

Roger Williams University School of Law: The First Twenty Years — The Rise of Rhode Island’s Law School

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I. INTRODUCTION

It is difficult to imagine that this year marks twenty years since the opening of the Roger Williams University School of Law. Whether an alumnus, a member of the faculty, a member of the Bench, or a practicing attorney, in some manner the law school has touched nearly everyone who has some connection with the practice of law in Rhode Island. While perhaps not traditional scholarly law review work, this Article commemorates the law school’s Twentieth Anniversary and attempts to provide some evaluation of its impact on the Rhode Island legal community. In doing so, the authors readily acknowledge that this Article does not identify or include every person or event that has helped shape the School of Law. Such an undertaking would be impossible. Instead, the persons or events referenced in this Article are representative of all the events and persons that have impacted the law school and the Rhode Island community during the past two decades. The authors of this article take great pride in the law school, as well as those who have contributed to the law

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school's success, but recognize that, most importantly, the members of the Rhode Island community—the students, the alumni, the faculty, the Bench, and the Bar—are those who truly have made the law school a fabric of Rhode Island's legal community. Without all of these collective efforts, the School of Law would simply be a building.

II. A LAW SCHOOL THAT WOULD “ENHANCE THE LEGAL CULTURE IN RHODE ISLAND”

When ground broke on the campus of Roger Williams University (“RWU”)¹ in the seaside town of Bristol, Rhode Island on May 12, 1992, to build the 140,000-square-foot building that would house Rhode Island's only law school,² there were as many skeptics as there were visionaries.³

The skeptics said it could not be done.⁴ It was regarded as a “daunting and expensive proposition” that had been rejected by other institutions.⁵ There was widespread belief that there was

1. Six days before groundbreaking, the Roger Williams College Board of Trustees announced its unanimous vote to change the name of the college to Roger Williams University, in recognition of the fact that it would be offering programs beyond the baccalaureate degree level. See Press Release, Roger Williams University, Announcement of Roger Williams College Name Change to Roger Williams University (May 6, 1992), available at http://docs.rwu.edu/law_archives_founding/3.

2. John Castellucci, *Law School Site Now Used for Continuing Education*, PROVIDENCE J., Nov. 6, 1994.

3. D. Morgan McVicar, *Roger Williams Makes its Case in Only Three Years, R.I.'s Only Law School is Winning Over Skeptics*, PROVIDENCE J., June 2, 1996, at A-01.

4. See Suzanne Costello, *School of Law Makes a Positive Impact on Community*, THE BRIDGE, Spring 1994, at 22; Anthony J. Santoro, *Reflections on the Tenth Anniversary: Reflections on the Founding*, 9 ROGER WILLIAMS U. L. REV. 327, 335 (Spring 2004) (recalling that some questioned the need for a law school in light of the proximity of Boston schools, others questioned whether there was a need for more lawyers in Rhode Island, some opposed it because they were concerned that a law school would drain the undergraduate of its resources and others believed it was cost prohibitive); Editorial, *Roger Williams Law*, PROVIDENCE J., Sept. 8, 1993, at A-06, reprinted in THE BRIDGE, Spring 1994, at 10 [hereinafter *Editorial*]; McVicar, *supra* note 3; Jerry O'Brien, *R.I. Legal Community Celebrates Roger Williams U.'s Law School*, PROVIDENCE J., May 2, 1994, at C-05; Press Release, Roger Williams University, Roger Williams University School of Law Gains Provisional Accreditation Rapidly (Feb. 8, 1995) [hereinafter *Press Release, Provisional Accreditation*].

5. See Betty M. van Iersel, *Perseverance Pays for School of Law's*

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not a sufficient demand for legal services in Rhode Island to justify an influx of law graduates. A 1991 feasibility study undertaken by Roger Williams College suggested otherwise.

In December 1989, Roger Williams College formed a fifteen-member Law School Study Committee to consider the viability of a law school in Rhode Island. From the outset, the College's relationship with the Rhode Island Judiciary was strong. Five members of the Rhode Island Judiciary were named to the fifteen-member Committee. The Committee was chaired by the Honorable Joseph R. Weisberger, who was then an associate justice of the Rhode Island Supreme Court and who would become the Court's Chief Justice in less than two years, as well as the first Chairman of the School of Law's Advisory Board, and later the first Chairman of the law school's Board of Directors.⁶ As part of the initial Committee, Justice Weisberger soon would announce the formation of five subcommittees to expedite the task of considering a School of Law at Roger Williams College.⁷

Earlier that year, while attending a dinner in New York City, a Columbia University law professor had remarked to Ralph R.

"Founding Father," THE BRIDGE, Spring 1994, at 2 (noting that Bryant College, Brown University, Providence College and the University of Rhode Island had all conducted feasibility studies within the last decade and each rejected the prospect of a law school in Rhode Island); O'Brien, *supra* note 4.

6. Chief Weisberger served as acting Chief Justice from August 1993–March 1995 and Chief Justice from April 1995–February 2001. The other Committee members were: Thomas F. Kelleher, Associate Justice of the Rhode Island Supreme Court; Donald F. Shea, Associate Justice of the Rhode Island Supreme Court; Anthony A. Giannini, Presiding Justice of the Rhode Island Superior Court; Albert E. DeRobbio, Chief Judge of the Rhode Island District Court; Malcolm H. Forbes, Vice President for Academic Affairs; Victoria Lederberg, a State Senator and member of the Roger Williams University Board of Trustees; Joseph R. DiStefano, President, Capital Properties, Inc.; Michael Silverstein, Managing Partner, Hinckley Allen Synder & Comen; Dr. John Pozzi, director of the College Law Center; Thomas E. Write, an attorney and instructor at the Law Center; Raj Saksena, director of the Architecture Program; Marie D'Amico, a student representative; Gary R. St. Peter, Adler Pollock & Sheehan; and Deming E. Sherman, Edwards & Angell. See *College Forms Law School Committee*, THE ABRIDGED, Winter 1990, at 5; *Feasibility Study To Establish A Law School*, Roger Williams College, Exhibit 1 (Dec. 1991) (on file with authors).

7. The Subcommittees were chaired by Victoria Lederberg (Survey Subcommittee), Joseph DiStefano (Site Subcommittee), Deming E. Sherman (Library Subcommittee), Michael Silverstein (Start-up Costs Subcommittee), and Donald Shea (Consultant Subcommittee). See *Law School Update*, THE BRIDGE, Spring 1990, at 4.

Papitto, then-chairman of the school's Board of Trustees, that there were only three states without a law school and Rhode Island was one of them.⁸

As Papitto recalls: "It was mentioned that Rhode Island was one of only three states without a law school. I didn't know that, and it got me to thinking—'why not at Roger Williams University?'"⁹ That single conversation sparked Papitto's interest in exploring the feasibility of a law school at Roger Williams College.¹⁰ Papitto became a dominant player in the push for a law school at the College. His "vision, tenacity and business savvy gave life to the concept and made it a reality."¹¹ Papitto later reflected on the resistance he initially faced in proposing the idea, noting, "[i]f I did not possess the type of persevering personality that I do, I probably would have quit long before now."¹²

Discussions became more serious after a preliminary feasibility study demonstrated that "a law school would enhance the legal culture of Rhode Island and provide opportunities for research and continuing legal education which are not now available in this state."¹³ The College then sought out a consultant to lead it in an in-depth feasibility study.¹⁴ Anthony J. Santoro, who at the time was dean and professor of law at Widener University School of Law, was tapped as "the best-qualified person for the job."¹⁵ In addition to his impressive résumé, Santoro, a native of Melrose, Massachusetts and a graduate of Somerset High School,¹⁶ had strong ties to the College's neighboring Southeastern Massachusetts community.¹⁷

Santoro remembers the occasion well. He recounts, in an article published by this Law Review on the Tenth Anniversary of

8. See van Iersel, *supra* note 5, at 2; Press Release, Roger Williams University, Roger Williams University School of Law Gains Provisional Accreditation Rapidly (Feb. 8, 1995) [hereinafter *Press Release, Provisional Accreditation*]. At that time, Alaska and Nevada also lacked a law school. McVicar, *supra* note 3.

9. van Iersel, *supra* note 5, at 2.

10. *Id.*

11. *Id.*

12. *Id.*

13. *Id.*

14. *Id.*

15. *Id.*

16. *Editorial, supra* note 4.

17. Santoro, *supra* note 4, at 332.

the law school's founding, the telephone call that led to his involvement with Roger Williams College.¹⁸ While preparing a year-end report on Widener University School of Law during his time as its dean, Santoro's secretary buzzed him and told him that Malcolm Forbes was on the line and wished to speak with him.¹⁹ Although Malcolm Forbes, the multimillionaire businessman and publisher of *Forbes Magazine* immediately came to mind, Santoro quickly recalled that he was deceased.²⁰ When Santoro answered the telephone it was, indeed, Malcolm Forbes on the line—Dr. Malcolm Forbes, the Chief Academic Officer of Roger Williams College—who made a pitch to Santoro to help guide the college in conducting a more comprehensive feasibility study.²¹ The pitch worked and soon thereafter Santoro began preparing the study.²²

Consistent with the preliminary study, Santoro's recommendation was that a law school should be established.²³ His recommendation foresaw:

- (1) the state's only law school could become a partner with the bench, bar and community in the administration of justice and could rapidly become a major factor in raising the level of practice in Rhode Island because the desire to enhance the legal culture in the state was very strong within the legal profession;
- (2) many qualified students would be attracted to a law school in Rhode Island;
- (3) the visibility, diversity and academic standing of the College would be enhanced;
- (4) the cost in terms of dollars would be high, but a law school would provide a worthwhile benefit to the general public, especially to those members of the public prevented from obtaining a legal education for compelling family and occupational reasons; and
- (5) Roger Williams College should be the sponsoring agent because of its tradition of seeking ways to better

18. *Id.* at 331–32.

19. *Id.*

20. *Id.*

21. *Id.*

22. *Id.* at 335.

23. *Id.* at 336–37.

serve the public.²⁴

Santoro's initial role concluded with his recommendation that the College proceed with establishing the School of Law, but it was not long until Santoro's role in shaping the law school grew in leaps and bounds.²⁵ Recognizing that "[t]he success of the School of Law hinged upon selection of the right dean," the school again turned to Santoro, who is regarded by some as "the architect" of and "driving force" behind RWU Law,²⁶ to lead it as its first Dean.²⁷ By opening day, Santoro would be the University's new President.²⁸

After nearly two years of comprehensive feasibility studies, in November 1991, the Law School Advisory Board passed a resolution prepared by Chief Justice Weisberger that strongly recommended the creation of a law school to "enhance the legal culture in Rhode Island and provide opportunities for research and continuing legal education which are not now available in the state."²⁹ Justice Weisberger envisioned that "[i]n addition to educating aspiring lawyers, the . . . School of Law [would] enhance the delivery of legal services in the state by becoming the focal point for law reform, legal research and continuing legal education of the bar."³⁰ On December 3, 1991, the Roger Williams College Board of Trustees unanimously approved the establishment of Rhode Island's first law school, accepting the feasibility study and Santoro's recommendations.³¹

Less than two years later, on August 23, 1993, the law school opened its doors to its first class of 110 day students and 70 evening students.³² Papitto's unrelenting energy paid off. "They

24. *Id.* at 337 n.7.

25. Roger Williams University, *Creation of the School of Law: A Chronology of Vision*, THE BRIDGE, Spring 1994, at 4.

26. See Manny Correia, *RWU President is Honored by La Bella Sicilia Society*, PROVIDENCE J., Apr. 16, 1997, at C-05; van Iersel, *supra* note 5, at 24.

27. van Iersel, *supra* note 5, at 2.

28. Marion Davis, *Roger Williams Chancellor to Step Down*, PROVIDENCE J., Feb. 13, 2001, at B-03. His tenure as president lasted from 1993–2001. Anthony J. Santoro, RWU LAW, <http://law.rwu.edu/anthony-j-santoro> (last visited Mar. 2, 2014).

