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Law School News: Inside RWU Law's Small 'Admiralty Empire' 10-18-2019

Michael M. Bowden

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Law School News

Inside RWU Law's Small 'Admiralty Empire'

How a growing contingent of maritime law specialists have put Rhode Island's only law school on the map – in New York City and beyond.



Some of RWU Law's admiralty alumni at the Marine Law Association's Annual Dinner in New York City, May 2019: (l-r) Kirby Aarsheim, Will Yost, Mike Tucker, Brian Eisenhower, Gavin Black, Bill Burnham, Casey O'Brien, Austyn Carolyn, Stanton Terranova, Adam Deitz, Bob Falvey, Jamison Jedziniak, Patrick O'Connor and Nick Paine. Image Credit: Robert Falvey
October 18, 2019 Michael M. Bowden

Over the past decade, the rarefied world of admiralty law – a legal specialty barely touched upon in most law school curriculums and law practices – has quietly become home to what one alum calls a “small empire” of RWU Law graduates, most of them practicing in and around New York City's Financial District.

Two Roger Williams law alumni have recently been elected to seats on the board of the influential, century-old Maritime Law Association of the United States (MLA). RWU Law student teams are fixtures at the prestigious Brown Admiralty Moot Court competition. Twice

they've swept the tournament, twice placed second by narrow margins, and – every year for a decade – have always brought home the hardware in one category or another.

How did it all begin? To understand that requires a little background on the practice itself.

A unique body of rules designed primarily to facilitate reliable commerce, admiralty law (almost interchangeably referred to as maritime law) has traditionally governed disputes arising from maritime casualties and private transactions related to ships and the transport of cargoes and passengers by sea, though in practice it often strays far beyond those jurisdictional limits.

In the U.S., the field was for years dominated by a relatively small, closely knit fraternity of established lawyers – most hailing from a clutch of admiralty-focused law schools such as Tulane and Fordham. Then, in 2010, a pair of Roger Williams graduates – Michael Tucker '09, now a partner with Freehill Hogan & Mahar in Manhattan; and Brian Eisenhower '09, now a partner with Hill Rivkins LLP, also in Manhattan – cracked the market.

'When we'd tell people we all went to Roger Williams, it used to be, 'Where's that?' We're getting less and less of that now. RWU Law has been noticed.'

~ Patrick O'Connor '15, Hill Betts & Nash LLP

“It was around our time that Roger Williams started gaining a foothold in the New York maritime litigation market,” Eisenhower affirmed. “It took some time, because there really wasn't yet any name recognition at the time we graduated. But over time, as people learned about RWU Law's maritime law program – and had the opportunity to work with our alums, who are a pretty hardworking bunch – there has been an increasing number of firms interested in hiring lawyers who studied maritime law at Roger Williams. I think we've kind of reached a kind of critical mass.”

Today there are, by some counts, around 30 RWU Law alumni practicing admiralty law in the tri-state area. And it wouldn't be an exaggeration to say that Tucker and Eisenhower have risen to semi-legendary status among their younger peers.

“They're the grand old men now!” laughed Brody Karn '19, hired just this summer as a new associate at Hill Rivkins.

[See companion story, ["A 'Busy, Busy Time' in Admiralty Law."](#)]

Becoming a Contender

This remarkable development was not a matter of chance, but one of planning and positioning. It was, in fact, an integral part of RWU Law's educational strategy, engineered primarily by Professor Matthew Harrington (founder of RWU Law's Marine Affairs Institute, and now on the law faculty at the Université de Montréal) and Professor Jonathan Guttoff, one of the nation's leading experts on piracy and maritime law issues.

Harrington and Guttoff designed a career pathway heavy in admiralty-related courses – Maritime Practice and Procedure, Marine Insurance, Marine Salvage, Maritime Liens, even Current Issues in the Law of Piracy, among many others.

“The fact that we have an admiralty program at all makes us unusual among law schools,” Guttoff explained. “The array of courses we offer makes us very nearly unique.”

That’s part of the appeal, said Robert Falvey ’98, a marine insurance legal specialist with Falvey Insurance Group in North Kingstown, R.I., who now teaches in the program as an adjunct.

“It’s rare to have a young lawyer come in the door who’s had a variety of admiralty courses,” Falvey said. “Maybe one would have had a general ‘Admiralty Law’ survey. But nothing like the extent of courses we have at Roger Williams. That means hirers don’t have to teach our graduates as much. They come in ready to go.”

Over time, that essential difference has helped attract even more students, many of them hailing from backgrounds in maritime-related industries (“another major key to our success,” Falvey notes). The cumulative impact on the school’s reputation in the field has been transformative.

“Today, when an employer sees a Roger Williams resume come across their desk, they will definitely look at it,” Falvey said. “They might even give it more deference. Because we really have gained that reputation as an admiralty school, as a provider of very good admiralty attorneys.”

It’s a reputation that is gradually spreading nationwide, said Kirby Aarsheim ’10, a partner with Farrell Smith O’Connell LLP in Salem, Mass., and the youngest-ever MLA board member.

“Many MLA members have told me they like Roger Williams graduates,” Aarsheim said. “They like the way we think. They feel we have been well trained in maritime law. And frankly, we have been. My classwork at RWU Law helped give my practice a strong foundation from the outset.”

That was Eisenhower’s experience as well.

