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AMICUS

THE MAGAZINE OF ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW

SPRING 2009

answering THE CALL

RWU Law Students, Alumni, Staff Attend Obama Inauguration, Reflect on Service
MESSAGE FROM THE DEAN

Giving Back...

Dear Friends,

In January, our nation witnessed an epochal transfer of power, together with a call to a new era of informed, engaged and service-oriented citizenship. Like the millions of others who watched or attended the Inauguration (a number of RWU Law students are spotlighted in this issue), I was both encouraged and inspired by this call, not least because those values are already integrally woven into the fabric of RWU Law.

In this edition of Amicus, you’ll meet a number of superb examples. One of them, Alberto Cardona ’04, recently became our first alumnus to be appointed as a judge; heady stuff, but he is using that position to help rescue the community where he grew up, which has been severely impacted by the current financial crisis. Also laboring to help solve the mortgage meltdown are a group of RWU Law students and attorneys from the Providence office of the leading law firm Motley Rice LLP, brought together by our own Pro Bono Collaborative to research and draft new legislation protecting tenants whose landlords face foreclosure.

Then there’s Alison Foley ’04, recently chosen as a Lawyer of the Year by Rhode Island Lawyers Weekly for her outstanding and selfless representation of some of our society’s most vulnerable individuals – recent immigrants, especially those who are undocumented. This issue of Amicus highlights the personal and political diversity of our law school family – from Ken McKay ’96, whose formidable conservative credentials have won him a top position on the Republican National Committee, to Matt Jerzyk ’08, whose decidedly progressive views led him to create the influential blog Rhode Island Future, now one of the state’s most powerful Democratic voices. The past year has truly been a transformative one for our country and – I think you’ll agree – a transformative one for RWU Law as well. It’s been a year of political and economic challenges we face – I am more confident than ever that RWU Law’s distinguished guests, high bar-pass rates, nationally prominent rankings and ever-growing media visibility. And as our nation rises to “answer the call” – to confront and address the huge social, economic and environmental challenges we face – I am more confident than ever that RWU Law’s students, alumni, faculty, staff and many friends will continue to be a major part of the solution.

David A. Logan
Dean and Professor of Law

For updates on School of Law events, visit the Dean’s Blog at: http://blogs.rwu.edu/law/dean

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Contents

16 Answering the Call
RWU Law Students, Alumni, Staff Attend Obama Inauguration, Reflect on Service

20 Here Comes the Judge...
RWU Law’s First Bench Appointee Takes on the Mortgage Crisis

24 Confronting a Housing Epidemic
Pro Bono Collaborative and Motley Rice LLP Work to Help Tenants in Foreclosed Properties

28 ‘Everything His Heart Desires’
Rod Alcidonis Overcomes Adversity to Fulfill a Lifelong Ambition

30 Lawyer of the Year
Alison Foley ’04 Recognized For Defending Immigrants’ Rights

DEPARTMENTS
2 School of Law Briefs
10 Marine Affairs Institute
12 Feinstein Institute
13 Faculty in the News
32 Law Alumni News and Events
34 Class Notes
From sky-high bar pass rates, to national recognition of its public interest programs, to ranking among the best schools in the quality of its faculty publications, all topped off by multiple interactions between its students and justices of the United States Supreme Court, 2008 was a stellar year for Roger Williams University School of Law.

Scoring an impressive 93 percent pass rate among graduates sitting for the Massachusetts bar examination — the school’s most-taken exam — RWU Law joined that state’s best-performing law schools, tying Boston College, and trailing only Harvard and Boston University.

RWU Law graduates also enjoyed a 90 percent pass rate on Connecticut’s 2008 bar exams, while passing New York’s July 2008 bar exam at a 91 percent clip, despite that exam’s reputation as one of the toughest in the nation. In all, 121 May 2008 graduates of RWU Law took the bar in Rhode Island, Massachusetts and/or Connecticut, and of those 189 passed one or more exams on the first try — giving the school an overall 90 percent pass rate in the states where the vast majority of its graduates sit for bar exams.

“The message is clear: RWU Law graduates can match or exceed the performance of graduates from the nation’s best-known and most-established law schools,” said Dean David A. Logan. “I could not be more proud of our talented graduates, or of the top-notch faculty and staff whose dedication enabled them to perform at this level.”

Indeed, RWU Law recently released the results of a detailed empirical study that compared the scholarly productivity of the faculties at ABA- and AALS-accredited law schools, and RWU Law ranked fourth in New England, trailing only Yale University, Harvard University and Boston University. (More information on the study, including details of methodology, can be found at http://law.rwu.edu/facultyproductivity/)

Another recent study placed RWU Law among the nation’s top schools for public-interest law, with only Northeastern ranking higher in New England. The survey, “The Best Public Interest Law Schools,” was published by National Jurist’s PreLaw magazine and relied upon data compiled by Equal Justice Works, a national group that encourages public-interest programs in law schools.

“This survey validates the centrality of public-interest values to the mission of RWU Law,” said Dean Logan. In addition, according to figures published in the 2009 ABA-LMSC Official Guide to ABA-Approved Law Schools, RWU Law boosted the third-most diverse law school faculty in New England, exceeded only by Northeastern and Boston College.

“It’s yet another telling statistic about an institution that’s clearly on the move,” Logan said.

Law Review Announces 2009-10 Editorial Board

The Roger Williams Law Review has announced its 2009-10 Editorial Board. Its members are:

• Editor-in-Chief: Brian Fielding
• Managing Editor: Dana Minkel
• Executive Articles Editor: Matthew Watson
• Executive Notes & Comment Editor: Melissa McGow
• Rhode Island Editor: Kelly Noble
• Notes & Comment Editor: Staci Buss
• Notes & Comment Editor: Jessica Schachtier
• Articles Editor: Derek Cournoyer
• Articles Editor: Julie Moore
• Articles Editor: Dan Morton-Bentley

“T here were many well-qualified applicants and it was a tough decision,” explained current editor-in-chief Kim Ahern ’09. “But these individuals demonstrated, over the past year and throughout the interview process, their absolute commitment to making our Law Review better. In total, 19 second-year staff members applied for only 10 available positions — the most continued growth and success, which will definitely be ensured by next year’s Board,” Ahern said.
RWU Welcomes Latino Policy Institute

After nearly two years of development, the new Latino Policy Institute at Roger Williams University was formally inaugurated by RWU President Roy J. Nirochel, Ph.D., in February. Located in the downtown Providence building that also houses the School of Law’s Criminal Defense Clinic, the LPI at RWU will provide sophisticated research and advocacy for policies that will benefit Rhode Island’s fast-growing Latino population.

A major moving force in the conception and implementation of the Institute was RWU Law Professor Jorge Elorza, a native Rhode Islander who is driven to improve the quality of debate on key issues facing the Latino community. The Institute has already garnered significant support from the Rhode Island Foundation, Motley Rice LLP and the Annie E. Casey Foundation, among others. The plan is to operate as a consortium, leveraging the intellectual capital available at RWU and other top educational institutions in the Ocean State, including Brown, URI and Providence College.

“Like many states, Rhode Island is at a critical policy juncture on a number of issues, including education, economic security, immigration and health care,” President Nirochel noted. “The Latino Policy Institute at Roger Williams University will ultimately shape future public policy by creating a better understanding of the significant contributions – and challenges – facing the Rhode Island Latino population.”

Latinos are presently the largest minority population in Rhode Island and those numbers are expected to double by 2020. Because of the projected growth of this community, the Latino Policy Institute at Roger Williams University will make the case that what is good for Latinos is also good for the state. By stimulating public discourse based on timely and factual data, the Institute will serve as a valuable resource to state and local policymakers in Rhode Island.

Keeping Tips Flowing at ‘America’s Most Wanted’

If you’ve watched “America’s Most Wanted,” then you’ve seen the work of RWU Law alumna Chantal Tocci ’04.

Tocci is the hotline operations manager for the long-running Fox television series. She “maintains the fluidity of the department in its entirety,” while overseeing a staff of 25. A typical day includes answering viewer comments, maintaining the hotline schedule and running reports on tips. At the end of the week she brings together the “Saturday Night Operation,” which includes hosting guest detectives, FBI agents and U.S. marshals, while also assisting on difficult phone calls and tips that come in during the show. Tocci said the position constantly draws on skills she gained at RWU Law.

“My law degree comes in handy when dealing with legal issues in human resources,” Tocci said. “It also comes into play when I need to craft answers to viewer comments. Additionally, law school taught me how to think analytically and pay attention to details. I use these lessons regularly in my job.”