29. Roger Williams College, *Unanimous Approval for Rhode Island's First Law School*, THE BRIDGE, Jan. 1992 [hereinafter *Unanimous Approval*].

30. *Id.*

31. *Id.*

32. Victor Paul Alvarez, *Roger Williams University Graduates its First*

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said it couldn't be done—but we did it anyway,” he later remarked.³³ Reflecting on the dream that Papitto helped make a reality, Rhode Island Supreme Court Associate Justice Victoria Lederberg commented that Papitto persevered “[w]hen all the skeptics and cynics scoffed at Roger Williams.”³⁴

In May 1994, the Rhode Island Supreme Court, the Rhode Island Attorney General, and a host of other legal and academic dignitaries joined the University's President and the law school's Dean as the University dedicated its new law building.³⁵ During that initial celebration, the law school's then-Dean, John Ryan, aptly observed that the occasion was “the culmination of the dreams of many people and the start of a brand new player in the legal culture of the State of Rhode Island.”³⁶ The next twenty years would be a testament to that initial prediction as the law school would become a dominant force in the state's legal community.

A. *Build It and They Will Come*

Situated in a historic seaside New England town known for the nation's longest continuing Independence Day celebration, it is not difficult for RWU to attract prospective students to Bristol. But when prospective students submitted their applications for admission into the first class of law students, the campus's picturesque views of the Mount Hope Bay went largely unnoticed. Instead, they saw a deep hole in the ground. Others gazed over piles of steel that would support the state's first law school. Notwithstanding the deep hole off Metacom Avenue and the lack of any established track record, the law school received 636 applications for its first class.³⁷

When the 180 men and women who made up the law school's inaugural class arrived in Bristol in August 1993, the law school was not quite complete: “Bare wires peeped from holes in the

Law Class: Anthony M. Kennedy, Associate Justice of the Supreme Court, is Keynote Speaker, PROVIDENCE J., May 19, 1996, at C-01.

33. van Iersel, *supra* note 5, at 2.

34. David Polochanin, *Roger Williams Law School Honors a Selfless Benefactor*, PROVIDENCE J., May 1, 1997, at B-01.

35. O'Brien, *supra* note 4.

36. *Id.*

37. Santoro, *supra* note 4, at 348 n.21.

walls, sidewalks remained unpaved and classroom seats were still being installed.”³⁸ For several weeks, students attended classes in an undergraduate building, which would not be occupied by undergraduates until their classes began several weeks later.³⁹

The inaugural class was a product of more than 75 recruiting trips throughout the United States,⁴⁰ 4,000 posters, 14,000 catalogues,⁴¹ and some creative advertising.⁴² Perhaps it was the creative advertising that paid off. Frank Romeo, a member of the inaugural class and first class of graduates, had “heard President [then-Dean] Santoro speak on Arlene Violet’s radio talk show.”⁴³ Romeo recalls: “I called in; he invited me to his office, and I accepted. That did it. I decided to enroll.”⁴⁴ Another student, Richard Anderson, who had retired with the rank of commander from the United States Navy in 1982, heard about the law school when President Santoro addressed the Newport Rotary Club.⁴⁵

The first class represented the Virgin Islands, Oregon, Florida, North Carolina and Pennsylvania, as well as New York, New Jersey, Massachusetts, and Connecticut.⁴⁶ By 1996, twenty-seven states and two foreign countries would be represented in the student body.⁴⁷ Students came to RWU Law from prestigious undergraduate institutions including Duke University, the University of Virginia, and the University of Texas.⁴⁸ Thirty-four percent of its first class (and sixty percent of its full-time students) hailed from outside of Rhode Island; forty percent were female, and the class as a whole ranged in age from twenty-three to

38. *Id.*

39. *Id.* at 348.

40. Dorothea Hesse Doar, *School of Law Founding Faculty Make History*, *THE BRIDGE*, Spring 1994, at 17.

41. Santoro, *supra* note 4, at 346.

42. Dorothea Hesse Doar, *School of Law’s First Class is “First Class,”* *THE BRIDGE*, Spring 1994, at 21 [hereinafter Hesse Doar, *First Class*].

43. *Id.* Arlene Violet is a former Rhode Island Attorney General and presently serves as a member of the Roger Williams University Board of Trustees. *Id.*

44. *Id.*

45. *Id.*

46. *Id.*

47. Press Release, Roger Williams University, Feinstein Foundation Gives \$1 Million to Roger Williams University School of Law – Free Legal Services To Be Offered in Rhode Island, at 4 (Sept. 9, 1996) [hereinafter *\$1 Million to RWUSOL*].

48. McVicar, *supra* note 3.

sixty.⁴⁹

They were described by the faculty as mature, personable, bright, articulate, capable and highly motivated self-starters and, perhaps, the most important quality needed to survive their first few weeks of law school, “not easily distracted by such things as jackhammers and workmen on scaffoldings outside the classroom window.”⁵⁰ One student observed that “[t]he students are competitive, but at the same time they’re friendly. If they keep that attitude . . . this law school will be something really special, because it will take the competitive edge out and give the caring edge—and that’s what we need in the law profession.”⁵¹

B. *Developing a Practice-Ready Curriculum*

When classes commenced in August 1993, the school’s twelve faculty members began the monumental task of shaping the curriculum for its inaugural class.⁵² Their goal: “teach men and women how to become competent ethical lawyers and to provide a top quality legal education worthy of accreditation.”⁵³

Though small in number, the twelve men and women who comprised the founding faculty brought with them years of collective experience in established law schools.⁵⁴ Some of them were not strangers to the law school start-up process. President Santoro had helped start four law schools, including Widener University School of Law where he had founded the Harrisburg campus and served as the school’s dean; Western New England School of Law, where he served on the school’s founding faculty; Bridgeport School of Law (now known as Quinnipiac University School of Law), where he served as the founding dean; and St. Thomas University School of Law, where he served as an American Bar Association consultant.⁵⁵ Associate Dean and Professor of Law Gary L. Bahr helped found the University of

49. See Hesse Doar, *First Class*, *supra* note 42, at 17; *Editorial*, *supra* note 4.

50. See Hesse Doar, *First Class*, *supra* note 42, at 17.

51. *Id.*

52. *Id.*

53. *Id.*

54. *Id.*

55. See *Press Release, Provisional Accreditation*, *supra* note 8 at 4–5 (Feb. 8, 1995); *Press Release, Roger Williams University, Roger Williams University School of Law: Leaders*, at 1–2 (Feb. 8, 1995).

Bridgeport School of Law and Professor of Law Raymond E. Gallagher had been part of the founding faculty at Widener University School of Law and Northeastern University Law School when it reopened in the late 1960s.⁵⁶ Others hailed from established law schools, including Chicago-Kent College of Law, Illinois Institute of Technology, Albany Law School of Union University, University of California (Hastings) College of Law, the District of Columbia School of Law, and Syracuse University College of Law.⁵⁷ Far from the fear that the law school's faculty would be dominated by members of the Rhode Island Bench and Bar and be unable to provide critical legal commentary on local legal matters, only Professor Louise E. Teitz originally hailed from the Ocean State and, even in this situation, Teitz had left her position at the University of Illinois College of Law to teach at Roger Williams University.⁵⁸

While, throughout its twenty-year history, the law school's full time faculty has largely been comprised of non-Rhode Islanders, over time the State's leading Bench and Bar members have joined the adjunct faculty to enhance the students' learning experience by teaching courses in their areas of expertise. Among this group of distinguished adjunct faculty members have been retired Chief Justice Frank J. Williams, former Supreme Court Justice Robert G. Flanders, Jr., Judges Bruce Selya and William E. Smith, Justices Francis X. Flaherty and Daniel Procaccini, now-Presiding Justice Alice Gibney, Workers Compensation Court Chief Judge George Healy, Jr., Senate President Teresa Paiva Weed, United States Senator Sheldon Whitehouse, and Chairman of the Roger Williams University School of Law Board of Directors Mark Mandell.

Together, the twelve pioneering faculty members developed a curriculum that would teach students the analytical acumen that is typical of a traditional law school education, while instilling in them the practical skills that a lawyer needs to be effective during his or her career. Commenting on the school's curriculum in its inaugural year, Associate Dean Bahr emphasized that "[w]hile most of the curriculum is traditional, we are on the cutting edge of

56. Hesse Doar, *First Class*, *supra* note 42, at 17.

57. *Id.*

58. *Id.* at 17–18.

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legal education with our skills courses, which, unlike some law schools, are required.”⁵⁹

When Professor Larry Ritchie joined the faculty after teaching law for ten years at Georgetown and St. Thomas University School of Law, he saw great opportunity to help change the way law is taught, including reducing reliance on lecture style classes.⁶⁰ Ritchie observed that “[w]hen you have large lecture classes, you’re not teaching the law the way it should be taught. If the law was a set of rules, then all you would need would be computers, but the law is designed to be flexible: lawyers should take a client’s problem and approach it creatively within the framework of the law.”⁶¹ In his opinion, “[i]f we could design a system whereby we could make our students better prepared to practice the law than students from most other schools, then Roger Williams will not be a mediocre school.”⁶² Over the course of the next twenty years, RWU Law would demonstrate its ability to prepare its students to practice law, setting itself apart from other law schools.

As part of its skills-based curriculum, the law school placed an emphasis on clinical education.⁶³ A clinical program allows second- and third-year students to apply their knowledge on a pro bono basis to individuals unable to afford private counsel.⁶⁴ It would take time though for its plans for a clinical program to come to fruition as the law school needed time to prepare its first class with the fundamentals of a legal education before providing them the hands-on experience that comes with participation in a clinical program.⁶⁵ After all, it would be two years before it would have a rising third-year class ready for hands-on lawyering experience.

When it became time to achieve the goal of delivering clinical services that would provide students with first-hand real-life learning experience, as well as fulfill an unsatisfied need to offer legal services to lower income Rhode Islanders, the School of Law opened the Law Clinic at the Roger Williams University

59. *Id.*

60. McVicar, *supra* note 3.

61. *Id.*

62. *Id.*

63. Hesse Doar, *First Class*, *supra* note 42, at 17.

64. *See* Costello, *supra* note 4, at 22.

65. Castellucci, *supra* note 2.

Metropolitan Center for Education and Law in downtown Providence.⁶⁶ As then-Associate Dean Bruce I. Kogan noted prior to the Clinic's 1995 opening, "[t]he clinic will provide a great service to the community,"⁶⁷ and President Santoro expressed that the downtown location would be an excellent opportunity to forge a partnership servicing the continuing education needs of those in the Providence area.⁶⁸

At its inception, the School of Law provided a Family Law Clinic and a Criminal Defense Clinic.⁶⁹ Then-Dean Ryan explained that "[t]he Law Clinic will provide opportunities for third-year law students interested in family practice and criminal defense to apply their training on a pro-bono basis—by representing individuals unable to afford private legal counsel. Downtown is an excellent location for this service."⁷⁰

Today, the law school's clinical programs are still housed in downtown Providence and continue to deliver on the promises envisioned two decades earlier. The law school's present clinical lineup—Immigration, Criminal Defense, and Community Economic Development—provide similar "real life" supervised learning experience for students while also meeting the needs of the community. Among the success stories trumpeted by the law school is the case of a twenty-seven-year-old Liberian college student who had suffered the horrors of the Liberian civil wars, came to the United States as a refugee, and later became a permanent resident. After spending ten months incarcerated and facing deportation, students at the Immigration Clinic defended the young man before an immigration court in Boston, establishing that it was more likely than not that he would suffer persecution in Liberia because of his ethnicity.⁷¹

Another situation—this one involving the Criminal Defense Clinic—highlights the "real life" experience gained by law

66. See Costello, *supra* note 4, at 22.

67. See *id.*

68. See Newly Purchased Providence Facility to House Law Clinic, *THE BRIDGE*, Spring 1994, at 25 [hereinafter *Newly Purchased Facility*].

