

**MEMORANDUM OF TRANSMITTAL OF PROPOSED**  
**RULES OF PROFESSIONAL CONDUCT**

TO: The Honorable Chief Justice and Associate Justices of the Supreme Court  
FROM: The Committee to Review the Rules of Professional Conduct

1. The Committee to Review the Rules of Professional Conduct (the committee) forwards to the Supreme Court proposed Rules of Professional Conduct as recommended by the committee to the Court for adoption in substitution for the present Rules of Professional Conduct.

2. The committee appointed by the Chief Justice for the purpose of reviewing the Rules of Professional Conduct held its first meeting on September 18, 2002. At that time Chief Justice Frank J. Williams addressed the committee and delivered its charge. The committee was charged with examining the Rhode Island Rules of Professional Conduct in light of the recent changes promulgated by the American Bar Association in the Model Rules of Professional Conduct which has been distributed to the states with the recommendation that they be adopted in order to create uniform Rules of Professional Conduct throughout the nation.

3. In 1997 the American Bar Association created the "Ethics 2000 Commission" to review the Model Rules and propose such amendments as the commission might deem appropriate. On February 5, 2002 the House of Delegates adopted a series of amendments that arose from this proposal. Not all the recommendations of the "Ethics 2000 Commission" were adopted by the House of Delegates.

4. The Committee began its deliberations by considering Rule 1.6 which was probably the most controversial rule recommended by the ABA. During the course of the committee's deliberations, the ABA House of Delegates approved an amendment to Rule 1.6 to include a permissive disclosure "to prevent, mitigate or rectify substantial injury to

the financial interests or property of “another” resulting from the client’s “commission of a crime or fraud in furtherance of which the client has used the lawyer’s services;” A subcommittee was appointed to review the language of Rule 1.6 and present suggestions to the committee. Other subcommittees were appointed to make suggestions in respect to other proposed Model Rules. The committee devoted several meetings to discussions of Rule 1.6 and finally on February 27, 2003 the committee by a close vote adopted Rule 1.6 as proposed by the ABA including the fraud language which had been proposed by the “Ethics 2000 Commission” and ultimately adopted by the House of Delegates. A number of members of the committee favored an adoption of mandatory as opposed to discretionary disclosure. By a very close vote a majority of the committee voted to recommend that the language of Rule 1.6 as proposed by the ABA be recommended for adoption by the Court. The committee also proposed the adoption of the commentary contained as a supplement to Rule 1.6.

5. The committee has met monthly through most of its period of deliberations with recess during the summer period. During these recesses subcommittees met to prepare recommendations to the full committee. During the past several months, the committee has met twice per month in an effort to expedite the conclusion of its proceedings.

6. The proposed rules submitted by the committee have in certain instances departed from the recommendations of the ABA Model Rules. In such instance wherein the committee has added language to a proposed rule, the added language is underlined. In each instance wherein the committee has deleted language from a proposed Model Rule the language is set forth with a line through the deleted language. At the beginning of its deliberations, the committee recommended the adoption of the Model Rules proposed by the ABA unless there was a good reason for not doing so.

7. Examples of significant recommended changes are found in proposed Rule 1.8 in which the committee did not adopt Rule 1.8(j) prohibiting sexual relations between attorney and client. After much discussion the majority of the committee determined that such a proposition was not appropriate for a Rule of Professional Conduct but would be

controlled by substantive law. Another significant change was made in respect to proposed Rule 1.15 (Safekeeping Property). In this instance the IOLTA provisions of existing Rhode Island Rule 1.15 were recommended in their entirety because they were deemed to be unique and important to the Rhode Island Rules. The committee also proposed the adoption of Model Rule 5.4 as recommended by the ABA. It should be noted that this Rule 5.4(a)(4) permits lawyers to share court awarded fees with not-for-profit organizations that employ or retain the lawyer. This recommendation is inconsistent with the Court's opinion in In Re Rule Amendments to Rule 5.4(a) and 7.2(c), 802 A.2d 721 (R.I. 2002).

8. In order to alert the Court to other instances in which the committee has added or deleted language or changed the numerical listing of the proposed rules from those contained in the ABA recommended Model Rules, the committee attaches herewith as Exhibit A, a document entitled "Highlights of Proposed Rules of Professional Conduct" prepared by Elizabeth Del Padre, Esq.

