

Federal Bench Bar Committee Meeting

Wednesday, September 30, 2009 at 4:00 p.m.

Jury Assembly Room

Meeting Minutes

I. Thanks to outgoing Chairs

Pat Sullivan and Pat Rocha spoke briefly about the outstanding leadership of the Federal Bench Bar Committee during the service of Brooks Magratten and Beverly Ledbetter as Chairs. The heart felt thanks of the Committee and the Bar Association was expressed to them.

II. Follow up on Fact Finding Commission / Access to Federal Court

Tony Muri reported on the commitment to keep the work done by the Fact Finding Commission in front of the Federal Bench Bar Committee so that the goals and objectives identified during the fact finding process will continue to be part of the Committee's thinking. In particular, Tony reported that he will be working with George Leiberman on tentative topics for CLE programs, especially at the Annual Meeting. Some of the topics that will be emphasized are practice differences between the state and federal courts, assisting practitioners in becoming comfortable with ECF and the Local Rules, and other differences of federal practice that could be an impediment to the initiation of litigation in federal court.

III. Annual Meeting Program

George Leiberman reported on the development of potential topics for the Annual Meeting Program, with particular attention to education regarding issues that might deter access to the federal court.

IV. Suspension of High School Outreach Program

Matt Oliverio reported on the decision to suspend for now the extremely successful High School Outreach Program. He explained that the program was very time consuming and administratively challenging for the attorneys who were attempting to coordinate it, particularly because of the schedule differences between schools and the federal court. He also noted the difficulty in arranging for members of the judiciary when a court is operating with a less than full complement of judges. Finally, he noted that there are other programs in the community that provide some of the benefits to high school students that this program was intended to achieve. Based on the foregoing, the program will be suspended for now. However, we will continue to look for opportunities to revive it. In particular, there was discussion of the possibility that the administrative work might be assumed by a program based in the Department of Education or elsewhere.

V. Local Rules

Jeff Schreck and Jim Murphy reported on the ongoing work of the Local Rules Committee. The Committee has a meeting scheduled for October 5, 2009, at which it will address changes to time calculations to become consistent with the recent amendments to the Federal Rules.

VI. Jury Instruction Project

Mike Levin gave a lengthy report on the work of the Jury Instruction Project, which is still at an early stage. There was mention of the possibility that funding could be made available in connection with the project. If the project envisioned is successful, it may become one of the first in any federal court in the nation to make jury instructions readily accessible to members of both the bench and the bar. This project is chaired by Mike and Tony Traini.

VII. Membership Development

Pat Rocha reported that the Rhode Island Bar Association is planning to sponsor an event intended to encourage membership development and that the Federal Bench Bar Committee would be participating. Becky McSweeney, the chair of last year's Membership Committee, agreed to man the booth for the Federal Bench Bar Committee and welcomed anyone else who might be interested to join her. Unfortunately, the event scheduled for October 15, 2009 was subsequently cancelled.

VIII. University Symposia

Brooks McGratten reported on the extremely successful University Symposia series regarding judicial selection, held on September 24, 2009, sponsored by Roger Williams Law School. The presentations were outstanding and everyone who attended appreciated this opportunity for a scholarly discussion of a matter of general interest. The one disappointing aspect of the evening was the relatively small number of people who attended outside of those who are already involved either with the federal court or with Roger Williams Law School. There was discussion of strategies for more effective communication with the bar at large and the public regarding this excellent series of presentations.

Brooks reported that the next event in the University Symposia series will be sponsored by Providence College and will focus on the topic of immigration. The presentation will be in November 2009. He also reported that Brown University will likely sponsor the final presentation of the University Symposia series for 2009/2010 season in the Spring of 2010.

IX. Courthouse Technology Upgrade Project

In David DiMarzio's absence, Paulette Dube gave a status report on this project.

Judge Lisi attended a portion of the meeting and thanked the members for their work on behalf of the Federal Court.