



# Rhode Island Bar Journal

Rhode Island Bar Association Volume 74, Number 5, March/April 2026

**The Rhode Island Mechanics' Lien  
Law: Illustrating Potential Pitfalls for  
Property Owners and Practitioners**

**Stop Waiting to Be Invited:  
The Case for Bar Participation**

**A Conversation with Former Presiding  
Justice Alice B. Gibney**



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Direct advertising inquiries to the Editor, Erin Cute, Rhode Island Bar Journal, 41 Sharpe Drive, Cranston, RI 02920, (401) 421-5740.

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## Practical Skills and Professional Growth



Patrick A. Guida, Esq.  
President  
Rhode Island Bar Association

**“...professional readiness is an ongoing process and that continued learning strengthens both individual attorneys and the legal system as a whole.”**

Each generation of lawyers enters the profession shaped by the realities of its time. Today’s attorneys begin their careers in an environment defined by rapid technological change, evolving client expectations, and increasingly complex legal and professional demands. These conditions have influenced how lawyers work, communicate, and approach problem-solving, and they have also brought meaningful strengths to the profession.

New and modern-day lawyers bring adaptability, comfort with emerging tools, and a collaborative approach to practice. Many arrive with a strong interest in continued learning and professional development, recognizing that success in the practice of law does not end with admission to the Bar. These qualities benefit not only individual attorneys but also the profession as a whole.

National data reflects both the strength of new lawyers entering the profession and the ongoing discussions about professional readiness. More than 82 percent of 2024 law school graduates secured full-time positions requiring bar admission within ten months of graduation, with overall employment rates reaching historic highs!<sup>1</sup> These outcomes reflect the value that new lawyers bring as they enter practice.

National conversations also continue to focus on how best to support lawyers as they transition from academic training into practice. Surveys of early-career attorneys consistently show strong interest in practical skills training, mentorship, and hands-on learning opportunities. This emphasis is not a critique of legal education or new lawyers but a recognition that the realities of practice require ongoing development, experience, and professional judgment. The Rhode Island Bar Association is also examining ways to strengthen the training and resources available to new lawyers so they can successfully navigate the transition into practice and build sustainable careers.

The core responsibilities of practicing law remain unchanged. Sound judgment, ethical decision-making, effective advocacy, and professionalism continue to define the profession. Practical training and hands-on experience play an important role in helping attorneys translate knowledge into day-to-day practice and develop confidence in their work. This is true for new

lawyers and equally relevant for those with many years of experience, as the profession continues to evolve.

Across the country, bar associations, courts, and legal organizations are responding by expanding skills-based education and applied learning opportunities. These efforts reflect a shared understanding that professional readiness is an ongoing process and that continued learning strengthens both individual attorneys and the legal system as a whole.

The Rhode Island Bar Association plays an important role in supporting this professional growth. Through CLE programming, committee work, and leadership development, RIBA offers resources that reinforce practical skills, professional judgment, and engagement with the broader legal community. These opportunities reflect both the enduring values of the profession and the realities of modern practice in Rhode Island.

As part of this commitment, at the beginning of my term as President, I asked RIBA committees to think intentionally about proposing skills-based CLE programming. Committees are uniquely positioned to identify areas where practical guidance can be most helpful, drawing on the experience of practitioners who understand the day-to-day realities of practice.

Several committees have already taken steps in this direction. The Government Lawyers Committee sponsored a free, one-credit practical skills seminar in February, and the Criminal Law Bench/Bar Committee has a practical skills seminar scheduled for the spring. Skills-based programs support attorneys at all stages of practice by providing practical insight, reinforcing best practices, and encouraging continued professional development.

The Leadership Academy is another example of RIBA’s focus on preparation and professional growth. The Academy is designed to help attorneys develop practical skills, leadership capacity,

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and a deeper understanding of the profession through hands-on learning and meaningful engagement. Through a partnership with Leadership Rhode Island, participants engage in leadership development programming, including CliftonStrengths training, that encourages self-awareness, collaboration, and effective communication. Participants also gain a deeper understanding of RIBA's work, build connections across practice areas, and develop tools that support effective leadership and service within the Bar and the broader community.

Equally important is the role of collegiality and shared learning within the profession. Rhode Island's legal community is close-knit by nature, and many of us work in the same courthouses and appear on the same calendars week after week. In a small state, opportunities to learn from one another, exchange perspectives, and share experiences help reinforce professionalism and support attorneys throughout their careers.

As the practice of law continues to change, the Bar's role remains clear. We support attorneys by providing education, fostering connection, and promoting professionalism. We recognize the strengths that new and modern-day lawyers bring to the profession, and we understand the importance of practical training and continued learning in ensuring those strengths are fully realized.

We encourage our more experienced members of the Bar to play an active role in

this work. RIBA invites seasoned practitioners to propose, produce, or serve as speakers on practical skills panels that draw directly from real-world experience. Sharing what you have learned—what works, what does not, and how judgment develops over time—strengthens the profession and ensures that institutional knowledge is passed on to the next generation of lawyers.

At the same time, we encourage newer lawyers and members of younger generations to engage in this effort by identifying the skills they want to develop, proposing topics that would be most helpful in practice, and participating actively in skills-based programming. Whether through committee involvement, panel participation, or thoughtful feedback, your perspective helps ensure that RIBA's programming reflects the realities of modern practice and meets the needs of today's lawyers.

Professional growth is strongest when it is shared. By contributing across generations through teaching, learning, and collaboration, we strengthen the Bar, support one another, and reinforce the values that define our profession.

#### ENDNOTE

<sup>1</sup> Karen Sloan, *Law grad job rates surged to historic highs in 2024, ABA Data shows* | Reuters (2025), <https://www.reuters.com/legal/legalindustry/law-grad-job-rates-surged-historic-highs-2024-aba-data-shows-2025-04-23/> (last visited Jan 21, 2026). ◊

#### Rhode Island Bar Journal

##### Editorial Statement

The *Rhode Island Bar Journal* is the Rhode Island Bar Association's official magazine for Rhode Island attorneys, judges and others interested in Rhode Island law. The *Bar Journal* is a magazine published bi-monthly, six times annually, and digitally distributed to, among others, all practicing attorneys and sitting judges, in Rhode Island. This constitutes an audience of over 6,300 individuals. Covering issues of relevance and providing updates on events, programs and meetings, the *Rhode Island Bar Journal* is a magazine that is read on arrival and, most often, kept for future reference. The Bar Journal publishes scholarly discourses, commentary on the law and Bar activities, and articles on the administration of justice. While the *Journal* is a serious magazine, our articles are not dull or somber. We strive to publish a topical, thought-provoking magazine that addresses issues of interest to significant segments of the Bar. We aim to publish a magazine that is read, quoted and retained. The *Bar Journal* encourages the free expression of ideas by Rhode Island Bar members. The *Bar Journal* assumes no responsibility for opinions, statements and facts in signed articles, except to the extent that, by publication, the subject matter merits attention. The opinions expressed in articles, interviews, columns, and editorials are not the official view of the Rhode Island Bar Association. Letters to the Editor are welcome.

##### Article Selection Criteria

- > Contributors are requested to submit article, book review, editorial, and interview topic ideas for approval to the Managing Editor prior to submission.
- > The *Rhode Island Bar Journal* gives primary preference to original articles, written expressly for first publication in the *Bar Journal*, by attorney and judicial members of the Rhode Island Bar Association. The *Bar Journal* does not accept unsolicited articles from individuals who are not members of the Rhode Island Bar Association unless co-authored with a RIBA member. Law student members may submit articles co-authored by either a law school professor (not necessarily a RIBA member) or a RIBA member.
- > A maximum of two authors (co-authors) is permitted for article submissions.
- > Articles previously appearing in other publications are typically not accepted.
- > All submitted articles are subject to the *Journal's* Editor's approval, and they reserve the right to edit or reject any articles and article titles submitted for publication.
- > Selection for publication is based on the article's relevance to our readers, determined by content and timeliness. Articles appealing to the widest range of interests are particularly appreciated. However, commentaries dealing with more specific areas of law are given equally serious consideration.
- > Preferred format includes: a clearly presented statement of purpose and/or thesis in the introduction; supporting evidence or arguments in the body; and a summary conclusion.
- > Citations conform to the Uniform System of Citation
- > Maximum article size is approximately 3,500 words. However, shorter articles are preferred.
- > While authors may be asked to edit articles themselves, the Editor reserves the right to edit pieces for legal size, presentation and grammar.
- > Articles are accepted for review on a rolling basis. Meeting the criteria noted above does not guarantee publication. Articles are selected and published at the discretion of the Editor.
- > Submissions are preferred in a Microsoft Word format emailed as an attachment.
- > Authors are asked to include an identification of their current legal position and a photograph, (headshot) preferably in a jpg file of, at least, 350 d.p.i., with their article submission.

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**Rhode Island Bar Journal Editor Erin Cute**  
email: [ecute@ribar.com](mailto:ecute@ribar.com)  
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## Establish Yourself as a Thought Leader!

You have a lot to share, and your colleagues appreciate learning from you. We are always in need of scholarly discourses and articles, and we also encourage point-counterpoint pieces. Or, if you have recently given or are planning on developing a Continuing Legal Education seminar, please consider sharing your information through a related article in the *Rhode Island Bar Journal*. While you reached a classroom of attorneys with your CLE seminar, there is a larger audience among the over 6,500 lawyers, judges, and other *Journal* subscribers, many of whom are equally interested in what you have to share. For more information on our article selection criteria, please visit the Bar's website, under News & Resources, and click *RI Bar Journal*. The Editorial Statement and Selection Criteria is also on page 4 of every issue. Please contact Communications Director Erin Cute at 401-421-5740 or [ecute@ribar.com](mailto:ecute@ribar.com) if you have any questions.

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# Rhode Island Bar Association Volunteer Lawyer Program 39 Years of Pro Bono Service 1986-2025 2025 Highlights and Accomplishments

## Program Summary

The Rhode Island Bar Association has administered the Volunteer Lawyer Program (VLP) for 39 years. Each year, VLP members share their expertise with financially eligible clients in crucial need of legal advice and representation. Members of our community turn to the VLP when they are unable to afford representation on their own or obtain it legally through other providers.

Participating attorneys are asked to accept one or two cases per year, in their specified areas of civil law, on a pro bono basis. When initially contacting the volunteer member regarding a case, the VLP staff provides detailed information. Attorney members have the choice to accept or decline. At the initial meeting with the client, the volunteer attorney has the option to go forward with representation. While the case is active, the VLP program coordinator(s) communicate periodically with the attorney regarding the status of the case and are always available for any questions or concerns.

The Bar Association supports and applauds Volunteer Lawyer Program members in recognition of their public service focus and dedication to providing marginalized persons legal assistance in priority areas. The end goal of their commitment is to increase the quality of their client's life. Annually, VLP attorneys donate hundreds of pro bono hours to Rhode Island's neediest families and individuals, including veterans and the elderly. Each VLP attorney's valued contribution is essential to upholding our statewide system of justice.

## Assistance with Language Barriers

For over 20 years, dedicated bilingual staff have fielded calls and completed intakes for Spanish- and Portuguese-speaking clients. Interpreters are provided during Court proceedings, but many non-English-speaking VLP-eligible clients are in dire need of an interpreter for their case prior to court. We are very fortunate to have Spanish translation services donated by Maria Valdez of One Voice Interpreting Service in Providence. We also wish to acknowledge Monica Teixeira, Professor of Law at Roger Williams University School of Law, for volunteering to translate for Portuguese speaking clients. With their assistance, non-Spanish/and Portuguese-speaking attorneys have the opportunity to accept pro bono cases for clients who speak these languages.