69. See Costello, *supra* note 4, at 22.

70. See *Newly Purchased Facility*, *supra* note 68, at 25.

71. See David A. Logan, *Immigration Law Clinic Notches First Victory in a Liberian Asylum Case*, DEAN LOGAN'S BLOG (Nov. 13, 2009, 12:00 AM), law.rwu.edu/blog/immigration-law-clinic-notches-first-victory-liberian-asylum-case.

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students even before their admission to the Bar. During the 2012–2013 Rhode Island Supreme Court Term, a participating third year law student gained invaluable experience when she argued a case before the Rhode Island Supreme Court.⁷² Commenting on the experience after-the-fact, the law student, Allison Belknap, explained that she was “truly grateful for having had the opportunity to argue before the Rhode Island Supreme Court and recognize that it could be a once-in-a-lifetime experience, especially for a student . . . I am proud to have allowed my client’s voice [to] be heard in the state’s highest court.”⁷³

More recently, on September 17, 2013, the law school opened its newest clinic—the Community Economic Development Clinic—aimed at developing students’ transactional skills and assisting budding entrepreneurs by providing free legal services.⁷⁴ Reaffirming its commitment to practical skills training, weeks earlier, and for the first time, the School of Law offered its incoming class the guarantee—made by only a handful of other law schools in the country—that every qualified law student can participate in at least one clinical experience before graduation.⁷⁵

C. *Achieving Accreditation in Record Time*

Although a law school may not be accredited by the American Bar Association (“ABA”) until it has first earned and maintained provisional accreditation for a period of at least three years,⁷⁶ the Law School Study Committee’s Vice-Chair and University Trustee Victoria Lederberg⁷⁷ made clear that “[t]here [was] no interest on

72. See David A. Logan, *RWU Law 3L Takes Case “All the Way” to the Supreme Court*, DEAN LOGAN’S BLOG (Apr. 15, 2013, 8:55 PM), law.rwu.edu/blog/rwu-law-3l-takes-case-all-way-supreme-court. See also *State v. Poulin*, 66 A.3d 419 (R.I. 2013).

73. *Id.*

74. See David A. Logan, *Students Represent Small Businesses in New RWU Law Clinic*, DEAN LOGAN’S BLOG (Oct. 3, 2013, 4:30 PM), <http://law.rwu.edu/blog/students-represent-small-businesses-new-rwu-law-clinic>.

75. *RWU Law Guarantees Practical Experience*, PROVIDENCE BUS. NEWS (Aug. 15, 2013), <http://pbn.com/RWU-Law-guarantees-practical-experience,90968>. The guarantee affords each qualified student at least one semester of practical experience through an in-house clinic or a clinical externship. *Id.*

76. AM. B. ASS’N. *The Law School Accreditation Process*, 5, 7 (2013), available at http://www.americanbar.org/contentdam/aba/publications/misc/legal_education/2013revised_accreditation_brochure_web.authcheckdam.pdf.

77. Lederberg had served fourteen years in the state legislature and

the part of anyone on the Law School Advisory Board or the Board of Trustees in establishing a marginal school of law. We would not have voted for establishment of a law school had we not been convinced that ABA accreditation was feasible at an early date.”⁷⁸

By February 1995, Roger Williams had received provisional accreditation from the American Bar Association, an organization that reviews law schools' faculties, facilities, and programs,⁷⁹ and by June 1996, within legal education communities, the law school had developed “a reputation and an image that [was] superlative, absolutely superb.”⁸⁰ The law school received full accreditation in February 1997.⁸¹ A second, more selective accreditation came in 2006 when the School of Law was approved for membership in the Association of American Law Schools (“AALS”).⁸² As described by its website, AALS is dedicated to “the improvement of the legal profession through legal education” and “serves as the academic society for law professors.”⁸³ Today, Roger Williams University School of Law is one of 203 ABA accredited law schools—and one of 176 AALS accredited law schools—in the United States.⁸⁴

later became a justice of the Rhode Island Supreme Court. See Roger Williams College, *Trustee Provides Leadership to Law School Committee: Victoria Lederberg*, THE BRIDGE, Winter 1991, at 12.

78. *Unanimous Approval*, *supra* note 29.

79. Press Release, Roger Williams University, Roger Williams University Races to Provisional Accreditation, at 4 (Feb. 8, 1995).

80. McVicar, *supra* note 3.

81. Memorandum to Faculty and Staff from John E. Ryan, Dean and Vice President, Roger Williams University School of Law (Feb. 5, 1997) (on file with authors). Months later, the law school was dedicated to the University's Chairman Papitto, who was one, among many, who helped the school achieve accreditation in record time. See Polochanin, *supra* note 34. From May 1997 to July 2007 the law school was known as the Roger Williams University Ralph R. Papitto School of Law, a tribute to Papitto who not only was a driving force behind the creation of the law school but who also served as a trustee of the University for thirty-nine years (twenty years as its chairman). Jennifer D. Jordan, *Papitto's Name Disappearing from RWU Campus*, PROVIDENCE J., Aug. 9, 2007. The school returned to its original name, Roger Williams University School of Law, in July 2007. *Id.*

82. *Member and Fee-Paid Schools*, THE ASS'N. OF AM. L. SCH., www.aals.org/about_memberschools.php (last visited Nov. 23, 2013).

83. *Id.*

84. See *id.*; *ABA-Approved Law Schools*, AM. B. ASS'N., www.americanbar.org/groups/legal_education/resources/aba_approved_law_schools.html (last visited Nov. 23, 2013).

D. *Responsibility to Serve the Needs of the Bar and Contribute to the Legal Community*

From the start, the law school, its dean, its faculty and its students were “hell-bent on making an impact on the practice and administration of law in Rhode Island.”⁸⁵ They had a vision, shared by members of the Rhode Island Bench and Bar, that the school had the responsibility to play a significant role in improving the practice of law in Rhode Island.⁸⁶

In the law school’s inaugural year, Michael A. Silverstein, who was then an attorney with Hinckley, Allen & Snyder and later became a Justice of the Rhode Island Superior Court, remarked that “[a]s an attorney, I see the School of Law as a great asset to the practicing bench and bar of Rhode Island—not only in terms of additional resources for legal research, but also because of its great potential to assist in evaluating the quality of legal practice and ethical standards in the region.”⁸⁷

Rhode Island Supreme Court Justice Victoria Lederberg was likewise “confident that the intellectual, ethical and scholarly activities of the Roger Williams University School of Law will transform our state.”⁸⁸ Justice Lederberg noted, “[w]e are committed to nurturing high quality, ethical and scholarly standards in our students and faculty with the expectation that these expert resources in the interpretation, application and practice of law will enhance and enrich the lives of all Rhode Islanders.”⁸⁹

In the Foreword written for the first edition of the newly minted *Roger Williams University Law Review*, Chief Justice Joseph R. Weisberger welcomed the law school to the Rhode

85. McVicar, *supra* note 3.

86. Betty M. van Iersel, *Accreditation is Top Priority*, THE BRIDGE, Spring 1994, at 6.

87. *Id.*

88. *Id.*

89. *Id.* at 6–7. “Its presence will assure the enhancement of the legal system in our state.” *Id.* at 7 (quoting Attorney General Pine). “The interaction among the law faculty, the student body, and the judiciary and bar will produce tremendous benefits for all of Rhode Island.” *Id.* (quoting Supreme Court Associate Justice Shea).

Island legal community.⁹⁰ He wrote:

The mission of a law school is not just to educate persons who wish to become members of the bar, but also to contribute to and enhance the legal culture of every jurisdiction which the law school touches. One of the primary tools in producing this contribution is the law review published by the law school. The law review is a think tank which contributes original thought as well as a synthesis and presentation of the thoughts embodied in the appellate opinions which they analyze. Probably this contribution is as great in the performance of the educational mission as is the training of law school students who aspire to membership in the bar.⁹¹

His Foreword emphasized the importance of academic commentary, criticisms, and independence, as well as recognizing the role of a law school and its law review in that process. He explained:

Rhode Island is fortunate at long last to have a law school and even more fortunate to have a law school that is about to embark upon the publication of what will undoubtedly become a highly respected law review. As Chief Justice of the Supreme Court of this state, I am honored to have the opportunity to write this foreword to this first edition of the *Roger Williams University Law Review*. I look forward to your critical comments upon my opinions and those of my colleagues. I am confident that we shall all profit by your careful and scholarly analysis.⁹²

From the start, the *Roger Williams University Law Review* set out to fulfill its role as a journal that would provide the careful and scholarly analysis of Rhode Island case law that Chief Justice Weisberger envisioned. To that end, the Law Review introduced its annual Survey of Rhode Island law, through which students review recent decisions of the Rhode Island Supreme Court and

90. Joseph R. Weisberger, *Foreword*, 1 *ROGER WILLIAMS U. L. REV.* vii (1996) [hereinafter Weisberger, *Foreword*].

91. *Id.* at ix.

92. *Id.*

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legislative enactments and amendments effecting Rhode Island law.⁹³ Historically, the Law Review has devoted its spring edition to topics unique to or affecting the Rhode Island legal community.⁹⁴ Before the release of its first volume, the Law Review's first Editor-in-Chief noted that he hoped the publication would "spark some debate and allow people to think about what's going on in this state."⁹⁵ His hope was well received by the judiciary. Robert G. Flanders, Jr., who was then an Associate Justice of the Rhode Island Supreme Court, similarly noted that he hoped the Law Review would "take a close academic look at how legal doctrine in Rhode Island has taken shape, and where it should be headed, and whether the decisions of the [Supreme] Court are soundly reasoned, and whether they make sense from a legal and public-policy perspective."⁹⁶

Nineteen volumes later, the *Roger Williams University Law Review* has made a significant scholarly contribution to the state. In articles authored by judges, prominent lawyers, faculty at other law schools, faculty at RWU Law, and RWU law students, the Law Review has provided the legal community with thoughtful analysis, commentary, and critique on a wide range of legal issues. The first article in the inaugural Law Review was titled, "Appointments by the Legislature Under the Rhode Island Separation of Powers Doctrine: The Hazards of the Road Less Traveled" and was written by then-United States Attorney Sheldon Whitehouse.⁹⁷ Soon after the maiden publication, the School of Law convened a symposium titled "Separation of Powers in State Constitutional Law," where constitutional experts from across the country debated Rhode Island's governance structure and published their articles in the *Roger Williams University Law Review*.⁹⁸ Whitehouse's article, as well as another article from

93. Brent R. Canning, *Editor's Welcome*, 1 *ROGER WILLIAMS U. L. REV.* i (1996); *Roger Williams University Law Review Celebrates 10-Year Anniversary*, *RHODE ISLAND LAWYER'S WEEKLY*, Feb. 21, 2005 [hereinafter *10-Year Anniversary*].

94. *10-Year Anniversary*, *supra* note 93.

95. McVicar, *supra* note 3.

96. *Id.*

97. Sheldon Whitehouse, *Appointments by the Legislature Under the Rhode Island Separation of Powers Doctrine: The Hazards of the Road Less Traveled*, 1 *ROGER WILLIAMS U. L. REV.* 1 (1996).

98. See Symposium, *Separation of Powers in State Constitutional Law*, 4

that symposium, was cited by Rhode Island Supreme Court Associate Justice Flanders in the separate opinion he wrote in the Court's landmark advisory opinion on separation of powers.⁹⁹ The inaugural Law Review also featured another topic frequently debated in Rhode Island—judicial selection—with Professor Michael Yelnosky and Barton P. Jenks, III, exchanging competing essays.¹⁰⁰ Nearly fifteen years after judicial selection was first debated in the *Roger Williams University Law Review*, the School of Law held a symposium on the issue and dedicated its Fall 2010 edition to this topic. The publication included articles written by Federal District Court Judge William E. Smith, Professor Yelnosky, Providence Mayor Angel Taveras, and former Judicial Nominating Commission Chairman Stephen J. Carlotti.¹⁰¹

Throughout its history, the Law Review has featured other important discussions concerning prominent and topical legal and social issues. Lieutenant Governor Elizabeth Roberts and now-Federal District Court Magistrate Judge Patricia A. Sullivan, among others, penned articles concerning the national health care debate.¹⁰² Then-Attorney General Jeffrey B. Pine and now-

ROGER WILLIAMS U. L. REV. 1 (1998).

