

RHODE ISLAND BAR ASSOCIATION

Federal Bench/Bar Committee Meeting

Wednesday, January 29, 2014 at 4:00 p.m.

Jury Assembly Room

Meeting Minutes

I. Welcome

Pat Rocha welcomed members to the January meeting, officially welcomed Chief Judge Smith in his new position, and noted that the Committee looks forward to working with him during his tenure.

II. Local Rules

Steve Richard reported that the Local Rules Committee is required to report to the Court on or before June 30, 2014 and is seeking any suggestions regarding the Local Rules, attorneys' experiences with the Local Rules, whether new rules should be added, and whether any existing rules should be amended or deleted. All suggestions should be provided in writing to the Clerk of the Court by February 28, 2014.

III. Jury Instruction Project

Mike Simoncelli demonstrated the Civil Jury Instruction Project, which now is up and running on the Court's website and is a very user-friendly tool to research jury instructions that have been given by the Court in civil and criminal trials.

IV. University Symposium

In Howard Merten's and Steve McDonald's absence, Pat Rocha reported that they had reached out to Lou Saccoccia at URI to ask whether or not URI would host the next session this Spring. This prompted comments from Chief Judge Smith as to the benefit of continuing the program. Although he commented that the topics, speakers and programs overall have been excellent and the result of hard work by the Committee, the Symposia have not drawn large attendance. Judge Smith mentioned that this phenomenon is not unique to our program and he has seen this lack of attendance/interest in other speaker programs locally and nationally. There was discussion as to whether the amount of effort involved in scheduling the Symposium is worth the return in light of the small numbers of attendees. Matt Oliverio offered to speak with Howard Merten and Steve McDonald for further discussion and will report back to the Committee.

V. 2014 FBA Annual Meeting

Scott Kilpatrick reported on the Federal Bar Association Annual Meeting scheduled in Rhode Island from September 2 to September 4. Scott mentioned that there are event planning and fundraising committees and if anyone is interested in participating, they should contact him. Plans are well underway for the Annual Meeting, including an event that will incorporate a partial Waterfire. In connection with promoting the Annual Meeting, the FBA is hoping to increase Rhode Island membership, which is currently at approximately 135 members. David Wollin chairs the Membership Committee and any new members should contact him for membership information.

VI. Court Budget

Chief Judge Smith and David DiMarzio reported on the Court Budget. On the good news front, they indicated that the judiciary has fared fairly well under the budget and the Court is no longer facing the prior pressures of sequestration and does not anticipate significant adverse impact resulting from budget issues.

VII. Social Media and the Court

Chief Judge Smith announced that he has allowed credentialed journalists to use electronic devices during court proceedings in which the presiding judge or magistrate judge has approved a standing exemption to Local Rules 111(b) and 112. Chief Judge Smith announced that a General Order will issue regarding the use of electronic devices by members of the media. Presently, Chief Judge Smith, Judge McConnell and Magistrate Judge Sullivan will allow credentialed media to use electronic devices, while Judges Lisi, Lagueux and Magistrate Judge Almond have not approved the exemption.

Chief Judge Smith also indicated that he has established a personal Twitter account and would like to consider a Court Twitter account, as well as a Court blog. There was discussion regarding the benefits of a Court Twitter account and/or blog, and it was agreed that a subcommittee would be formed to address social media issues and report back to the Court and the Committee. Anyone interested in serving on the Social Media Committee was asked to contact the Court.

VIII. Litigation Academy

Chief Judge Smith commented that due to the trend of fewer trials, younger attorneys are not getting the opportunity to observe and/or participate in court trials and hearings. Chief Judge Smith reported that he has established an *ad hoc* committee to research the establishment of a Litigation Academy to provide skills training to attorneys. Chief Judge Smith reported that Brooks Magratten has reported that NITA is willing to serve as a resource for a Rhode Island Litigation Academy, as has the Federal Bar Association, in terms of training materials and trainers for the faculty. The *ad hoc* committee will continue its work with an eye towards establishing a formal Litigation Academy available to Federal Court practitioners.

IX. Pro Bono Survey

Chief Judge Smith reported that he would like to address *pro bono* services in the Court. He noted that certain courts across the country require *pro bono* services as a requirement of becoming a member or continued membership in the Bar. Chief Judge Smith has asked his staff to prepare some *pro bono* survey questions for use with the upcoming bar registration process that begins April 1. Magistrate Judge Sullivan offered to chair a subcommittee to create a *pro bono* program in the Court to handle eligible *pro se* cases. Any Committee members interested in serving on this subcommittee should contact the Court.

X. Operations Update

Frank Perry gave an Operations Update, reviewing the new electronic *pro hac vice* filing process and the use of pay.gov. Frank indicated that the Court hopes to expand electronic filing for other filings. Frank also said that the Court is reviewing its website for revisions to ensure that it is user friendly and noted that the bar registration process begins April 1 and ends on June 30.

Respectfully submitted,

Patricia K. Rocha
Chair