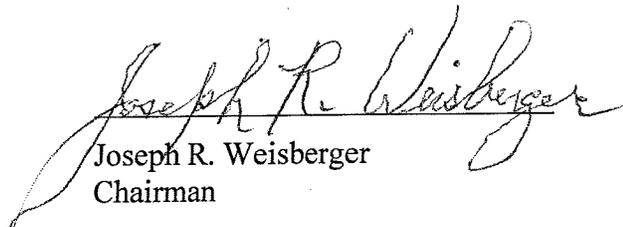
9. The committee sets forth on Exhibit B the current membership of the committee. The committee sets forth as Exhibit C a minority report on Rule 1.6 which would have made disclosure of information mandatory in order to prevent reasonably certain death or substantial bodily harm or to comply with other law or court order. This minority position is presented by three members of the committee. The committee sets forth as Exhibit D another minority report in respect to Rule 1.6. The five proponents of this minority report suggest that no change should be made in the current Rule 1.6 as set forth in the present Rhode Island Rules of Professional Conduct. The committee sets forth as Exhibit E a minority report in respect to Rule 7.4. The three proponents would amend comment one to allow a lawyer to state that his or her practice is limited to or concentrated in a particular field without compliance with regulations in subparagraph(d) of Rule 7.4. The committee sets forth as Exhibit F a minority report by three members which would amend Article IV "Periodic Registration of Attorneys" to require significant disclosures relating to the coverage of the attorney by professional liability insurance. This differs from the committee's proposal which requires only a statement concerning whether the attorney is

concurrently covered by professional liability insurance. This amendment is proposed by three members of the committee.

10. The committee wishes to express its appreciation for the great help provided by members of its subcommittees and also for the fine work done by David Curtin, Esq. and Elizabeth Del Padre, Esq. in preparing detailed recommendations for the committee and acting on behalf of the committee in a consistent and helpful advisory capacity normally fulfilled by paid academic consultants. The committee also expresses its gratitude to Andrea Krupp, Esq. who acted as the committee staff person, prepared the minutes of the committee's meetings, and carried out the duties of staff secretary. Professor Peter Margulies of Roger Williams University and Professor Nancy J. Moore of Boston University were helpful in advising the committee and preparing drafts for the committee's consideration. Professor Moore also shared her experience as a member of the ABA "Ethics 2000 Commission."

11. The committee transmits the proposed Rhode Island Rules of Professional Conduct with proposed comments for the consideration of the Supreme Court and for the consideration of members of the Bench and Bar whose comments will undoubtedly be invited by the Court to be submitted in aid of its deliberations, in respect to these proposed rules.

12. The committee respectfully recommends to the Court that it consider appointing a committee to provide continuing review of the Rules of Professional Conduct and make periodic recommendations to the Court for changes and modifications to the rules as experience provides a basis for doing so.

  
Joseph R. Weisberger  
Chairman

January 6, 2006

## EXHIBIT A

### MEMORANDUM

TO: Chief Justice Joseph R. Weisberger (ret.)  
FROM: Elizabeth A. Del Padre, Esq.  
DATE: October 28, 2005