While Tocci’s use of her J.D. may be unconventional, it also fulfills the desire to serve that led her to law school in the first place. “At America’s Most Wanted, I get to help others everyday – and that is personally satisfying,” she said. “It’s important to be open to new opportunities because you never know where your skills may lead you.”

‘Rhode Island Future’ Blog

http://www.rifuture.org

‘Closing Argument’ Blog

http://rtjustice.wordpress.com

Now an attorney practicing with DeLuca & Weizenbaum, a top regional plaintiffs’ firm, Jerzyk has begun to make his professional mark: this summer, the Harvard Law and Policy Review will publish his article, “Gentrification’s Third Way in Providence.” The article grew out of independent research that Jerzyk completed under the guidance of RWU Law Professor Jorge Elorza – who was so impressed by the result that he urged Jerzyk to submit the paper to top journals.

Jerzyk’s latest project is a new blog called Closing Argument. “It will focus mostly on legal matters in Rhode Island and Massachusetts,” he said. “I look forward to using it to promote RWU Law in any way that I can.”
Board of Directors Announces New Members

RWU Law’s Board of Directors recently announced its newest members:

- The Honorable Edward Clifton (J.D., UCLA) has served as an associate justice of the Rhode Island Superior Court since 1993. Judge Clifton has served on the RWU Law Board of Advisors and is active in the mentoring of RWU Law students through a program co-sponsored by the Thurgood Marshall Law Society.
- Michael Field ’97 (J.D., Roger Williams) is special assistant attorney general. An expert on First Amendment and open-government matters, he served on the Roger Williams Law Review and is a past president of the RWU Law Alumni Association.
- Linn Freedman (J.D., Loyola-New Orleans) is a partner at Nixon Peabody LLP. Ms. Freedman served as deputy chief of the civil division focusing on labor and employment law. For more than a decade, Mr. Whelan

Current members of the Board are:

- The Honorable Joseph Weisberger (J.D., Harvard), Chief Justice of the Rhode Island Supreme Court (ret.), Chair
- Ronald Cass (J.D., Chicago), Dean Emeritus, Boston University School of Law
- Roscoe Howard (J.D., Virginia), Partner, Troutman Sanders LLP
- Robert Kent (J.D., Boston University), Professor of Law Emeritus, Cornell University Law School and Roger Williams University School of Law
- Gloria Larson (J.D., Virginia), President, Bentley College
- Roy J. Nirschel (Ph.D., Miami), President, Roger Williams University
- The Honorable Bruce Sleva (J.D., Harvard), United States Court of Appeals for the First Circuit
- Robin Steinberg (J.D., N.Y.U.), Executive Director, the Bronx Defenders

Torres Serves as 'Distinguished Judge in Residence'

The Honorable Ernest C. Torres, recently retired senior judge of the U.S. District Court for the District of Rhode Island, visited RWU Law in March as the school’s “Distinguished Judge in Residence.” Among other activities, the judge advised students on clerkships, spoke to a class on the U.S. Supreme Court, helped coach the Admiralty Moot Court Team and conducted an Honors Roundtable.

In his more than 21 years on the bench, Judge Torres presided over some of Rhode Island’s biggest federal cases. Most famously, he sent former Providence mayor Vincent “Buddy” Cianci to prison for corruption, and tacked additional time onto the sentence of TV star Richard Hatch – convicted of failing to pay taxes on the $1 million prize he won on the debut season of the hit reality show “Survivor” – saying he lied on the stand. Torres, who was nominated by President Ronald Reagan in 1987, has been described by the Boston Globe as “an intelligent and by-the-books judge – a stickler for proper courtroom decorum who is determined to keep cases on schedule and has high expectations of the attorneys who appear before him.”

Raised in New Bedford, Mass., Torres graduated from Dartmouth as the first in his family to attend college. After earning his law degree at Duke, he entered private practice, also serving as a state legislator and later as a state judge.

Cashin Keynotes MLK Celebration

In commemoration of Dr. Martin Luther King Jr., RWU Law’s Office of Diversity and Outreach organized the fourth annual, week-long M.L.K. Celebration with a focus on poverty.

Professor Sheryll D. Cashin of Georgetown Law Center presented the keynote address, titled “The Agitator’s Daughter: A Memoir of Four Generations of One Extraordinary African-American Family.”

“‘It was a sizeable protest,’” she said of the earlier event. “‘Nothing compared to yesterday, of course; but sizeable.” The Poor People’s Campaign was one of Dr. King’s last initiatives, and featured large numbers of sharecroppers and other rural poor forming a caravan of covered wagons bound for the National Mall. Professor Cashin brought the story alive with firsthand details, including the story of her father buying the mules that pulled the wagons.

Cashin discussed what the campaign was about, the values Dr. King brought to it and where the U.S. stands today on antipoverty issues. She also discussed her surprise that the campaign has been largely forgotten in popular history, but noted that her father would probably not be too disappointed. “In the activist’s life,” she said, “victory is in the mere act of trying.”

Professor Cashin worked in the Clinton White House as an advisor on urban and economic policy, particularly concerning community development in inner-city neighborhoods. She was also a law clerk to the late U.S. Supreme Court Justice Thurgood Marshall and Judge Abner Mikva of the U.S. Court of Appeals for the District of Columbia Circuit.

She has written two award-winning books, The Failures of Integration: How Race and Class are Undermining the American Dream and The Agitator’s Daughter: A Memoir of Four Generations of One Extraordinary African-American Family.
RWU Tops National Admiralty Competition

March went out like a lion as RWU’s winning admiralty law team took first place in Charleston Harbor.

Brian Eisenhower ’09, holding the Maritime Law Association of the United States Award for the Best Brief in the Competition, Amanda Argentieri ’09 and Manfred “Ben” Susman ’09, holding the Championship Cup. Brian Eisenhower ’09, holding the Maritime Law Association of the United States Award for the Best Brief in the Competition, Amanda Argentieri ’09 and Manfred “Ben” Susman ’09, holding the Championship Cup.

Several other RWU Law extramural teams turned in excellent performances recently, including:

- Labor Law Trial Team
  Four RWU Law students won the Northeast Regional Tournament of the ABA Labor and Employment Section’s Fifth Annual Labor Law Student Trial Advocacy Competition in Boston and advanced to the National Finals in Chicago.
  The team consisted of 3L Seth Thomas Atken of Swansea, Mass.; Kristina Hultman of Norwood, Mass.; Meghan McDonough of Biddeford, Maine; and Ian Nuno of Middletown, Del. Professor Jon Shelburne.
  RWU Law’s director of competitions, coached the team, together with alumnus John Calcaign of the Providence law firm of Vincent D. Moreira, Ltd.

  “The students from Roger Williams demonstrated exemplary advocacy skills that earned high praise from the sitting federal judges,” said Shelburne.
  “The RWU Law team defeated Suffolk in the final round of the Boston competition to earn the title of Regional Champions.”

In Charleston the team faced Southern Methodist University and University of Richmond, but did not advance to the final rounds.

- Jessup Moot Team
  In February, RWU Law’s Jessup Moot team advanced to the quarterfinals in the Northeast Regionals in New York City, placing it in the top eight among the 23 schools competing.
  “We were in good company – the other top eight schools were Brooklyn Law School, Albany Law School, Harvard, Columbia, Boston College, Cornell and UC,” said team member Lauren Engel ’09. The RWU team was ultimately defeated by Boston College, the eventual winner of this year’s competition.

  Two RWU Law students placed among the top 20 for Best Oralist, with Robert Fahey and Sarah Mazzocchi taking 17th and Rachel Pastel tied for fourth.

  The team also received an award for its outstanding brief.

- Regents Constitutional Law Team
  RWU Law’s team once again turned in a strong performance at the Regent Constitutional Law Moot Court Competition. Tyler Smith ’09, Katherine Lemery ’09 and Sara Burke ’09 were co-champions with William & Mary. Other schools at the competition included Brigham Young and Villanova.

  In addition to a strong team performance, three RWU Law students placed among the top five oralists. Smith was named Best Oralist, while Hala Furst ’10 and Catherine Lemery ’09 were second and fourth overall. The team was coached by Professor Jon Shelburne.

Dean John E. Ryan
A Personal Remembrance

By Professor Larry J. Ritchie

John E. Ryan, the second dean of RWU Law, passed away on October 28, 2008. John was a legal educator of national stature. Above all else, he was a teacher. Minority and non-traditional law students were of special concern to him. John did not teach the law as a black-letter outline of yesterday’s doctrine, but as a process of analytical and creative problem solving. The law was a tool of the trade for lawyers, like a hammer is for carpenters.