99. See *In re Advisory Opinion to the Governor (Rhode Island Ethics Commission—Separation of Powers)*, 732 A.2d 55, 104 (R.I. 1999) (Flanders, J., separate opinion). The other article cited was Robert F. Williams, *Rhode Island's Distribution of Powers Question of the Century: Reverse Delegation and Implied Limits on Legislative Power*, 4 ROGER WILLIAMS U. L. REV. 159 (1998).

100. See Barton P. Jenks, III, *Rhode Island's New Judicial Merit Selection Law*, 1 ROGER WILLIAMS U. L. REV. 63 (1996); Michael J. Yelnosky, *Rhode Island's Judicial Nominating Commission: Can "Reform" Become Reality*, 1 ROGER WILLIAMS U. L. REV. 87 (1996).

101. See Michael J. Yelnosky, *The Impact of "Merit Selection" on the Characteristics of Rhode Island Judges*, 15 ROGER WILLIAMS U. L. REV. 649 (2010); Stephen J. Carlotti, *General Response*, 15 ROGER WILLIAMS U. L. REV. 660 (2010) (a general response to Michael J. Yelnosky *The Impact of "Merit Selection" on the Characteristics of Rhode Island Judges*, *supra*); William E. Smith, *Reflections on Judicial Merit Selection, the Rhode Island Experience, and Some Modest Proposals for Reform and Improvement*, 15 ROGER WILLIAMS U. L. REV. 664 (2010); Angel Taveras, *General Response*, 15 ROGER WILLIAMS U. L. REV. 701 (2010) (a general response to William E. Smith, *Reflections on Judicial Merit Selection, the Rhode Island Experience, and Some Modest Proposals for Reform and Improvement*, *supra*).

102. See Elizabeth Roberts et al., *Three Perspectives on Health Care Reform: National Health Care Reform, Health Care Reforms in Other States, and Implications for Health Care Reform in Rhode Island*, 15 ROGER

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Family Court Judge Lauren D'Ambra provided essays on the juvenile waiver system in Rhode Island,¹⁰³ Chief Justice Frank J. Williams authored several articles concerning civil liberties,¹⁰⁴ and now-Superior Court Judge Brian P. Stern wrote concerning the deficiencies of the Rhode Island Purchasing Act.¹⁰⁵ Attorneys involved in *State of Rhode Island v. Lead Industries Association*, 951 A.2d 428 (2008) provided critique concerning the first lawsuit in the country where a state sued the former manufacturers of lead paint pigment under a public nuisance theory.¹⁰⁶ During the pendency of this decade-long case, the School of Law hosted a full-day symposium dedicated to the topic of tort reform, which again brought to Rhode Island legal scholars from throughout the country to discuss this important, yet controversial, topic.¹⁰⁷

WILLIAMS U. L. REV. 1 (2010); Patricia A. Sullivan, et al., *The Heath Care Debate: If Lack of Tort Reform is Part of the Problem, Federalized Protection for Peer Review Needs to be Part of the Solution*, 15 ROGER WILLIAMS U. L. REV. 41 (2010).

103. See Lauren D'Ambra, *A Legal Response to Juvenile Crime: Why Waiver of Juvenile Offenders is Not a Panacea*, 2 ROGER WILLIAMS U. L. REV. 277 (1997); Jeffrey B. Pine, *Juvenile Waiver in Rhode Island*, 2 ROGER WILLIAMS U. L. REV. 257 (1997). See also Lauren D'Ambra, *The Vital Role of the Rhode Island Family Court and its Unique Jurisdiction in Immigration Cases Involving Abused and Neglected Children*, 15 ROGER WILLIAMS U. L. REV. 24 (2010).

104. See Frank J. Williams, *Abraham Lincoln, Civil Liberties and the Corning Letter*, 5 ROGER WILLIAMS U. L. REV. 319 (2000); Frank J. Williams et al., *Still a Frightening Unknown: Achieving a Constitutional Balance between Civil Liberties and National Security during the War on Terror*, 12 ROGER WILLIAMS U. L. REV. 675 (2007).

105. See Brian P. Stern & Daniel W. Majcher, *Sour Grapes: Unrestrained Bid Protest Litigation in Rhode Island – Blue Cross & Blue Shield of Rhode Island v. Najarian*, 10 ROGER WILLIAMS U. L. REV. 685 (2005).

106. Fidelma Fitzpatrick, *Painting Over Long-Standing Precedent: How the Rhode Island Supreme Court Misapplied Public Nuisance in State v. Lead Industries Association*, 15 ROGER WILLIAMS U. L. REV. 437 (2010); Aileen Sprague & Fidelma Fitzpatrick, *Getting the Lead Out: How Public Nuisance Law Protects Rhode Island's Children*, 11 ROGER WILLIAMS U. L. REV. 603 (2006). See also Mark P. Gagliardi, Comment, *Stirring up the Debate in Rhode Island: Should Lead Paint Manufacturers Be Held Liable for the Harm Caused by Lead Paint?*, 7 ROGER WILLIAMS U. L. REV. 341 (2002); Matthew R. Watson, Note, *Venturing into the "Impenetrable Jungle": How California's Expansive Public Nuisance Doctrine May Result in an Unprecedented Judgment Against the Lead Paint Industry in the Case of County of Santa Clara v. Atlantic Richfield Company*, 15 ROGER WILLIAMS U. L. REV. 612 (2010).

107. See Symposium, *Genuine Tort Reform*, 13 ROGER WILLIAMS U. L. REV. 1 (2008).

Other prominent issues addressed in the Law Review through writings and symposia have included same-sex marriage,¹⁰⁸ the war on terrorism balanced with civil liberties,¹⁰⁹ legal ethics,¹¹⁰ as well as climate change and the BP oil spill.¹¹¹

Through the Law Review, faculty, practitioners, alumni, and students also have accepted Chief Justice Weisberger's invitation to produce "critical"—yet respectful—"comments upon my opinions and those of my colleagues."¹¹² The opinions scrutinized include *State v. Dunn*, No. P1/96-2005-A, 1997 WL 1526537 (R.I. Sup. Ct. Aug. 6, 1997),¹¹³ *State v. DiPrete*, 710 A.2d 1266 (R.I. 1998),¹¹⁴ *In re Advisory Opinion to the Governor (Rhode Island Ethics Commission—Separation of Powers)*, 732 A.2d 55 (R.I. 1999),¹¹⁵ *State v. Yanez*, 716 A.2d 759 (R.I. 1999),¹¹⁶ *Mosby v. Devine*, 851 A.2d 1031 (R.I. 2004),¹¹⁷ *Barrett v. Barrett*, 894 A.2d

108. See Jared B. Arader, Note, *Chambers v. Ormiston: The Harmful and Discriminatory Avoidance of the Laws of Comity and Public Policy for Valid Same-Sex Marriages*, 15 ROGER WILLIAMS U. L. REV. 187 (2010); Joan Catherine Bohl, *Gay Marriage in Rhode Island, A Big Issue in a Small State*, 12 ROGER WILLIAMS U. L. REV. 291 (2007); Sarah K. Mazzochi, *The Great Debate: Lessons to be Learned from an International Comparative Analysis on Same-Sex Marriage*, 16 ROGER WILLIAMS U. L. REV. 577 (2011).

109. See Jon Shelburne, *Military Justice in the United States Marine Corps After 9/11: Does the War on Terror Change How Justice is Defined or Whether Justice Can Ever Be Achieved?*, 16 ROGER WILLIAMS U. L. REV. 608 (2011); Williams, *supra* note 104. Additionally, the Law Review's Spring 2008 edition was dedicated to a symposium on issues relating to the war on terror and civil liberties. See Symposium, *Legal Dilemmas in a Dangerous World: Law, Terrorism and National Security*, 13 ROGER WILLIAMS U. L. REV. 342 (2008).

110. See Symposium, *Lawyer Collaboration with Systems of Evil*, 5 ROGER WILLIAMS U. L. REV. 19 (1999).

111. See Symposium, *Reflections on Fisheries, Oil Spills, and Emerging Issues in Ocean Law and Policy*, 17 ROGER WILLIAMS U. L. REV. 1.

112. Weisberger, *Foreword*, *supra* note 90.

113. Neal R. Pandozzi, Note, *Reversal of Fortunato: Textualism Un-Dunn in State v. Dunn*, 3 ROGER WILLIAMS U. L. REV. 253 (1998)

114. Michael P. Robinson, Note, *A Question of Prejudice: Rule 16 and Pretrial Dismissal in Reversal of State v. DiPrete*, 4 ROGER WILLIAMS U. L. REV. 487 (1999).

115. Mel A. Topf, *The Advisory Opinion on Separation of Powers: The Uncertain Contours of Advisory Opinion Jurisprudence in Rhode Island*, 5 ROGER WILLIAMS U. L. REV. 385 (2000).

116. Vicki J. Bejma, Note, *Protective Cruelty: State v. Yanez and Strict Liability as to Age in Statutory Rape*, 5 ROGER WILLIAMS U. L. REV. 499 (2000).

117. Claudia J. Matzko, *The Obfuscation of Rhode Island's Clearly*

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891 (R.I. 2006),¹¹⁸ *Bandoni v. State*, 715 A.2d 580 (R.I. 1998),¹¹⁹ and *Berman v. Sitrin*, 991 A.2d 1038 (R.I. 2010).¹²⁰ Moreover, the Law Review's articles have been cited as authority by countless other law reviews throughout the country and the world,¹²¹ as well as by the Rhode Island Supreme Court,¹²² the United States Court of Appeals,¹²³ and the Federal District Court for the District of Rhode Island.¹²⁴ On the role of the Law Review, then-Justice Flanders noted:

[i]t's healthy to have people with no ax to grind one way or another taking a look at how well you're doing, and praise or criticize. It stimulates discussion and checks

Expressed Constitutional Right to Bear Arms: Mosby v. Devine, 11 *ROGER WILLIAMS U. L. REV.* 651 (2006).

118. Kenneth Rampino, Note, *Spousal Disinheritance in Rhode Island: Barrett v. Barrett and the (De)evolution of the Elective Share Law*, 12 *ROGER WILLIAMS U. L. REV.* 420 (2007).

119. See Marty C. Marran, "*Ubi Jus, Ibi Remedium*" – *Sed Non Hodie: Bandoni v. State of Rhode Island, a Ten Year Retrospective*, 13 *ROGER WILLIAMS U. L. REV.* 594 (2008).

120. Joshua Dunn, Note, *Justice for All (The Wrong Reasons): The Flaws and Fallout of Berman v. Sitrin*, 16 *ROGER WILLIAMS U. L. REV.* 305 (2011).

121. See, e.g., Andrew Lynch, *Dissent: The Rewards and Risks of Judicial Disagreement in High Court of Australia*, 27 *MELB. U. L. REV.* 724, 725 (2003); Carolyn Sutherland, *The Exclusive Quest for Simplicity: Measuring and Assessing the Readability of Enterprise Agreements, 1992 to 2011*, 35 *SYDNEY L. REV.* 349, 358 (2013); Frank J. Williams & Nicole J. Benjamin, *Military Trials of Terrorists: From the Lincoln Conspirators to the Guantanamo Inmates*, 39 *N. KY. L. REV.* 609, 609 (2012); Frank J. Williams, *Abraham Lincoln and Civil Liberties: Then & Now – The Southern Rebellion and September 11*, 60 *N.Y.U. ANN. SURV. AM. L.* 463, 463 (2004).