#### Highlights of Proposed Rules of Professional Conduct

- A. Throughout the proposed rules (as in ABA Model Rules), “informed consent, confirmed in writing” replaces “consent after consultation.” See e.g., Proposed Rules 1.6, 1.7, 1.8(f)(1), Rule 1.9; see paragraphs (b) and (e) in Proposed Terminology.
- B. Proposed Rule 1.6: Confidentiality of Information
- Committee adopted ABA Rule 1.6 and Comments.
  - Reasons for permissive disclosure are expanded to prevent client from committing crime or fraud resulting in injury to financial interests or property of another, in furtherance of which client has used lawyer’s services; and to prevent, mitigate, or rectify same. See Rule 1.6(b)(2) + (b)(3). These provisions are new to RI rules.
- C. Proposed Rule 1.7: Conflict of Interest: Current Client
- Committee adopted ABA Rule 1.7 and Comments.
  - The proposed rule is restructured, but there are no substantive changes, except that client consent must be confirmed in writing.
  - The two types of conflicts, i.e., directly adverse conflicts, and materially limiting conflicts, are now delineated in proposed paragraph (a); the elements of waiver, which apply to both, are now delineated in proposed paragraph (b).
- D. Proposed Rule 1.8: Conflict of Interest: Current Clients: Specific Rules
- Committee adopted ABA Rule 1.8 and Comments with one exception.
  - The Committee did not adopt ABA Rule 1.8(j), and related commentary, prohibiting sexual relations between attorney and client.
- E. Proposed Rule 1.9: Duties to Former Client
- Committee adopted ABA Rule 1.9 and Comments.
  - In addition to the common former client conflict situation, the proposed rule now addresses the situation of a lawyer whose former law firm represented a client in the same or substantially related matter as that of a client in the new firm. See Proposed Rule 1.9(b).

- F. Proposed Rule 1.10: Imputation of Conflicts of Interest: General Rule
- Committee adopted ABA Rule 1.10 and Comments, with one addition.
  - Committee added a screening provision and related commentary to Proposed Rule 1.10.
  - Proposed Rule 1.10(c) permits screening (with notice to the affected client) of a lawyer who becomes associated with a firm and who is disqualified from representing a client under Proposed Rule 1.9.
- G. Proposed Rule 1.11: Special Conflicts of Interest for Former and Current Government Officers and Employees
- Committee adopted ABA Rule 1.11 and Comment.
  - Proposed Rule 1.11 expressly applies to both former and current government officers and employees. The current RI rule does not include current government officers and employees, but by interpretation has been applied to them by ethics committees, including the RI Ethics Advisory Panel.
  - Proposed Rule 1.11 does not contain the one-year/revolving door provision that appears in existing RI Rule 1.11(b). The revolving door provision was included in the existing rule as a corollary to a similar provision in the State Ethics Code.
- H. Proposed Rule 1.15: Safekeeping Property
- Committee adopted ABA Rule 1.15 and Comment, adding the IOLTA provisions of existing RI Rule 1.15. The IOLTA provisions were deemed to be unique and important to the RI Rules, and were therefore retained.
- I. Proposed Rule 1.18: Duties to Prospective Client
- Committee adopted ABA Rule 1.18 and Comment.
  - Proposed Rule 1.18 is new to RI rules.
- J. Proposed Rule 1.19: Required Bookkeeping Records
- This rule appears as Rule 1.16 in the existing RI Rules. It was re-assigned as Proposed Rule 1.19 in order to keep the numbering of Proposed Rules 1.16, 1.17, and 1.18 consistent with the corresponding ABA rules.
  - This rule was deemed unique and important to the RI Rules, and was therefore retained.
- K. Proposed Rule 2.4: Lawyer Serving as Third-Party Neutral
- Committee adopted ABA Rule 2.4 and Comments.
  - Proposed Rule 2.4 is new to RI rules.
  - The Committee proposes deleting existing RI Rule 2.2 entitled Intermediary, and replacing it with Proposed Rule 2.4. (The ABA likewise deleted former ABA Rule 2.2 and adopted ABA Rule 2.4.)

L. Proposed Rule 3.8: Special Responsibilities of a Prosecutor

- Committee adopted ABA Rule 3.8 and Comments, except that Committee deleted paragraph (c) of the ABA rule (prosecutor subpoenas lawyer) and related commentary, and added proposed paragraph (f) in its place.
- Proposed Rule 3.8(f) requires judicial approval before a prosecutor in a criminal case subpoenas a lawyer to compel the lawyer to provide evidence concerning the lawyer's client.

M. Provisional Order No. 18 – Use of Legal Assistants

- Committee moved Provisional Order No. 18 to the end of Proposed Rule 5.3: Responsibilities Regarding Nonlawyer Assistants, and its Comments.
- Provisional Order No. 18 is now located after existing RI Rule 5.5: Unauthorized Practice of Law and Comments.

