

# **RHODE ISLAND WOMEN'S BAR ASSOCIATION** **SUMMER 2020 NEWSLETTER**

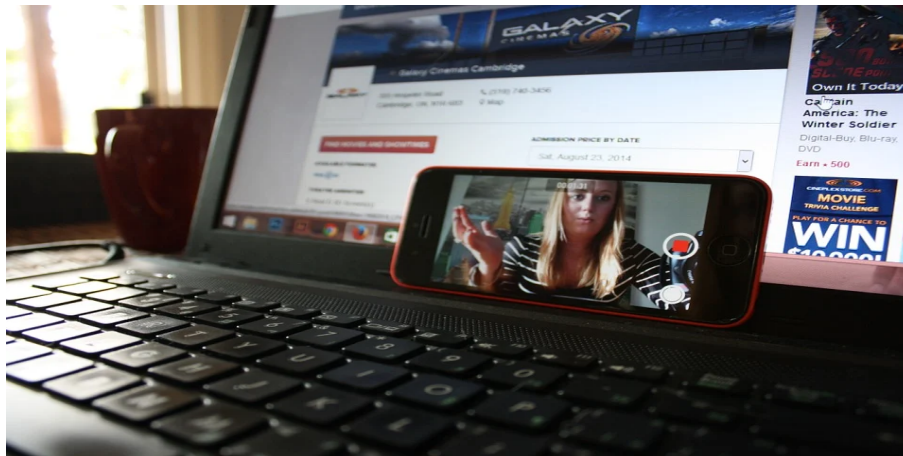
## **UPCOMING EVENTS:**

**August 19, 2020 11:30 am-1:30pm (Webinar)**

**Women's Bar Association of the District of Columbia Presents: Countering the Potential Regressive Effects of the COVID-19 Pandemic on Women Lawyers: How to Get What You Need to Succeed in the New Normal.** This presentation will focus on how women lawyers and law firms can work together to fight the regressive effects that the pandemic is having on the trajectory of women lawyer's careers. Non-members are invited to join this discussion, please register [here](#).

**August 27, 2020 3:00pm-4:00pm (Webinar)**

**National Association of Women Lawyers (NAWL) Women in Environmental & Energy Law Present: Climbing the Mountain When You Are Afraid of Heights.** Presenter Libby Stennes, an attorney involved in complex litigation discusses her career and how anxiety almost caused her to "run down the mountain." Register for this event [here](#).



**September 9, 2020 5:30pm-6:30pm (Zoom)**

**Women's Fund of Rhode Island (WFRI):** Join the WFRI for Cocktails and Conversations: Our Voting Rights, Then and Now. Sponsored by Rhode Island Council for the Humanities, featuring experts on voting history, constitutional law and grassroots voting activism. Register [here](#).

## MEMBERSHIP HIGHLIGHTS:

**Welcome to our newest Board of Directors!** We are excited to announce our new leadership team for the 2020-2021 membership year.



Kelly Kincaid – *President*  
Samantha Vasques – *Vice President*  
Cassandra Feeney – *Treasurer*  
Aubrey Lombardo – *Secretary*  
Kelly McGee – *Ex Officio*

Etie-Lee Schaub  
Lisa Kresge  
Lynne Barry Dolan  
Angela Yingling  
Leigh Furtado  
Rebecca Dupras

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Kudos to member **Kristen Sloan Mancini** in her new endeavor **Key Mediation LLC**, a Rhode Island based dispute resolution company. Key Mediation LLC provides mediation of all civil disputes and is providing remote video conferencing options. Check out the attached press release for further details. Add her to your list of mediators!

Check out **Jenna Giguere's** article in the July/August 2020 Rhode Island Bar Journal entitled, "**Opening Our Eyes (and Taking Them Off Our Smartphones) to Examine Digital Habits.**" Jenna discusses digital "addiction" and the intersection of legislation surrounding the regulation of digital habits. Congrats Jenna!



