

**RHODE ISLAND BAR ASSOCIATION  
Federal Bench/Bar Committee Meeting**

**Wednesday, October 17, 2012 at 4:00p.m.  
Jury Assembly Room**

**Meeting Minutes**

**I. Welcome**

Pat Rocha and Chief Judge Lisi welcomed members to the Fall meeting, thanking them for their contributions and commenting on the large number of attorneys in attendance.

**II. A. New Magistrate Judge/New Bankruptcy Chief Judge**

Chief Judge Lisi reported on the addition of Magistrate Judge Patricia Sullivan, who was appointed to replace Magistrate Judge David Martin, who retired in September 2012, as well as the new Bankruptcy Court Judge, Judge Diane Finkel. Chief Judge Lisi also advised the Committee that Magistrate Judge Martin has returned solely to wind up remaining cases in which he had been involved prior to his retirement.

**B. Annual National Meeting of the Federal Bar Association**

Chief Judge Lisi also announced that the Annual National Meeting of the Federal Bar Association will be held in Rhode Island in 2014, a real tribute to the Rhode Island Chapter's leadership in the Association. Judge William Smith and Scott Kilpatrick are chairing a committee to plan for the meeting. In addition, Chief Judge Lisi said she hopes that there will be a District Conference held in the Fall of 2013. Volunteers willing to serve on the District Conference Planning Committee should contact David DiMarzio.

**III. Annual Meeting Program**

George Lieberman reported that the Federal Bench/Bar Committee will be presenting a seminar at the Bar Association Annual Meeting scheduled for June 13 and 14, 2013. George encouraged anyone with topic ideas to contact him.

**IV. Local Rules**

Stacey Nakasian, Co-Chair of the Local Rules Review Committee, reported that the Committee's recommendations were sent to the Court in June and include new admiralty rules. Stacey thanked her Committee, and especially Jim Murphy, for working on the admiralty rules. Chief Judge Lisi said that the proposed rule changes are under review and will go out for comment later this year.

## **V. Jury Instruction Project**

Tony Traini reported on the Criminal Jury Instructions and indicated that instructions from five recent cases are in the process of being uploaded. In addition, he is hoping to work with David DiMarzio, Mike Simoncelli and the IT folks to put in an additional function where a search can be conducted by subject matter/topic. Finally, Tony reported that he is waiting to hear back from Dean Logan regarding involvement of Roger Williams University Law School students to review and identify instructions that are the subject of objections and/or appeals.

Mike Levin reported that his Committee is working on finalizing the Civil Jury Trial Instructions. A small number of instructions were entered into the database as a test case and the Committee is working on the remaining jury instructions with the hope that the project will be completed by the end of the year.

## **VI. University Symposia**

Howard Merten reported that the Committee hopes that there will be another university symposium in late winter or early spring. Howard and Steve McDonald are co-chairing the Committee and have scheduled a meeting for November 1 to discuss program topics.

## **VII. Case Filing Statistics/Trends**

David DiMarzio reported on the number of criminal and civil filings and trials for the period 2001 to present and circulated a hand-out of the statistics, a copy of which is attached. The profile shows that there has been a decrease in the filings of civil cases, as well as the number of trials. On the criminal side, there has been an increase, primarily in drug, immigration, fire arms and sexual offense cases. Finally, David noted that the statistics for District Courts in Maine and New Hampshire are consistent with the experiences in Rhode Island. David also discussed budget issues on a national basis and the possibility of sequestration, as well as staffing issues in the Rhode Island district. One of the three court reporters is out on medical leave and as a result, the Court will be using electronic sound recordings, which will be the official court record in such circumstances.

## **VIII. Other Business**

In other business, David DiMarzio announced that the Rhode Island Chapter of the Federal Bar Association is presenting "How the Federal District Court Works" at the Providence Art Club, Maxwell Mays Gallery, on Thursday, October 18, 2012 at 4:30p.m. to 6:30p.m. At that time, David DiMarzio will speak and introduce members of his staff and discuss the behind-the-scenes operations of the Court. No registration or fee is required and a reception will follow.

The next meeting is scheduled for January 9, 2013.

