

RHODE ISLAND BAR ASSOCIATION

Federal Bench/Bar Committee Meeting

Wednesday, May 8, 2013 at 4:00 p.m.

Jury Assembly Room

Meeting Minutes

I. Welcome

Pat Rocha welcomed members to the Spring meeting, thanking them for their contributions over the course of the year.

II. Annual Meeting Program

George Lieberman reported that the Committee will present a seminar at the Bar Association Annual Meeting on Thursday, June 13, 2013 entitled “Federal Court Mediation: What’s Not to Like About Costs, Confidentiality and Control?” moderated by Gordon P. Cleary with Honorable Lincoln D. Almond, Honorable Patricia A. Sullivan, Berry B. Mitchell, Bruce Kogan and William A. Poore as panelists.

III. Local Rules

Steve Richard, Co-Chair of the Local Rules Committee, updated the Committee on the status of recommendations regarding the Local Rules and advised that the Committee’s report will be presented to the Court by the end of June 2013. Steve also informed the Committee that a subcommittee on electronic discovery has been formed and is working on recommendations regarding same.

IV. Jury Instruction Project

Mike Levin and Tony Traini updated the Committee on the status of the Jury Instruction Project. The Criminal Jury Instructions continue to be updated and available online and the subcommittee is close to finalizing the Civil Jury Instructions that are expected to be entered into the database over the upcoming months. David DiMarzio reported that a Request For Proposal will issue in connection with managing the Jury Instruction Project on a go-forward basis.

V. University Symposium

In Howard Merten’s absence, Steve McDonald updated the Committee on the recent symposium held on April 25, 2013 entitled “Money and Politics – Unholy Alliance or Free Speech? The Aftermath of Citizens United” in conjunction with Johnson & Wales University. The symposium was well attended and moderated by Matthew Oliverio and Steven Richard with

Anthony Corrado, a professor of government at Colby College and Paul Ryan, senior counsel at the Campaign Legal Center in Washington, DC as speakers. The subcommittee will be meeting in the fall to discuss upcoming symposia.

VI. 2013 District Conference

Steve Richard updated the Committee on the 2013 Distract Conference scheduled for October 10, 2013 at the Omni Hotel. Former Supreme Court Justice Sandra Day O'Connor will be the keynote speaker and the subcommittee is currently working on what should be an informative and interesting conference agenda.

VII. Case Management Update

Frank Perry updated the Committee on the electronic filing of civil complaints, which is currently in the testing phase with the hope that it will go live in the near term. In addition, Frank reminded the Committee of the \$50 filing fee increase for new civil actions effective May 1, 2013.

VIII. Visit of Justice Elena Kagan

David DiMarzio announced that the Court is planning a reception, which will be invitation only due to size constraints, for Supreme Court Justice Elena Kagan in connection with her visit to Rhode Island to celebrate the 350th Anniversary of Rhode Island's Colonial Charter.

IX. 2014 FBA Annual Meeting

Scott Kilpatrick updated the Committee on the status of the 2014 FBA Annual Meeting Committee. Several committees, including a committee at large, an events committee and finance committee are hard at work planning Rhode Island events for the three day annual meeting that is scheduled for September, 2014. Scott encouraged anyone interested in helping out with the planning to contact him. Scot also advised the Committee that the next meeting of the Rhode Island Chapter of the Federal Bar Association is scheduled for Monday, June 10, 2013 entitled "A Luncheon Discussion with Honorable Gustavo A. Gelpi, Jr." Judge Gelpi sits on the U.S. District Court for the District of Puerto Rico.

X. Effect of Sequestration on the Courts

Chief Judge Lisi updated the Committee on the effects of sequestration on the Court, including efforts to do everything to minimize the impact of sequestration; however, she noted that since 60% of the Court's costs are fixed, it becomes an increasingly difficult task. Judge Lisi reported that there has been a budgetary impact to the Federal Court Public Defender's Office, requiring a furlough of sixteen and a half days for the fiscal year. In addition, the Court has agreed not to schedule emergency criminal matters on Mondays to assist the Federal Public Defender. In addition, the Judges are working with Probation, court security and staff to ensure the least disruption to services provided to the public, litigants, members of the bar and the

Court's own staff. Judge Lisi and her colleagues will continue to monitor the effects of sequestration in the future.

Respectfully submitted,

Patricia K. Rocha
Chair

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