## **MEMBERSHIP HIGHLIGHTS, continued:**

**Want to get involved?** This will be a difficult year for networking and marketing, but it's a great time to get your foot in the door with a leadership opportunity on a RIWBA committee! Interested in joining a committee? Contact Kelly Kincaid at [kkincaid@apslaw.com](mailto:kkincaid@apslaw.com).

**Want to brag on one of your fellow members? Including yourself?** Email Jessica Rider at [jrider@riag.ri.gov](mailto:jrider@riag.ri.gov) so that we can include those accomplishments in a future edition!

## **ARTICLES AND RESOURCES OF INTEREST:**

**Check out the SBA's 2020 Small Business Profile**, included in this newsletter. This is a great snapshot of RI's small business economy. This may be of interest to you and your clients!

**The Women's Bar Association of the District of Columbia has compiled a Racism and Anti-Racist Toolkit.** The [Toolkit](#) is a comprehensive (although not exhaustive) collection of resources currently available. It offers a range of written materials, opportunities, and tools for readers to learn about race and systemic racism in the U.S. and how to become and be anti-racist. ([WBADC.org](http://WBADC.org))

**Women Lawyers on Guard's survey on Sexual Misconduct and Harassment in the legal profession is out.** No surprise the survey found that the legal profession is "Still Broken" in addressing these issues. Check out the full [report](#). (*Women Lawyers on Guard*)

**How willing are you to share your salary level with friends and colleagues?** This [article](#) has a comprehensive look at the costs and benefits of sharing how much you earn and knowing how much your colleagues are earning. (*New York Times Magazine*)



## **ARTICLES AND RESOURCES OF INTEREST, continued:**

Have you listened to the [Strict Scrutiny podcast](#) yet? Three female law professors and one female partner at Goodwin Procter discuss pending US Supreme Court cases and the culture that surrounds the Court. It's a great way to catch up on and/or stay current about SCOTUS!

**Wharton and Harvard Study Identifies “The Gender Gap in Self-Promotion.”** Self-promotion is key to career advancement (think job applications and interviews, performance reviews). But studies show that women [promote themselves measurably less than men](#). The next step is to understand the causes of this gap and evaluate solutions for closing it. (*Wharton*)

**History and Momentum for Women in State Legislatures.** The first woman elected to a state legislature was in Oregon in 1914. In 2019, Nevada became the first state to have a [majority female state legislature](#). This article runs through the numbers of women in state legislatures, the wins and the stagnancies. (*Route Fifty*)

**Is the quest for productivity killing creativity?** In a world of seeking efficiency and endless productivity hacks, we are losing the unfocused time needed to get to our next big idea. Learn more about the simple way to get your creative juices flowing [here](#). (*Harvard Business Review*)

**The American Bar Association has issued thorough guidance on business continuity planning for lawyers.** Though it predates the outbreak, [this is a valuable resource](#) for addressing this business disruption now and planning for future disaster preparedness. (*ABA*)

**As we get closer to the anniversary of the 19th Amendment, we must also recognize that not all women were part of this legal shift in our society.** Meet a few of the lesser known [suffragettes](#), including women of color who also joined the fight for the right to vote, but did not (and may still have not) reaped the benefits. (*NY Times*)

**Will the use of [face masks](#) impact jurors’ ability to assess credibility?** Will the impact be negative or positive? (*WBUR*)



**Have a valuable article or resource for our membership?** Email Sam Vasques at [samantha.vasques@lockelord.com](mailto:samantha.vasques@lockelord.com) to add to next month’s edition!

## **EMPLOYMENT OPPORTUNITIES:**

**Commercial Litigation Associate.** Duffy & Sweeney is now accepting applications from self-reliant and motivated individuals with **one to four** years of clerkship and/or litigation experience. See attached pdf for further details. Qualified candidates should send a resume and cover letter to [Gerald C. DeMaria II, Director of Finance and Administration](#).