N. Proposed Rule 5.4: Professional Independence of a Lawyer

- Committee adopted ABA Rule 5.4 and Comments.
- Proposed Rule 5.4(a)(4) permits lawyers to share court-awarded fees with not-for-profit organizations that employ or retain the lawyer. This recommendation is inconsistent with the RI Supreme Court's opinion in In re Rule Amendments to Rules 5.4 & 7.2(c), 802 A.2d 721 (R.I. 2002).

O. Proposed Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law

- Committee adopted ABA Rule 5.5 and Comments.
- Proposed Rules 5.5(c) and 5.5(d) are new to RI rules. They relate to multijurisdictional practice.

P. Proposed Rule 5.7: Responsibilities Regarding Law-Related Services

- Committee adopted ABA Rule 5.7 and Comments.
- Proposed Rule 5.7 is new to RI rules.

Q. Proposed Rule 6.1: Voluntary Pro Bono Publico Service

- Committee adopted ABA Rule 6.1 and Comments.
- Proposed Rule 6.1(a) (like ABA Rule 6.1(a)) establishes an aspirational goal of 50 hours of pro bono publico service a year. It is not mandatory.
- The 50-hour goal in Proposed Rule 6.1(a) is new to RI rules.

R. Proposed Rule 6.5: Nonprofit and Court-Annexed Limited Legal Services Programs

- Committee adopted ABA Rule 6.5 and Comments.
- Proposed Rule 6.5 is new to RI rules.

S. Proposed Rule 7.1: Communications Concerning a Lawyer's Services

- Committee adopted ABA Rule 7.1 and Comments, and added paragraphs (b) and (c) relating to disclaimer requirements for testimonials, endorsements, and dramatizations. The added provisions currently appear in existing RI Rule 7.1.
- These provisions were deemed unique and important to the RI Rules, and were therefore retained.

T. Proposed Rule 7.2: Advertising

- Committee adopted ABA Rule 7.2 and Comments, with two exceptions.
- The Committee added paragraph (b) which requires lawyers (1) to file a copy of advertisements with Disciplinary Counsel, and (2) to retain copies of advertisements for three years. These requirements currently appear in existing RI Rule 7.2, except that the existing rule requires copies to be retained for two years.
- The Committee deleted references to qualified lawyer referral services. The only authorized referral service in RI is that which is sponsored by the RI Bar Association.
- These provisions were deemed unique and important to the RI Rules, and were therefore retained.

U. Proposed Rule 7.3: Direct Contact With Prospective Clients

- Committee adopted ABA Rule 7.3 and Comments, with three additions.
- The Committee added business organizations, nonprofit organizations, and government bodies to the persons whom lawyers may directly solicit in-person, by telephone, or online in real-time. See Proposed Rule 7.3(a)(3). This provision is new to RI Rules, and is not contained in ABA Rule 7.3.
- The Committee added subparagraphs (3), (4), and (5) to Proposed 7.3(b) as additional conditions under which lawyers are prohibited from soliciting clients. These provisions are currently in existing RI Rule 7.3(2).
- The Committee added paragraph (d) which requires lawyers (1) to file copies of solicitations with Disciplinary Counsel and (2) to retain copies for three years. These requirements currently appear in existing RI Rule 7.3(c).
- These provisions were deemed unique and important to the RI Rules, and were therefore retained.

V. Proposed Rule 7.4: Communication of Fields of Practice and Specialization

- Committee adopted ABA Rule 7.4 and Comments, with one addition.
- Committee added paragraph (3) to Proposed Rule 7.4(d). This provision requires a disclaimer that the Court does not license or certify lawyers as experts or specialists. This requirement is currently in existing RI Rule 7.4.

- The disclaimer was deemed unique and important to the RI Rules, and was therefore retained.

W. Proposed Rule 7.5: Firm Names and Letterhead

- Committee adopted ABA Rule 7.5 and Comments, with one addition.
- Committee added to paragraph (c) that the name of a lawyer who is disbarred or suspended for at least 6 months shall not appear in a law firm's name. This provision is new to RI rules.