122. See, e.g., *In re* Review of Proposed Town of New Shoreham Project, 25 A.3d 482, 488 (R.I. 2010); *In re* Harrison, 992 A.2d 990, 998–99 (R.I. 2010); *Viveiros v. Town of Middletown*, 973 A.2d 607, 611 (R.I. 2009); *State v. Lead Industries Ass'n, Inc.*, 951 A.2d 428, 449 (R.I. 2008); *Riley v. R.I. Dep't of Env't Mgmt.*, 941 A.2d 198, 202–03 (R.I. 2008); *State v. Day*, 911 A.2d 1042, 1048 (R.I. 2006); *Dellagrotta v. Dellagrotta*, 873 A.2d 101, 113 (R.I. 2005); *Gem Plumbing & Heating Co., Inc. v. Rossi*, 867 A.2d 796, 818 (R.I. 2005); *Mosby v. Devine*, 851 A.2d 1031, 1068 (R.I. 2004) (Flanders, J., dissenting); *In re* Advisory Opinion to the Governor (Rhode Island Ethics Commission—Separation of Powers), 732 A.2d 55, 104 (R.I. 1999) (Flanders, J., separate opinion); *State v. Dunn*, 726 A.2d 1142, 1146 (R.I. 1999).

123. See *United States v. Fuchs*, 635 F.3d 929 (7th Cir. 2011).

124. See *Rogers v. Mulholland*, 858 F. Supp. 2d 13 (D.R.I. 2012); *R.I. Fishermen's Alliance, Inc. ex. rel Fuka v. Dep't of Env't Mgmt.*, No. 07–230ML., 2008 WL 4467186, at *3 (D.R.I. Oct. 3, 2008).

tendencies to put less than one's full effort if you know what you do is going to be looked at very carefully by someone at Roger Williams Law School.¹²⁵

"In keeping with its mission of enhancing the legal culture in Rhode Island and providing opportunities for research and continuing legal education within the state,"¹²⁶ it was not long before the law school began offering myriad resources for judges and lawyers including continuing legal education programs, public forums, and a law library housing more than 300,000 volumes,¹²⁷ all of which "proved to be assets to the Rhode Island bench and bar."¹²⁸

Indeed, only months before the law school opened its doors, the Rhode Island Supreme Court adopted mandatory continuing legal education rules,¹²⁹ increasing the demand for CLE programs. In what may very well have been the first instance where the School of Law directly contributed to the Rhode Island legal community, former President Santoro recalls discussing mandatory continuing legal education with Justice Weisberger in the aftermath of Rhode Island Supreme Court Chief Justice Thomas F. Fay's resignation.¹³⁰ Santoro noted that he had recently served on a Delaware commission relating to continuing legal education.¹³¹ Seizing on Santoro's experience, Justice Weisberger, then serving as Acting Chief Justice, asked Santoro to serve as one of the three members on a similar Rhode Island commission and, from their conversation, Rhode Island's mandatory continuing legal education requirements eventually were born.¹³²

125. McVicar, *supra* note 3.

126. Roger Williams University, *School of Law Sponsors Inn of Court for State*, THE BRIDGE, Spring 1994, at 23.

127. Today, the RWU Law Library's collection exceeds 310,000 volumes. See *The Resources You Need for an Education that Gets Results*, RWU LAW, <http://law.rwu.edu/library>.

128. *Roger Williams School of Law in R.I.*, RHODE ISLAND LAWYERS WEEKLY (Aug. 13, 2001).

129. R.I. SUP. CT. RULES, art. IV, R. 3 (2013) (adopted Jan. 25, 1993).

130. Email from Anthony Santoro, Professor of Law, Roger Williams University School of Law, to authors (Nov. 24, 2013, 2:29 PM.) (on file with authors).

131. *Id.*

132. *Id.*

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The law school rose to the occasion and began broadcasting satellite video seminars on subjects of national interest and hosting live CLE programs on topics pertinent to the practice of law in Rhode Island, the first of many initiatives that would mutually benefit the law school and the Bar.¹³³ Among its first sponsored CLE programs was a four hour program on Rhode Island Zoning Law and Practice attended by 160 participants on May 20, 1994. Less than two weeks later, 130 persons attended a seminar on Custody Practice in Rhode Island Family Court.¹³⁴ More recently, from 2000–2013, the law school has co-sponsored and hosted the Attorney General’s Open Government Summit where attendance in 2013 exceeded 600 persons.¹³⁵

Even before the culmination of its inaugural year, then-President Santoro proudly announced that the law school had “already proven how prophetic the Trustees and Advisory Board members were” in their predictions on the benefit the law school would have on the Rhode Island legal community.¹³⁶ Apart from its CLE programming, its earliest contributions included its sponsorship of an American Inns of Court for the State of Rhode Island.¹³⁷ The Inns, which brought together judges, lawyers, law professors, and third-year law students, was designed to promote “principles of legal excellence, civility, professionalism and ethics in the practice of law”¹³⁸ and “foster relationships between younger lawyers and more senior lawyers and judges.”¹³⁹ Then-

133. Roger Williams University School of Law, *LAW SCHOOL NEWS*, Summer 1994, at 4.

134. *Id.*

135. RIAG’S OPEN GOVERNMENT SUMMIT - AUGUST 2, 2013, <http://www.clerkbase.com/agopensummit.htm> (last visited Feb. 26, 2014) (opening comments by Attorney General Peter F. Kilmartin).

136. Anthony J. Santoro, *A Message from the President*, *THE BRIDGE*, Spring 1994.

137. *Lawyers to Draw from Experience of Mentors in New Inn of Court*, *PROVIDENCE J.*, Apr. 11, 1994, at 5C. The founding members of the Inn were Dean John Ryan; President Santoro; Richard A. Boren, Licht & Semenoff; John H. Blish, Blish and Cavanagh; Michael P. DeFanti, Hinckley, Allen & Snyder; Amato A. DeLuca, Mandell, DeLuca & Schwartz Ltd.; Michael R. Goldenberg, Goldenberg & Muri; Donald F. Shea, Rhode Island Supreme Court Associate Justice; Joseph F. Rodgers Jr., Presiding Justice Rhode Island Superior Court; and Albert E. DeRobbio, District Court Chief Judge.

Id.

138. *Id.*

139. Roger Williams University, *School of Law Sponsors Inn of Court for*

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Justice Flanders was one of the Inns' earliest members and described the Inns:

We meet for dinner at the university and afterwards divide ourselves into teams. On each team there'll be a member of the judiciary, a senior lawyer, a younger lawyer and law students. Each month, one or another is responsible for putting on a demonstration—for example, closing arguments in a case to illustrate ethical, tactical and strategic considerations in performing trial practice. Then we'll have a discussion on how it was done and what are the ethical implications of doing it this way or that way. I've found it to be very beneficial to everyone involved.¹⁴⁰

Over the course of many years, the Inns hosted numerous meetings and continuing legal education programs for its members both in Bristol and at various locations throughout the state.

The law school has enhanced Rhode Island's legal community in other ways, specifically, by increasing and promoting diversity. Among the earlier programs initiated at the School of Law was the Thurgood Marshall Memorial Lecture series, which began in 2001 with a lecture offered by then-former United States Deputy Attorney General Eric Holder.¹⁴¹ As part of this Memorial Lecture series, on more than one occasion, Rhode Island has been privileged to host Justice Marshall's widow, Ms. Cecilia Marshall, who advanced not only our state's legal culture, but also made anyone within earshot a better citizen with her first-hand accounts of the challenges she and her husband faced during his extraordinary life. More than a decade later, this Lecture Series continues.¹⁴²

State, THE BRIDGE, Spring 1994, at 23.

140. McVicar, *supra* note 3.

141. *20 Years/20 Traditions*, 6 RWU LAW MAG., Winter 2013, at 27.

142. David A. Logan, *Randall Kennedy Delivers the 6th Thurgood Marshall Lecture, Shares Fascinating Insights and Anecdotes*, DEAN LOGAN'S BLOG (Feb. 19, 2014, 5:30 PM), <http://law.rwu.edu/blog/randall-kennedy-delivers-6th-thurgood-marshall-lecture-shares-fascinating-insights-and-anecdote>; David A. Logan, *Harvard Law Dean Martha Minow Delivers Thurgood Marshall Memorial Lecture*, DEAN LOGAN'S BLOG (May 17, 2012, 4:25 PM), <http://law.rwu.edu/blog/harvard-law-dean-martha-minow-delivers->

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Other efforts have been aimed at achieving long-term diversity. For instance, the law school's annual Diversity Symposium and dinner is a program that brings lawyers, judges, law professors, and students together with minority high school and college students for an evening of discussion on important legal issues. This opportunity exposes young students from underrepresented populations to the possibility of a career in the law.¹⁴³ These diversity efforts, as well as others, have contributed to a diversity rate in the 2013 incoming class of twenty-four percent.¹⁴⁴

Lastly, any discussion of the law school's contribution to the Rhode Island legal community would not be complete without recognizing that the Marine Affairs Institute, in partnership with the Rhode Island Sea Grant and the University of Rhode Island, provides one of the few programs in the country offering a concentration in marine law, policy, and coastal issues.¹⁴⁵ With more than 400 miles of coastline, there is little question that the only law school within the "Ocean State" is uniquely positioned to provide this largely unanswered need.¹⁴⁶ As envisioned, the Marine Affairs Institute has a three-prong emphasis: traditional admiralty law and practice, environmental regulation, and the international law of the sea.¹⁴⁷ In addition to research, the

thurgood-marshall-memorial-lecture.

143. See David A. Logan, *RWU Law Again Hosts Diversity Symposium Dinner*, DEAN LOGAN'S BLOG (May 3, 2013, 4:23 PM), <http://law.rwu.edu/blog/rwu-law-again-hosts-diversity-symposium-dinner>; David A. Logan, *Promoting Diversity in the RI Legal Profession*, DEAN LOGAN'S BLOG (July 11, 2011, 2:02 PM), <http://law.rwu.edu/blog/promoting-diversity-ri-legal>; David A. Logan, *Seventh Diversity Symposium Dinner is a Big Hit*, DEAN LOGAN'S BLOG (Apr. 26, 2010, 9:57 AM), <http://law.rwu.edu/blog/seventh-diversity-symposium-dinner-big-hit>.

144. *Fall 2013 Class Profile*, RWU LAW, <http://law.rwu.edu/admission/class-profile> (last visited Feb. 25, 2014). Other diversity efforts have included the opening of the Immigration Law Clinic and the efforts of former Housing Judge and 2014 Providence Mayoral Candidate Professor Jorge Elorza. See David A. Logan, *Prof. Elorza Appointed Judge in Housing Court*, DEAN LOGAN'S BLOG (Mar. 18, 2010, 10:26 AM), <http://law.rwu.edu/blog/prof-elorza-appointed-judge-housing-court>.

145. *Our Mission: Training the Next Generation of Marine Law Professionals*, RWU LAW, <http://law.rwu.edu/marine-affairs-institute> (last visited Feb. 25, 2014).

146. Press Release, Roger Williams University, Marine Affairs Institute Established by Roger Williams University School of Law (July 29, 1996).

147. *Id.*

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Institute also provides a forum for discussion through a lecture series and scholarly publications on significant issues pertaining to marine affairs. A year after its inception, participants from San Francisco, Quebec, Florida, and elsewhere throughout North America flocked to Bristol, Rhode Island, to attend the Marine Affairs Institute's first symposium, titled "Summertime Sailing: Cruise Ships, Pleasure Boats and the Law."¹⁴⁸ Other more recent Marine Affairs Institute topics have included marine disasters and the Limitation of Liability Act, the effects of climate change, and the BP oil spill.¹⁴⁹ Roger Williams's Marine Affairs Institute has gained national prominence and provided opportunities for students to learn and scholars to discuss matters relating to marine affairs.¹⁵⁰

E. *"The Highest Attributes of the Calling of the Legal Profession": Public Service and Aid to the Poor*¹⁵¹

During the May 1994 dedication of the law school's building, Santoro implored the law school's first class to serve the public interest.¹⁵² According to Santoro, "[t]he School of Law was established not simply to educate future lawyers, but to educate future lawyers cognizant of their responsibility to practice law in the public interest."¹⁵³ Indeed, "[c]ommitment to the extension of

148. *From Summertime Sailing to Sunken Treasure*, 2 ROGER WILLIAMS U. SCH. OF L. ALUMNI NEWS & NOTES 8, 1998.