**Real Estate Attorney.** Robinson+Cole, an Am Law 200 Firm, seeks an Attorney with at least eight years experience to join its Real Estate and Development practice group in its Boston office. Qualified candidates will have significant experience representing clients in real estate and finance transactional matters including commercial real estate lending, construction lending, loan participation, loan work outs, foreclosures, reviewing title and survey, condominium, commercial leasing, real estate acquisitions and dispositions. The candidate must have substantial experience reviewing due diligence work related to zoning, survey and title issues with a special emphasis on title insurance and endorsements. In addition to the ability to review and analyze complex real estate agreements, candidates should work well as part of a team and enjoy a fast paced work environment. Admission to the Massachusetts bar is required. Top academic and transactional credentials, excellent writing, research, negotiation and communication skills also required. [Click here to apply](#), and please include a cover letter, resume and transcript.

**Employment Application**

COMPANY OR EMPLOYER NAME: \_\_\_\_\_  
Position applying for: \_\_\_\_\_

**EMPLOYEE INFORMATION**

Name: Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Are you able to perform the essential functions of the position with or without accommodations?  
 Yes  No  
If necessary for the job are you older than:  
 14  15  16  18  19  21 (Check one)  
I am legally eligible for employment in the U.S.?  
 Yes  No  
I am seeking a permanent position:  Yes  No  
I will be able to report to work \_\_\_\_\_ days after being notified I am hired.

**EMPLOYER INFORMATION**

List most recent employment first. Include summer or temporary positions. Provide a valid Alaska Driver License if so, fill out the job type and endorsement information.

Employer name and address: \_\_\_\_\_  
Position title/duties: \_\_\_\_\_

**Are you hiring?** Know someone looking for a top-notch applicant for an open position? Email Sam Vasques at [samantha.vasques@lockelord.com](mailto:samantha.vasques@lockelord.com) to add an opportunity to our employment section!

## **MONTHLY MEMBER SPOTLIGHT:**

The Monthly Member Spotlight is your cheat sheet to the incredible women who are your fellow RIWBA members. Keep an eye on your inbox, because you might be next!

This month, we are delighted to spotlight **Kelly Kincaid**, Associate at Adler Pollock & Sheehan PC. Read on to learn more about Kelly!

**What was your first paying job?** Besides babysitting, my first “real” job was working as a summer camp counselor for the Town of Cumberland. This is where I met my future husband and we have been together ever since!

**Can you share something about yourself that others would be surprised to learn?** Roger Williams is my 15th great grandfather.

**Where is your favorite place in the world?** Amalfi, Italy. My husband and I honeymooned there and literally cried when we had to leave. I hope to get back there soon! Also, Block Island is a very special place for us as well. We got engaged and married on BI.

**What was the best concert/play you ever attended?** I love live music, so this is a hard one. It probably would be a three way tie between Beyonce, U2 and Coldplay! All of which I have seen multiple times and I can't wait to be able to experience live music again in the future.



**In fifty words or fewer, describe what you want other RIWBA members to know about your practice.** I am a member of AP&S' litigation group. My practice includes assisting clients in civil matters including disputes involving personal injury, wrongful death, product liability, toxic torts, and premises liability actions.

## **NEXT MONTH'S ISSUE:**

Have something you would like to see in the next newsletter? Let us know by **Monday, August 31st** to include it in the latest edition. And as always, thanks for reading!

*Kelly Kincaid, Jessica Rider, Jenna Giguere, Stephanie Simon & Sam Vasques*

**RIWBA Newsletter Committee**

Duffy & Sweeney is now accepting applications from self-reliant and motivated individuals with **one to four years of clerkship and/or litigation experience**. We offer a stimulating environment with challenging and rewarding work.

Our lawyers represent clients throughout the region, the nation and the globe. We don't just represent our clients; we protect their interests by litigating professionally, ethically and assertively. We continue to be in the forefront of cases of first impression and contemporary issues in the business marketplace. We hold ourselves to the highest professional standards and need associates who share these qualities.

Our firm culture fosters a work-life blend and affords associates the opportunity to take ownership of their work while growing and developing their professional skills in a supportive, mentoring environment. We encourage our attorneys to follow their passions for community involvement and leadership.

