

RHODE ISLAND BAR ASSOCIATION

Federal Bench Bar Committee Meeting

Wednesday, May 11, 2011 at 4:00 p.m.

Jury Assembly Room

Meeting Minutes

I. Welcome

Pat Rocha and Pat Sullivan welcomed members to the final meeting of the year. The Co-Chairs thanked all members of the Committee for their work and another year of significant accomplishments.

While not a scheduled Agenda item, Chief Judge Lisi was asked to speak briefly about plans for transitioning cases to newly confirmed Judge-to-be McConnell. She explained that the Court will transfer cases to him in various stages. In addition, he will shortly begin to be assigned his share of newly-filed cases. Attorneys whose cases are transferred will receive a transfer notice via the electronic filing system. Chief Judge Lisi discussed how pleased Court personnel are that Judge-to-be McConnell will shortly be on board.

II. Annual Meeting Program

George Lieberman reported that the Federal Bench Bar Committee will be sponsoring a presentation at the Rhode Island Bar Association annual meeting on differences between Federal and State Court rules and practices. He thanked Chief Judge Lisi and Judge Gibney for their assistance in connection with the development of the program.

III. Local Rules

Jim Murphy reported on the status of the Local Rules Committee's work for 2011. The sub-committees of the Local Rules Committee have been working hard and the Committee expects to have the final report completed in a timely fashion for delivery to the Court. Of special interest will be suggested amendments to the rules dealing with procedure for default and the timing of requests to admit. Jim Murphy said that he will be stepping down as Co-Chair and that David Wollin will be stepping up as primary Co-Chair, as the Local Rules Committee moves into its next cycle. Chief Judge Lisi thanked Jim Murphy for his outstanding work as Chair and for the outstanding work of the entire Local Rules Committee.

IV. Jury Instruction Project

Tony Traini reported that the criminal jury instruction project has now been rolled out and is available to all attorneys through the District Court website. The final roll-out was implemented following a period of more limited availability where comments were solicited. There were very few comments and the final roll-out followed. There was consideration of the possibility that access should be password protected; but ultimately, the database was housed in the portion of the website for attorneys and judges, to avoid confusion. In addition to the instructions themselves, the site now contains links to other resources pertaining to criminal jury instructions. Tony Traini is continuing to investigate what other resources are available and to link them accordingly. There was discussion of making the tool easily accessible to Rhode Island practitioners by imbedding it in the Rhode Island Bar Association website. Chief Judge Lisi commented on the extraordinary success of this project.

Mike Levin discussed the status of the work on the civil jury instruction aspect of the project. Cases to be focused upon have been identified and volunteers are being recruited to assist with moving the project forward.

V. University Symposium

Because Brooks Magratten was unable to attend, Pat Sullivan delivered the report regarding the University Symposium series. While there has been considerable discussion of potential topics and sponsors for upcoming presentations, nothing is currently under development because of the District Conference, which will occupy the Fall of 2011. After that, work will resume on proposals from both URI and Roger Williams Law School to continue the series.

VI. Planning for 2011 District Conference

Chris Bush reported that the 2011 District Conference will be held on October 26, 2011. Justice Breyer will be in attendance, although the precise nature of his participation is under discussion. Consideration is being given to his participation in an afternoon plenary session with Judge Selya. Irving Picard, currently serving as the Court-appointed Trustee in the liquidation of Madoff Investment Securities has been confirmed as a speaker. Finally, a panel on national security, terrorism and civil rights is planned with Judge Richard Stearns and representatives of the Naval War College as panel members. The Save-the-Date card will be sent out shortly. The District Conference will be held at the Rhode Island Convention Center.