149. See David A. Logan, *Symposium Tackles Impact of Global Warming on Coastal Communities*, DEAN LOGAN'S BLOG (Dec. 10, 2012, 1:13 PM), <http://law.rwu.edu/blog/symposium-tackles-impact-global-warming-coastal-communities>; David A. Logan, *Deepwater Horizon Legacy*, DEAN LOGAN'S BLOG (May 10, 2011, 12:34 PM), <http://law.rwu.edu/blog/deepwater-horizon-legacy>.

150. See David A. Logan, *Getting "Hands On" Experience in Marine Law: the RWU Sea Grant Law Fellows*, DEAN LOGAN'S BLOG (Apr. 24, 2012, 2:20 PM), <http://law.rwu.edu/blog/getting-hands-experience-marine-law-rwu-sea-grant-law-fellows>; David A. Logan, *RWU's Excellence in Marine Affairs Recognized by National Organizations*, DEAN LOGAN'S BLOG (June 15, 2012, 12:16 PM), <http://law.rwu.edu/blog/rwu%E2%80%99s-excellence-marine-affairs-recognized-national-organizations>; David A. Logan, *RWU Law a National Leader in Marine Law*, DEAN LOGAN'S BLOG (Dec. 3, 2010, 1:47 PM), <http://law.rwu.edu/blog/rwu-law-national-leader-marine-law>.

151. *\$1 Million to RWUSOL*, *supra* note 47, at 4.

152. O'Brien, *supra* note 6.

153. Roger Williams University, *From Rendering to Reality, The Roger Williams School of Law Building is Dedicated May 1, 1994*, THE BRIDGE,

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public service by the law school community predates the law school itself, quite literally.”¹⁵⁴ The 1991 feasibility study recognized that a law school at Roger Williams College would enhance “the level of legal services available, without charge, to those in the community not able to afford to secure such services privately.”¹⁵⁵ This commitment was not only an integral part in the law school’s formation but it would become a hallmark of the institution, which even today has a strong emphasis on public interest law.¹⁵⁶

Two years after its founding, RWU Law received a one million dollar donation from the Feinstein Foundation to establish The Feinstein Institute for Legal Services and the Feinstein “Enriching America” community service program.¹⁵⁷ The institute would be later renamed The Feinstein Center for Pro Bono and Experiential Education. The Center enabled law students to provide pro bono legal services to individuals and organizations who are otherwise without access to legal representation.¹⁵⁸ At the same time the institute was established, the law school adopted—and continues to maintain—a mandatory public service graduation requirement, which requires students to complete fifty hours of law-related pro bono legal work as a condition for graduation. These initiatives demonstrate the law school’s firm commitment to public service and aid to the poor; services described by then-Chief Justice Weisberger as “the highest attributes of the calling of the legal profession.”¹⁵⁹ Santoro explained that the law school’s commitment was driven by a belief that “[b]y introducing law students to community service at the beginning of their careers, we set the stage for a lifetime of commitment to public service.”¹⁶⁰

Among the vehicles to accomplish this public service

Spring 1994, at 13.

154. *Feinstein Foundation Gift to Help Sustain the Culture of Public Service*, 2 *ROGER WILLIAMS U. SCH. OF L. ALUMNI NEWS & NOTES* 6 (1998).

155. *Id.*

156. See *Pro Bono ELR, Feinstein Center for Pro Bono & Experiential Learning*, RWU LAW, <http://law.rwu.edu/feinsteincenter/experiential-learning/pro-bono-elr> (last visited Feb. 28, 2014).

157. *\$1 Million to RWUSOL*, *supra* note 47, at 4.

158. *Id.*

159. *Id.*

160. *Id.*

component is the Pro Bono Collaborative Program, a signature program in the Feinstein Center, which brings law students together with attorneys and their law firms, as well as community organizations that serve low-income persons in need of pro bono legal services. The Pro Bono Collaborative Program has been recognized across the country as a model for pro bono collaboration.¹⁶¹ A small sampling of the contributions offered by law firms in conjunction with law students includes providing legal assistance to immigrant victims of domestic violence (Edwards Wildman Palmer LLP); assisting The Transcending Through Education Foundation in providing resources and support for incarcerated persons to obtain a higher education (Hinckley Allen LLP); attending legal clinics and educational workshops on expungements (Nixon Peabody LLC and Rattcliffe Burke Harten & Galamaga LLP); and tendering business and legal advice to non-profit local community groups (Pannone Lopes Devereaux & West LLC).¹⁶² These pro bono efforts offer a classic win-win-win situation where attorneys and law firms provide pro bono services to the community, law students gain valuable legal experience, and non-profit organizations and individuals in need obtain access to legal services that help advance their interests.

Over the years, the Pro Bono Collaborative Program's influence has grown and expanded into a grassroots-type campaign. One example was featured in a September 2011 news article where a forty-three-year-old homeless man named Tim Walker was living at the Crossroads Rhode Island shelter in Providence.¹⁶³ Looking to move on, Walker indicated that he was seeking employment and a subsidized apartment, but he had a 2004 criminal offense for driving on a suspended license.¹⁶⁴ In the article, Walker described the offense as "minor," but indicated that employers and housing officials would nonetheless look at the offense and be wary.¹⁶⁵ To prepare for the next stage of his life,

161. See *Pro Bono Collaborative*, RWU LAW, <http://law.rwu.edu/Feinstein-center/experiential-learning/pro-bono-elr/pbc> (last visited Feb. 26, 2014).

162. See *Projects, Feinstein Center for Pro Bono & Experiential Learning*, RWU LAW, <https://law.rwu.edu/pbc/projects> (last visited Feb. 26, 2014).

163. See Bryan Rourke, *Legal Aid Helps Homeless Clear Police Records: Public Assistance*, PROVIDENCE J., Sept. 30, 2011, at A-6.

164. *Id.*

165. *Id.*

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Walker attended an expungement clinic for the Rhode Island Coalition for the Homeless where the Pro Bono Collaborative Program was guiding qualified low-income people through a court-process culminating in a court hearing on a motion to expunge.¹⁶⁶ With his matter expunged, Walker was able to seek employment and housing without that blemish.

The School of Law's public interest efforts have not been limited to the Pro Bono Collaborative Program. In 2009, the Liberian Ambassador to the United States visited the law school and described the needs of the Liberian legal community. As a result of his visit, law school students embarked on a book drive to benefit the Louis Arthur Grimes School of Law at the University of Liberia, collecting over two hundred books on a range of legal topics.¹⁶⁷ Students have also participated in efforts to revitalize areas of Pawtucket, Rhode Island, by delving into issues relating to fair housing and other issues related to revitalization.¹⁶⁸ Moreover, during the last decade, law students also began an "Alternative Spring Break" program where, during their week away from classes, students travel to other communities to lend legal assistance. What began in 2005 with law students visiting New Orleans to provide legal aid to Hurricane Katrina victims has quickly grown to where "Alternative Spring Break" students, in 2013, participated in ten different projects covering eight states, including working on death penalty cases in Georgia, working alongside public defenders in the Bronx and Brooklyn, assisting the victims of Hurricane Sandy in New Jersey, as well as providing assistance to other various legal projects in Rhode Island and Massachusetts.¹⁶⁹

Based upon the law school's emphasis and contribution to public service, it is hardly surprising that in 2010, the Association of American Law Schools' Section on Pro Bono and Public Service Opportunities awarded the prestigious Deborah Rhode Award to

166. *Id.*

167. David A. Logan, *Roger Williams Continues to Give Back*, DEAN LOGAN'S BLOG (Jul. 22, 2009, 12:00 AM), www.https://law.rwu.edu/blog/roger-williams-continues-give-back.

168. *See Law Students Help Urban Revitalization in Pawtucket*, 2 ROGER WILLIAMS U. SCH. OF L. ALUMNI NEWS & NOTES 17 (Spring 1998).

169. *Types of Projects – Alternative Spring Break*, RWU LAW, <http://law.rwu.edu/feinsteincenter/experiential-learning/pro-bono-elr/pbc/students> (last visited Feb. 27, 2014).

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Dean Logan of Roger Williams University School of Law.¹⁷⁰ Based upon a range of accomplishments, the award recognized the School of Law's success in securing funding for the Pro Bono Collaborative Program, the creation and funding of a Loan Forgiveness Program, the availability of scholarships for students displaying commitment to public service, and the founding of the Latino Policy Institute and Immigration Law Clinic.¹⁷¹ Perhaps inspired by the Association of American Law Schools' recognition, the following year, the Robert Cover Public Interest Retreat, sponsored by the Society of American Law Teachers, was held at Roger Williams.¹⁷² In 2014, the National Jurist magazine ranked RWU Law among the top twenty-five public interest schools in the country.¹⁷³

F. *An Active, Engaged, and Productive Faculty*

In addition to its students' contributions, the law school faculty's scholarship has made its mark nationally and internationally.

From the start, the law school's faculty has been "active in providing objective, impartial perspectives on legal issues and current cases. Professors author articles, give broadcast commentary, and work on legislative committees."¹⁷⁴ Just months after the law school opened its doors, faculty members began serving as a resource for commenting on legal matters. For example, on November 11, 1993, Professor Michael J. Yelnosky provided an interview with the Providence Business News on employee privacy, and in January 1994, Professor Barbara Bernier agreed to an interview with ABC national networks on a "dead-beat dad" case captioned *Brindamour v. Brindamour*.¹⁷⁵

170. David A. Logan, *More National Recognition of the Excellence of RWU Law's Public Interest Programs*, DEAN LOGAN'S BLOG (Jan. 20, 2010, 12:00 AM), <http://law.rwu.edu/blog/more-national-recognition-excellence-rwu-law%E2%80%99s-public-interest-programs>.

171. *Id.*

172. David A. Logan, *RWU Law Hosts Important Public Interest Conference*, DEAN LOGAN'S BLOG (Mar. 30, 2011, 4:25 PM), <http://law.rwu.edu/blog/rwu-law-hosts-important-public-interest-conference>.

173. See Michelle Weyenbert, *The Best Schools for Public Interest Law*, NAT'L JURIST, Mar. 2014, at 19.

174. Costello, *supra* note 4.

175. See *Law Faculty Serve as Media Resources*, THE BRIDGE, Spring

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In the past two decades, faculty serving as a resource for media has nearly become common-place, through writings, speaking programs, and testimony. Through these efforts, Roger Williams's faculty members have significantly contributed to the evolution of law. At the request of United States Senator Sheldon Whitehouse, Professor John Chung testified on the complex issues associated with personal bankruptcies,¹⁷⁶ and months later Professor Louise Teitz appeared before the United States Senate Judiciary Committee to testify about problems associated with globalization when American consumers are injured by a product produced by a foreign manufacturer.¹⁷⁷ In 2009, Professor Courtney Cahill participated in a symposium on Supreme Court Justice Ruth Bader Ginsburg's jurisprudence, held at Ohio State University.¹⁷⁸ Among the legal scholars and dignitaries in attendance discussing Justice Ginsburg's philosophy was Justice Ginsburg herself.¹⁷⁹ More recently, Professor Robert Kent revised and reissued his oft-cited treatise on Rhode Island civil practice,¹⁸⁰ and Professor Carl Bogus, who has testified before Congress and has published widely on Second Amendment issues, has appeared in leading newspapers and journals in the aftermath of the Sandy Hook Elementary School shooting.¹⁸¹

The law school's faculty has not only enhanced the legal culture within Rhode Island and the United States, but also internationally. Through her writings, Professor Tanya Monestier

1994, at 22.

176. David A. Logan, *Prof. Chung on Bankruptcy Reform*, DEAN LOGAN'S BLOG (Dec. 11, 2009, 12:00 AM), <http://law.rwu.edu/blog/prof-chung-bankruptcy-reform>.