Our newly constructed Class A office space combines leading-edge technology with a state-of-the-art modern office design that inspires collaboration.

### IDEAL CANDIDATE

The candidate we select must meet the following criteria:

Strong analytical skills | Excellent writer | Effective speaker | Confident in abilities | Self-motivated problem solver

### REQUIREMENTS TO BE CONSIDERED FOR THE POSITION

Requirement 1: JD with strong academic performance

Requirement 2: Clerkship preferred

Requirement 3: Law review or equivalent writing experience

Requirement 4: One to four years in commercial litigation

Requirement 5: Experience using document management and review software

Requirement 6: Writing sample

*All candidates must pass a background check and have verifiable references.*

### BASIC DUTIES & RESPONSIBILITIES

- Performing detailed and comprehensive legal research
- Drafting research and fact memos
- Drafting pleadings and motions
- Handling written discovery
- Taking and defending depositions
- Presenting arguments at court hearings
- Managing document collection, production and review in complex litigation

### WHY WORK AT DUFFY & SWEENEY?

Management team committed to your success | Challenge oriented work environment | Collegial and professional workplace | Substantial opportunity to develop and hone litigation skill set | Dynamic and varied commercial case load

### ATTRIBUTES NEEDED TO BE SUCCESSFUL

*Interdependency* – Seeks help when needed but otherwise works productively without close supervision.

*Interpersonal Skills* – Able to interact effectively with different personality styles.

*Adaptability* – Able to change gears as required by current conditions.

*Quality of Work* – Attention to detail and organizational skills must be a natural talent.

*Comportment* – Behaves in a manner that promotes client trust and respect.

*Client Retention* – Seeks ways to insure long-term relationships with clients.

*Optimism* – Demonstrates a point of view that anticipates positive outcomes.

*Communication* – Speaks directly and appropriately to achieve desired results.

*Challenge Oriented* – The word “can’t” is not in their vocabulary.

*Results Orientation* – Plans and manages time, tasks and deadlines to achieve goals.

*Accuracy* – Consistently produces work that is factually and verifiably accurate.

### COMPENSATION

Starting salary depending on experience. Benefits include health and 401K plus profit sharing.

### CONTACT US

To arrange a confidential interview, apply below with your resume and a cover page outlining how your experience and attributes is a “match” for our firm. All qualified resumes will be considered.

Qualified candidates should send a cover letter and resume to [Gerald C. DeMaria II, Director of Finance and Administration.](#)



# 2020 Small Business Profile

## Rhode Island



**103,986** Small Businesses  
**98.9%** of Rhode Island Businesses

**229,212** Small Business Employees  
**52.6%** of Rhode Island Employees



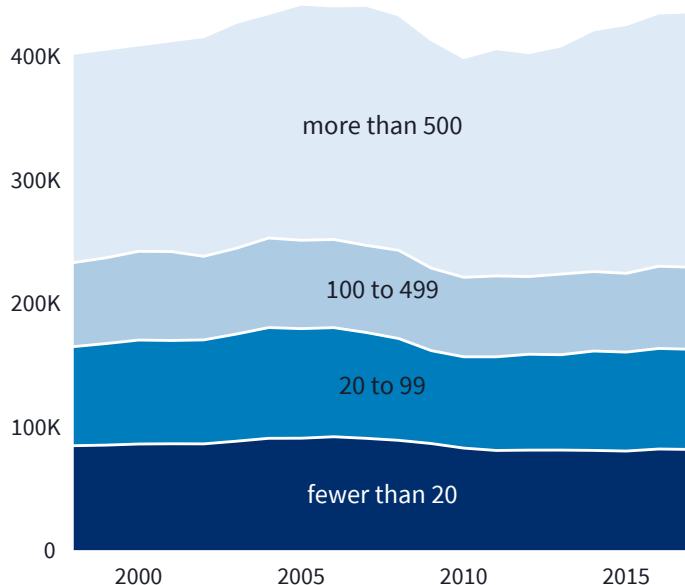
A note on COVID-19: This report uses the most up-to-date government data to present a unique snapshot of small businesses. The BLS employment estimates capture the early stages of the pandemic. All other sources reflect data collected prior to the pandemic.