There is a continuing need to increase the number of bilingual volunteer attorneys. Their recruitment is an ongoing program priority.

## CLE – Recruitment & Recognition

VLP attorneys were offered free registration for several CLE seminars throughout 2025 in exchange for accepting pro bono cases. Recruiting and retaining existing VLP members is essential to respond to the legal needs of the most vulnerable in our state. Historically, the most effective method of recruitment and retention is through sponsoring and providing the benefit of free continuing legal education. This is accomplished annually in cooperation with the Bar's Continuing Legal Education (CLE) department and the ongoing support of the Public Service Involvement Committee members and outstanding volunteer speakers.

Annually, volunteer attorneys are given the opportunity to

attend CLE seminars free of charge in exchange for accepting a pro bono case through the VLP. In September, VLP attorneys had the opportunity to attend *Culture Shock! Understanding the Differences in Latino Language & Culture to Better Represent Your Clients*. In October, during National Pro Bono Month, the VLP sponsored *Ethical Considerations in Probate Guardianships*. This seminar was available as a live webinar or in person at the RI Law Center. The program featured Attorneys Janne Reich and Margaret Steele, along with Probate Judge Tracy Loignon, who presented and moderated the discussion. During the fall, volunteer attorneys were also offered free registration for *Immigration Law for Non-Immigration Attorneys* and *Supporting Clients with Trauma: Keeping it Safe*. In December, *Dos and Don'ts for QDROS* was also offered free of charge.

The positive response to the case placement appeals, "Thank-



*Ethical Considerations in Probate Guardianship* (l-r): Margaret Steele, Esq., Probate Judge Tracy A. Loignon, and Janne Reisch, Esq.

ful for your Generosity & Hats Off to You,” resulted in 53 individuals/families, including senior citizens, receiving much-needed legal assistance from VLP member during the holiday season.

Upon request, most seminars sponsored by the VLP are made available for later viewing for those volunteer attorneys who are willing to accept pro bono cases.

In addition to the free seminars sponsored by the VLP, members who contribute and report thirty-plus hours of pro bono service annually are eligible to receive CLE coupons to be used in the following calendar year. They are given the choice of attending one, free, three-credit seminar or three, one-credit seminars of their choice. Instituted in 2009, this policy reflects the Bar’s longstanding support and encouragement of pro bono legal assistance and public service. Annually, based on self-reporting, 40-plus attorneys receive these coupons.

### Mentoring

Messaging to members continued in 2025 about the availability of mentors for any volunteer attorney interested in accepting a pro bono case. The requests for mentors for VLP cases ranged from those attorneys wishing to incorporate a new area of law into their practice to those wanting to expand their areas of expertise while helping a pro bono client. Our dedicated volunteer mentors in 2025 included Attorneys Carolyn Barone, Tara Cancel, Michael Castner, James Creighton, Claire Jabour, Dadriana Lepore, Tracy Loignon, Samantha McCarthy Jarvis, Thomas Mirza, Eileen O’Shaughnessy, Robert Oster, and Arthur Parise.

### Case Placement Strategies

Preparing and distributing pro bono case summaries to emphasize the critical need for legal assistance and encourage participation is ongoing. This is one of several effective methods of case placement, in addition to the traditional direct calls to panel members and blast emails. Themed appeals such as March Gladness, April is Volunteer Month, National Pro Bono Month, and two holiday appeals were several successful case placement promotions. For example, during Volunteer Month in April, all volunteer attorneys who accepted a pro bono case were entered into a raffle to attend the two-day Annual Meeting for free.

Most potential clients contact the Volunteer Lawyer Program by telephone to request pro bono service. Calls are received daily, and the staff determines eligibility mainly by income/asset

factors. Potential clients are referred by the human service network, including the courts, Rhode Island Legal Services, and other legal assistance organizations, community action programs, senior citizen organizations, the Rhode Island Bar Association website, law offices, and the internet.

In 2025, the public was assisted by volunteer attorneys with bankruptcy, collections, consumer, education, employment, guardianships, landlord/tenant, license registry, non-profit designation, probate matters, tort defense, and various family law issues. Although there is no longer specific funding available for foreclosure-related matters, we continue to accept requests from clients desperate to save their homes. We will continue to conduct intake for these matters, within the parameters allowed.

### Volunteer Recognition

The dedication and commitment of our remarkable Pro Bono Award recipient was recognized at the Bar Association’s 2025 Annual Meeting Awards reception in June. Attorney Robert Bollengier was the recipient of the 2025 Pro Bono Publico Award for his outstanding public service through the Volunteer Lawyer Program, having donated a total of over 100 hours of pro bono representation.

### 2025 Pro Bono Publico Award Recipient



Robert E. Bollengier, Esq.

### Collaboration

Statewide organizations refer requests for pro bono assistance with domestic violence, landlord/tenant, bankruptcy, divorce, custody, collections, guardianships, probate matters, etc. on a regular basis.

We consistently collaborate with Rhode Island Legal Services and the Office of Healthy Aging and their Volunteer Guardianship program to provide representation for those in most need.

### Join for Justice

VLP clients are pre-screened daily by the staff for case type and financial eligibility for potential placement of their case. Volunteer Lawyer Program clients are families and individuals, including veterans and the vulnerable elderly in our communities statewide, with nowhere else to turn for legal assistance.

If you are not already a member, please give us the opportunity to let you know how you can make a tremendous difference by accepting one case! Your expertise and voice for marginalized Rhode Islanders will provide justice for those in greatest need. Joining is a simple process, and mentors are available upon request. For more information about the Volunteer Lawyer Program, please do not hesitate to contact Susan Fontaine or John Ellis at: [sfontaine@ribar.com](mailto:sfontaine@ribar.com), [jellis@ribar.com](mailto:jellis@ribar.com) or 401-421-7758. For your convenience, the VLP membership application may be accessed on the Bar’s website at [ribar.com](http://ribar.com) and completed online. Once we receive your application, we will contact you. Thank you!

*The Rhode Island Bar Association’s Volunteer Lawyer Program is funded by Rhode Island Legal Services, Inc., and the Rhode Island Bar Foundation.*

## IMMIGRATION LAW

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# The Rhode Island Mechanics' Lien Law: Illustrating Potential Pitfalls for Property Owners and Practitioners

This article is a special project by a participant of the 2024–2025 Leadership Academy, developed with feedback and edits from their mentor. It reflects the dedication and growth fostered within our program. We are proud to showcase the hard work and insights of our future leaders.



Matthew R. O'Connor, Esq.  
Pierce Atwood LLP  
Providence

“One needs to know the potential traps to maintain the validity of a mechanics' lien.”

[The Rhode Island Supreme Court] consistently has noted that the [Mechanics' Lien Law] lacks clarity, not merely to empathize with local practitioners and judges who struggle with its complexity, but rather with the hope that our Legislature would rewrite the statute so that all could read it, comprehend it and apply it without continually turning to this Court.<sup>1</sup>

This article aims to provide an overview of the Rhode Island Mechanics' Lien Law (G.L. 1956 §§ 34-28-1 to -37), discuss some of its history, and then drill down into what a lawyer needs to know—at a minimum—to effectively represent his or her client, whether the client is a subcontractor that has not been paid on a recent<sup>2</sup> construction project, an owner that has received notice of a lien against its property, or a general contractor being pulled in both directions in payment disputes.

The Mechanics' Lien Law<sup>3</sup> (the “Statute”) is a powerful statutory regime that has existed in one form or another for almost two hundred years. The Statute was preceded by a version enacted in 1834<sup>4</sup>; the direct predecessor of the current Statute was enacted in 1847 with substantial amendments in 1888<sup>5</sup>; reenacted in 1965, and has seen critical sections added in this century as well.<sup>6</sup> The Statute, over the years, has been shown to contain technicalities and potential pitfalls that will be enforced strictly.<sup>7</sup> Confusion and legitimate disagreement over just one or two words can be expected from a law that has been described as a “single sentence of gargantuan length,”<sup>8</sup> and one that “requires us to don our miner's helmets and once again descend into the subterranean labyrinth that is the Rhode Island mechanic's-lien statute.”<sup>9</sup> One needs to know the potential traps to maintain the validity of a mechanics' lien, which in turn provides incentive for all to resolve these disputes in the preferred way—bringing all parties to the bargaining table early to minimize items in dispute and avoid unnecessary attorneys' fees.<sup>10</sup>

Stated succinctly, the Statute “is intended to afford a liberal remedy to all who have contributed labor, material, or equipment towards adding to the value of property to which the lien attaches and should be construed accordingly.”<sup>11</sup> However,

it is not without critics, because it can “result in a lien created in favor of the subcontractor that is imposed on the landowner's property *without a hearing and with minimal due process*.”<sup>12</sup>

## Mechanics' Liens Generally

A mechanics' lien, despite the name, has nothing to do with the person who fixes your Volkswagen; it is a claim placed on real property by a contractor, subcontractor, or supplier who has not been paid for labor, materials, or services provided to improve said property. Mechanics' liens are powerful tools in the construction industry, offering a means of securing payment from a property owner with whom a subcontractor likely does not share contractual privity. Mechanics' lien rights are explicitly protected by the Statute, and contract terms purporting to bar a contractor's right to file a lien are void as a matter of public policy.<sup>13</sup>

Understanding how mechanics' liens function and their implications can protect property owners and construction professionals alike. The lien attaches to the property itself, which means it can affect the ability of the property owner to sell or refinance the property until the lien is resolved.<sup>14</sup> Essentially, the lienholder becomes a creditor to the property itself, rather than to the property owner—without waiving its claim to be fully satisfied from the party who has yet to pay, such as a project's general contractor.

A mechanics' lien can only be obtained—perfected—by complying with a series of steps intended to put the property owner and other parties with an interest in the property on notice of the contractor's intent to place a lien on the property and cloud title. When the lien is perfected, the contractor has the legal right to hold its claim against a property until payment is made for work performed or materials supplied, even if that payment is not obtained until after judgment in a civil action. The Statute does have provisions preventing indefinite encumbrance of the property,

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## BUILD your **Client Base** and **SERVE** Your **Community** with the **Bar's Lawyer Referral Service!**



Attorney **Joshua Xavier**, a member of the Lawyer Referral Service, enthusiastically supports the program. *"As a believer in expanding access to civil legal services for all populations, participating in the Lawyer Referral Service Program has been such a fulfilling and gratifying experience because it does just that—it connects individuals in need of legal representation with attorneys who can advocate and obtain justice on their behalf. Without LRS, countless individuals whose legal rights have*

*been violated would not have the ability to seek and gain the legal relief that they are entitled to under the law. Everyone at LRS is a pleasure to work with and extremely helpful. I highly recommend joining and participating in the Lawyer Referral Service Program!"*

Membership in the Rhode Island Bar Association's Lawyer Referral Service (LRS) is an excellent and inexpensive way to increase your client base and visibility within the community while expanding public access to legal representation. Optional special LRS projects include: **Senior Citizen Center Clinics** throughout the year and the state; **Reduced Fee Program** offered to qualifying clients; and the **Arts Panel** for local artists' legal needs all offer unique opportunities for increasing your business while you provide an important public service to your community.

**Visit the Public Services tab on our website for full program details, including how to apply and qualification requirements. You may also request information by contacting Public Services Director Susan Fontaine at 401-421-7799 or email [sfontaine@ribar.com](mailto:sfontaine@ribar.com).**

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including timing requirements that force a contractor to bring a lawsuit within forty (40) days<sup>15</sup> of recording the lien and procedures that provide an owner or general contractor with an expedited process to remove the lien for procedural failures<sup>16</sup> or by bonding the amount off,<sup>17</sup> which clears title as the lien attaches to the bond provided instead.