John employed a time-tested technique he called MBWA – “management by wandering around.” He was at the school early, and late. On his daily rounds, he discovered what students and faculty were doing, in and out of the classroom. He pushed his faculty to improve. He taught the importance of teaching and community service without sacrificing scholarship.

An idealist and a perfectionist, John often rocked the academic boat. He could be opinionated, but always for the betterment of the institution. John had no qualms about being the lightning rod for others’ discontent.

His integrity, compassion and generosity were bested by no one. In life, there are too few mentors. When we lost John Ryan, we lost one of the best.

See “In Memoriam” in the Fall 2008 Amicus.
**Sea Grant Law Fellows**

Ashley Medeiros ’09 undertook research for the Nature Conservancy’s Global Marine Team (TNC), analyzing Interstate Shellfish Sanitation Conference (ISSC) policies and procedures related to shellfish conservation and restoration. Ashley researched whether ISSC guidelines prohibit restoration and conservation of shellfish in “closed” waters. Her work is part of a national initiative supported by TNC, NOAA and the National Fish and Wildlife Foundation.

Steve Surdut ’10 has been conducting title searches for seven potential rights-of-way identified by the Harbor Management Commission in the town of Warren, R.I. He also undertook the task of gaining approval of these rights-of-way from the Rhode Island Coastal Resources Management Council, via the agency’s Adopt an Access Program.

**ALL-ABA Course of Study in Environmental Law**

Megan Higgins ’01, research counsel for the Marine Affairs Institute, Kate Haber ’10 and Jackie Roller ’11 all received scholarships to attend the American Law Institute/American Bar Association Environmental Law Course of Study held in Bethesda, Md., in February 2009.

The three-day course highlighted recent developments in environmental law, including the Comprehensive Environmental Response, Compensation and Liability Act, the Resources Conservation and Recovery Act, the Endangered Species Act, the Clean Air Act and the Clean Water Act.

The course was “an amazing opportunity, which reaffirmed my interest in environmental law and my desire to focus on water issues,” Haber said. "Because of my courses at RWU Law, I was already familiar with the issues and the major case law that comprised the foundation of discussion for many of the speakers, and it was great to take these materials learned in the classroom and apply and discuss them in a real-world setting.”

Roller agreed. “As a 1L, it was so valuable to network with fellow students, accomplished attorneys, law professors and government officials. I plan to use the contacts I made and the knowledge I gained during my internship this summer in the office of Senator Sheldon Whitehouse (D-RI).”

**Environmental Moot Court Team**

RWU Law’s Environmental Moot Court team advanced to the quarterfinal round of the 2009 National Environmental Law Moot Court Competition held in February at Pace Law School in White Plains, N.Y., beating out 41 other teams in the process.

During the preliminary rounds, Ashley Medeiros ’09 and Jackson Parmenter ’10 received “Best Oralist” recognition, Ashley twice and Jackson once. Coached by Marine Affairs Institute research counsel Megan Higgins ’01, this year’s team also included Greg Klipp ’09.

This year’s competition presented a complex set of issues related to admiralty, international law and environmental law. A number of experts helped prepare the team, including RWU Law professors Susan Fanedy, Jared Goldstein, Dean David Logan, Jane Rindberg and Associate Dean David Zlotnick; admiralty attorney/adjunct professor William Coffey; Robert Collins, Dennis Esposito, Robert Falvey and Dennis Nixon; special assistant attorney general for Rhode Island and environmental advocate Tricia Jeddle; practitioners Michael Rasworth, Ned Bartlett and Erika Ueberbacher; and Stebbins Banc National Marine Sanctuary expert Leila Hatch.

The competition attracts more than 200 competitors from many law schools and 200 attorneys who serve as judges, together judges, practitioners and regulators to obtain a keener understanding of the principles of fisheries law and a better balance between the regulatory and economic interests involved.

**Spring Events**

**The Making of New International Maritime Law: UNCITRAL and the 2009 Rotterdam Rules**

In April, a panel of experts – including alumna Jennifer Mehaffey ’07 of Lieberman & Associates, Inc., in Washington D.C. – examined the implications of the newly proposed “Rotterdam Rules,” which govern marine cargo interests and carriers. The rules were drafted by an international panel known as the United Nations Commission on International Trade Law (UNCITRAL) and mark the culmination of a six-year negotiation process intended to update the 1924 Hague Convention rules governing liability for loss and damage to cargo in international trade.

The program featured attorneys who served on the U.S. delegation to UNCITRAL. They provided insight into the intricate process of creating new international law, reviewed the content and status of the Rotterdam Rules, discussed prospects for its ratification and examined the ramifications for U.S. ocean and inter-modal commerce.

Other panels included Vincent M. DeOrchis of DeOrchis & Partners, LLP, New York; Chester D. Hooper, Holland & Knight LLP, New York; and David E. Maloof, Maloof Brown & Eagan LLC, Rye, N.Y. The moderator was RWU Law Adjunct Professor William J. Coffey, Beaufort Maritime Group LLC.

**Fisheries and the Bench**

Co-sponsored by the National Sea Grant Law Center and the Sandy County Foundation, the “Fisheries and the Bench” conference brought together judges, practitioners and regulators to obtain a keener understanding of the principles of fisheries law and science, interstate fisheries management, Magnuson-Stevens Act Reauthorization, property rights and fisheries, and offshore projects were presented by Jamy Buchanan Madeja, Esq., former general counsel for environmental affairs to Massachusetts Governor Weld; Gary Powers, Esq., of the Rhode Island Department of Environmental Management; Steven Cadziz, director of the NOAA/UMass Cooperative Marine Education & Research Program; Elizabeth Butler, Esq., Pierce Arwood LLP and former chief counsel to Maine Governor Angus King; Seth Macinko, professor of marine affairs at URI; William L. Lahey, Esq., Anderson & Kreiger LLP; and Lou Chiarella, northeast regional EFH coordinator for the National Marine Fisheries Service.
Feinstein Unveils New Advisory Board

The Feinstein Institute has established a new advisory board, which will “provide guidance about the role of the Institute in the community, as well as the institutionalization of the Institute’s ideals within the school’s curriculum and the structure of the Institute’s programs in addressing the needs of students,” according to the Institute’s executive director Laurie Barron. Founding members of the Board are:

- Armando Batastini ’98, of counsel, Nixon Peabody, LLP, Providence
- Diana deGroot ‘02, staff attorney, Rhode Island Legal Services
- Michael Evara, executive director, Rhode Island Commission for Human Rights
- Courtney Cahill, professor of law, Roger Williams University School of Law
- Bruce Kogan, professor of law, Roger Williams University School of Law
- Angela Alexander ’10, student, Roger Williams University School of Law
- Amy Pelletier ’09, student, Roger Williams University School of Law

Public Interest Auction ‘Huge Success’

The Feinstein Institute’s annual Public Interest Auction was held recently at the Federal Reserve restaurant in Providence, and program coordinator Jennifer Lashley deemed the event a “define success.” A strong turnout of School of Law students, alumni, faculty, staff and prominent Rhode Island lawyers attended the auction, which raised more than $20,000 for the Public Interest Summer Stipend program. The proceeds will supplement another $51,000 already provided by the Law School and University.

“The auction was a blast,” said Dean David A. Logan. “It featured an amazing array of auction gifts, with 100 percent of the fulltime faculty and senior staff contributing and many dropping by for the festivities.”

Shelburne Closes Speaker Series With Haditha Talk

The Feinstein Institute’s Public Interest Speakers Series wrapped up for the semester with RWU Law Professor Jon Shelburne addressing the question of “How Did Haditha Become the Next My Lai?”

Shelburne, who is also a Marine Judge Advocate, was lead defense counsel for Lt. Col. Jeffrey Chessani, the senior Marine charged in the “Haditha massacre” prosecutions, in which a group of U.S. Marines stood accused of the November 2005 slaying of 24 Iraqi civilians – including six children and four women – in what appeared to be retaliation for the death of a Marine in a roadside bombing.

The Institute also presented a talk by Abbe Smith, professor of law and co-director of the Criminal Defense Clinic at Georgetown Law School. Smith discussed her recent book, Case of a Lifetime, concerning a death penalty case that spanned the majority of her career, in which a woman was wrongly imprisoned for 28 years because of mistaken identification. The publication has been critically praised, with the Boston Globe calling it a “moving and important book” that offers “a disconcerting look at the realities that determine why some people walk free and others spend their lives in prison.”

Other speakers in the Feinstein series included Rhode Island Lieutenant Governor Elizabeth Roberts, whose talk focused on the urgent need for health care reform in Rhode Island.

