amendment, despite possessing no firsthand knowledge of the topic. So I wanted to give our law students an opportunity to gain that hands-on experience – with both firearms and the Second Amendment.

The first part of the event was an educational, debate-style discussion on

the Second Amendment's place in the legal community. Entitled “Gun Play at the Supreme Court,” the discussion was co-sponsored by RWU Law's student chapters of The Federalist Society and the ACLU. It featured Froman herself as The Federalist Society's speaker, debating RWU Law Professor Carl T. Bogus as the ACLU's designated speaker. Both participants were given equal time to present their positions on how the Supreme Court has approached Second Amendment cases. This gave audience members an opportunity to hear sophisticated legal and historical explanations of the Court's cases. The audience received both speakers well, asked a lot of great questions and even lingered afterward for pictures and further discussions (one law student even got his NRA member card signed by Froman).

Then came part two of the program. Now it was time for experiential education. With the administration's blessing, I arranged an opportunity for 30 RWU Law students to visit the Tiverton Rod and Gun Club (TRGC), just a half-hour off campus in Tiverton, Rhode Island,



## Closing Argument



Author  
Christopher  
Puig, 3L



Former NRA President  
Sandra Froman and RWU  
Law Professor Carl Bogus



An RWU Law student  
taking aim at the  
Tiverton Rod & Gun Club.

following the debate. TRGC President John Means and his board had worked with me all summer to create a program that would be safe, informative and eye-opening for the students. The club generously opened its doors – and its brand new indoor pistol range – to our group. In addition, a number of TRGC members donated their time and personal firearms to ensure we'd enjoy a good experience.

First the students joined Froman in the club's main hall for a demonstration on firearm safety, rules and regulations. Then we received a rundown on what to expect, how to behave, and what we would be doing at the range. From there, we divided into two groups and moved to the range itself – a beautiful, completely modern indoor pistol range, where students were given the opportunity (many of them for the first time) to load, hold and safely discharge a firearm. Some students were visibly nervous before they approached the range lanes, but each stall was supervised by a special range officer, who

coached the individual students. Within a few minutes, students who had never fired a weapon before were carefully taking aim down the range, exhaling and squeezing. They had the opportunity to shoot multiple times, and soon students who had been nervous became eager to get back in line to try for a tighter grouping.

RWU Law Assistant Dean of Students Lorraine Lalli commented, "It's not every day that a student group has an event at a shooting range, but this was an informative and thorough examination of the Second Amendment in America, offering a new perspective for many participants."

3L Garrett Borrosh participated and liked the format, commenting that "while the Second Amendment has been a hotly debated topic in recent years, it was great to have an open discussion from proponents of both sides and to experience

the protections granted by the Second Amendment by shooting at Tiverton Rod & Gun Club." Student Bar Association President 3L Anthony Sinapi also attended and noted that he "enjoyed the experience," which "helped one understand the nature of firearms."

One of my favorite stories involved 1L Stephanie Nelson, a self-described "liberal" advocate of gun control. Stephanie was the kind of person who I thought needed to come to the event with us. "I was pretty scared of guns before the event," she told me. "The thought of shooting real bullets that [can harm or even] kill people didn't settle very well with me. Once at the range, the loud bangs and shells flying almost caused me to back out. Luckily my instructor was wonderful and eased my nerves. The speaker really opened my eyes to people protecting themselves. He showed me not only how to shoot

and load the gun safely but how to [avoid] injuring myself or others. I walked away with a different perception of gun ownership. [I now see it as] a constitutional

**"I walked away with a different perception of gun control. [I now see it as] a constitutional right and I support legal safely handled ownership of guns."**

**– 1L Stephanie Nelson**

right and I support legal, safely handled ownership of guns."

When I first set out to plan this event, I wanted to create an event that explained the legal implications of the Second Amendment, and then put a real firearm in the hands of students in a controlled situation – one where they could put their knowledge to use, just as they might put their classroom experiences to work in an externship or Semester in Practice assignment, exploring the real-world aspects of the laws they were studying. I'm not sure exactly how many minds we changed that day – these things take time, and only time will tell. But I can say with confidence that, at the very least, we provided an educational experience that gave each person the knowledge needed to come to an educated conclusion – and that is all I could ask of anyone. **RWU LAW**



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Members of RWU Law's Association for Public Interest Law (APIL) founded Alternative Spring Break in 2006 to assist those recovering from the devastation caused by Hurricane Katrina. Since then, the program has grown every year. In 2006, it involved just one placement and a handful of dedicated students. For 2015, it had grown to 17 placements in eight states with 58 student participants. Many supervising attorneys are RWU Law alumni. The program is funded by a Student Bar Association allocation to APIL, funding from the law school administration, support from the RWU Law community and student participation fees.



Southeast Louisiana Legal Services, New Orleans (l-r): Monique DiTullio '17, Swapanthi Nagulpally (Duke Law), Kate Clark-Dawe '15, Haninah Mowrey '16, Alex Shiekman (Duke Law), Sharon Onga '17, Mikela Almeida '16.



RAICES, San Antonio, Texas (l-r): Ana Maria '15, Maria Verveiros '16, Alice Cunningham '15, Deborah Gonzalez '07.



Immigration Law Education and Advocacy Project (ILEAP), Fall River, Mass. (l-r): Zach Lyons '17, Lily Dawkins '17, and Peter MacArthur '17.



Central Falls City Solicitor's Office, Central Falls, R.I.: Central Falls Mayor James Diossa, Tom Travers '16.



Bronx Defenders, Bronx, N.Y. (l-r): Tom Peterson '16 and Laurita Rodriguez '16.

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Southeast Louisiana Legal Services, New Orleans (l-r): Monique DiTullio '17, Kate Clark-Dawe '15, Sharon Onga '17 and Logan Pierce '17.



Juvenile Rights Practice Group, Manhattan, N.Y.: Casandra Foley '17 and Tyler Calvi-Rogers.