### Overall Economy

- In the fourth quarter of 2019, Rhode Island grew at an annual rate of **2.2%**, which was faster than the overall US growth rate of **2.1%**. Rhode Island's 2019 overall growth rate of **2.7%** was up from the 2018 rate of **1.2%**. (Source: [BEA](#))
- In April 2020, the unemployment rate was **17.0%**, up from **3.6%** in April 2019. This was above the April 2020 national unemployment rate of **14.7%**. (Source: [CPS](#))

### Employment

**Figure 1: Rhode Island Employment by Business Size (Employees)**



- Rhode Island small businesses employed **229,212** people, or **52.6%** of the private workforce, in 2017. (Source: [SUSB](#))
- Firms with fewer than 20 employees have the largest share of small business employment. Figure 1 provides further details on firms with employees. (Source: [SUSB](#))
- Private-sector employment decreased **21.1%** during the 12-month period ending in April 2020. This was below the increase of **0.7%** during the prior 12-month period. (Source: [CES](#))
- The number of proprietors increased in 2018 by **3.2%** relative to the previous year. (Source: [BEA](#))
- Small businesses created **3,186** net jobs in 2019. Firms employing fewer than 20 employees experienced the largest gains, adding **4,255** net jobs. The largest losses were in firms employing 100 to 499 employees, which lost **1,000** net jobs. (Source: [BDM](#))

The Small Business Profiles are produced by the US Small Business Administration's Office of Advocacy (<http://advocacy.sba.gov>). These profiles define small businesses as firms with fewer than 500 employees. Net small business job change, self-employed minorities, and exporter share statistics are based on 2019 Business Employment Dynamics (BDM), 2018 American Community Survey (ACS), and 2018 International Trade Administration (ITA) data, respectively.

## Income and Finance

- The median income for self-employed individuals at their own incorporated businesses was **\$53,794** in 2018. For self-employed individuals at their own unincorporated firms, median income was **\$32,639**. (Source: [ACS](#))
- The total number of banks decreased by **1** between June 2018 and June 2019 to **8** banks. During the same period, the number of banks with assets under \$1 billion decreased by **1** to **3** banks. (Source: [FDIC](#))
- In 2018, Rhode Island lending institutions reporting under the Community Reinvestment Act issued **21,364** loans under \$100,000, a total value of **\$295.3 million**. (Source: [FFIEC](#))

Median income represents earnings from all sources. Unincorporated self-employment income includes unpaid family workers, a very small percent of the unincorporated self-employed.