177. David A. Logan, *Prof. Teitz Testifies on Suing Foreign Manufacturers to the Senate Judiciary Committee*, DEAN LOGAN'S BLOG (May 28, 2009, 12:00 AM), <http://law.rwu.edu/blog/prof-teitz-testifies-suing-foreign-manufacturers-senate-judiciary-committee> [hereinafter *Prof. Teitz*].

178. David A. Logan, *Prof. Cahill Joins Justice Ginsburg at Major Symposium*, DEAN LOGAN'S BLOG (Apr. 16, 2009, 12:00 AM), <http://law.rwu.edu/blog/prof-cahill-joins-justice-ginsburg-major-symposium>.

179. *Id.*

180. ROBERT KENT, ET AL., *RHODE ISLAND CIVIL AND APPELLATE PROCEDURE WITH COMMENTARIES* (2004).

181. David A. Logan, *RWU Law 2nd Amendment Expert Cited in Post-Newtown Gun Debate*, DEAN LOGAN'S BLOG (Dec. 18, 2012, 4:45 PM), law.rwu.edu/blog/rwu-law-2nd-amendment-expert-cited-post-newtown-gun-debate.

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has established herself as a leading expert in Canadian law.¹⁸² Professor Teitz was recently appointed First Secretary at the Permanent Bureau of the Hague Conference on Private International Law.¹⁸³ Professor Jonathan Gutoff spoke at the United Nations on the law of Piracy.¹⁸⁴ And Professor Edward Eberle traveled to Germany on a trip sponsored by the United States State Department.¹⁸⁵

With respect to faculty scholarly writings, a study undertaken by Professor Yelnosky during his tenure as Associate Dean for Academic Affairs in 2007, demonstrated that RWU Law's faculty ranked fifth among New England law schools in per capita scholarly productivity, trailing only Yale University, Harvard University, Boston University, and Boston College.¹⁸⁶ When the study was updated in 2010, RWU Law moved to fourth place.¹⁸⁷ Faculty members' writings have become so prodigious that, on at least two occasions, they have been cited by justices of the United States Supreme Court.¹⁸⁸

III. FORGING JUDICIAL RELATIONSHIPS

From its inception, the law school was built on a strong relationship with the judiciary. In what would mark the first of

182. David A. Logan, *Prof. Monestier: Expert in U.S. and Canadian Law*, DEAN LOGAN'S BLOG (June 12, 2012, 3:41 PM), <http://law.rwu.edu/blog/prof-monestier-expert-us-and-canadian-law>.

183. *Prof. Teitz*, *supra* note 177. In this capacity, Professor Teitz serves as the highest-ranking American diplomat on the staff of the Conference. *Id.*

184. David A. Logan, *Prof. Gutoff Discuss the Law of Piracy at United Nations*, DEAN LOGAN'S BLOG (June 23, 2010, 9:17 AM), <http://law.rwu.edu/blog/prof-gutoff-discuss-law-piracy-united-nations>.

185. David A. Logan, *Prof. Eberle on Tour for the State Department*, DEAN LOGAN'S BLOG (June 17, 2010, 3:18 PM), <http://law.rwu.edu/blog/prof-eberle-tour-state-department>.

186. Edward Fitzpatrick, *RWU Law Faculty Rate Well*, PROVIDENCE J., Nov. 23, 2007.

187. David A. Logan, *Third Annual Faculty Scholarly Productivity Survey Again Goes Viral*, DEAN LOGAN'S BLOG (Feb. 3, 2010, 12:00 AM), <http://law.rwu.edu/blog/third-annual-faculty-scholarly-productivity-survey-again-goes-viral>.

188. See *McDonald v. City of Chicago*, 130 S. Ct. 3020, 3108 n.35 (2010) (Stevens, J., dissenting) (Justice Stevens cited Profess Carl Bogus' article, *Gun Control and America's Cities: Public Policy and Politics*); *Town of Castle Rock v. Gonzales*, 545 U.S. 748, 780–82 (2005) (Stevens, J., dissenting) (Justice Stevens cited Professor Emily Sack's article, *The Struggle for the Future of Domestic Violence*).

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many supreme visits to the Bristol campus, United States Supreme Court Associate Justice Anthony M. Kennedy delivered the keynote address at the law school's first commencement in 1996.¹⁸⁹ His visit was followed by visits from many of his colleagues on the Supreme Court, including in recent years, Associate Justices Antonin Scalia,¹⁹⁰ Stephen Breyer,¹⁹¹ Samuel Alito,¹⁹² and retired Associate Justice Sandra Day O'Connor.¹⁹³ These visits provide opportunities for RWU law students and alumni, as well as the Bench and Bar, to interact with the High Court.¹⁹⁴ On a rare occasion in 2008, Chief Justice John Roberts addressed RWU law students and swore in more than forty of its recent alumni to the federal bar, marking the first time that a sitting United States Supreme Court Chief Justice had visited Rhode Island on official business in more than two centuries.¹⁹⁵

Roger Williams has also implemented a program for alumni desiring to become admitted as members of the Supreme Court of the United States Bar. Through this program, Roger Williams University professors have moved the admission of nearly sixty alumni into the high Court's Bar. In conjunction with the admission ceremony, alumni have had the opportunity to visit with Supreme Court justices in the Court's West Conference Room, including Associate Justices Samuel Alito, Ruth Bader Ginsburg, and Elena Kagan.¹⁹⁶

As the state's only law school, Roger Williams has benefitted from a close relationship with the Rhode Island Judiciary. When

189. Alvarez, *supra* note 32.

190. Edward Fitzpatrick, *Scalia Offers an Originalist View*, PROVIDENCE J., Apr. 8, 2008.

191. See Edward Fitzpatrick, *With Justice Breyer Presiding*, PROVIDENCE J., Oct. 30, 2011; John Hill, *Insight from High Court Justice*, PROVIDENCE J., Oct. 27, 2011.

192. *Justice Alito at RWU Law*, RWU LAW, <http://law.rwu.edu/story/justice-alito-rwu-law-pt-1>(last visited Feb. 25, 2014).

193. Michael P. McKinney, *Life on an Unexpected Path*, PROVIDENCE J., Oct. 10, 2013.

194. Roger Williams University also hosted Supreme Court Justice Elena Kagan in August 2013 in Providence, Rhode Island. Katie Mulvaney, *An Inside Look at the Nation's High Court*, PROVIDENCE J., Aug. 20, 2013.

195. See Edward Fitzpatrick, *U.S. Chief Justice to be in R.I.*, PROVIDENCE J., Feb. 12, 2008; *Fireside Chat, RWU Law Style, With Supreme Court Justice Samuel Alito*, RWU (Sept. 14, 2012), available at <http://pdq.rwu.edu/news/fireside-chat-rwu-law-style-supreme-court-justice-samuel-alito>.

196. *Id.*

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RWU dedicated its new law building on Law Day in May 1994, the state Supreme Court—Acting Chief Justice Joseph R. Weisberger and Associate Justices Florence K. Murray, Donald F. Shea and Victoria Lederberg—sat in session in the school's courtroom.¹⁹⁷ It was the first time the Court had sat in session outside of Providence in nearly a century and the occasion was perceived as “a symbolic consecration of the day's significance for Rhode Island.”¹⁹⁸

Over the next twenty years, RWU Law forged a tremendous relationship with members of the judiciary in Rhode Island—the state Supreme, Superior, District, Family and Workers' Compensation Courts, as well as the Federal District Court and the United States Court of Appeals for the First Circuit—paving the way for its students to serve as interns and externs and for its graduates to serve as law clerks. Indeed, the Rhode Island judiciary opened its doors to the law school's earliest graduates, taking many on as judicial law clerks.¹⁹⁹

Historically, the Rhode Island Supreme Court has presided over the final round of the law school's annual intra-school appellate advocacy competition, the Esther Clarke Moot Court Competition, allowing second-year law students an opportunity to argue a mock appeal before the state's highest Court. While the Supreme Court Justices have typically made the journey to Bristol to hold the final arguments at the School of Law, in celebration of the Twentieth Anniversary in 2013, students made their final pitches to the Justices sitting at the Supreme Court in Providence.²⁰⁰

In addition to their presence on campus for mock oral arguments, Justices of the Rhode Island Supreme Court and Judges of the United States Court of Appeals for the First Circuit²⁰¹ have brought their courtrooms to Bristol and have held

197. O'Brien, *supra* note 4.

198. *Id.*

199. McVicar, *supra* note 3 (noting that the editor of the first edition of the law review, Brent Canning, received a coveted clerkship with Rhode Island Supreme Court Justice John P. Bourcier).

200. David A. Logan, *Clark Finals Held in front of RI Supreme Court, at RI Supreme Court*, DEAN LOGAN'S BLOG (Nov. 14, 2013, 10:22 AM), <http://law.rwu.edu/blog/clark-finals-held-front-ri-supreme-court-ri-supreme-court>.

201. *See East Bay Briefings*, PROVIDENCE J., Apr. 7, 1999. A three-judge

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real arguments in the school's Appellate Courtroom, offering students an opportunity to learn from both the justices and the practitioners who appear before them. In late 2009, Federal District Court Judge William E. Smith also brought his courtroom to the law school when he heard oral arguments in a motion for summary judgment in *URI Student Senate v. Town of Narragansett*, 707 F. Supp. 2d 282 (D.R.I. 2010), *aff'd*, 631 F.3d 1 (1st Cir. 2011).²⁰² In this constitutional case, the Town of Narragansett defended a town ordinance that authorized law enforcement to "tag" a house with a large orange sticker if anyone associated with the house violated specific public ordinances or laws.²⁰³ Adding to the experience, this court session was followed by a "Question and Answer" period where Judge Smith and participating attorneys responded to student questions.²⁰⁴ Underscoring the strong relationship with the Judiciary, the beginning of each academic year also has commenced with the Chief Justice of the Rhode Island Supreme Court delivering the "Oath of Professionalism" to the incoming class, a tradition that began during Chief Justice Frank J. Williams's tenure.²⁰⁵

IV. INSPIRATION AT THE HELM OF A YOUNG LAW SCHOOL

RWU Law's success is a credit to a confluence of factors, events and people in its twenty-year history. No one person or event has made RWU Law the exceptional school it is today. However, those at its helm have played a tremendous role in guiding the school's progression. Much of this Article recounts the

panel consisting of Chief Judge Juan Torruella, Judge Bruce Selya, and Judge Sandra Lynch of the First Circuit held arguments at RWU Law on April 7, 1999. *Id.* See also David A. Logan, *US Court of Appeals for First Circuit Hears Arguments at RWU Law (and Sticks around After for Q&A!)*, DEAN LOGAN'S BLOG (Oct. 8, 2010, 10:00 AM), <http://law.rwu.edu/blog/us-court-appeals-first-circuit-hears-arguments>. A three-judge panel consisting of Chief Judge Sandra Lynch, Judge Bruce Selya, and Judge Rogeriee Thompson held arguments at RWU Law on October 6, 2010. *Id.*

202. David A. Logan, *Federal Judge Holds Hearing on Constitutional Challenge to "Scarlet Letter Law" at RWU Law*, DEAN LOGAN'S BLOG (Dec. 11, 2009, 12:00 AM), <http://law.rwu.edu/blog/scarlet-letter-law>.

203. *Id.*

204. *Id.*

205. David A. Logan, *RWU Law Class of 2015: Talented, Diverse*, DEAN LOGAN'S BLOG (Aug. 22, 2012, 8:34 AM), <http://law.rwu.edu/blog/rwu-law-class-2015-talented-diverse>.

instrumental role President Santoro played as both Dean of RWU Law and President of the University during the law school's earliest years. In addition to the headlines he made in the University's formative years, he continues in his unassuming way to play a significant role in guiding the school's progression. Another key player in the early years of the law school's formation was Bruce Kogan, who joined the faculty in July 1993 and became the law school's Interim Dean in 1998 and then again in 2000. Kogan is credited for ushering in reforms that included attracting highly credentialed applicants from diverse geographic locations.²⁰⁶

In 2003, David A. Logan stepped foot on campus and assumed the position of Dean. At six-foot-nine, Dean Logan is a giant not only in stature but also in his administration and elevation of a law school that was still in its infancy when he arrived. He has served as Dean for more than half of the law school's history and his impact is widely felt in the legal community, in academia, and, most importantly, in the budding careers of the approximate 1,300 alumni who have graduated during his tenure.