X. Proposed Rule 8.3: Reporting Professional Misconduct

- Committee adopted ABA Rule 8.3 and Comments, with additions.
- Committee added paragraph (d), (e), and (f) relating to the Confidential Assistance Committee. The provisions are currently in existing RI Rule 8.3

Y. Proposed Rule 8.4: Misconduct

- Committee adopted ABA Rule 8.4 and Comments, with one addition relating to conduct prejudicial to the administration of justice.
- Proposed Rule 8.4(d) itemizes several bases of discrimination. ABA Rule 8.4 does not list discriminatory bases. Race, nationality, and sex are currently listed in existing RI Rule 8.4(d). Proposed Rule 8.4(d) lists more.

Z. Proposed Legal-Malpractice-Insurance-Disclosure Rule – As an Administrative Rule of the Supreme Court

- Committee proposes that attorneys be required to disclose on the annual registration form whether they have legal malpractice insurance.
- Committee proposes that this rule become part of Art. IV: Periodic Registration of Attorneys (and not a rule of professional conduct.) (A copy of Proposed Rule 1(b) of Supreme Court Rules Article IV entitled Periodic Registration of Attorneys is attached hereto.)

AA. Proposed Rule 2(h) of Rules of the Ethics Advisory Panel

- Committee recommends adoption of Proposed Ethics Advisory Panel Rule 2(h) which adds a basis for the Panel to decline rendering an advisory opinion when a conflict of interest inquiry relates to a matter pending in litigation. The trial justice has unfettered authority to decide the propriety of a lawyer's representation of a party in litigation. O'Rourke v. Power, 690 A.2d. 342 (R.I. 1997). An ethics advisory opinion is not binding on a trial justice. *Id.* It is for the sole benefit of the inquiring attorney, and is exclusively for the purpose of avoiding disciplinary action. *Id.* (A copy of Proposed Ethics Advisory Panel Rule 2 is attached hereto.)

**PROPOSED**

**RULE 1(b) OF ARTICLE IV. PERIODIC REGISTRATION OF ATTORNEYS**

- (b) This form will contain a provision whereby the attorneys certify that they have read and are complying with Rule 1.15 of the Rules of Professional Conduct. This form will also contain a provision whereby the attorneys state whether they are currently covered by professional liability insurance. It shall be the responsibility of each attorney to notify the Clerk of any change in the information previously submitted within thirty (30) days of such change.

\* \* \*

**PROPOSED  
ETHICS ADVISORY PANEL RULE 2**

2. **JURISDICTION.** The Panel shall accept requests from any member of the Rhode Island Bar in good standing concerning his or her prospective conduct as an attorney under the Rules of Professional Conduct as set forth in Supreme Court Rule 9. The Panel may decline to render an advisory opinion if any of the following circumstances exist:

- (a) The request seeks an opinion about the conduct of a lawyer other than the inquirer.
- (b) The request concerns a hypothetical situation and does not arise from a factual situation faced by the inquirer.
- (c) The request seeks an opinion concerning conduct not governed by the Rules of Professional Conduct.
- (d) The request requires a determination to be made concerning past conduct or is based on facts which are the subject of a complaint pending before the Disciplinary Board of the state Supreme Court.
- (e) The request contains insufficient information on which the Panel can make a judgment.
- (f) The request is not in the form required by Rule 3 hereof.
- (g) The opinion would require resolution of questions concerning substantive law outside the area of legal ethics and discipline.
- (h) The request concerns a matter that is pending in litigation and that is within the jurisdiction of a court or other tribunal.

EXHIBIT B

**MEMBERS OF THE COMMITTEE**

David Curtin, Esq.

Jennifer Hoopis D'Ambra, Esq.

Susan Leach DeBlasio, Esq.

Elizabeth Del Padre, Esq.

Terrence Donnelly, Esq.

Alan Flink, Esq.

Richard Humphrey, Esq.

Peter Margulies, Esq.

Nancy Moore, Esq.

Mark B. Morse, Esq.

Olayinka Oredugba, Esq.

John M. Roney, Esq.

Andrea Krupp, Esq., Staff Attorney

Joseph R. Weisberger (C.J., retired)  
Chairman

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John M. Roney, Esq.

Andrea Krupp, Esq., Staff Attorney

Joseph R. Weisberger (C.J., retired)  
Chairman

EXHIBIT C

Minority Report

**Rule 1.6**

The undersigned members of the Supreme Court Committee to Review the Rules of Professional Conduct respectfully dissents from the Committee Report regarding Rule 1.6 and Comment [6] thereto and recommends the following:

CONFIDENTIALITY OF INFORMATION

(a) A lawyer shall not reveal information relating to the representation of a client or a former client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is required by paragraph (b) or permitted by paragraph (c).