Many liens resolve in the stage before a lawsuit is filed. However, if the debt is not paid within this 40-day period, the lienholder must file suit and seek a court judgment, which can ultimately result in either the lien's dismissal or, if successful, a foreclosure on the property to recover the amount owed.<sup>18</sup>

### Obtaining a Mechanics' Lien in Rhode Island

The major steps in perfecting and prosecuting a mechanics' lien are: the notice of intention provided to the owner, the recording of that notice in the land evidence records, filing a complaint and notice of lis pendens, and providing process to defendants and notice of the lien via the citation process to persons with an interest in the land, and the litigation of the lien, which may involve attempts by the owner to dismiss the lien under either § 34-28-17 or § 34-28-17.1.

It is important to note that mechanics' lien statutes vary in ways both small and large: from the names of the lien formation documents (for example, Massachusetts uses a process involving a "Notice of Contract" and "Statement of Account") to vastly different timing requirements that will affect your advice to the client. The first question to a potential client is where the work was performed, because, as one would expect, only Rhode Island property is governed by the *Rhode Island Mechanics' Lien Law*. In general, there are similarities in the mechanics' lien process across jurisdictions: preliminary notice, a limit on how long you have to bring a lien claim for unpaid work, a strict time within which the lien must be recorded, detailed requirements for the content of the lien documents, and strict timing requirements for enforcing the lien by filing a complaint in court.

### Preliminary Notice

Unless your client was only a material supplier, if it contracted with either an owner, lessee, or tenant—someone with a legal interest in the property—as opposed to being hired by a general contractor, § 34-28-4.1 of the Statute will require that a Notice of Possible Mechanics' Lien be sent *prior to* any work being done.<sup>19</sup> This Notice must be included "conspicuously in a written contract or sent by certified mail, return receipt requested, any time prior to commencing work."<sup>20</sup> If this notice was not given, your client has failed to satisfy the Statute's requirements, and you should forgo the time and expense of placing a mechanics' lien because that lien will be void.<sup>21</sup>

If your client contracted with someone other than the property owner (presuming that entity had the owner's consent to improve the property), then preliminary notice takes the form of a Notice of Intention. The Notice of Intention is highly regulated by the Statute and sets forth the information about the land,<sup>22</sup> the work, who your client is in relation to the project, which entity your client has a contract with or performed the work for, and the amount unpaid within the permitted 200-day "look back" window,<sup>23</sup> plus any older retainage.<sup>24</sup> This notice must be provided to the owner prior to recording the lien, but often the notice is provided only days before the lien itself is recorded. As a matter of practical advice, while the Statute requires at several

instances only the *mailing* of certain documents, extra steps to try and ensure actual notice, including by sending materials by FedEx or some other carrier, may alleviate concerns due to the sometimes unpredictable USPS Certified Mail process.

In any event, it is worth advising your clients to stay on top of balances due to avoid a rush to the lawyer's office when the 200-day deadline approaches. To capture unpaid work, your client will need to *record* the notice of intention within 200 days of actually doing the work or the materials being "furnished."<sup>25</sup> So, one cannot take comfort in the fact that your contractor client or others may still be working on the project. The key point is that the last day of work has no significance in Rhode Island.<sup>26</sup>

Importantly, neither of these notices creates a lien by itself; instead, they serve as a warning. Practically, the mailing of a Notice of Intention to the owner, with a courtesy copy to the contractor in privity with your client, often raises enough of an issue to resolve unpaid invoices before any further action is required.

### Research the Owner and the Property

If the property in question is owned by a corporate entity, the best place to start is the Rhode Island Secretary of State's corporations database to obtain information required by the Statute. A lienor will need the mailing and/or business address of the owner to provide the notices described above. Next, the title to the property should be examined to identify other entities with a recorded interest in the property—you will need this information to enforce the lien. It is worth hiring a service to examine the title to the property; you need to know more than just the street address to draft a valid Notice of Intention.<sup>27</sup> Liening property that is subject to a lease agreement with an owner and tenant or liening a subset of a condominium association are particularly tricky situations that deserve greater attention than that which this article can provide. Assuming one uncomplicated ownership structure, a title search will uncover mortgages, other liens, easements, court orders, and documents that may affect the validity and priority of your client's lien. You will need to include these interested parties in your client's litigation.

### Filing the Lien

If the Notice of Intention provided by certified mail to the owner has not prompted payment, your client must record the Notice of Intention in the land evidence records for the city or town where the property is located within 200-days of the oldest unpaid work.<sup>28</sup> Many cities and towns permit electronic recording, and third-party services exist to facilitate recording without appearing at a city or town hall in person, but it is critical to have a plan for how you will ensure the Notice of Intention is timely recorded.

### Enforcement

Once the Notice of Intention is recorded in the land evidence records, the land is encumbered with all the negative effects that that entails, including clouded title, an impaired ability to sell the property, and perhaps a default of existing mortgages.<sup>29</sup> An owner will need to resolve the lien prior to a sale of the property, presenting real motivation to contest a lien. To limit the time the property is encumbered, the Statute provides for a relatively short 40-day period within which to file a complaint to enforce a perfected lien. The end result of a mechanics' lien complaint,

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if successful, is that the court may order the sale of the property to satisfy the lien. Practically speaking, most owners will not let a proceeding get that far and will either move to dismiss the lien on an expedited basis under § 34-28-17.1 if it is without merit or pressure the general contractor with whom they have a contract to make payment to the liening subcontractor and avoid a claim for indemnity.

The process of enforcing a recorded lien is not without its own hurdles and technical requirements. One must be aware of a different statute requiring a Notice of Lis Pendens before any action can be commenced against a parcel of property, G.L. 1956 § 9-4-9, and the Statute's specific requirements for such notice.<sup>30</sup> The notice of lis pendens shall be recorded no earlier than seven days before the complaint is filed and no later than the day the complaint is filed. In practice, it is best to calendar the 40-day deadline from recording the notice of intention and work backward from there to determine when a notice of lis pendens is required to be filed.

The complaint itself is brought against the owner of record of the property or the landlord and lessee.<sup>31</sup> Often, contract claims against the party directly responsible for payment and equitable and quasi contract claims are included in the complaint to streamline the dispute, but the Statute does not require these claims to be pleaded together. The Statute requires the complaint to contain specific information about the claim, including amounts owed and all other persons who have filed mechanics' liens against the property and all other persons with a recorded interest in the property.<sup>32</sup> Notice of the complaint must be given to all of these parties and interested persons via a citation and advertisement in a public newspaper.<sup>33</sup> The clerk will assign a return date on the citations, which will set timelines for service on interested parties. This is in addition to any service of process required under Rule 4 of the civil procedure rules.<sup>34</sup>

Following these procedures closely is paramount, as the "lien of any person... who fails to file a complaint and notice of lis pendens... within the required forty (40) day period, shall be void and wholly lost."<sup>35</sup>

#### **Owners' Concerns and Remedies**

For property owners, a mechanics' lien presents a significant hassle best avoided. If you regularly represent businesses at risk of encountering a mechanics' lien, such as developers who routinely buy and improve property through the use of construction professionals, it is worth ensuring your client is using best practices. There are several strategies that property owners can use to avoid the consequences of mechanics' liens:

- **Hire Reputable General Contractors:** Perform due diligence when hiring contractors whose payment problems can give rise to a mechanics' liens from subcontractors. Check references, licenses, and bond status using the tools available.<sup>36</sup>
- **Track Payments:** Explore the potential of employing an owner's representative or construction manager to work on-site and keep a close record of payments made to contractors, subcontractors, and suppliers to ensure all debts are paid and disputes are resolved promptly.
- **Request Waivers:** When making payments, an owner's representative or contractors in privity should be requesting lien waivers. A lien waiver confirms that the downstream party has been paid and waives its right to later file a lien for work represented by that payment.

If a lien is filed against your client's property, familiarize yourself with §§ 34-28-17 and -17.1 of the Statute, as both of those offer ways to remove the encumbrance from the land, either by way of a bond or what is essentially a motion to dismiss, respectively.<sup>37</sup> Section 34-28-17.1 was added to the Statute in 2003 to address concerns of unconstitutionality due to a lack of due process given to landowners.<sup>38</sup>

Prior to the enactment of § 34-28-17.1, there was no way to promptly challenge the filing of a lien, and in particular no way to challenge it at the notice of intention stage (*i.e.*, before the lienor files its own complaint). Section 34-28-17.1 gives an owner a right that it did not previously have to challenge a lien at the notice of intention stage by filing its own "verified complaint."<sup>39</sup> Under § 34-28-17.1, an owner can file an application to challenge a lien as void and invalid for several specified reasons, including deficiency for failure to comply with the technical requirements of the Statute.

It is essential that an owner know the precise steps a contractor must take to perfect and enforce a lien and the time within which such steps must be taken. If you or your client recognize that the Statute has not been complied with, a lien may be promptly dismissed via a motion or "verified complaint" per § 34-28-17.1. A contractor's need to know the Statute's requirements is patently obvious, but, in the real world, surprisingly not universal.

## Conclusion

Mechanics' liens are a vital tool for the Rhode Island construction industry, ensuring that contractors, subcontractors, and suppliers are paid for their work. While they offer important protection to those who provide labor or materials, they create significant legal peril for property owners who face an encumbrance on their property and the resulting financial consequences. By understanding how mechanics' liens work, contractors and owners can best protect themselves in the complicated situation that arises when a contractor is not paid for its work. A broader knowledge of the Statute's requirements among the bar would benefit all involved in Rhode Island's building trades and those employing them.

## ENDNOTES

<sup>1</sup> *Gem Plumbing & Heating Co. v. Rossi*, 867 A.2d 796, 818 (R.I. 2005).

<sup>2</sup> *With limited exceptions beyond the depth of this article, a lienor cannot support a lien for unpaid work older than 200 days and retainage earned. See § 34-28-4; § 34-28-9 (allowing lien for work within 200 days and retainage earned but not paid).*

<sup>3</sup> Chapter 28 of Title 34 "may be cited as the 'Rhode Island Mechanics' Lien Law.'" G.L. 1956 § 34-28-36.

<sup>4</sup> "[T]he term mechanic is used in the title of this act, as well as in the former act of 1834, upon this subject." *Sweet v. James*, 2 R.I. 270, 285, 1852 WL 1704 (1852).

<sup>5</sup> "[T]he mechanics' liens statute was first enacted in 1847, was substantially amended in 1888, and was thereafter amended and recompiled in subsequent editions of the general laws." *Faraone v. Faraone*, 413 A.2d 90, 91 (R.I. 1980) (citing *Art Metal Construction Co. v. Knight*, 56 R.I. 228, 185 A. 136 (1936)).

<sup>6</sup> See, e.g., *Element5, L.P. v. Bayberry Hill, LLC*, No. WM-2024-0144, 2024 WL 3564708, at \*2 (R.I. Super. July 23, 2024) ("[I]n 1965, the General Assembly reenacted the Mechanics' Lien Statute"; Act of July 17, 2003, ch. 03-269, R.I. 2003 Session Laws (adding § 34-28-17.1 to address unconstitutionality); Act of July 14, 2006, ch. 06-630, R.I. 2006 Session Laws (modifying timing requirements for filing of suit and the "look back period" from 120 days each to 40 days and 200 days, respectively).