Respectfully submitted,

Patricia K. Rocha  
Chair

Attachment

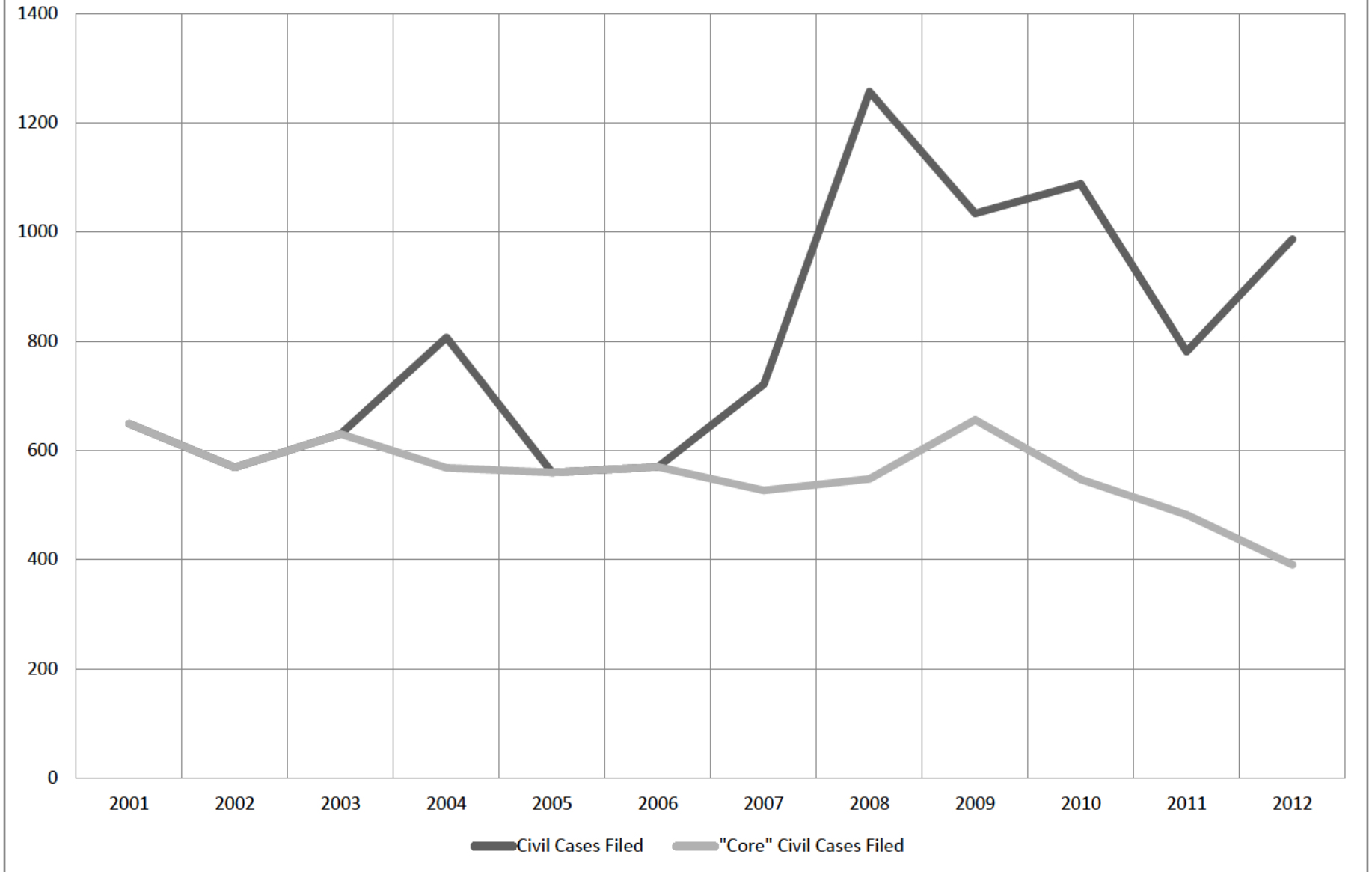
**United States District Court**  
**District of Rhode Island**  
**Statistical Profile**

**Table 1: Civil Cases Filed, 2001-2012**

<b>Year</b>	<b>Civil Cases Filed</b>	<b>“Core” Civil Cases Filed</b>	<b>Special Cases</b>
2001	649	649	
2002	569	569	
2003	630	630	
2004	807	568	239 Station Fire Cases
2005	560	560	
2006	570	570	
2007	721	527	194 Kugel Mesh MDL Cases
2008	1257	548	595 Kugel Mesh MDL Cases & 114 New England Gas Cases
2009	1034	656	378 Kugel Mesh MDL Cases
2010	1088	547	525 Kugel Mesh MDL Cases & 16 MERS Cases
2011	781	482	120 Kugel Mesh MDL Cases & 179 MERS Cases
2012 (through September 30)	740	293	46 Kugel MDL Cases & 401 MERS Cases

Note: The count of “core” civil cases excludes special cases such as Kugel Mesh MDL transfers, MERS cases, and Station Fire cases.