(b) A lawyer shall reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:

(1) to prevent reasonably certain death or substantial bodily harm; or

(2) to comply with other law or a court order.

(c) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:

(1) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;

(2) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;

(3) to secure legal advice about the lawyer's compliance with these Rules; or

(4) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client.

## Comment

### Disclosure Adverse To Client

[6] Although the public interest is usually best served by a strict rule requiring lawyers to preserve the confidentiality of information relating to the representation of their clients, the confidentiality rule is subject to limited exceptions. Paragraph (b) (1) recognizes the overriding value of life and physical integrity and requires disclosure reasonably necessary to prevent reasonably certain death or substantial bodily harm; and paragraph (b) (2) recognizes the overriding special duties of lawyers as officers of the court and the legal system. [The remainder of Comment [6] is agreed to].

Terrence Donnelly, Esq.

Susan Leach DeBlasio, Esq.

Alan S. Flink, Esq.

EXHIBIT D

**Minority Report**

**Rule 1.6**

The undersigned members of the Supreme Court Committee to Review the Rules of Professional Responsibility respectfully dissent from that portion of the Committee Report which recommends changes in Rule 1.6 as presently stated in the existing Rules of Professional Conduct.

It is the position of the undersigned that the current Rule 1.6 should not be changed.

Jennifer Hoopis D'Ambra, Esq.

Elizabeth A. Del Padre, Esq.

Richard S. Humphrey, Esq.

Mark B. Morse, Esq.

John M. Roney, Esq.

EXHIBIT E

Minority Report

Rule 7.4

The undersigned members of the Supreme Court Committee to Review the Rules of Professional Conduct respectfully dissent from the Committee Report regarding Rule 7.4 and Comment [1] thereto and recommend the following in conformity with ABA Model Rule 7.4.

**COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION**

(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.

(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or substantially similar designation.

(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation.

(d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:

(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and

(2) the name of the certifying organization is clearly identified in the communication.

**Comment**

[1] Paragraph (a) of the Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. In furtherance thereof the lawyer may state that the lawyer's practice is limited to or concentrated in particular fields without compliance with the requirements in Paragraph (d). A lawyer is generally permitted to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services.

John M. Roney, Esq.

Terrence Donnelly, Esq.

Alan S. Flink, Esq.

EXHIBIT F

MINORITY REPORT

PROPOSED LIABILITY INSURANCE DISCLOSURE RULE

The undersigned members of the Supreme Court Committee to Review the Rule of Professional Conduct respectfully dissent from the Committee Report regarding Rule 1 (b) Article IV Periodic Registration of Attorney of the Rules of the Rhode Island Supreme Court and recommend the following in conformity with the comparable ABA Model Rule.

ARTICLE IV. PERIODIC REGISTRATION OF ATTORNEY

RULE 1

(b) This form will contain a provision whereby the attorneys certify they have read and are complying with Rule 1.15 of the Rules of Professional Conduct. It shall be the responsibility of each attorney to notify the clerk of any change in the information previously submitted within 30 days of such change.

This form shall also require the attorney to state (1) whether the attorney represents private clients; (2) if the attorney represents private clients, whether the attorney is currently covered by professional liability insurance; (3) if the attorney is covered by professional liability insurance the attorney shall identify the primary carrier and policy number and shall notify the clerk in writing within 30 days if the insurance policy providing coverage lapses, is no longer in effect, or terminates for any reason, unless the policy is renewed or replaced without substantial interruption; and (4) whether the attorney is exempt from the provisions of the insurance portion of this Rule because the attorney is engaged in the practice of law as a full-time government lawyer or as counsel employed by an organizational client and does not represent clients outside that capacity.

Notwithstanding anything to the contrary in Rule 1(b) of these rules, the information submitted pursuant to this rule will be made available to the public by such means as may be designated by the Rhode Island Supreme Court.

John M. Roney, Esq.

Terrence Donnelly, Esq.

Alan S. Flink, Esq.