

## FEDERAL BENCH/BAR COMMITTEE MEETING

TUESDAY, JANUARY 29, 2008, AT 4:00 p.m.

### JURY ASSEMBLY ROOM MINUTES

#### I. Spring '08 CLE

George Lieberman announced that the committee is planning three spring seminars:

- 1) Certification of Questions of Law by the Federal District Court to the Rhode Island Supreme Court (March 19, 2008);
- 2) Federal District Court Removal and Remand Practice and Procedure (April 19, 2008);
- 3) Making The Right Choice: A comparison between Rhode Island Superior Court and Federal District Court practices (April 23, 2008).

#### II. Annual Meeting CLE

George Lieberman also announced that the CLE committee is working on a program for the Rhode Island Bar Association's Annual Meeting. The topic will be what federal court judges want attorneys to do/not do. It will take place on either June 12<sup>th</sup> or 13<sup>th</sup>.

#### III. High School Outreach

Matt Oliverio reported that the committee conducted eight fall sessions at local high schools. Six to eight sessions are planned for the spring. Kristen Rodgers has been coordinating sessions and volunteers. By the end of the year, the committee will have visited 12-15 high schools, presenting to 12-30 students per school.

Matt attended the Superior Court Bench/Bar Committee meeting to publicize the program. As a result, more attorneys have volunteered for the program. He is also trying to recruit state court judges. The committee is still looking for additional volunteers. Brooks Magratten suggested a write up in the RI Bar Journal to attract more volunteers.

#### IV. Local Rules

Judge Lisi reported that she has met with the committee chairs regarding the committee's recommendations for amendments to the Local Rules. The Court has reviewed all of the recommendations made by the Committee. A compendium of adopted recommendations is

available on the Court's website. Public comment on the adopted recommendations is due by February 11, 2008. Once the period for comment is over, the Court will establish an effective date of the amendments and post the date on the website.

Going forward, Pat Sullivan announced that committee will focus its efforts on making sure the newly amended Local Rules are consistent with ECF rules. Only if something important comes up in the fall will the committee make further recommendations. It will also plan education programs on the new amendments.

#### V. District Court Conference

Brooks Magratten reported that the committee is lining up speakers and topics for this year's District Court Conference. Volunteers are needed and should contact Pat Rocha or Karen Pelczarski.

#### VI. Membership

Brooks Magratten reported on the committee's efforts to increase membership. Becky McSweeney sent letters to frequent federal court practitioners to encourage them to join.

#### VII. Court Centennial

Judge Lisi announced that several programs will be open to the public as part of the Court Centennial. Chief Justice Roberts will be coming to the Court on February 12, 2008. There will be a public session, the official opening of Centennial, at 11:00 a.m. in Courtroom #1. Judge Lisi advised attendees to arrive early as seating will be limited. Chief Justice Roberts will also administer the oath to new members of Federal Bar. Judge Lisi anticipates a lot of press coverage of this event.

The Court has also produced calendars marking the Centennial which are available at the courthouse free of charge.

#### VIII. Centennial Symposia

Howard Merten reported that the first symposia, "Civil Gideon" took place last Wednesday night (January 23) and was well received. There was also an article about the program in the *Providence Journal*.

The next symposium will take place on February 13, 2008. The theme will be the rights of witnesses and victims of crime. Mark Mandell has arranged for the following speakers:

- 1) Mary Lou Leary – a former prosecutor who will talk about the rights of victims pre-trial and post-trial;

- 2) Peter DiBiase – a criminal defense attorney who will discuss the difficulties in cross-examining crime victims at trial;
- 3) The Honorable Francis Darigan will talk about how to balance defendants’ rights and victims’ rights in criminal trials;
- 4) Professor Kennedy of the John Jay School of Criminal Justice will address the role of witnesses and why crimes not are not reported.

The final symposium is scheduled for early April. Steve McDonald of the Rhode Island School of Design is putting together a program on the architecture of the Courthouse building and the architecture of the period in general. It will include tours of the building.

#### IX. Fact Finding Commission

Tony Muri has finalized list of lawyers to interview. He urges those invited to attend. He hopes to finish the meetings in the first quarter, after which the information gathered will be ready to be processed.

#### X. Attorney Best Practices

Brooks Magratten reported that Mike Levin, Scott Kilpatrick and Paul Goodale are putting together a best practices guide for federal court. They will have something to circulate soon. The guide will be part of a Rhode Island Bar Association compendium of best practices.

#### XI. Other Business

David DiMarzio noted that the Court has been sending notices and reminders of upcoming events by email using the ECF system. He checked with meeting attendees to make sure that Court was not inundating recipients with emails.