<sup>7</sup> "Generally, this statute has been determined to be in derogation of the

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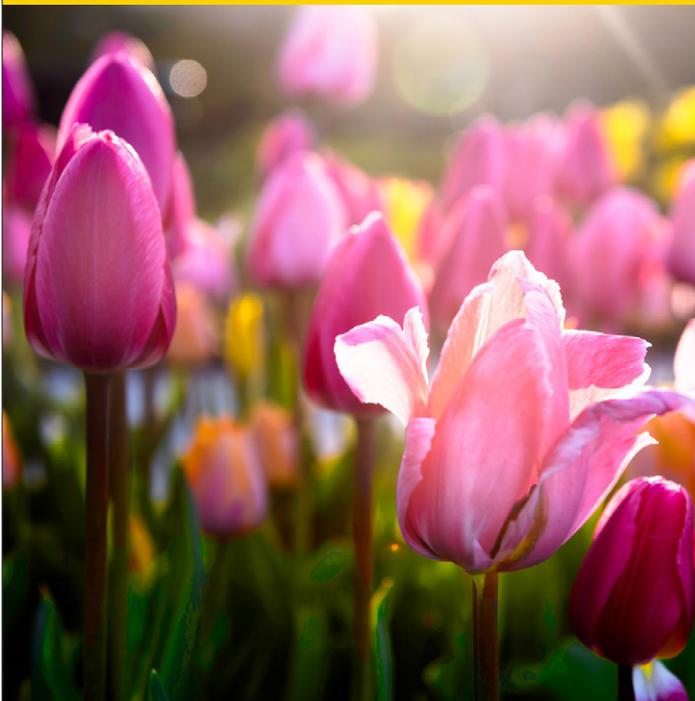
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common law; and hence it must be strictly construed.” *Faraone v. Faraone*, 413 A.2d 90, 91 (R.I. 1980).

8 *Faraone v. Faraone*, 413 A.2d 90, 91 (R.I. 1980) (Weisberger, J.).

9 *GSM Industrial, Inc. v. Grinnell Fire Protection Systems Co., Inc.*, 47 A.3d 264, 265 (R.I. 2012) (Flaherty, J.).

10 *This is not to say fights worth fighting are not worth fighting for, because the Statute does permit the court, at its discretion, to award costs as to any party and attorneys’ fees for “prevailing party.”* § 34-28-19.

11 Section 34-28-32.2.

12 *GSM Industrial, Inc. v. Grinnell Fire Protection Systems Co., Inc.*, 47 A.3d 264, 265 (R.I. 2012) (emphasis added).

13 Section 34-28-1(b) makes such contract terms “void and unenforceable,” but does allow contract provisions which require a contractor to execute a waiver of its lien rights at the time of payment. In practice, your client may have over the course of the project executed numerous “partial” or “conditional” waivers but that only limits lien rights as to the work for which payment has been made.

14 “[A] mechanic’s lien proceeding is an equitable in rem proceeding. The true respondent, therefore, is the land upon which the lien attaches.” *Tilcon Gammino, Inc. v. Com. Assocs.*, 570 A.2d 1102, 1107 (R.I. 1990) (cleaned up).

15 Section 34-28-10.

16 See § 34-28-17.1 (“If any person in interest, including, but not limited to, an owner or contractor, claims [the lien is invalid for a number of enumerated reasons];” which include “by reason or failure to comply with the provisions of § 34-28-1 et seq., then in such event, such person may apply forthwith to the superior court for the county where the land lies for an order to show cause why the lien in question is invalid, or otherwise void, or the basis of the lien is without probability of a judgment rendered in favor of the lienor.”). Prior to the enactment of this section in 2003, property owners had “precious few avenues for relief from a perfected lien.” *Gem Plumbing & Heating Co. v. Rossi*, 867 A.2d 796, 805 (R.I. 2005).

17 See § 34-28-17 (providing procedure for release of lien upon deposit of cash or a bond in the registry of the court).

18 Holders of an interest in the property, including mortgages, are required to file a notice of interest and account of their claim. § 34-28-16. The priority of any given mechanics’ lien with respect to prior and subsequent recorded liens or mortgages is set forth in § 34-28-25.

19 Section 34-28-4.1, applying to persons “other than material suppliers,” provides the text of the required notice. If your client does not regularly include this notice in its contracts, you ought to advise it to do so in the future.

20 Section 34-28-4.1.

21 *Id.*

22 Section 34-28-35 requires information in addition to the street address, which can normally only be obtained reliably through a title examination. § 34-28-25 (in addition to the street address you must know the “metes and bounds description,” “the taxing authority’s assessor’s plat and lot designation,” or “the book and page of mortgage”).

23 A mechanics’ lien “shall be void and wholly lost . . . unless the person shall, before or within two hundred (200) days after the doing of such work or the furnishing of such materials, mail by prepaid registered or certified mail, in either case return receipt requested, a notice of intention, hereinafter described...” § 34-28-4.

24 See § 34-28-9 (“A notice of lien shall be effective as to any retainage earned but not paid, for work furnished pursuant to [the Mechanics’ Lien Law], and said notice of lien shall be effective from commencement of said work. Retainage is a percentage of the total contract amount that is withheld by the owner from the general contractor and by the general contractor from the subcontractor until the entire job is completed and the project is accepted by the owner and by the general contractor, at which time the retainage due is paid.”).

25 When materials are “furnished” by a contractor has been the subject of a recent dispute and at least one Superior Court justice has concluded “until the materials are delivered to the property, the landowner and the land have no benefit” and therefore to furnish materials means delivery to the property subject to the lien. *Element5, L.P. v. Bayberry Hill, LLC*, No. WM-2024-0144, 2024 WL 3564708, at \*4 (R.I. Super. July 23, 2024) (Licht, J.).

26 *This is not the case in our neighboring Commonwealth, where mechanics’ liens under Massachusetts’s statute filed by contractors or subcontractors in part depend on the last day of work by any contractor on the project. See, generally, Mass. Gen. Laws c. 254.*

27 Section 34-28-35, see note 22, *supra*, requires you to know metes and

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28 Sections 34-28-5 and -9.

29 For a property owner a lien "clouds title; impairs the ability to sell or otherwise alienate the property; taints any credit rating; reduces the chance of obtaining a home equity loan or additional mortgage; and can even place an existing mortgage in technical default where there is an insecurity clause." *Connecticut v. Doebr*, 501 U.S. 1, 11 (1991). The Rhode Island Supreme Court has held the same risks are present in mechanics' lien matters. *Gem Plumbing & Heating Co. v. Rossi*, 867 A.2d 796, 810 (R.I. 2005) ("we discern no meaningful difference between the attachment statute at issue in *Doebr* and the mechanic's lien in the present case").

30 See § 34-28-10 (timing requirements) and § 34-28-11 (contents required in a Notice of Lis Pendens).

31 Section 34-28-13.

32 *Id.*

33 The Court should issue the Citations and the Mechanics' Lien for Advertising per § 34-28-14, both of which are standard forms available online at [www.courts.ri.gov/Pages/forms.aspx](http://www.courts.ri.gov/Pages/forms.aspx). However, in practice it is most efficient to prepare these drafts ahead of time and provide to the clerk for review and signature upon filing of the complaint.

34 "Once the complaint... has been filed with the court, the proceedings shall continue pursuant to the rules of civil procedure, in a nonjury proceeding." § 34-28-16.2.

35 Section 34-28-10.

36 For example, the state's Contractors' Registration and Licensing Board's public search tool: <https://crb.ri.gov/consumer/search-registrantlicensee>.

37 Sections 34-28-17 and 34-28-17.1.

38 Act of July 17, 2003, ch. 03-269, R.I. 2003 Session Laws (adding § 34-28-17.1).

39 Section 34-28-17.1 ("The application shall be made upon a verified complaint accompanied by other written proof of facts upon which the application is made."). ♦



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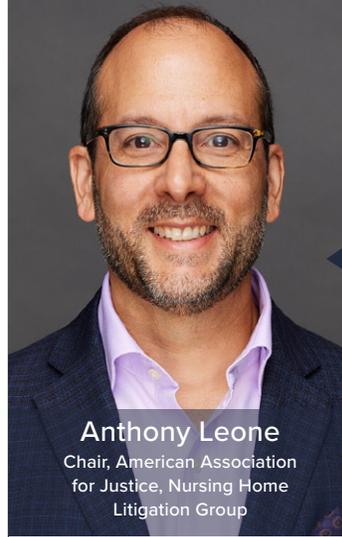
Law Related Education (LRE) is a key focus of the Bar's current president and a meaningful way for attorneys to give back to the community. Through programs such as *Lawyers in the Classroom*, *Rhode Island Law Day*, *the Speakers Bureau*, and our newest initiative, *Storytime with Lawyers*, members help students and community groups gain a greater understanding of the law and legal profession.

With the launch of our new website, it is easier than ever to get involved. Sign in to [ribar.com](http://ribar.com), navigate to your **My RIBA Dashboard**, and find the **Join a RIBA Program** box. From there, click Law Related Education Programs to learn more about each program and sign up to volunteer. Once enrolled, you'll be contacted when opportunities arise that match your location and availability.

All Bar members who wish to serve as LRE volunteers must register this year, as we are refreshing our database.

Questions? Please contact Law Related Education Coordinator Allison Baker at [abaker@ribar.com](mailto:abaker@ribar.com) or 401-421-5740.

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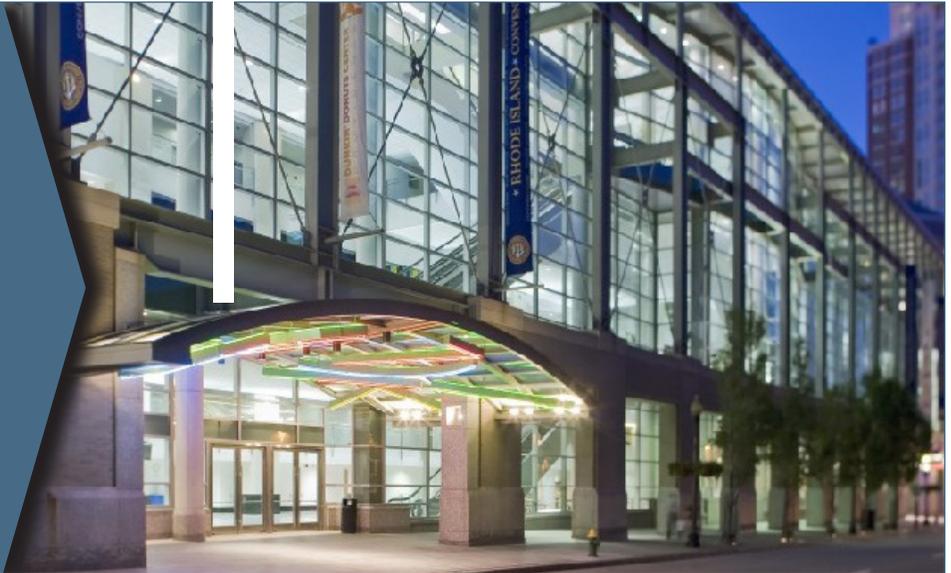


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**Mark Your Calendars!**  
**Rhode Island  
Bar Association  
Annual Meeting  
June 11 & 12**



Rhode Island Bar Association's Annual Meeting returns on Thursday, June 11, and Friday, June 12, 2026, bringing Rhode Island's legal community together once again at the Rhode Island Convention Center.

We are pleased to welcome Mitch Jackson, an award-winning trial lawyer, author, and nationally recognized legal technology thought leader, as our Thursday plenary speaker. Drawing on decades of courtroom experience and extensive work at the intersection of law and emerging technology, Mr. Jackson cuts through fear-driven headlines and high-profile sanctions to focus on what is possible when AI is used with clarity, intention, and confidence.

We are honored to announce a distinguished judicial panel for our Friday plenary session, featuring Hon. Melissa R. DuBose, Hon. William E. Smith, and Hon. John R. Tunheim. Judge Tunheim, a Senior United States District Judge for the District of Minnesota, brings a national perspective to this timely discussion, joined by Judges DuBose and Smith, whose deep experience in Rhode Island's courts offers a valuable local insight. Together, the panel will explore how lawyers and judges alike can promote civic understanding, model professionalism, and strengthen public trust in the rule of law.

