

RHODE ISLAND BAR ASSOCIATION

Federal Bench Bar Committee Meeting

Wednesday, October 19, 2011 at 4:00 p.m.

Jury Assembly Room

Meeting Minutes

I. Welcome

Pat Rocha and Pat Sullivan welcomed members to the meeting and thanked everyone for attending, despite the dreary weather. Chief Judge Lisi, who joined the meeting in progress, gave a warm welcome to all members and expressed the appreciation of the Court for the work of the Bench/Bar Committee. The co-chairs stated that the committee members look forward to another productive year of working closely with Chief Judge Lisi and Court staff. The next meeting days of January 25, 2012 and May 16, 2012 were announced.

II. 2011 District Conference

Christine Bush reported on the upcoming District Court Conference, scheduled for October 26, 2011. The Conference has been extremely well organized and promises to be outstanding. Chris noted that there are still places for more attendees and requested that committee members spread the word. Bill Delaney, President of the Rhode Island Bar Association, who was in attendance at the meeting, committed to working with the committee to ensure that all members of the Rhode Island Bar Association are alerted to the fact that the Conference will be taking place shortly.

The Committee expressed its appreciation to Ray Marcaccio and Christine Bush for their great work in organizing what promises to be an outstanding event.

III. Rhode Island Bar Association Networking Event

Pat Sullivan reported on the Bar Association's Networking Event, which took place on October 6, 2011. The event was well attended and many young attorneys expressed interest in the Federal Bench/Bar Committee. As a result of the meeting, several young attorneys signed up and it is hoped will become active in the committee. It was agreed that the committee should continue its participation in this important event for recruiting younger attorneys to join the Federal Bench/Bar Committee.

IV. Annual Meeting Program

In George Lieberman's absence, Pat Rocha asked for ideas for topics and volunteers to assist in preparing a proposal, due on November 14, 2011, for a program for the Annual Meeting of the Rhode Island Bar Association in June.

V. Local Rules

David Wollin reported on the status of the Local Rules Committee. The Committee has completed its work for 2011, submitting proposed rule changes to the Court. The Court's final proposed rules are currently out for public comment. In a few months, the Committee will begin the 2012 cycle, with solicitation of comments on the Local Rules.

VI. Jury Instruction Project

Mike Levin and Tony Traini reported on the status of the Jury Instruction Project. The criminal jury instructions have been extremely well received by criminal practitioners. Mary McElroy commented on how useful a tool it is. Mike Levin updated the committee on the status of the civil jury instruction collection process, which is nearly complete. As soon as collection is completed, the instructions will be coded for uploading on to the website. It was noted that the greater complexity of the civil instructions will present challenges that remain to be resolved. For example, in some instances, links to pattern instructions may be appropriate.

VII. University Symposium

Brooks Magratten reported on the status of the University Symposium Series, which has been inactive in light of the District Conference. It is hoped that URI will sponsor a symposium series on its South Kingston Campus in the spring, possibly focused on the future of the jury trial. Committee members who are interested were asked to contact Brooks.

VIII. Initial Thoughts From Judge McConnell

Judge McConnell provided the committee with initial impressions from his first months on the bench, as well as a description of his "quirks." For example, he stated that he has allowed attorneys to perform *voir dire*, he does not require a conference in advance of the filing of a Summary Judgment motion, he asks both parties to file a Rule 16 Statement and he is receptive to conducting conferences by telephone. Judge McConnell mentioned his interest in exploring a mechanism for faster resolution of discovery disputes. There was discussion of the proposed local rule dealing with that subject, which was tabled some years ago. Stacey Nakasian noted that Judge McConnell has kindly agreed to be the luncheon speaker at the upcoming Federal Bar Association Luncheon scheduled for November 3, 2011 and urged members of the committee to attend.

IX. Other Business

Bill Delaney, President of the Rhode Island Bar Association, spoke on behalf of the Bar Association, thanking the Committee for its work. David DiMarzio reported on a Federal project to collect opinions of the Federal Court and to make them publicly available free of charge or password to the public. This system is in the beta stage and is available at www.fedsys.gov. So far, Rhode Island is the only District Court participant.

The next meeting is scheduled for Wednesday, January 25, 2012 at 4:00 p.m.

Respectfully submitted,

Patricia A. Sullivan