Dean Logan brought an infectious energy to RWU and a belief in the caliber of students at RWU Law. He assumed the responsibility of providing the established student base with the resources and tools to excel in law school, bar passage and their eventual careers. He morphed into a one-man public relations campaign, touting the successes of RWU Law and its students in Rhode Island, New England, and beyond. His energy and beliefs were contagious from the start. Since his arrival in Rhode Island in June 2003, he has been a constant presence in the legal community, building upon the relationships that were forged by his predecessors.

In addition to a full slate of responsibility in the Dean's office, Logan refused to part with his first love: teaching.²⁰⁷ His dual role of Dean and Professor of Law enabled him to develop wonderful friendships with students and, in some cases, mentorships of students. Doing so kept him grounded, well-

206. Tracy Breton, *Roger Williams Has Raised the Bar at its Law School*, PROVIDENCE J., Jan. 6, 2004, at A1 [hereinafter Breton, *Raised the Bar*].

207. Julie McMahon, *Law School Dean Steps Down from Roger Williams University*, R.I. LAWYERS' WEEKLY, Aug. 29, 2013.

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respected by students, faculty, and staff, and in tune with the strengths and needs of the school.

In August 2013, Dean Logan announced that his retirement would come at the end of the 2013-2014 academic year. His eleven-year stint as dean makes him one of the fifteen longest-serving law school deans in the country.²⁰⁸ He is recognized for having raised the credibility of the school. When Dean Logan announced his retirement, Attorney General Kilmartin reflected, “In its 20 years, the school has established credibility within the justice system in Rhode Island as a place where people can go for unbiased or neutral opinions regarding issues affecting the judicial system . . . Under [Logan’s] administration, the school has not just rested but has continued to move forward.”²⁰⁹ He is also credited with “helping to launch an immigration clinic, an in-house counsel externship program, and a pro bono collaboration, which connects local lawyers and law students with organizations in need of legal services.”²¹⁰ In retiring, he leaves the law school well-positioned for continued success in the next twenty years. Logan’s successor, founding faculty member Michael Yelnosky, who has seen the law school mature since its founding, is well regarded within the law school and legal communities, and has participated in many major decisions that have guided the law school’s course. Yelnosky, the Associate Dean for Academic Affairs from 2004 to 2008, was also named Distinguished Service Professor of Law in 2011, and is exceptionally qualified to continue Logan’s successes and move RWU law well into the next twenty years.²¹¹

The later years of Dean Logan’s administration were complimented by the arrival of University President Dr. Donald J. Farish in 2011. Farish, an educator, biologist, and lawyer, received his Juris Doctor from the University of Missouri.²¹² Farish’s own legal training positioned him to understand the

208. *Id.*

209. Edward Fitzpatrick, *Filling Law Dean’s Shoes at RWU Will be Tall Order*, PROVIDENCE J., Aug. 29, 2013.

210. McMahan, *supra* note 207.

211. *Introducing New Dean, Affordable Excellence*, RWU LAW NEWSROOM (Jan. 15, 2014), <http://law.rwu.edu/story/introducing-new-dean-affordable-excellence>.

212. G. Wayne Miller, *RWU Names New President*, PROVIDENCE J., Mar. 30, 2011.

value of a law school to a university and to recognize its needs. Support from the University is always necessary, but it is especially critical in challenging economic times. President Farish is well suited to see the University and, especially the law school, through the current challenges it faces as the nation emerges from the economic downturn.

V. STRENGTH IN BAR PASSAGE NUMBERS

After some initial bumps in the road during its infancy,²¹³ RWU Law began making headlines for its bar passage rate.²¹⁴ In a January 6, 2004, a Providence Journal article headlined “Roger Williams has raised the bar at its law school,” the newspaper which had previously been critical of the school’s bar pass rate²¹⁵ lauded the school for its graduates’ success during the July 2003 testing period.²¹⁶ The same article noted “the statistics indicate that more recent graduates of the law school are coming into the exam better prepared and are more competitive with graduates from other institutions.”²¹⁷ The law school attributed its success to its aggressive recruiting campaign and its use of merit-based scholarships to “attract students with strong academic credentials and who would make an important contribution to the law school community.”²¹⁸ It put in place a more selective admissions process, hired additional legal writing instructors, began offering a free bar-review course for its students and required students to register for courses on subjects tested on the bar exam.²¹⁹ In two years, these “systemic educational program changes”²²⁰ resulted in a 16% increase in the school’s bar pass rate for first-time test takers in Rhode Island.²²¹ That same year, RWU’s first-time test takers achieved an 82% pass rate in Massachusetts and an 83% pass rate in Connecticut, matching and exceeding those states’

213. Tracy Breton, *Success Eludes Many R.I. Law School Grads*, PROVIDENCE J., Dec. 10, 2001 [hereinafter Breton, *Success*].

214. Breton, *Raised the Bar*, *supra* note 206, at A1.

215. Breton, *Success*, *supra* note 213.

216. Breton, *Raised the Bar*, *supra* note 206.

217. *Id.*

218. *Id.* (quoting Professor Michael Yelnosky who was then the school’s Associate Dean for Academic Affairs).

219. *Id.*

220. *Id.* (quoting Dean David Logan).

221. *Id.*

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respective statewide pass rates.²²²

RWU Law's bar exam success story continued over the next nine years. In 2009, the school boasted a 90% overall pass rate for the Class of 2009 in Massachusetts, Rhode Island, New York, Connecticut, and New Jersey.²²³ In 2012, Roger Williams's first-time takers achieved a 90% passage rate in Connecticut and an 86% passage rate in Rhode Island and Massachusetts on the July bar exams.²²⁴ Commenting on that statistic, Dean David Logan wrote:

Our secret is simple: recruit a pool of talented, hard-working students, provide them a rigorous education in a supportive environment, delivered by highly-credentialed faculty teaching a broad array of electives built around a strong core curriculum, and then send them out to compete successfully with the best and brightest from other schools.²²⁵

G. *More Than 2,600 Alumni Are a Testament to its Success*

In a June 1996 article, the Providence Journal noted that "ultimately, the measure of a law school is the reputation of its faculty, the caliber of its students and the success of its graduates."²²⁶

Its more than 2,600 graduates are proof of its success.²²⁷ The employment statistics for its first graduating class topped national averages, with 76.6% of its graduates holding full-time legal

222. *Id.*

223. David A. Logan, *2009 Bar Pass Wrap Up*, DEAN LOGAN'S BLOG (Feb. 12, 2010, 12:00 AM), <http://law.rwu.edu/blog/2009-bar-pass-wrap>. The first-time pass rate for all RWU law graduates in those states was as follows: 93% in Massachusetts; 85% in Rhode Island; 81% in New York; 82% in Connecticut and 85% in New Jersey. *Id.*

224. David Logan, *Impressive Showing by RWU Law Grads on July 2012 Bar Exams*, DEAN LOGAN'S BLOG (Dec. 19, 2012, 3:34 PM), <http://law.rwu.edu/blog/impressive-showing-rwu-law-grads-july-2012-bar-exams>.

225. *Id.*

226. McVicar, *supra* note 3.

227. See, e.g., *Class Notes and News*, 1 ROGER WILLIAMS U. SCH. OF L. ALUMNI NEWS & NOTES, 6-7 (1996) (detailing the employers of many in the law school's first graduating class); 2 ROGER WILLIAMS U. SCH. OF L. ALUMNI NEWS & NOTES 19-22, 24 (1998) (detailing the employers of many in the law school's second graduating class).

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positions.²²⁸ Of those, the majority chose employment in private practice, while 11% garnered judicial clerkships, 9% opted for a career in government and 6% chose jobs in the business sector.²²⁹ That statistic has held steady even in difficult economic times, as the Class of 2012 also reported that 76% of its graduates are employed in legal positions.²³⁰

The law school's graduates have become leaders in their communities as partners in law firms and general counsel in prominent corporations. Some have opened their own practices, while others have used their degrees in the business sector. Many have committed themselves to careers in public service. Several have served in the Rhode Island General Assembly,²³¹ two are mayors²³² and one, Peter F. Kilmartin, is Rhode Island's Attorney General, defeating fellow alumnus Erik B. Wallin to serve as Rhode Island's chief law enforcement officer.²³³

Arguably—and perhaps unarguably—the most compelling alumni story during the past two decades followed the 1998 graduation of Betty Anne Waters. Waters, whose brother was convicted of first-degree murder in 1983, had maintained her brother's innocence. After obtaining her high school equivalency diploma, earning her associates degree at the Community College of Rhode Island, and later earning her bachelor's degree at Rhode Island College, Waters figured she would have to commute to another state to earn her law degree to obtain the qualifications necessary to vacate her brother's conviction.²³⁴ Twelve years after

228. See Kelly Shea, *Anything But Average . . .*, 2 ROGER WILLIAMS U. SCH. OF L. ALUMNI NEWS & NOTES 5 (1998).

229. *Id.*

230. CLASS OF 2012 EMPLOYMENT REPORT AT 9 MONTHS AFTER GRADUATION, available at [http://law.rwu.edu/sites/law/files/rwu/Career Services/pdf/ocs-stats-2012.pdf](http://law.rwu.edu/sites/law/files/rwu/Career%20Services/pdf/ocs-stats-2012.pdf) (last visited Feb. 26, 2014).

231. David A. Logan, *Alums in the Legislature and Scholarship Winners Feted at Annual Meeting*, DEAN LOGAN'S BLOG (Nov. 15, 2009, 12:00 AM), <http://law.rwu.edu/blog/alums-legislature-and-scholarship-winners-feted-annual-meeting>.

232. See *Big Election Night Wins for Alumni*, RWU LAW NEWSROOM, <http://law.rwu.edu/story/big-election-night-wins-alumni> (last visited Feb. 25 2014); David A. Logan, *Class of 2005 Yields Pair of Mayors!*, DEAN LOGAN'S BLOG (Nov. 28, 2011, 3:41 PM), <http://law.rwu.edu/blog/class-2005-yields-pair-mayors>.

233. *AG Candidates Debate at RWU Law*, RWU LAW NEWSROOM, <http://law.rwu.edu/story/ag-candidates-debate-rwu-law> (last visited Feb. 25, 2014).

234. Jerry O'Brien, *Women's 18-Year Quest Edges Brother to Freedom*,

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obtaining her associates degree, Waters received her Juris Doctor from Roger Williams, and, with the assistance of The Innocence Project, in 2001, Waters' goal of vacating her brother's murder conviction was realized.²³⁵ This unbelievable story was retold in the major motion picture titled *Conviction*, where Hilary Swank portrayed Waters, complete with a Roger Williams University School of Law sweatshirt.²³⁶ As RWU Law forges into the next twenty years, the compelling stories of its graduates' successes will undoubtedly continue to draw national attention to Rhode Island's only law school.

VI. CONCLUSION

At its inception, Chief Justice Weisberger predicted that:

[t]he School of Law will be a great source of strength to the legal system of the State of Rhode Island as well as an institution for the education and training of young lawyers in the ethical practice of a noble profession. [Rhode Island] is, indeed, fortunate at the leadership shown by Roger Williams University in this vital area.²³⁷

RWU Law has more than fulfilled that prophecy. The next twenty years promise to be equally as remarkable.

PROVIDENCE J., March 15, 2001.

235. *Id.*

236. David A. Logan, *RWU Law's Rhode Island Advance Screening of "Conviction" a Smash!*, DEAN LOGAN'S BLOG (Oct. 27, 2010, 1:35 PM), <http://law.rwu.edu/blog/rwu-law-advance-screening-conviction>; see also Michael Janusonis, *You'll enjoy seeing justice triumph*, PROVIDENCE J. 6, Oct. 29, 2010.

237. Roger Williams University, THE BRIDGE, Spring 1994, at 6.