“We had a great number of maritime law offerings at Roger Williams,” he said. “The law school made it possible for students with my interests to take pretty much every elective in the maritime area, or areas that support this type of litigation practice. Other than Tulane, RWU Law was the only school that could say that.”

This strong academic foundation is augmented by equally impressive experiential opportunities, including internships with Moran Transportation Industries in Providence – the U.S.’s largest shipping agent, where alumnus Gavin Black ’10 serves as corporate counsel – and Falvey Marine Insurance in North Kingstown, the major cargo and yacht insurer where Falvey is based.

“The education and class offerings we got at RWU Law prepared us to enter the maritime law field,” Eisenhower said. “From there, it was really just a question of getting the word out that the program existed and we were ready to be a part of the practice.”

The Brown Moot Competition

As one element of this publicity effort, RWU Law soon became – with the support of all its successive administrations – a fixture at the annual Judge John R. Brown Admiralty Moot Court Competition, the premier admiralty law tournament in the United States.

“This is one of the most important events, not just for students interested in maritime law, but for the maritime bar and bench as well,” Guttoff explained. “Unlike other moot court competitions, the Brown competition is actually a semi-unofficial meeting place for lots of important people in the maritime bar.”

The strategy bore early fruit. In 2008, Daniel Orchard ’09 won the award for best oral advocate in the competition, based on his performance in the preliminary rounds. In 2009, a group of RWU Law 3Ls – Eisenhower, along with Amanda Argentieri ’09 and Manford Susman ’09 – won the overall championship as well as the award for best brief.

Lightning struck again in March 2019, when an RWU Law team consisting of Karn, Stephen Lapatin ’19 and Joseph Staph ’19, topped the event for a second time, trouncing the venerable Tulane in the quarter finals, and returning champ Louisiana State’s two teams, defeated by RWU in the semi-final and championship rounds respectively. Not only did the RWU Law team win the overall championship and award for best brief, but Karn won the award for best oral advocate in the championship round.

In the years between, RWU Law teams reached the championship round twice, placing second by very close margins, and virtually always took home prizes of some sort.

“Our consistent presence at the Brown competition, and especially our consistently decent performances, attracted the attention of the members and officers of the Maritime Law Association,” Guttoff noted. “It’s been good publicity for the program.”

It also looks great on alumni resumes, Falvey added.

“Just having been a participant in the Brown competition, champion or not, tells employers that a lawyer (1) has written a Supreme Court brief on an admiralty issue, and (2) has participated in, in essence, an appellate court argument on an admiralty issue,” he said. “All of which means, again, here is a lawyer who can walk into court, ready to go. They can stand up in front of the court and argue. So the employer know what to expect, and there’s a huge bonus to that.”

This has certainly been the experience of Bill Burnham ’16, an associate with the Wall Street firm of Nicoletti Hornig & Sweeney.

“People still come up to me at networking events who recognize me from [participating in] the 2016 Brown competition,” he said. “It’s a very collegial bar, and that extends to the RWU Law program. You have access to professors like Jon Guttoff and Bob Falvey, who have serious connections in the industry. So you’re getting taught on the ground floor by people who can give you exposure in the field that’s unprecedented in my experience.”

Members of the Board

In the most recent sign of RWU Law’s ascendancy in the admiralty law establishment, two alumni, Eisenhower and Aarsheim, were elected to the board of directors of the Maritime Law Association – “another big feather in our cap,” as Falvey noted.

“It’s difficult to get on the board of directors,” Aarsheim said. “For both Brian and I to be there is also significant because we’re young in an organization that was for a long time dominated by older practitioners. And the fact that we’re both from RWU Law is kind of a big deal in itself, because it shows that Tulane isn’t the only school that can train maritime lawyers at the highest level. Because look at us: I’m a law firm partner, so is Brian – we’ve done pretty well for ourselves in the maritime law field, and we were both trained at Roger Williams.”

Eisenhower agrees that their presence on the MLA board provides great publicity for their alma mater.

“It’s just one more way to network and be visible to some degree, spreading the word about Roger Williams,” he said. “That’s really the key.”

That sort of networking also in large part accounts for the sheer size of RWU Law’s presence in the New York City area.

“We’re concentrated in New York simply because this is where most maritime commerce is concentrated, and therefore where most maritime litigation happens,” said Casey O’Brien ’15, an associate at Hill Rivkins, Eisenhower’s firm. “If you don’t practice in New York, your options get more limited.”

It also signals that Roger Williams has become a very visible new player in the field.

“Again, the admiralty bar is small,” said Guttoff. “So the sheer number of relatively early or mid-career people that we now have in New York makes us a real presence.”

That was Burnham’s impression as well when he attended the MLA’s Annual Meeting Dinner, the admiralty bar’s premiere social event, last May.

“At one point, we got all the Roger Williams people together and there were almost 30 of us,” he said. “We were all like, ‘It’s crazy how many of us there are here!’”

Patrick O’Connor ’15, an associate at Hill Betts & Nash LLP, another Wall Street admiralty firm, recalled sharing the same feeling.

“When we show up to these annual meetings, it’s hard not to notice a group of now 25 to 30 people hanging out,” he said. “When we’d tell people we all went to Roger Williams, it used to be, ‘Where’s that?’ But we’re getting less and less of that now. RWU Law has been noticed.”