## United States District Court, District of Rhode Island Civil Cases Filed, 2001-2012

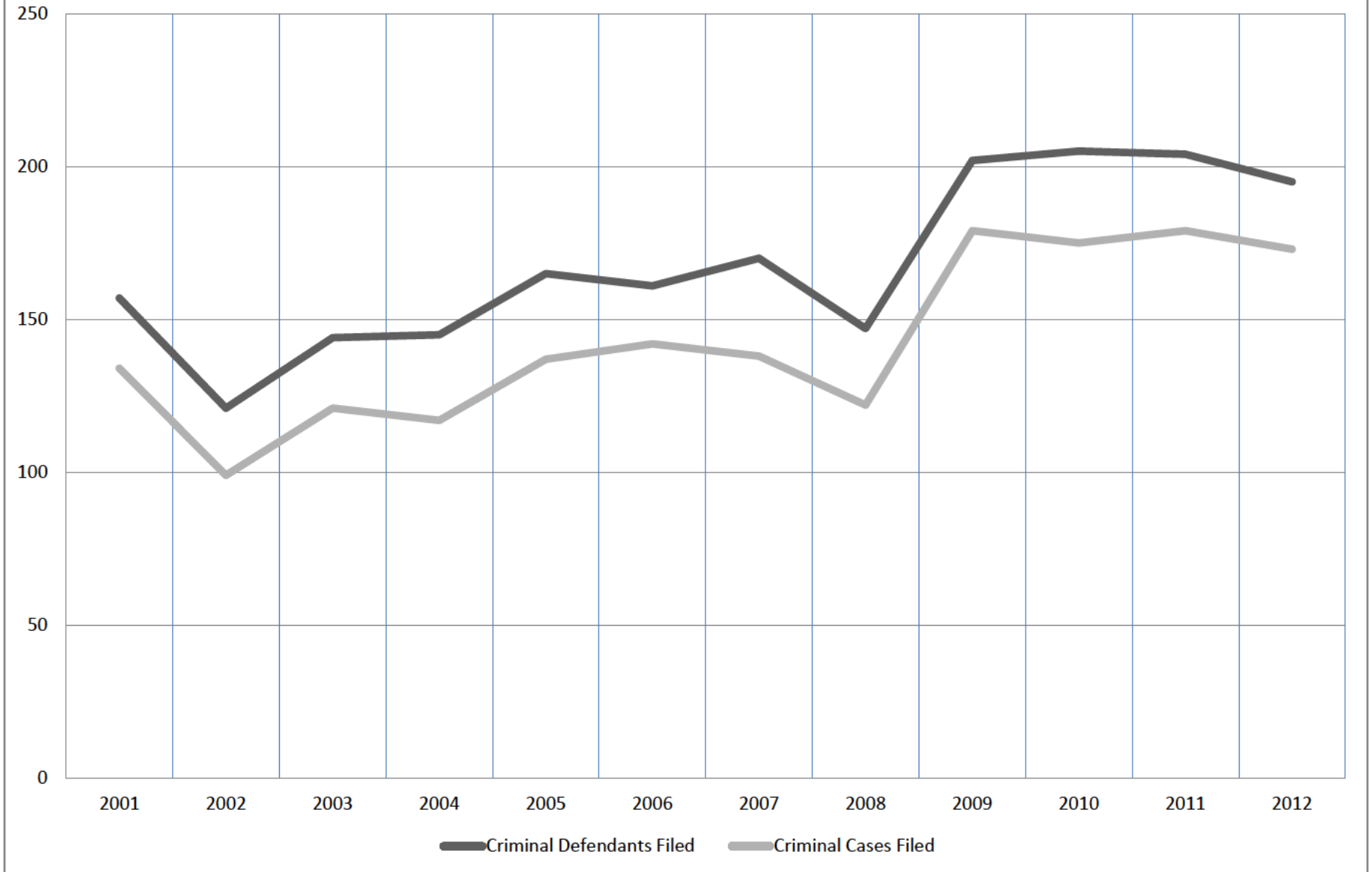


Note: The number of civil filings for 2012 includes projected totals for the last three months of the year.