David M. Zlotnick

The Providence Journal (October 5, 2008)

“Fallout from Facebook is Forever.”

David M. Zlotnick, a former federal prosecutor who is now associate dean for academic affairs at the Roger Williams University School of Law, said, “Even prosecutors are recognizing we live in the Internet age. The legal system is tradition-bound, but good lawyers look for evidence where evidence can be found.”

A search for evidence is sometimes aided by the exhibitionism that the Internet seems to promote, Zlotnick said. “It used to be that a friend would tell you,” he said. “Now you tell on yourself.” Over the years, many crimes have been solved because of bragging, Zlotnick said. For example, robbers have spouted off on barstools, and drug dealers have snapped photos of themselves holding weapons, he said.

“We are social animals,” Zlotnick said. “You really haven’t done something until you tell your best friend you did it.” But now, he said, “On the Internet, everybody is your best friend.”

Jonathan M. Gutoff


The Biggest Haul By Pirates Since Sir Frances Drake’s Day? Maybe.

Jonathan M. Gutoff, a professor at Roger Williams University School of Law in Bristol, R.L., is teaching a maritime law course on piracy. The naval forces hunting pirates operate under the Convention on Suppression of Unlawful Acts Against Maritime Navigation that allows every signatory to take action against pirates anywhere in the world. The Navy could bring captured pirates back to the United States for trial, Gutoff said, though in practice Somali pirates have been sent to nearby Kenya, a signatory to the convention, for prosecution.

Of far more pressing concern to the ship owners, Gutoff believes, is the ransom reportedly sent to nearby Kenya, a signatory to the convention, for prosecution. Of far more pressing concern to the ship owners, Gutoff believes, is the ransom reportedly sent to nearby Kenya, a signatory to the convention, for prosecution. Of far more pressing concern to the ship owners, Gutoff believes, is the ransom reportedly sent to nearby Kenya, a signatory to the convention, for prosecution. Of far more pressing concern to the ship owners, Gutoff believes, is the ransom reportedly sent to nearby Kenya, a signatory to the convention, for prosecution. Of far more pressing concern to the ship owners, Gutoff believes, is the ransom reportedly sent to nearby Kenya, a signatory to the convention, for prosecution. Of far more pressing concern to the ship owners, Gutoff believes, is the ransom reportedly sent to nearby Kenya, a signatory to the convention, for prosecution. 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Roger Williams University and expert on national security law. Security interest against the defendant's right, explains Peter Margulies, a law professor at "Witness anonymity to some extent raises concerns, but the court has to weigh the national Clause problems. In the Holy Land case, however, the federal court had no problem allowing the federal prosecutors to introduce and rely upon the testimony of an anonymous Israeli witness who testified as an expert on funding for terrorism. Although critics have denounced that tactic, prosecutors to introduce and rely upon the testimony of an anonymous Israeli witness who testified as an expert on funding for terrorism. Although critics have denounced that tactic, the defendants' lawyers were allowed to cross-examine the witness and were given the basis of his credentials as an expert, apparently solving the potential Sixth Amendment Confrontation Clause problems.

"Witness anonymity to some extent raises concerns, but the court has to weigh the national security interest against the defendant's right," explains Peter Margulies, a law professor at Roger Williams University and expert on national security law.

**Consumers Speak Out on the Burden of Debt**

John J. Chung
The Providence Journal (December 5, 2008)

Consumers Speak Out on the Burden of Debt

(RWU Law Professor John Chung was one of several experts who testified at a U.S. Senate Judiciary Committee field hearing organized by Senator Sheldon Whitehouse (D-R.I.) on proposed changes to the treatment of consumer credit card debt under federal bankruptcy law. Last year, Whitehouse introduced the Consumer Credit Fairness Act (CCFA, S. 3259), which aims to provide consumers some relief from high interest rates.)

"At an annual rate of interest of 36 percent, compounded daily -- which is how my credit card works -- how long does it take for a debt of $1,000 to double?" The answer, Chung said, is just under two years. "I wonder if the typical consumer debtor understands the destructive effect of these interest rates. The math tells us that once debt starts compounding at rates like 36 percent, the borrower will end up trapped in a vicious cycle of debt spiraling out of control. Laws against usury were designed centuries ago to address this problem, but modern lenders have managed to avoid the application of those laws."

**I Believe In Living My Truth**

Kim M. Baker
National Public Radio, "This I Believe" (January 21, 2009)

I Believe In Living My Truth

[NPR reported, "Kim Baker tells us about trauma in her life that, until very recently, was a deep, dark secret. Today, she is empowered by her past. Baker has been teaching writing in academic and business for 16 years. She is the writing coach at Roger Williams University School of Law, a published poet and an advocate to end violence against women."]

"You see, I am a statistic: one in four girls sexually abused before age 18. As I look around me now at the grocery store, the bank line, the restaurant, I realize one of the women or girls likely has been or will be sexually abused. But it took a long time to say it aloud and to heal. […] I believe in living my truth and bearing witness to the truth of others. To witness with the one out of four, to witness this all-too-common fact of life for girls in every social strata. To witness that, on the outside, girls may appear 'sugar and spice' -- but dearly pay a price for their entire lives in silence. I believe that living my truth and bearing witness is the first step in ending childhood sexual abuse -- and beginning the healing that only truth can bring.

**Value of Suing Over 9/11 Deaths Is Still Unsettled**

Donald A. Migliori
The New York Times (March 12, 2009)

Value of Suing Over 9/11 Deaths Is Still Unsettled

Donald A. Migliori, a lawyer whose firm handled about 60 suits and 40 fund cases for 9/11 victims' families, said there was no question that, on average, those who sued fared better financially than those who accepted money from the compensation fund. "You absolutely can compare those numbers," he said. Migliori said Mr. Feinberg [Kenneth Feinberg, the special master who administered the government's Victim Compensation Fund for 9/11 families] had "sold the Victim Compensation Fund through fear, by suggesting to people that they would never do any better."
What is required of us now is a new era of responsibility – a recognition, on the part of every American, that we have duties to ourselves, our nation and the world, duties that we do not grudgingly accept but rather seize gladly, firm in the knowledge that there is nothing so satisfying to the spirit, so defining of our character than giving our all to a difficult task. This is the price and the promise of citizenship.

– President Barack Obama, Inaugural Address, January 20, 2009

Notwithstanding the wide spectrum of political views within the RWU Law community, there was an unmistakable buzz of excitement on January 20, as students, faculty and staff packed the Most Courtroom and the Bistro, or paused under the main lobby’s flatscreen, to watch as Barack Obama was sworn in as the 44th President of the United States of America. The RWU Law family was also well represented in Washington itself, and Amicus spoke to some of these individuals about their experience and how it has changed them since their return to Rhode Island.

Kim Ahern ’09, one of the state’s delegates pledged to Obama at the Democratic National Convention, said the President’s call to responsibility resonated deeply as she listened from her vantage point on the Capitol lawn.

“I thought of the two years of campaign work leading up to that moment, as I literally watched a new generation of American leadership begin,” she said. “I thought of what this ‘new era of responsibility’ could mean in my own life and career. It means putting citizenship before partisanship, it means getting involved in your community, wherever that may be, and it means giving back, through whatever acts of service you can do.”

Also in the crowd that day was RWU Law’s assistant dean of students Lorraine Lalli ’01, who said the Inauguration was an occasion she felt compelled to witness firsthand.

“What an extraordinary event!” she recalled. “I feel very fortunate to have been in that crowd of millions from across the country – from different races, religions, ages, backgrounds, experiences and stations in life.

“Personally, the Inauguration of the first black president of the United States of America was also very emotionally moving,” Lalli added. “It was a tribute to the African-Americans throughout history who paved the way. It was also the ultimate fulfillment of the American dream as something that is available to us all.”

By Michael M. Bowden
Being in Washington, D.C., for the Inauguration was an inspiring experience — but it is equally inspiring to be back in Rhode Island, where this new era of responsibility must be demonstrated in each of our daily lives.

— Kim Ahern ’09

Rhode Islanders
Everywhere!

Matthew Watson ’10 made the seven-hour drive from Providence to Washington a few days before the Inauguration and enjoyed attending a breakfast for Rhode Islanders at the Park Hyatt hotel, hosted by Providence Mayor David Cicilline – where he found himself seated one table away from Lalli. Shortly afterward, he ventured to the Hart Senate Building to pick up the Inauguration tickets he won in a lottery held by Rhode Island Senator Jack Reed.

“Much to my surprise, Senator Reed arrived in a throng reminded me of my anti-Viennan War marches in the same area, but with a decidedly different atmosphere. Instead of anger directed at the government, the crowd at the Obama Inauguration was jubilant and full of pride in our political system.”