As always, the program includes our popular case law updates, alongside a wide range of workshops addressing current legal trends, professional responsibility, and practice management. New for this year, the Annual Meeting will also include multiple programs eligible for DEI credit. Workshop topics include:

- > **Coastal Resiliency and Shoreline Access**
- > **Malpractice & Disciplinary Complaints**
- > **Rhode Island Special Education Law**
- > **Legal Responses to Online Harassment & Digital Exploitation**
- > **The Rhode Island Constitution**
- > **Immigration Myths & Realities**
- > **Rhode Island's Last Execution**
- > **Practicing with Respect**
- > **Workers' Compensation Court 101**

This year's meeting includes several scheduling updates informed by member feedback, with an emphasis on improving the overall flow of the program.

We look forward to welcoming members back in person for two days of learning, connection, and professional growth! Additional program details will be shared in the coming months.



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The Court does not license or certify any lawyer as an expert or specialist in any particular field of practice.*

# Stop Waiting to Be Invited: The Case for Bar Participation



Hannah Vitello, Esq.  
Trial Lawyers for Justice  
Providence

“Confidence comes later, after you have actually done the work.”

## I. Introduction: Paying for a Bar You Do Not Use

Rhode Island has a unified, mandatory bar. Every practicing attorney writes the same dues check each year. Many of us complete the annual registration, skim the latest email blast, and then return to our own calendars. For newer lawyers, the RIBA can feel like a distant institution rather than a place where they actually belong.

New lawyers say they want mentorship, visibility, and a stronger sense of professional community. Bar leaders consistently look for members willing to write, teach, and serve. In a mandatory bar, that gap represents untapped value inside an institution the profession already supports.

During my first several years in practice, I tried to understand where the disconnect came from. I waited for invitations that never came. I assumed there were informal criteria I had not yet met. I assumed there were gatekeepers I did not know. When I started asking other newer lawyers, I realized the problem was not apathy. It was a lack of visible on-ramps.

## II. The Wait-to-Be-Invited Problem

When I speak with lawyers who have been practicing for less than ten years, I rarely hear that they are disinterested in the Bar. More often, they describe a quiet hesitation.

Some worry about being presumptuous. They assume the *Bar Journal* is looking for articles from partners or subject matter experts with decades of experience. Others assume CLE programs are populated by people who were chosen in closed rooms based on long-standing relationships. Still others assume committees are for the already established, and that there is no role for someone who is new, busy, and still learning.

The reality inside the Bar is different. The people who keep the institution running know that new energy and new ideas are essential. They need authors. They need panelists. They need committee members who are willing to read materials, attend meetings, and take on small projects. The bottleneck is not a lack of opportunity. It is a lack of clear on-ramps and a culture that still assumes people will find the right door without much direction.

## III. How New Lawyers Actually Enter Bar Life

The most common misconception among new lawyers is that participation in Bar life begins when someone of higher status invites you into the fold. In practice, the more common route is the opposite: an unexceptional act of showing up, raising a hand, or sending an email.

My first serious exposure to Bar participation did not come through a grand plan. It came through three ordinary pathways: writing, teaching, and committee work. None required seniority. All required attention and follow-through.

### A. Writing for the Bar Journal

My first *Bar Journal* publication began not with a call for papers, but with a partner approaching me about co-authoring a piece on a change in expert discovery practice. At the time, I had not been reading the *Journal* regularly and had only a vague sense of what it published. I assumed the editorial bar was high and that submissions came from recognized experts. That assumption was wrong.

The *Journal* is serious, but it is not an academic journal. It publishes topical, practice-oriented writing that helps Rhode Island attorneys do their jobs. The process is not mysterious. The editorial board evaluates submissions for relevance and clarity, edits for length and style, and publishes pieces that serve the membership. Nothing in the process required a title or a decade of practice. It required a useful topic and clean execution.

Co-authoring also forced me to learn a procedural issue far more deeply than I would have through ordinary casework. Publishing the piece had a professional effect that was both simple and real: it demonstrated that I could produce substantive written work for a statewide audience, and it placed my name in a context where colleagues later recognized it.

If you want to write but do not know how to start, think small. Pick one issue that comes up

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## RHODE ISLAND BAR ASSOCIATION'S

# Online Attorney Resources (OAR)

*Exclusively designed to help Bar members receive and offer timely and direct assistance with practice-related questions.*

**OAR** provides new and more seasoned Bar members with the names, contact information and Bar admission date of volunteer attorneys who answer questions concerning particular practice areas based on their professional knowledge and experience. Questions handled by **OAR** volunteers may range from specific court procedures and expectations to current and future opportunities within the following **OAR** practice areas:

Administrative Law	Business Law
Civil Law	Creditors and Debtors
Criminal Law	Domestic/Family Law
Federal Court	Probate and Estates
Real Estate	Workers' Compensation

### TO CHOOSE YOUR OAR OPTION:

- Bar members with questions about a particular area of the law.
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Go to the Bar's website at **ribar.com**, click on the **For Attorneys** drop-down menu and select **Mentor Programs** for more information.

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in Rhode Island practice. Explain what the rule is, where lawyers get tripped up, and what you would do differently next time. Then email the Managing Editor, Erin R. Cute (ecute@ribar.com), or the Editor-in-Chief, Eric Correira (eric@correiralaw.com), with a two- or three-sentence pitch and a realistic proposed deadline. If the topic is useful, the rest is logistics.

### *B. Presenting at CLE*

My first CLE experience came through the Annual Meeting call for proposals. The proposal was accepted for the Annual Meeting, and the program was well received. That success taught me something I did not fully appreciate beforehand: teaching a topic forces you to become competent in it.

It also taught me that the risk of rejection is smaller than people assume. Proposals not accepted for the Annual Meeting are automatically considered for a standalone CLE slot. In that context, a decline does not end the idea. It reroutes it.

CLE work is not reserved for insiders. It is built by people who take the time to prepare. In a mandatory bar with a constant need for programming, the advantage is less about status and more about reliability.

### *C. Committees, Leadership, and Governance*

Committee work was my first sustained exposure to the internal life of the Bar. I joined the Superior Court Bench/Bar Committee and attended sporadically at first. When I later entered the Leadership Academy, I became more intentional about participation. Committee meetings provided structured access to judges and practitioners I would not otherwise encounter, and they revealed small but concrete ways to contribute by drafting notes, monitoring issues, or taking ownership of a subtopic.

Committee work also made governance feel legible. From committee involvement, I applied for the House of Delegates. The House is not glamorous, but it is where policy decisions about the Bar are actually made. It is also more accessible than many newer lawyers assume. The RIBA seeks letters of interest from members who wish to serve every year, and newer lawyers can and do serve in that capacity.

Engagement through these channels was incremental. The through-line was not status, but participation.

## **IV. The Role of Firms and Senior Lawyers**

None of what has been described occurs in a vacuum. Engagement takes time. In a busy practice, the question is not whether an hour spent preparing CLE materials or attending a committee meeting is valuable. It is whether that hour is permitted.

Senior lawyers and firm leaders play a central role in that calculation. When they explicitly encourage participation, help younger lawyers identify programs that fit their interests, and treat Bar work as a form of professional development, involvement becomes easier to sustain. When they remain silent, newer lawyers often assume that involvement is disfavored.

Clear communication goes a long way. A senior lawyer who says in plain terms that an associate may attend committee meetings, prepare a *Bar Journal* article, or present at a CLE within reasonable time parameters removes ambiguity. Senior lawyers can also use their relationships within the Bar to open doors by recommending younger colleagues for committees,

co-authoring articles, or suggesting them as panelists.

#### V. The Psychology of Saying Yes

The structure only matters if individual lawyers are willing to raise their hand.

For many newer lawyers, that requires a deliberate shift in mindset. It means setting aside the idea that professional value is measured only by billable hours or closed files. Writing, speaking, committee work, mentoring, and civic education all demand time and discomfort at first. Confidence comes later, after you have actually done the work.

It also means recognizing that growth does not happen all at once. You can write about an area you are still mastering, as long as you are careful in your research and honest about the scope of what you are claiming. You can present on a topic while also learning from co-panelists and questions from the audience. When I first joined committees, I spent a long time listening before I spoke. Over time, I realized that everyone in those rooms had once been new, and most were relieved to see newer lawyers in the chairs.

#### VI. Long-Term Benefits: Reputation, Relationships, and Competence

Professional engagement produces three categories of long-term returns: reputation, relationships, and competence.

Reputation accumulates through consistent contribution. Lawyers who write, teach, and serve become known for reliability and seriousness. People notice who shows up, follows through, and contributes beyond their own caseload.

Relationships form faster when you repeatedly show up in the same professional rooms. Committee work places newer lawyers in proximity to judges and practitioners they would not otherwise encounter through their own casework. Over time, that proximity becomes familiarity, and familiarity becomes trust.

Competence deepens through repeated exposure. Teaching a procedural issue forces understanding beyond what is required to litigate it. Writing about a substantive topic forces research beyond the demands of a single client matter. Governance roles expose lawyers to rules, budgets, and institutional processes that are rarely visible to law firm and government attorneys.

None of these benefits are instantaneous, but they do compound over time.

#### VII. Conclusion: From Dues to Ownership

Every Rhode Island lawyer shares the same obligation to belong to the Bar and to support its operations. How we respond to that obligation is a choice.

Newer lawyers can treat dues as one more cost of doing business and ignore the opportunities that come with membership. Or they can treat membership as an invitation to participate in the maintenance and improvement of the profession they have joined.

The infrastructure exists. A profession requires more than technical proficiency. It requires people willing to maintain the institution they inherit. ◇

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## New Member Benefit: Access to HeinOnline and the Complete Rhode Island Bar Journal Archive

The Rhode Island Bar Association is pleased to introduce a new member benefit providing complimentary access to HeinOnline, a widely respected legal research resource used by courts, law schools, and practitioners across the country.

Through this benefit, RIBA members now have the ability to access and search every past issue of the *Rhode Island Bar Journal*, including issues dating back to the *Journal's* earliest publication. The platform allows members to conduct full-text searches across decades of articles, offering convenient access to prior legal analysis, commentary, and historical perspectives within Rhode Island's legal community.

**Access to the *Bar Journal* archive through HeinOnline is included with RIBA membership at no additional cost.**

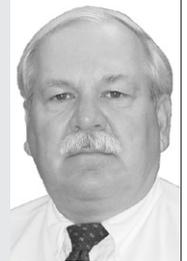
Members who wish to expand their research capabilities may also choose to purchase individual subscriptions directly through HeinOnline. The platform offers an extensive collection of legal periodicals, historical legal materials, government publications, and additional research tools.

Members may access HeinOnline directly through the *Rhode Island Bar Journal* homepage on [ribar.com](http://ribar.com).

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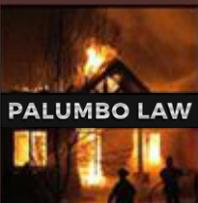
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## A Conversation with Former Presiding Justice Alice B. Gibney

For over four decades, the Rhode Island judiciary was indelibly shaped by the unwavering leadership and steadfast dedication of former Presiding Justice Alice B. Gibney, who retired in October 2025 following a distinguished 43-year career as a Rhode Island judge.