**Table 2: District of Rhode Island, Criminal Defendant/Cases, 2001-2012**

Year	Criminal Defendants Filed	Criminal Cases Filed
2001	157	134
2002	121	99
2003	144	121
2004	145	117
2005	165	137
2006	161	142
2007	170	138
2008	147	122
2009	202	179
2010	205	175
2011	204	179
2012 (through September 30)	146	130

## United States District Court, District of Rhode Island Criminal Filings, 2001-2012



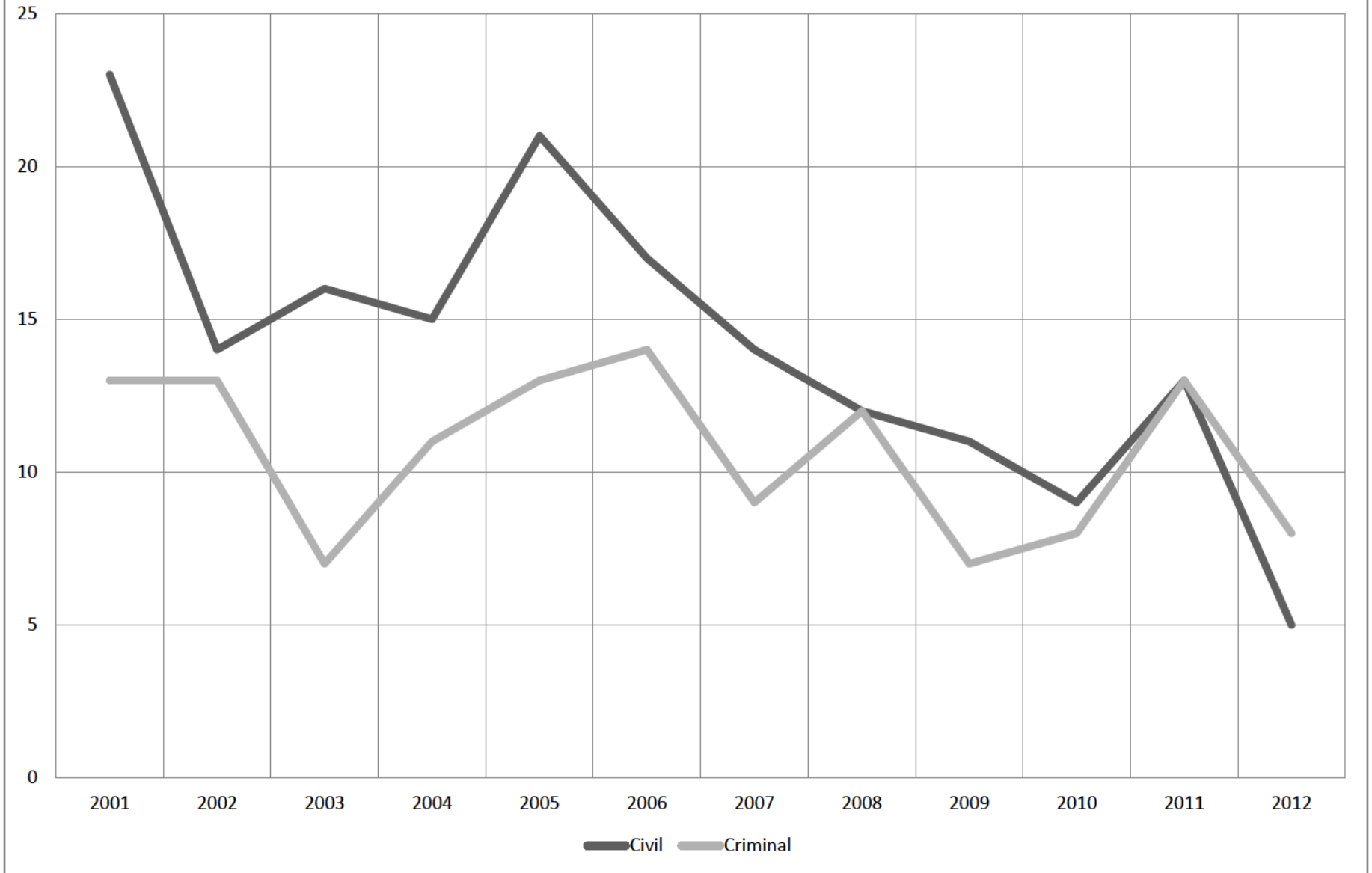
Note: The number of defendants/cases filed for 2012 includes projected totals for the last three months of the year.

**Table 3: Jury and Non-Jury Trials, 2001-2012**

Year	Civil	Criminal
2001	23	13
2002	14	13
2003	16	7
2004	15	11
2005	21	13
2006	17	14
2007	14	9
2008	12	12
2009	11	7
2010	9	8
2011	13	13
2012 (through September 30)	4	6



## United States District Court, District of Rhode Island Jury & Non-Jury Trials, 2001-2012



Note: The number of trials for 2012 includes projected totals for the last three months of the year.