Michael Boylen, assistant dean of admissions at RWU Law, agreed. “It was a big ‘Kumbaya’ moment,” he said. “A million people, just huge crowds, very little organization – and yet there were no trampolines, no arrests.”

“The event made me think more broadly about this country and how I can give back,” Boylen said. “Since then I have had a much more positive feeling than I ever really did toward the political process.”

Laura Epperson, who manages production of RWU Law (and undergrad) publications, agreed that the city was alive with a palpable positive energy. “Everyone was so open and relaxed, soaking up the magic of the time and sharing it with those around them,” she said. “We were thrilled to be there to participate in such an historic moment. The best of humanity was on display.”

Epperson and her husband spent Inauguration Day visiting friends whose home featured a large balcony overlooking both the Capitol and the parade route. “From our perch we had a great view of the Capitol, and with binoculars you could view the stage,” Epperson said. “As we waited for the ceremony to start, we ate and socialized and marveled at the snipers on adjacent rooftops. When the ceremony began some chose to watch it on TV, but I decided to stay on the balcony and soak up the whole moment. To be there and hear Obama take the oath of office and address the nation, to hear the roar of the crowd on the Mall, was a moving and changing experience.”

Some RWU Law attendees had made the unique experience of participating in the Inauguration tickets. For example, alumnus Matt Jerzyk ’08 — founder of popular political blog Rhode Island Future — arrived in Washington in a very different mood than in 2001, when he came to protest the inauguration of former President George W. Bush. “I was so angry eight years ago,” Jerzyk told the Providence Journal. “So I worked my tail off, as a community organizer and as a blogger, to help change our president. Now we’ve finally done it. For me, it’s redemption.”

Attorney John “Jack” McConnell, a partner with Motley Rice LLC in Providence, who is also a major sponsor of RWU Law’s Public Interest Loan Repayment Assistance Program (LRAP) and a member of the University’s Board of Trustees — not to mention one of Rhode Island’s Obama voters — said two aspects of the Inauguration stood out for him. “First was the unique experience of being part of a huge crowd of diverse people, all of whom exuded hope, optimism and community solidarity,” he said. “Hundreds of thousands of people from all over, all united in a new hopeful vision for our country and world.”

He also felt a new kind of patriotism. “Seeing so many diverse people becoming so emotional at the invocation of patriotic symbols at the inaugural made me feel like we have recaptured patriotism for all of our country,” McConnell said. “It seemed hijacked by a narrow band of ideologues for the past decade. Now, when the national anthem was played, on people waved their American flags it was out of a new sense of patriotism; that we are all in this together – and that’s what America is about.”

Indeed, everyone who spoke to Janice about their visit to Washington that day expressed a lingering sense of inspiration and a resolve to bring its promise to fruition in the months and years ahead.

The Best of Humanity On Display

Linn Freedman, a partner with Nixon Peabody LLP and member of RWU Law’s board of directors, also commented on the peacefulness of the vast crowds. “I have never before been in a circumstance where such a diverse crowd of people — of different races, religions and socio-economic status — had an obvious common bond that was unspoken between us,” she said. “Under other circumstances, it could have been a difficult and hostile crowd. What was amazing was that we were all happy to be squished together, and we treated each other with respect and dignity.”

Despite their differences, “We got to know each other, smiled and laughed at the fact that we were hungry, cold and nowhere near a porta-potty; we even complained to each other about the horrible crowd control. But there was electricity in the air, and we all embraced it. It was truly a sociological experiment that went right, but against all stereotypes. It was a fantastic experience!”

Matthew Watson ’10 with then-Senator Obama during a 2008 campaign appearance in Rhode Island.

Laura Epperson’s enviable vantage point from a balcony above the parade route.
As Cardona made his way into the dining room, it was like old home week. A grandmotherly woman stopped to give him a hug; Cardona inquired warmly about her health, her family. A wiry young man – a local baseball star now playing for the University of Maine – stepped up and shook his hand. “That’s George Taher,” Cardona said, after talking stats with him for a few minutes. “I’ve known him since he was in Little League, he’s incredible!”

He finally settled down at a table next to one of the suits. They exchanged greetings and small talk in Spanish. “This is George Ortiz,” Cardona said. “He heads up Progreso Latino” – one of Rhode Island’s largest community-based advocacy groups.

At noon on a sunny winter day, Stanley’s Famous Hamburgers – a Central Falls institution since the 1930s – was packed with a diverse, noisy crowd of diners: men in suits negotiating on their iPhones, retirees gossiping over coffee and dessert, a young mother maneuvering her stroller between the tightly placed tables, a group of teens lingering over a leisurely school-vacation-week lunch. They had nothing obvious in common – except that they all seemed to know Alberto Cardona ’04.

“Look out for this guy, he’s trouble,” Ortiz joked with a broad grin. In fact, Progreso Latino honored Cardona last fall – along with Senator Edward Kennedy (D-Mass.) and National Public Radio news anchor Lakshmi Singh – at its 31st Annual Gala, for significant contributions to the betterment of the Latino community. It’s been a good year for Cardona. Shortly before the Progreso Latino event he was appointed associate justice of the Central Falls Municipal Court – an honor that, incidentally, also made him RWU Law’s first alum to ascend to the bench.
'This Was a Thriving Community'

After lunch, Cardona offered a tour of the City of Central Falls – all 1.23 square miles of it. The community has been severely battered by the mortgage crisis; by the close of 2008, there’d been more than 150 foreclosures in the city, with the ugly – and unsettling – result that just about every street now features at least one boarded-up house, and most have several.

Surveying a depressing vista of plywood-clad properties from the sidewalk outside Veterans Memorial Elementary School, Cardona threw up his hand. “What does this tell our kids?” he asked. “How are we going to address this issue? How do we help prevent families from losing everything? How do we help prevent kids from losing their homes?”

On any given day, Cardona might face issues of tenants staying over after a foreclosure, realtors refusing to maintain a property they’re charged with selling, or owners who are out of state but have left no Rhode Island agent of service. On top of that, the banks themselves are overwhelmed by the sheer number of foreclosures they’re processing, while facing layoffs and cutbacks of their own. So often a bank might complete a foreclosure, but then neglect to record the new deed – causing additional administrative confusion. Workday ordinance enforcement has also become a delicate balancing act. “We need to determine whether the rules in a given case are too cumbersome, too burdensome,” Cardona said. “Do they hold homeowners to too high of a standard?”

“For example, should we really force someone to replace a rotten fence in this economy, when families can barely make their mortgage payments? Similarly, in the wake of the Station Nightclub fire, the fire code burden became tremendous. We don’t want to be hitting folks up for not maintaining and keeping up the property, to the extent that we end up losing them. We need to try and help them, work with them, not just slap on another level of life issue. This used to be a thriving community!”

'I Got Lucky'

Cardona knows the community well. Born in Puerto Rico, he spent his early childhood in a barrio in New York, never really speaking English until he was a teenager and his family settled in Central Falls. Back then, the city consisted of discreet ethnic pockets: French, Canadian, Syrian and Lebanese, Columbian, Portuguese, even Croatian enclaves that largely kept to themselves. Today, by contrast, “everyone’s mixed up,” with Latino communities (Dominican and Puerto Rican) accounting for nearly 80 percent of the city’s population.

The second of six children, Cardona says he was “the runt of the litter,” being of average height but dwarfed by his six-foot-tall brothers. “That’s where I got my Napoleon complex,” he joked. His mother worked three jobs to support the family; she, along with one of Cardona’s brothers and his only sister, still lives in Central Falls.

Cardona grew up tough and streetwise, but benefited from interventions by such guardian angels as a local cop, a teacher, a city counselor – even a state senator who once walked him bodily out of bed and escorted him to school on a day he’d decided to skip. All of these people, at different times, saw something worth saving in Alberto Cardona.

“I’m fortunate, I got lucky,” Cardona admitted. He did his part as well, however, graduating magna cum laude from Johnson & Wales University, and later – after marriage, kids, and an extended stint in the real-estate investment business – enrolling at the Rhode Island Law School. He fondly recalled the pervasive “we’re all in this together” camaraderie of his classmates, and the friendly, open-door policies of his favorite professors, including Larry Ritchie, David Zlotnick and then-Interim Dean Bruce Kogan.

After graduating and passing the bar, Cardona bought a modest single-family home across from Central Falls City Hall, with the idea of moving back to his hometown and perhaps running for mayor. His wife balked, however, and the building became his law office. But although he now lives in the comfortable suburban sprawl of West Greenwich, R.I., Cardona still considers Central Falls his true home.