Appointed to the bench in 1982, Judge Gibney was one of the state’s longest-serving judges and, in 2009, was elevated to Presiding Justice. Her esteemed tenure was marked by an uncompromised commitment to fairness and compassion that positively influenced generations of lawyers and judges. Judge Gibney cared deeply about her colleagues, loyal staff, and counsel who appeared before her (many of whom she knew by their first names). A role model for so many, Judge Gibney left an enduring legacy of public service to the State of Rhode Island that will not be forgotten.

When asked to reflect on Judge Gibney’s remarkable career, Chief Judge John McConnell, United States District Court, District of Rhode Island, commented:

**“Judge Gibney will go down as one of Rhode Island’s greatest judges because she served and governed with radical empathy. She always understood the human plight of the litigants and the lawyers—and administered justice and applied the rule of law accordingly. She was my mentor—and I often followed my brother Bob’s advice, to just ask myself, “What would Judge Gibney do?” and then the answer would guide me toward justice.”**

Judge Richard Licht of the Rhode Island Superior Court remarked:

**“Judge Gibney and I have a long history together. We were admitted to the bar together, I chaired the Senate Committee that confirmed her, I tried cases before her, and for the last 11 years, I have worked with her and for her. As a trial justice, she was prepared, fair, smart, and decisive. As a colleague, she was always ready to discuss any issue with which I was grappling. She never told me what to do, but she provided the guideposts that led me to a decision. As Presiding Justice, she was accessible and responsive to my needs and concerns. What I found most impressive is how much she cared for the lawyers with whom she dealt. Lastly, as a friend, she always expressed interest in how my family (including our dog) was doing. All I can say is she is a great person.”**

I had the great privilege of appearing before Judge Gibney in her courtroom and in chambers over the last 17 years. Following her retirement, I sat down with Judge Gibney to discuss her



Hon. Alice B. Gibney  
Retired RI Superior Court Presiding Justice

career, the people who shaped her principled leadership and decision-making style, and the lessons she hopes to pass on to Rhode Island’s next generation of attorneys and judges.

***What or who inspired you to pursue law as a potential career?***

My grandfather was a solo practitioner. We were very close. He handled estates and probate work. On weekends, he would make “house-calls” and

would invite me along and always include me in the process. I’m sure at one time there were some codicils floating around West Warwick with the “attestation” of my eight-year-old self. It’s a wonderful memory.

***Who were the role models or mentors who most influenced you and how did they impact your approach and leadership style?***

I had wonderful parents; both junior high school teachers. Different personalities, but alike in that they always saw the best in *every* student; no exceptions. In hindsight, I realized they gave me a great deal of leeway as I grew up. Very trusting. Bless their hearts.

When I was a new lawyer, Presiding Justice Weisberger, even then, had an outsized personality and intellect. Very formidable. However, I witnessed him very understated in circumstances that required attention, direction, and discretion. I was very impressed and have never forgotten it.

For years, I worked with and for Presiding Justice Rodgers. He became a dear friend. He was exceptionally bright and thorough. And he was inscrutable: an Irish Buddha. As P.J., he assigned some formidable cases/projects to me, several of which

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seemed daunting. I knew he'd be there for me if I had questions or needed anything. I also knew that he wasn't going to micro-manage or second-guess my decisions. His trust was empowering. Not a day goes by that I don't think about him.

*How would you describe your leadership style and decision-making as Presiding Justice in overseeing a large, complex state court system with varied and often demanding responsibilities?*

As to my style as Presiding Justice: I tried to be accessible, approachable, collaborative, and flexible. My door was always open. Literally. I wasn't a pushover, but I was user-friendly.

As to my decision-making: Just as I would remind jurors, I would have to remind myself not to be judgmental until it was time to be judgmental. Wait until all the post-trial paperwork was filed. There might be a nugget in there that could tip the balance.

Over the years, I had excellent law clerks. Aside from bright, I wanted those who could be crisp and pithy when they wrote. Those who could write *leanly*. We would discuss the case. I would tell them where I was headed and where I wanted to wind up. The clerk's job was to let me know if I was wrong... and why.

*During your tenure as Presiding Justice, was there a particularly challenging circumstance or moment that tested the Court and, in hindsight, became a source of pride?*

Covid was a huge challenge. But for Marisa Brown (Court Administrator) and her loyal posse who worked virtually 24/7,

I don't know that we would have weathered it as well as we did. The entire Superior Court stepped up and did exemplary work under extraordinary circumstances. It was our finest hour.

*You presided over many complex, sensitive, and serious matters. What challenges did those cases present?*

The cases that have meant the most are the saddest. Civil matters. Family tragedies involving death. Families ripped apart. Occasions when, at the request of all attorneys, I would meet with parties and family members. It could take days. There was ultimately resolution, but those were occasions when I've never felt more exhausted, nor more gratified.

*As you reflect on your distinguished career, what types of cases held personal significance or stood out most for you?*

Handling surrogacy cases was particularly gratifying. Couples who so wanted children but had been unable to, now had the opportunity. Gay couples, in particular, were able to become parents. I remember one case where the babies (twins!) arrived just before the hearing date and were in the courtroom when the Petition was put through. So not only did I get to meet the new fathers, I also got to see their twin daughters. The babies were beautiful, and the fathers were beside themselves. I had dozens of surrogacy experiences. They always just made my day. Those cases stand out for their pure happiness.

*Throughout your career, you have been recognized as a mentor and role model. What principles or lessons do you hope to pass on to the next generation of attorneys and judges?*

It behooves everyone to be firm in representation. No one expects you to be a pushover. It also behooves a trial lawyer to be gracious under pressure when dealing with an ill-behaved opponent (or ill-behaved judge, for that matter). No one likes a bully. Jurors notice a class act. They mention it in their juror evaluations. They've commented on it in my post-trial visits with them. They've asked for the phone number "of the nice lawyer." It's not trite. Good manners are noticed and appreciated and, when it comes to jury deliberations, can make a difference. It's an intangible that can be particularly rewarding.

*How do you hope your legacy will be remembered?*

I hope I'm remembered as someone who was fair, treated people well, and was patient. ◇



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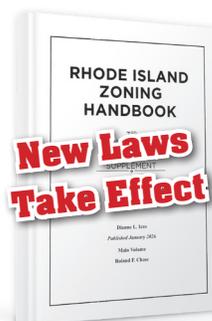
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## HONOR ROLL

# Volunteers Serving Rhode Islanders' Legal Needs

The Rhode Island Bar Association applauds the following attorneys for their outstanding pro bono service through the Bar's Volunteer Lawyer Program, Elderly Pro Bono Program, Legal Clinics, and VLP Mentor Program during December 2025 and January 2026.

### DECEMBER 2025

#### Volunteer Lawyer Program

Matthew A. Chappell, Esq., *Chappell & Chappell*  
James P. Creighton Esq., *Johnston*  
Michael A. Castner, Esq., *Jamestown*  
Dadriana A. Lepore, Esq., *Coia & Lepore, Ltd.*  
Sean M. McAteer, Esq., *Cranston*  
Thomas L. Mirza Esq., *TMirza, Esq.*  
Eileen O'Saughnessy, Esq., *Stewart Title Guaranty Company*  
Amanda M. Wuoti, Esq., *Taunton*

#### Elderly Pro Bono Program

Crystal Abreu-Lawson, Esq., *Nappa Law LLC*  
William J. Balkun, Esq., *Law Office of William J. Balkun*  
Barbara A. Barrow, Esq., *Moore, Virgadamo & Lynch, Ltd.*  
Michael A. Castner, Esq., *Jamestown*  
Joanne C. D'Ambra, Esq., *Cranston*  
Louis A. DeQuattro Jr., Esq., CPA, *Attorney-at-Law*  
Priscilla Facha DiMaio, Esq., *Johnston*  
Jane G. Gurzenda, Esq., *Gorham & Gorham*  
Daphne Robson Hamilton, Esq., *McCarthy Law, LLC*  
William W. Harvey, Esq., *Moore, Virgadamo & Lynch, Ltd.*  
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Charles A. Pisaturo Jr., Esq., *Providence*  
Steven A. Robinson, Esq., *Robinson & Robinson*  
John Simonian, Esq., *Pawtucket*  
Susan D. Vani, Esq., *Providence*

#### Legal Clinics

Peter M. Iascone, Esq., *Peter M. Iascone & Associates, Ltd.*  
Paul Silva, Esq., *Law Office of Paul Silva*

#### VLP Mentor Program

Clare T. Jabour, Esq., *Providence*  
Tara R. Cancel, Esq., *The Law Offices of Tara R. Cancel*

### JANUARY 2026

#### Volunteer Lawyer Program

Neville J. Bedford, Esq., *Law Office of Neville J. Bedford*  
Matthew A. Chappell, Esq., *Chappell & Chappell*  
James P. Creighton, Esq., *Johnston*  
Michael A. Castner, Esq., *Jamestown*  
Stefanie DiMaio-Larivee, Esq., *Providence*  
Dadriana A. Lepore, Esq., *Coia & Lepore, Ltd.*  
Frank J. Manni, Esq., *Johnston*  
Sean M. McAteer, Esq., *Cranston*  
Eileen O'Saughnessy, Esq., *Stewart Title Guaranty Company*  
John Simonian, Esq., *Pawtucket*

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Robert A. Arabian, Esq., *Arabian Law Offices*  
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David B. Hathaway, Esq., *Attorney at Law*  
Peter M. Iascone, Esq., *Peter M. Iascone & Associates, Ltd.*  
Robert Kando, Esq., *Pawtucket*

#### Legal Clinics

Peter M. Iascone, Esq., *Peter M. Iascone & Associates, Ltd.*  
Paul Silva, Esq., *Law Office of Paul Silva*

#### VLP Mentor Program

Dadriana A. Lepore, Esq., *Coia & Lepore, Ltd.*

For information and to join a Bar pro bono program, please contact the Bar's **Public Services Director Susan Fontaine** at **[sfontaine@ribar.com](mailto:sfontaine@ribar.com)** or **401-421-7758**. For your convenience, Public Services program applications may be accessed on the Bar's website at **[ribar.com](http://ribar.com)** and completed online.

## PRO BONO PUBLICO RESOLUTION

In 2008, the Rhode Island Bar Association House of Delegates adopted the following policy and urges its members to act accordingly.

We urge our members to engage in public service. Recognizing the continuing need for legal assistance for economically disadvantaged citizens attempting to obtain legal services in our state, we as an association are mindful of the opportunity that is present for us to fulfill our moral, ethical and social duty to those who have limited or no access to the legal system. We therefore reaffirm our strong commitment to the delivery of legal services to the poor by strongly urging each member of this association to render pro bono publico legal services in accordance with Rule 6.1.

The association urges all attorneys, as well as law firms, government and corporate employers to support, endorse and adopt a Pro Bono policy that will encourage open participation by associates and employees.

Be it resolved that in order to implement the above statement of policy the association urges each member to join and participate in a Volunteer Lawyer Program of the Rhode Island Bar Association.

# Do you or your family need help with any personal challenges?

We provide free, confidential assistance to Bar members and their families.

Confidential and free help, information, assessment and referral for personal challenges are available **now** for Rhode Island Bar Association members and their families. This no-cost assistance is available through the Bar's contract with **SupportLinc Lawyer Assistance Program** and through the members of the Bar Association's Lawyers Helping Lawyers (LHL) Committee. To discuss your concerns, or those you may have about a colleague, you may contact a LHL member, or go directly to professionals at SupportLinc who provide confidential consultation for a wide range of personal concerns including but not limited to: balancing work and family, depression, anxiety, domestic violence, childcare, eldercare, grief, career satisfaction, alcohol and substance abuse, and problem gambling.

The SupportLinc helpline provides counseling resources that quickly and professionally assist you in handling problems affecting your personal or

work life. Counselors answer the phone 24/7 to provide immediate support and assistance. Simply pick up the telephone and call **866-482-8378** for confidential, round the clock support. Virtual telehealth consultations with a counselor are available upon request.