“I got a lot of help as a kid, and that’s the kind of help I want to give back,” he said. He is giving indeed. Cardona serves on the Rhode Island Commission for Human Rights, and he’s coordinated housing fairs for low-income families in conjunction with agencies such as Progreso Latino, the Blackstone Valley Community Action Program and Rhode Island Housing. He wrote the grants, secured the funding and established the Central Falls Even Start Literacy Program. He serves as mentor in Central Falls Family Self-Sufficiency (FSS) Program, counseling students who are considering law as a career, taking them to court proceedings and introducing them to judges. He even sponsors a Cal Ripken Youth Baseball team (“Little League is too expensive for a lot of kids around here…”).

His wife Claudia, Guatemalan by birth, is also a Latino community activist, as are his brother and sister. His kids volunteer at Central Falls community service organizations. “It gives them some perspective,” Cardona explained. “The eldest of his three children, Angie Cardona, is a freshman majoring in legal studies at RWU. (Another RWU undergrad, perhaps...)

sophomore Sindy De Leon, works part-time as a receptionist at his law office.) As he stands chatting on the sidewalk outside City Hall, Cardona is very much the local boy made good. Friends wave or call out to him from passing cars; a worker in a pickup truck pulls over to talk about a case.

“You know how the Latino community feels, that’s the way I go,” Cardona said. “If the Latino community fails, if people see it as a blight or a plague – then that’s how I’ll be seen too. I grew up here, so I came back here. I owe this community

What does this tell our kids? How are we going to address this issue? How do we help prevent families from losing everything?

– Judge Alberto Cardona ‘04
Ben Gworek '09 knows firsthand the problem of affordable housing in Rhode Island – and RWU Law’s Pro Bono Collaborative (PBC) has shown him how he can use the law to help solve it.

Before enrolling at RWU Law, Gworek – a graduate of Providence College with a master’s degree from Brown University – spent two years doing community organizing and legislative advocacy with the Housing Network of Rhode Island, which develops affordable housing and revitalizes neighborhoods throughout the state.

He’s well aware that Rhode Island had led the nation in the housing price bubble, and that, until the recent real-estate collapse, prices here had grown six to eight times faster than residents’ average incomes. He witnessed the many families unable to find a decent place to live, the strain on their personal finances, the pain of eviction or bankruptcy.

But nothing prepared Gworek for the avalanche of foreclosures he’s seen this year – and especially its devastating effect on innocent tenants, who have almost no protections under Rhode Island law.

“I’ve been at Sixth District Court in Providence and seen as many as 20 different tenants being evicted because of this in one day,” said Gworek. He sighed and added, “That was a pretty shocking experience.”

The oft-unrecognized victims of the nation’s massive foreclosure crisis are tenants, who are forced out after their landlords lose the buildings for failure to pay their mortgages. Few states provide much protection for tenants in these situations, and in Rhode Island they’re particularly vulnerable. State law here holds that tenants have no legal relationship with the bank or mortgage company and thus no right to remain in a foreclosed-on property even if they’ve never been late in paying rent. In fact, they aren’t even entitled to notice that their homes have been lost to foreclosure. Just three days after foreclosure, tenants can be served with an eviction notice and forced out. The bank or mortgage company needn’t provide utilities and other basic services to the unit while eviction proceedings are underway.

But that situation may soon change if Gworek and other RWU Law students have their way. Working through the PBC at RWU Law’s Feinstein Institute, these students – along with Robert McConnell, a partner with the leading law firm Motley Rice LLC – are collaborating with the Housing Action Coalition of Rhode Island to research and draft legislation that would afford more protection to tenants living in foreclosed properties. The need is urgent: more than 70 percent of foreclosures in Rhode Island involve multi-family buildings in which renters live.

“In a lot of cases, the tenants and clients are not being accused of breaching their lease or any wrongdoing at all,” said Gworek. “Yet they’re still being evicted because the building they live in is being foreclosed on, and the bank wants to clear the building.” While the problem isn’t new, it “has reached epidemic levels with the skyrocketing rates of foreclosures,” he adds.

The idea for the project came from Gworek in conjunction with his former colleagues at the Housing Network of Rhode Island. Gworek then reached out to the PBC staff with his idea, and before long they recruited McConnell (whom Gworek had gotten to know in 2008, when the two teamed up to work with the George Wiley Center in Pawtucket on another PBC project). McConnell, as lead attorney, and Gworek drafted legislation that would offer protections to residents facing shut-off of their utilities because of their inability to pay. That bill didn’t pass in the last session but is pending again, says McConnell, who notes that Motley Rice has long been committed to pro bono projects, especially in the area of affordable housing and lead abatement.

The PBC also recruited several of Gworek’s RWU Law classmates who’d worked on similar issues: Devon Cipperly ’09, as an extern in the Providence Law Department, had focused on the quandary of managing the growing inventory of foreclosed properties to the unit while eviction proceedings are underway.

‘A Great Vehicle’

Pro Bono Collaborative and Motley Rice LLP Work to Help Tenants in Foreclosed Properties

By Elaine McArdle
I've been at Sixth District Court in Providence and seen as many as 20 different tenants being evicted because of this in one day.

– Ben Gworek ’09

properties; Kelly Noble ’10 had recently authored a law review article on the issue of tenants’ rights in foreclosure, taking a national scope; and Evan Trowbridge ’10 also joined the team.

Working through the PBC (see sidebar), the four students began last fall by researching tenant protections in other states and trying to find jurisdictions with more favorable laws. McConnell led the team, and the Housing Action Coalition – a group of 70 organizations in Rhode Island that advocate for safe and affordable housing – also guided the students in their work.

“I think the Pro Bono Collaborative is a great vehicle for getting involved with community issues, and welding the private law firms with the law students,” said McConnell, whose firm, Motley Rice LLC, represents plaintiffs in a broad range of claims, including occupational disease and environmental harm such as asbestos poisoning. Working with RWU Law students has been a very positive experience, he said, adding that “I sincerely believe in these projects.”

The goal here is to rescue tenants in foreclosed properties from their legal limbo. Banks insist they don’t want to be in the landlord business, and typically want the property to be empty in order to try to sell it. But few properties are selling, housing advocates point out, so it would be in the interest of the community – as well as the tenants themselves – if tenants were allowed to stay put rather than to create empty buildings and neighborhood blight.

The students are now in the process of drafting a bill that would bring tenants under the state’s current landlord-tenant act, which offers security, ensuring that these tenants don’t lose their homes unnecessarily. They’re also working to find legislative sponsors for their bill.

Brenda Clement, executive director of the Housing Action Coalition of Rhode Island, praises the work of the students and McConnell.

“The group works really well together,” said Clement. Still, she added, “We have a long way to go to get the bill passed in this legislative session.”

Gworek notes that the mortgage industry is expected to oppose any changes to the law, just as it did last year, when it helped defeat a bill that would simply have provided notice to tenants after foreclosure.

But Clement is optimistic, noting positive changes with the new presidential administration as well as tenant-friendly ordinances introduced by the mayor of Providence. This progress, along with the work of the RWU Law students, gives her confidence that “at the end we’ll come out with some solid protections for tenants and other consumers,” she said.

Gworek, the project has been an invaluable educational opportunity.

“It definitely has been a very good part of my law school experience,” he said. After he graduates, he will be working in Boston as an attorney with the federal Department of Housing and Urban Development.

“This experience definitely helped me in getting that position,” he said. “When I interviewed, this was the primary topic of conversation: it’s a policy issue that HUD, up until now, has not been very involved in, at least on the local level – but one for which it can become a strong advocate.”

The Pro Bono Collaborative (PBC) recently completed an especially exciting quarter and is entering its fourth year stronger than ever, giving back to underserved community members by linking law students and top law firms to provide real-world experiences that strongly complement classroom training.

In December, the Rhode Island Foundation cast a definitive vote of confidence in the PBC, announcing a $60,000 grant for 2009 that brings the Foundation’s total investment in the Collaborative to more than $250,000.

In January, Nixon Peabody LLP – a “Global 100” law firm and one of the largest in the world – joined the six law firms already participating in the PBC and took on four new projects, partnering with the Family Life Center, the International Institute, Youth Pride and Rhode Island Legal Services. Also in January, alumna Matt Plain ’05 joined the PBC’s advisory board.

More changes are ahead for the 2009-10 academic year. RWU Law students are presently required to perform 20 hours of pro bono service before they graduate; however, that requirement will increase to 50 hours by the end of the class of students entering this August.