*Lawyers Helping Lawyers Committee members choose this volunteer assignment because they understand the issues and want to help you find answers and appropriate courses of action. Committee members listen to your concerns, share their experiences, offer advice and support, and keep all information completely confidential.*

**Please contact us for strictly confidential, free, peer and professional assistance with any personal challenges.**

Brian Adae, Esq.	(401) 831-3150	Sonja L Deyoe, Esq.	(401) 864-5877	Nicholas Trott Long, Esq.	(401) 351-5070
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James G. Atchison, Esq.	(401) 737-6200	Mary Cavanagh Dunn, Esq.	(401) 831-8900	Genevieve M. Martin, Esq.	(401) 595-3024
Barbara A. Barrow, Esq.	(401) 846-0120	Christy B. Durant, Esq.	(401) 524-6971	Rachel McCaw-Navin, Esq.	(401) 453-0550
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Matthew A. Chappell, Esq.	(401) 683-6900	Brian D. Fogarty, Esq.	(401) 821-9945	Lauren E. Moore, Esq.	(401) 272-3500
Deanna Rae Charpentier	(917) 533-3519	Jenna Giguere, Esq.	(401) 451-9193	Sarah F. O'Toole, Esq.	(401) 415-9835
Anthony E. Conte, Esq.	(401) 744-2840	Jaclyn Levesque, Esq.	(401) 490-4900	Erica S. Pistorino, Esq.	(617) 650-6337
Taylor L. Criscuolo, Esq.	(401) 270-0070	Domenic Loffredo, Esq.	(401) 467-2300	Orla A. Power, Esq.	(401) 294-4700
Susan Leach DeBlasio, Esq.	(401) 274-7200				

## Lawyers Helping Lawyers Committee Members Protect Your Privacy

SOLACE, an acronym for Support of Lawyers, All Concern Encouraged, is a new Rhode Island Bar Association program allowing Bar members to reach out, in a meaningful and compassionate way, to their colleagues. SOLACE

communications are through voluntary participation in an email-based network through which Bar members may ask for help, or volunteer to assist others, with medical or other matters.

Issues addressed through SOLACE may range from a need for information about, and assistance with, major medical problems, to recovery from an office fire and from the need for temporary professional space, to help for an out-of-state family member.

The program is quite simple, but the effects are significant. Bar members notify the Bar Association when they need help, or learn of another Bar member with a need, or if they have something to share or donate. Requests for, or offers of, help are screened and then directed through the SOLACE volunteer email

## SOLACE ..... Helping Bar Members in Times of Need

network where members may then respond. On a related note, members using SOLACE may request, and be assured of, anonymity for any requests for, or offers of, help.

To sign-up for SOLACE, please go to the Bar's website at [ribar.com](http://ribar.com), login to the Members Only section, scroll down the menu, click on the SOLACE Program Sign-Up, and follow the prompts. Signing up includes your name and email address on the Bar's SOLACE network. As our network grows, there will be increased opportunities to help and be helped by your colleagues. And, the SOLACE email list also keeps you informed of what Rhode Island Bar Association members are doing for each other in times of need. These communications provide a reminder that if you have a need, help is only an email away. If you need help, or know another Bar member who does, please contact Executive Director Kathleen Bridge at [kbridge@ribar.com](mailto:kbridge@ribar.com) or 401-421-5740.

## Bar Association Mentor Programs

Our Bar Association is proud to offer mentorship opportunities to our members, fostering professional development, collegiality, and guidance in the practice of law. Experienced practitioners can share their knowledge and insight, while mentees gain valuable support as they begin or revitalize their legal careers.

With our new website, it is easier than ever to participate in the Bar's mentoring programs. Visit our **Mentor Programs** page, located under the **For Attorneys** dropdown menu, to complete the Mentor Application or to fill out a brief form to request a mentor.

Our traditional mentoring program matches new lawyers one on one with experienced attorneys to provide guidance on law practice management, effective client representation, and career development.

In addition, members may access the Online Attorney Information Resource Center (OAR) on the Mentor Programs page. OAR offers timely, direct volunteer assistance with practice-related questions.

If you have questions about either program, please contact Communications Director Erin Cute by email: [ecute@ribar.com](mailto:ecute@ribar.com), or telephone: 401-421-5740.



RIBA President-Elect Dana M. Horton, Esq. (left) and current RIBA President Patrick A. Guida, Esq. (right) recently attended the 2026 National Conference of Bar Presidents in San Antonio, TX.



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## March & April Committee CLE Round Up

Did you know RIBA committees can sponsor up to three free CLE credits each year? These Committee CLE programs are open to all Bar members, not just committee members, and offer an opportunity to earn CLE credit while exploring topics across a range of practice areas. The programs listed below highlight upcoming Committee CLE offerings in March and April.

### Superior Court Bench/Bar Committee Sponsors Challenging a Punitive Damages Claim CLE

Wednesday, March 25, 2026  
4:00 – 5:00 pm

RIBA's Superior Court Bench/Bar Committee is sponsoring a free-to-Bar-members, one-credit, virtual Committee CLE seminar. The Committee's Co-Chairs, Matthew Reeber, Esq., and Jennifer Sylvia, Esq., will present **Defaults and Default Judgments Under Rule 55: Procedures, Pitfalls, and Practice Tips**. In *McCormick v. Narragansett Improvement Co., Inc.*, 314 A.3d 963, 966 (R.I. 2024) and *Ferris v. Progressive Cas. Ins. Co.*, 263 A.3d 1247, 1250–51 (R.I. 2021), the Rhode Island Supreme Court addressed attempts by two defendants to vacate the entry of default. In each case, the Rhode Island Supreme Court found that the defendant insufficiently met its burden to remove a default.

The Court stated that “unexplained neglect” is always insufficient to remove a default, explained what facts must appear in an affidavit seeking to remove a default, and held that unsupported representations by counsel are not enough to remove a default. This CLE will review both the *McCormick* and *Ferris* decisions and provide guidance on how to remove a default and avoid a default judgment.

Space is limited! Click [here](#) to register for the program.

### Government Lawyers Committee Sponsors Introduction to Municipal Government CLE

Monday, March 30, 2026  
12:30 – 1:30 pm

RIBA's Government Lawyers Committee is sponsoring a free-to-Bar-members, one-credit, virtual Committee CLE seminar. Amy Goins, Esq. will present **Municipal Law Introduction**. This session prepares attendees for practice before municipal boards, including licensing boards, land use boards, and city/town councils. An overview of key concepts from the RI Code of Ethics, the Opening Meetings Act, and the Access to Public Records Act will be included.

This program will be the second of the Government Lawyer's Practical Law Series on Government/Administrative Law, which will provide attorneys with practical skills when interacting with governmental entities both at the state and municipal levels. This series is encouraged for attorneys both within and outside of government employment.

Space is limited! Click [here](#) to register for the program.

### Government Lawyers Committee Sponsors Conversation with Justice Long

Tuesday, April 14, 2026  
12:30 – 1:30 pm

RIBA's Government Lawyers Committee is sponsoring a free-to-Bar-members, one-credit, in person only Committee CLE seminar. Hon. Melissa A. Long and Tamera Rocha, Esq. will present **Discussion with Supreme Court Justice Melissa Long**. This session will dive into Justice Long's background in state government and her experience as a member of the judiciary handling administrative law matters. She'll share insights into the practical realities of administrative practice from the Court's perspective. The discussion highlights how these experiences shape decision-making and inform effective advocacy.

This program will be the final installment of the Government Lawyer's Practical Law Series on Government/Administrative Law, which will provide attorneys with practical skills when interacting with governmental entities both at the state and municipal levels. This series is encouraged for attorneys both within and outside of government employment.

**Please note this session will be in person at the Rhode Island Supreme Court Courtroom located at the Licht Judicial Complex in Providence, RI.**

Space is limited! Click [here](#) to register for the program.

For any questions, please contact Communications Coordinator NaKeisha Torres at [ntorres@ribar.com](mailto:ntorres@ribar.com).

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# CLE Publications Order Form

The CLE Department is now paperless. Purchased publications

are provided as PDFs and can be accessed anytime under the "My Purchases" tab on the CLE Publications site.

Our publications page has been updated! For a full list of available publications, visit our website at [ribar.com](http://ribar.com).

Title	Book #	Price	Total
<b>Business</b>			
Excelling in Commercial Law Litigation	25-05	\$65	
Best Bankruptcy Practices Post-COVID	24-13	\$40	
Collections – Start to Finish	23-03	\$40	
<b>Family</b>			
<b>NEW!</b> A Chosen Family: Current Issues in LGBT+ Family Law Final Edition	26-09	\$35	
<b>NEW!</b> Dos and Don'ts for QDROs: A Practical Approach (Handbook)	26-07	\$35	
The Modern American Family – Family Rights of LGBTQ+ Rhode Islanders	25-12	\$25	
The Parental Estrangement Model: An Alternative to Parental Alienation Syndrome (Handbook)	24-15	\$25	
Effective Representation & Communication with Domestic Violence Survivors (Handbook)	24-04	\$20	
Divorce Law for Estate Planners	18-17	\$35	
<b>Law Practice Management/Tech</b>			
<b>NEW!</b> The Technology Stack for a Modern Solo Practice*	26-08	\$20	
Ethical Obligations for a Remote Practice*	26-05	\$35	
AI in Legal Practice: Managing Risks & Ethical Challenges*	26-01	\$25	
Succession Planning Best Practices	23-20	\$60	
Preventing & Avoiding Wiring Funds to a Hacker	18-02	\$50	
<b>Practical Skills</b>			
Civil Law Practice in RI Superior Court	26-06	\$75	
Civil Practice in District Court	25-01	\$50	
Workers' Compensation Practice in RI	24-05	\$75	
Planning & Administering an Estate 2022	22-01	\$80	
Criminal Law Practice in RI	19-09	\$75	
Residential Real Estate Closings in RI	17-02	\$90	
Domestic Relations Practice: Practical Skills	16-07	\$85	
Basic Commercial & Real Estate Loan Documentation	12-02	\$65	
<b>Probate/Estate Planning/Elder Law</b>			
Ethical Considerations in Probate Guardianship (Handbook)	26-04	\$35	
Estate Planning 101 (Handbook)	25-02	\$25	
Helping Clients & Their Families Navigate Long-Term Care Eligibility	23-23	\$40	
Death & Taxes: Understanding the RI Estate Tax & Mechanics of Estate Tax Returns	23-21	\$50	
RI Tax Updates & Reminders	23-06	\$40	
Preparation of Gift Tax	23-01	\$60	
<b>Real Estate</b>			
No Double-Dipping: Evolving Rules for Conflicts of Interest in Real Estate Transactions	24-16	\$50	
RI Title Standards Handbook	TS-24	\$60	
Recent Developments in Land Use Law	23-24	\$40	
Evictions in a Post-Pandemic World*	23-09	\$15	
<b>Civil Litigation/Trial Practice</b>			
When to Object, How to Object	26-03	\$40	
2025 DUI Laws & Hardship Licenses	25-04	\$65	
Cross Examination Techniques	24-09	\$30	

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Title	Book #	Price	Total
<b>Civil Litigation/Trial Practice</b>			
The New Norm: Experts in Slip & Fall Cases	24-08	\$45	
Appellate Practice & Preserving the Record	24-07	\$60	
A National and Local Perspective on Opioid Litigation	24-01	\$75	
Civil Motion Practice in the Superior Court: Do's and Don'ts	23-25	\$40	
Preparing Your Case for Trial	23-10	\$40	
<b>Miscellaneous</b>			
Culture Shock! Understanding the Differences in Latino Language and Culture to Better Represent Your Clients*	26-02	\$25	
Recent Developments in the Law 2025	RD-25	\$90	
Negotiating Third Party Liens in Workers' Compensation Cases	25-10	\$40	
Crimmigration: When Two Worlds Collide (Handbook)	25-09	\$20	
Forensic Mental Health Issues in Criminal Cases	25-08	\$60	
The Ins and Outs of Workers' Compensation*	25-06	\$25	
Defending Mental Health Court Clients	24-11	\$50	
The PACT Act and Its Implications for Representing Veterans in VA Disability Cases*	24-04	\$20	
Recreational Marijuana – What's Next?	24-02	\$45	
Medical Malpractice in Rhode Island	23-11	\$55	
RI Supreme Court Access to Justice	23-05	\$50	

\* Titles marked with an asterisk are Course Materials (informative presentation slides in PDF format)

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# RI Bar Association Continuing Legal Education Seminars

Please note that our CLE calendar is regularly updated with new programs, and all dates and times are subject to change. For the most current information, visit our website's [CLE Calendar](#). If you have questions about CLE programming, contact the CLE Office at (401) 421-5740.