Under the direction of Eliza Vorenberg, RWU Law’s Pro Bono Collaborative was launched in January 2006 to help connect students with low-income and at-risk clients who need legal help.

The Collaborative employs a unique model that mobilizes large law firms, law students and community organizations to provide pro bono legal service to low-income communities throughout Rhode Island. Working as a team, these groups engage in a wide variety of projects, from assisting fledging nonprofit organizations with incorporation to direct representation of homeless, immigrant, poor and other clients, to legislative advocacy such as the tenant project (see main story).

Community organizations contact the PBC when their constituencies have unmet legal needs. The PBC then identifies students willing to work on the project, reaches out to participating law firms to mentor the students and provides administrative support. Students do not receive academic credit for their work – nor are they paid – and most end up putting in far more than the minimum required for graduation.

Since its inception, more than 60 students and 50 attorneys have participated in the Collaborative and seven large law firms have signed on to work with about a dozen community organizations. To read more about the PBC’s projects and partners, join the PBC Facebook group (search “pro bono collaborative”). – E.M.
For me, being in law school is not an accident. I had been working for it all my life – so when I got here it was a ‘dreams coming true’ type of thing. I was on fire.

– Rod Alcidonis ’09

Once Rod Alcidonis ’09 decided he would become a lawyer, he didn’t let anything stop him: not a difficult childhood in a poor country, not even the loss of his eyesight.

Such is his passion for the profession that – as a child growing up in Port-au-Prince, Haiti – he used to carry a briefcase to school instead of the usual knapsack or book bag. He continued to nurse his aspirations through high school, where one of his teachers dubbed him “the Renaissance Man” due to his broad range of interests, and college, where he participated in the debate team and earned his bachelor’s degree in sociology on a three-year fast track.

And despite his visual challenges, Alcidonis claims there was no bumpy transitional period upon arriving at RWU Law. “For me, being in law school was not an accident,” he explained. “I had been working for it all my life – so when I got here it was a ‘dreams coming true’ type of thing. I was just on fire.”

Alcidonis’s persistent legal aspirations have been a rare constant in a life that otherwise seems to have been a series of constant changes (the other major constant is his love for music: he has studied accordion, trombone and piano, maintains a small mobile recording studio and serves as keyboardist at his church). He also uses an electronic Braille device connected to his laptop, which allows him to read the content of the computer screen in Braille as an alternative to using the voice program.

“Braille is my primary way of reading and taking law school exams,” he said. “I cannot imagine how difficult it would be for a blind attorney to be a successful litigator without knowing Braille thoroughly. And while I believe it’s possible to successfully graduate from law school as a blind student, without modern technology it certainly would not have been as comfortable and enjoyable as it has been for me during the last three years.”

Still, he insisted that the term “disabled” does not fit him – at least not without a lot of caveats and qualifications. “I do not know how a man who does virtually everything his heart desires can be considered disabled,” he said. “That is incomprehensible to me.”

Alcidonis’s visual impairment led to a Rhode Island legal first when he obtained a court order making him the first lawyer allowed to bring a laptop and cane into the Adult Correctional Institution (ACI) maximum security prison in Cranston, R.I.

It happened during his second year of studies, when Alcidonis was representing an ACI inmate who’d been arrested for drunk driving. Standing up next to his client as the judge imposed the sentence was, he said, “a pivotal experience that only a lawyer can attest to and one that gave him “a newfound understanding of the respect inmates have for defense attorneys.”

Before arguing in a courtroom, Alcidonis said, he always visits the space to familiarize himself with the environment. “I don’t like to use a cane to navigate around the courtroom,” he explained. “I think it arms judges with something by which to stigmatize me. But if I learn the layout of a courtroom and move around without my cane, it becomes easier for judges to put aside the fact that I am blind and to view me in the same light as my opposing counsel.”

His favorite courses involve litigation – Criminal Procedure, Advanced Criminal Procedure and Lessons of Litigation – and he actively participates in the Criminal Defense Clinic. While admitting that law school is a formidable intellectual challenge, Alcidonis insists that, with hard work and focus, most people who want to succeed badly enough probably can.

“That would be my advice to prospective law students,” he said. “If you really want it, go for it. Don’t give in to the hype that law school is an impossible feat.”

RWU Law recently awarded Alcidonis the Thurgood Marshall Scholarship Award, given annually to a third-year student who has “demonstrated academic merit and leadership skills.”

“It was an unexpected honor,” said Alcidonis, who is an admirer of the award’s namesake and met the late Justice’s widow last spring during RWU Law’s Thurgood Marshall Memorial Lecture, featuring UCLA Law Professor and leading civil rights scholar Devon Carbado. His greatest honor at RWU Law, however, is yet to come, he said with a smile. That will happen in May when he receives his diploma.

“My litigation skills have improved immeasurably from the time I first walked into this building,” he said. “I feel much more comfortable being in the courtroom and making an argument now. I am interested primarily in litigation; I am passionate about criminal law. I chose the legal profession because I want to help solve complex societal issues and provide legal assistance in the courtroom to those who are often underrepresented. That, I think, will be my greatest achievement.”

By Hannah Welans

Rod Alcidonis Overcomes Adversity to Fulfill a Lifelong Ambition

Lifelong Ambition

Adversity to Fulfill a

Everything His Heart Desires’
Alison Foley ‘04 Recognized For Defending Immigrants’ Rights

By Kristina Howley

A
lison Foley ‘04 – barely into her second year at RWU Law when the 9/11 attacks occurred – was dismayed as she watched the U.S. succumb to the panic, anger and finger-pointing that dominated public debate in the immediate aftermath of the assault. In many ways, she said, those uncertain days profoundly colored her subsequent career path.

Foley had entered law school intending to work in the civil- or human-rights arena. But as the Bush Administration pushed through tough new policies affecting immigrants and undocumented citizens, Foley decided she could help most by focusing on immigration law – after all, that seemed to be where “international human rights” had come home to roost.

“Any anti-immigrant factions in the U.S. are very, very strong right now, and they have the ear of the American public,” said Foley, whose tone is soft-spoken but passionate. “They are still using the same fear-mongering tactics that we saw used all throughout the Bush years, equating immigrants to terrorists and crying that they’re taking ‘American jobs’ – which is pure baloney at best, and racist at worst. Fortunately, that kind of talk really grabs people in times of crisis.”

For example, in March 2007, an army of 300 homeland security officers descended upon Michael Biano Inc. – a New Bedford leather manufacturer engaged mainly in producing military backpacks and survival vests for U.S. troops abroad – and arrested 361 undocumented workers, most of them young women from Guatemala and El Salvador, many with children waiting in daycare centers or staying with family members. The workers were shackled together and forced onto buses for incarceration in Fort Devens, a military facility outside Boston.

It is estimated that between 100 and 200 children were separated from their families that day; two years later, some still have not been reunited, said Foley, who represents several of the women. In some cases parents were deported, while their U.S.-born children were placed into foster care here.

“What happened in those cases was that family court judges improperly toyed the parents’ immigration status into consideration in placing the children,” Foley said, explaining that such status is not supposed to be a factor in determining whether it is in a child’s best interests to remain with his or her parents. In another raid last July, 31 employees of two Rhode Island janitorial companies – all of them maintenance workers in the six state courthouses – were rounded up by Immigration and Customs Enforcement authorities.

Foley helped coordinate the defense for those workers, representing several of them personally. To date, 12 have been released on humanitarian grounds, while 19 others were sent to area detention facilities – including the Wyatt Detention Center in Central Falls, R.I., which gained notoriety in 2008 after 34-year-old Hisu Lui Ng, a Chinese national and N.Y.-based computer engineer, died while in the facility’s custody.

“The problems at Wyatt are the same problems that exist throughout the system,” Foley said. “The public outcry was getting louder after Ng’s death, so there was an investigation into the facility, but the same problems exist in every center. And we’re still not addressing the system, only the facilities.” She added, “These raids have devastating effects on the families involved, and they’re just not catching the people who are the real security risks.”

Will things improve under the new Administration? Foley isn’t sure, citing a similar raid conducted at the end of February in Washington State – the first major raid carried out under the Obama Administration.

“We haven’t seen anything getting better yet,” Foley said. “We’re all hoping that Obama is going to really pursue reforms, but we also know that the economy has taken over and that, without serious political will, it’s not going to happen because it’s such a touchy issue.”

Problems Throughout the System

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“Surprised and honored” by the award, Foley was mainly pleased by the opportunity it afforded to publicize the work that she and other immigration lawyers are doing around the country.