**IMPORTANT: As of July 1, 2025, all Rhode Island attorneys are required to complete at least 1.0 credit in Diversity, Equity, and Inclusion (DEI) as part of their annual MCLE requirements.**

March 3 <i>Tuesday</i>	<b>DEI After the Harvard Case – What's Legal?</b> 12:30 – 1:30 pm, 1.0 DEI credit <i>LIVE WEBINAR ONLY</i>
March 4 <i>Wednesday</i>	<b>May It Displease the Court? Keeping Your Head (And Your Law License) in Court</b> 1:00 – 2:00 pm, 1.0 ethics credit <i>LIVE WEBINAR ONLY</i>
March 5 <i>Thursday</i> *	<b>2026 DUI Laws &amp; Hardship Licenses</b> 12:30 – 2:30 pm, 2.0 general credits In-Person at the RI Law Center
March 11 <i>Wednesday</i>	<b>Ghost-Busted: Why Prompt Client Communication is Not Optional</b> 1:00 – 2:00 pm, 1.0 ethics credit <i>LIVE WEBINAR ONLY</i>
March 12 <i>Thursday</i> ■	<b>Billing for Busy People</b> 12:30 – 1:00 pm, 0.5 general credit <i>LIVE WEBINAR ONLY</i>
March 16 <i>Monday</i>	<b>Quiz Show: Vetting Law Firm Software in the Modern Environment, AI Edition</b> 12:00 – 1:00 pm, 1.0 general credit <i>LIVE WEBINAR ONLY</i>
March 17 <i>Tuesday</i>	<b>Confetti, Cocktails and Consequences: How to Avoid an Ethical Hangover</b> 1:00 – 2:00 pm, 1.0 ethics credit <i>LIVE WEBINAR ONLY</i>
March 20 <i>Friday</i>	<b>The Culture We Create: Professionalism in Practice</b> 12:00 – 1:30 pm, 1.0 DEI credit + 0.5 ethics credit <i>LIVE WEBINAR ONLY</i>
March 25 <i>Wednesday</i>	<b>Keeping A.I. Honest: Reducing A.I. Hallucinations in Legal Research</b> 1:00 – 2:00 pm, 1.0 general credit <i>LIVE WEBINAR ONLY</i>
March 26 <i>Thursday</i>	<b>Yes, You Have to Answer... and other Tips for Respondents in Disciplinary Proceedings</b> 12:30 – 1:30 pm, 1.0 general credit <i>LIVE WEBINAR ONLY</i>

April 1 <i>Wednesday</i>	<b>2025 Legislative Update and What's Ahead for 2026: Criminal Law &amp; Procedure</b> 12:30 – 2:00 pm, 1.5 general credits In-Person at the RI Law Center
April 2 <i>Thursday</i>	<b>Leveraging Technology Ethically</b> 12:30 – 1:00 pm, 0.5 ethics credit <i>LIVE WEBINAR ONLY</i>
April 7 <i>Tuesday</i> ■	<b>30 Viable AI Use Cases for Law Firms in 60 Minutes</b> 1:00 – 2:00 pm, 1.0 general credit <i>LIVE WEBINAR ONLY</i>
April 8 <i>Wednesday</i>	<b>There Is No 'U' In Lawyer: Avoiding Personal Conflicts of Interest</b> 1:00 – 2:00 pm, 1.0 ethics credit <i>LIVE WEBINAR ONLY</i>
April 9 <i>Thursday</i> *	<b>Principled Negotiation Workshop</b> 12:00 – 2:30 pm, 1.0 ethics credit + 2.0 general credits In-Person at the RI Law Center
April 15 <i>Wednesday</i> *	<b>A Practical Skills Seminar in Criminal Law in District and Superior Courts</b> 12:30 – 4:30 pm, 0.5 DEI credit + 1.0 ethics credit + 2.5 general credits In-person at the RI Law Center
April 22 <i>Wednesday</i>	<b>The Attorney's Guide to Cybersecurity Defense in the Age of AI: 7 Proactive Steps to Protect Your Firm, Clients, and Reputation</b> 12:30 – 1:30 pm, 0.5 ethics credit + 0.5 general credit <i>LIVE WEBINAR ONLY</i>
April 23 <i>Thursday</i>	<b>How Lawyers Can Leverage LinkedIn</b> 12:30 – 1:30 pm, 1.0 general credit <i>LIVE WEBINAR ONLY</i>

■ Micro Learning CLEs

\* New lawyer pricing available for members practicing 5 years or less! Visit the CLE calendar on our website for more details.

The Bar Journal assumes no responsibility for opinions, statements, and facts in any article, editorial, column, or book review, except to the extent that, by publication, the subject matter merits attention. Neither the opinions expressed in any article, editorial, column, or book review nor their content represent the official view of the Rhode Island Bar Association or the views of its members.

Explore upcoming CLE programs and on-demand learning opportunities on the Rhode Island Bar Association's website. Visit [ribar.com/cle](http://ribar.com/cle) to view the full schedule and browse our on-demand catalog. Members may earn up to six CLE credits through video replay or on-demand seminars, in addition to live programs offered throughout the year.



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## Thanks to Our CLE Speakers

The Rhode Island Bar Association's Continuing Legal Education (CLE) programming success relies on dedicated Bar members who volunteer hundreds of hours to prepare and present seminars every year. Their generous efforts and willingness to share their experience and expertise help to make CLE programming relevant and practical for our Bar members. We recognize the professionalism and dedication of all CLE speakers and thank them for their contributions.



Below is a list of the Rhode Island Bar members who participated in CLE seminars during November and December.

**Michael D. Crane, Esq.**  
The Law Offices of  
Michael D. Crane, LLC

**Maria R. Lenz, Esq.**  
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## In Memoriam

### John A. Baglini, Esq.

John A. Baglini, 88, of Cumberland, RI, died on Thursday, January 22, 2026. Born in Providence, he was the son of the late Louis and Angelina (Santangelo) Baglini and husband of Kathryn E. (Kay) Crawley. Attorney Baglini graduated from North Providence High School and Providence College, where he participated in the Army ROTC program, and earned his law degree from Georgetown University. He was commissioned in the United States Army and honorably served as a First Lieutenant in the JAG Corps. He practiced law for more than 50 years and was a partner at Higgins & Slattery in Providence for 45 years. He also taught business law at Roger Williams College and courses at the Naval War College. He volunteered with the Rhode Island Selective Service System Local Board and the Cumberland Juvenile Hearing Board. He was also a member of the Justinian Law Society of Rhode Island. In addition to his wife, he is survived by his children, Kara LaBelle, John Baglini Jr., Joseph Baglini, and James Baglini; numerous grandchildren; and several great-grandchildren. John was predeceased by his siblings Antonetta Sardelli, Joseph, Paul, Edward, and Robert Baglini.

### Ashel T. Wall II, Esq.

Ashbel (A.T.) Tingley Wall II, 72, died on December 11, 2025. He was born on August 6, 1953, in Yokosuka, Japan. He was the son of John and Mary Wall and was the husband of Maria DeCarvalho. A.T. attended The Gordon School, Moses Brown School, Phillips Exeter Academy, and Yale University, where he was elected to Phi Beta Kappa and graduated summa cum laude. He earned his law degree from Yale Law School. The summer after his sophomore year at Yale, A.T. participated in a Study of the City internship that introduced him to the juvenile justice system in New Haven. Following law school, he served in the Manhattan District Attorney's Office and later as Director of the Manhattan Community Service Sentencing Project at the Vera Institute of Justice, a program providing job training as an alternative to incarceration for nonviolent repeat offenders. A.T. returned to Rhode Island in 1985 and, after a brief period as a policy advisor in the Governor's office, began his work at the Rhode Island Department of Corrections, where he spent more than three decades, including nearly 20 years as Director. Upon his retirement in 2018, he was the longest-serving corrections director in the United States. During his tenure, A.T. focused on rehabilitation, inmate health and education, and reentry initiatives. He introduced a nationally recognized medication-assisted treatment program for inmates with substance-use disorders and expanded educational and vocational opportunities within correctional facilities. Under his leadership, there were no homicides or successful escapes from secure facilities, and the department operated without federal court intervention. His expertise was recognized nationally and internationally; he testified before Congress on the Prison Rape Elimination Act, advised the U.S. Department of Justice, and consulted with correctional leaders across the country and abroad. When Governor Gina Raimondo announced his retirement, she described him as "a treasure." In addition to his wife, he is survived by his children, Harrison Holley Wall and Ashbel Tingley Wall III; his son-in-law, Robert Jones; his daughter-in-law, Adrienne Healey; his sister, Mary Brooks "Polly" Wall; his brother- and sister-in-law, Mel and Carol DeCarvalho; as well as many grandchildren, nieces, and nephews.



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# Caption This! Contest

We will post a cartoon in each issue of the *Rhode Island Bar Journal*, and you, the reader, can create the punchline.

**How It Works:** Readers are asked to consider what's happening in the cartoon above and submit clever, original captions. Editorial Board staff will review entries, and will post their top choices in the following issue of the *Journal*, along with a new cartoon to be captioned.

**How to Enter:** Submit the caption you think best fits the scene depicted in the cartoon above by sending an email to [ecute@ribar.com](mailto:ecute@ribar.com) with "Caption Contest for March/April in the subject line.

**Deadline for entry:** Contest entries must be submitted by April 1st, 2026.

*By submitting a caption for consideration in the contest, the author grants the Rhode Island Bar Association the non-exclusive and perpetual right to license the caption to others and to publish the caption in its Journal, whether print or digital.*



Winning caption for January/February



"It was at this time that Pinky began to wonder if Witness Protection had been a wise move."

JAMES BAGLEY, ESQ.

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**Nicholas Celico, Esq.**, recently joined **Sayer Regan & Thayer, LLP**, 130 Bellevue Avenue, Newport, RI 02840.

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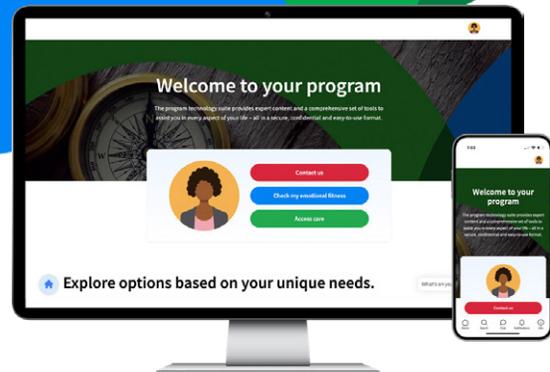
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