“I was never passionate about the law, but soon realized that my heart was inpro bono immigration cases and volunteer work with La Red de Defensa, a Providence group that works to defend the rights of immigrants and the community. Foley believes that if she hadn’t gone into law, she would have chosen another human-interest field – and she credits RWU Law for getting her to where she is today.

“I came from a very poor, working-class family,” Foley said. “I put myself through college by waitressing and working in restaurants, and the same for law school. I wouldn’t have been able to go to law school at all if it hadn’t been for RWU giving me a scholarship. And I loved Roger Williams; it was a great experience. I loved going to a small school where my professors knew who I was and cared about how I did.”

While earning her J.D. from RWU Law, she was involved in several student groups and activities, and was founder and president of the Christian Law Society.

According to Professor Carl Bogus, for whom Foley was a legal assistant, “Alison was a bright and determined student – determined not only to excel but to acquire the knowledge and skills that would enable her to make a positive difference in the world. It’s wonderful to see that she’s succeeding on both counts.”

Asked to advise law students interested in her brand of immigration law, Foley – a single mother of two young children, who keeps a crib wedged into her office between desk, client chairs and stacks of files for those late nights – says it’s a tough, emotionally demanding but ultimately fulfilling job that’s perfect for … well, someone just like her.

“I can say that you won’t be rewarded in a typical way,” she said. “I can provide for my family, of course, but the real reward is so much sweeter for me. I wouldn’t change a thing in my life – unless it was to have society put a higher value on what I do to put more hours in the day or days in the week. But I love my kids, and I love what I do.”
LAA President’s Message
Margreta Vellucci, Esq. ’07
President, Law Alumni Association

As RWU Law celebrates the end of another successful academic year, it is important to look back and reflect on how much our law school has accomplished in such a short amount of time. Just this year the law school saw its first group swearing-in at the United States Supreme Court, some of the school’s highest-ever bar-pass rates for first-time bar takers, and a recent study ranking our public-interest program as second in all of New England.

It is clear that great things are happening, and we need your help to make sure that this growth and progress continues at an exciting rate. Reach out to your classmates and encourage them to become involved. It is also important for all of us to share the pride we have in our school with anyone considering the legal profession.

As always, my appreciation goes out to the Law Alumni Association Board of Directors, the Office of Alumni, Programs & Events, and all of the alumni who continue to support the law school with financial gifts or gifts of time and talent.

Finally, I would like to extend a special welcome to the Class of 2009, the newest members of our Alumni Association. I encourage each of you to make a habit of staying involved with the law school as you begin your legal careers.

If you are interested in getting involved, please contact the Alumni Office or me directly at margreta5@gmail.com.

Margreta Vellucci, Esq. ’07

U.S. Supreme Court Bar Admission

RWU Law announces its second United States Supreme Court swearing-in ceremony, to be held on Tuesday, February 23, 2010.

Dean David A. Logan and Professor Jared Goldstein invite the candidates for admission to join them for breakfast on the morning of the swearing-in ceremony. The breakfast will be held at 8:00 a.m. at the Supreme Court of the United States.

Supreme Court oral arguments will take place after the ceremony. The breakfast will be held at 8:00 a.m. at the Supreme Court of the United States.

LAA Holiday Reception a Hit

More than a hundred alumni, faculty, staff and guests attended the 11th Annual Law Alumni Association Holiday Reception, always a great chance for folks to reconnect with the law school community. As in past years, attendees brought unwrapped gifts for the Toys for Tots campaign, which assists families during the holiday season. The event was an ideal ending to a great year for the RWU Law alumni community.

1 (l-r) Michael Daly ’02 and Carly Beaumains Iafrate ’00 with unwrapped gifts for Toys for Tots.
2 (l-r) Stephen Maguire ’96, Michael Voccola ’97 and Bill Warren ’97
3 (l-r) Nicole Dulude ’06, R.I. Supreme Court Justice William P. Robinson III and Juddie Sylvia ’06
4 (l-r) Eric Miller ’01, Rebecca Cox ’01, John Poloski ’02, Gregory Blasbalg ’01, Megan Higgins ’01, RWU Law marine affairs research counsel, Meredith Kelley ’01 and Lorraine Lalli ’94, RWU Law assistant dean of students.
Cindy DeMarco was married to David Franco in 1996. They reside in Newport, R.I. They have a son, Christian.

Mark Gemma was named a “2008 Rising Star in Rhode Island” by the Super Lawyers Association. Only 2.5 percent of those nominated receive the distinction. Mark served as past president of the Rhode Island Association for Justice and is active in the American Association of Justice serving as the secretary to the Council of Presidents and as a state delegate. He has been appointed to the plaintiff’s steering committee for the Kegel Mesh Hemospheres litigation in the 35 jurisdictions. He also served as president of the RIU Law Alumni Association.

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2007

Kathleen G. Olle is an associate in the Providence office of Rhode Island Lawyers Weekly. She has provided pro bono services to the Rhode Island Bar Association’s Volunteer Legal Services Program, the Rhode Island Volunteer Legal Services Program, and the Rhode Island Bar Association’s Legal Services for the Elderly Program. She has also been involved in the Rhode Island Bar Association’s pro bono program and has been recognized as a “Lawyer SuperStar” by Rhode Island Lawyers Weekly.

2008

James Slack '07 and Professor David Stuckman recently led a discussion on civil terrorism law at the law school. Having recently co-authored a new textbook, Criminologists on Civil Terrorism (Trenton, N.J. and Kathleen is an attorney with the law firm of Tressler, Soderstrom, Walsh, Dolan, & Weiss, LLP in Newport, R.I. Kathleen was named to the Rhode Island Bar Association’s Volunteer Legal Services Program and the Rhode Island Volunteer Legal Services Program. She has also been involved in the Rhode Island Bar Association’s pro bono program and has been recognized as a “Lawyer SuperStar” by Rhode Island Lawyers Weekly.

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The Honorable Albert DeRobbio, longtime Chief Judge of Rhode Island’s District Court and a popular adjunct professor who taught criminal law at RWU Law, died on December 22, 2008, at the age of 79. He served in the Army, graduated from Boston College in 1951, earned his law degree from Boston University in 1956 and was involved with the Grand Lodge of Rhode Island, the Plantations Lion’s Club and the Order of the Sons of Italy. He was described as a “tremendous force” by R.I. Attorney General Patrick Lynch, and will be sorely missed by the RWU Law community.

Alumni Chapter List Serves

Interested in joining any of the Roger Williams University alumni list serve areas?

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Rhode Island Attorney General Patrick C. Lynch will host the state-wide Open Government Summit. To reserve seating, e-mail agsummit@riag.ri.gov or contact (401) 274-4400, Ext. 2101. Seating in the Appellate Courtroom may be limited. Overflow rooms will be available. Co-sponsored by the Law Alumni Association.

Sunday, August 16, 2009
10th Annual Law Alumni Association Golf Tournament

Time: 11:30 a.m. Registration
12:00 noon Lunch
1:30 p.m. Shotgun Start
6:30 p.m. Dinner, Raffle, Silent Auction & Prizes

Registration: $125 per player
$125 per Tee Sponsor
$500 per foursome

Early-bird Registration Fee: Pay by June 15, 2009 to receive a foursome for $480.

All proceeds benefit the Law Alumni Association Scholarship Fund. For more information or to register on-line, visit: http://law.rwu.edu/news/events/details.aspx?events_id=1080

Thursday, June 4, 2009
Providence Alumni “After Hours” Reception

Time: 5:30 – 7:00 p.m.
Hors d’oeuvres & Cash Bar

Location: Pizicio Ristorante “On the East Side”
762 Hope Street, Providence, R.I.

Law alumni are encouraged to RSVP to the Office of Alumni, Programs & Events by Wednesday, May 27, 2009 at lawevents@rwu.edu or (401) 254-4659.

Thursday, June 18, 2009
Law Alumni Association Annual Meeting and Breakfast

Time: 7:45 a.m. Registration
8:00 a.m. Buffet Breakfast

Location: The Westin Providence
One West Exchange Street, Providence, R.I.

Held in conjunction with the Rhode Island Bar Association Annual Meeting, and introducing the new 2009/2010 Law Alumni Association Board of Directors. Law alumni are encouraged to RSVP to the Office of Alumni, Programs & Events by Wednesday, June 18, 2009 at lawevents@rwu.edu or 401-254-4659.

Friday, July 31, 2009
11th Annual Rhode Island Attorney General Open Government Summit

Time: 8:30 a.m. Registration
9:00 a.m. Summit

Location: School of Law
Appellate Courtroom, Bristol, R.I.

For additional details on upcoming School of Law events, please visit: http://law.rwu.edu/news/events

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