## Self-Employment Demographics

**Figure 2: Rhode Island Self-Employment Rates by Gender & Demographic, 2018**

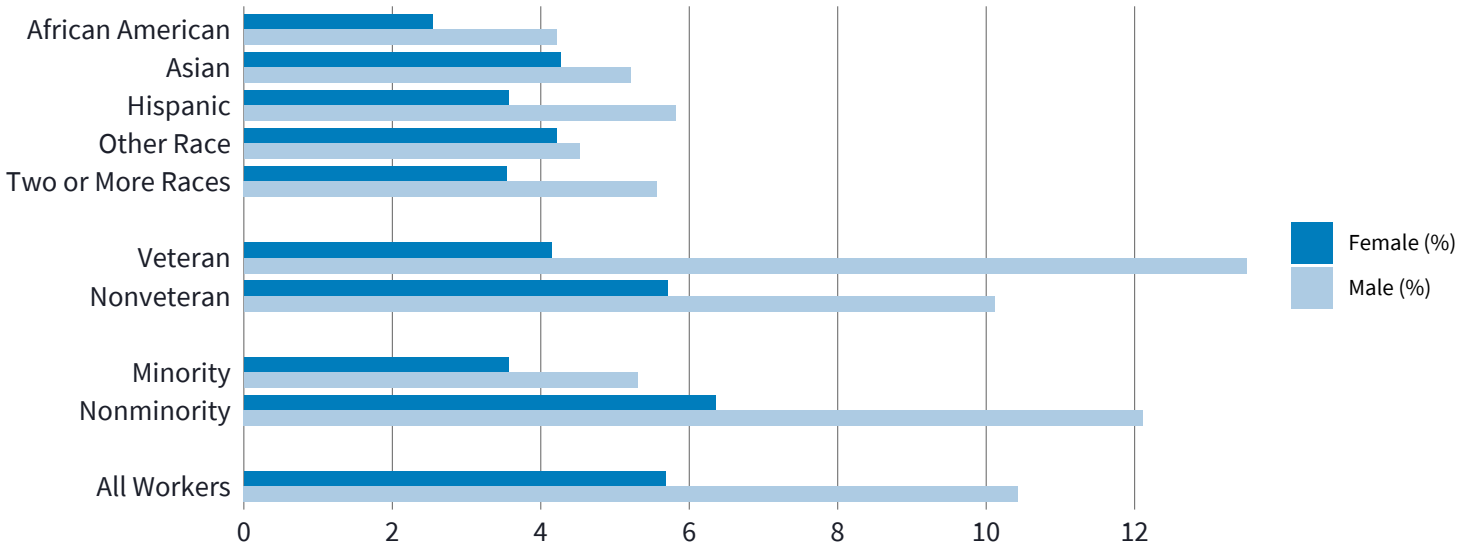
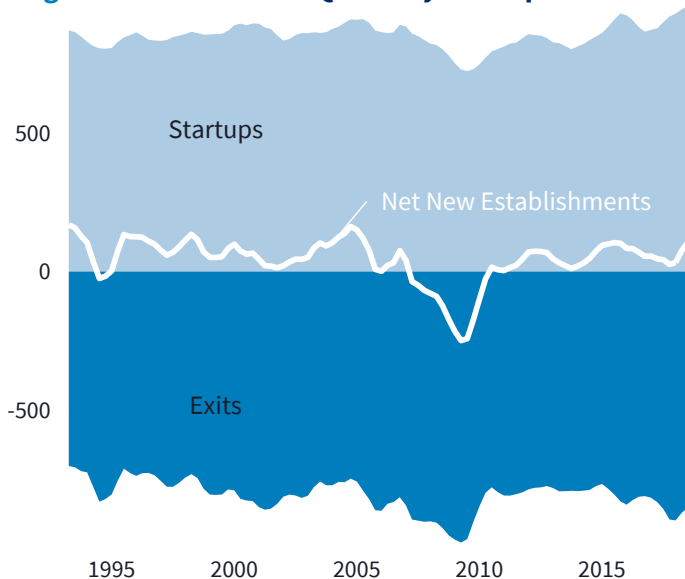


Figure 2 shows the self-employment rate for each demographic group by gender according to the 2018 American Community Survey (ACS). Other Race includes those who selected Alaska Native, American Indian, Native Hawaiian, Pacific Islander, or Some Other Race.

## Turnover among Establishments with Employees

**Figure 3: Rhode Island Quarterly Startups and Exits**



- In the fourth quarter of 2018, **1,010** establishments started up, generating **2,812** new jobs in Rhode Island. Startups are counted when business establishments hire at least one employee for the first time. (Source: [BDM](#))
- In the same period, **874** establishments exited, resulting in **2,384** jobs lost. Exits occur when establishments go from having at least one employee to having none, and then remain closed for at least one year. (Source: [BDM](#))
- Figure 3 displays quarterly startups and exits from 1993 to 2018. Each series is smoothed across multiple quarters to highlight long-run trends. (Source: [BDM](#))

The BDM data covers only business establishments with employees. BDM refers to startups as births and exits as deaths. These terms are distinct from the BDM openings and closings categories. Openings include seasonal re-openings and closings include seasonal shutterings. Quarterly startup and exit values may not align with Figure 3 due to smoothing.

## International Trade

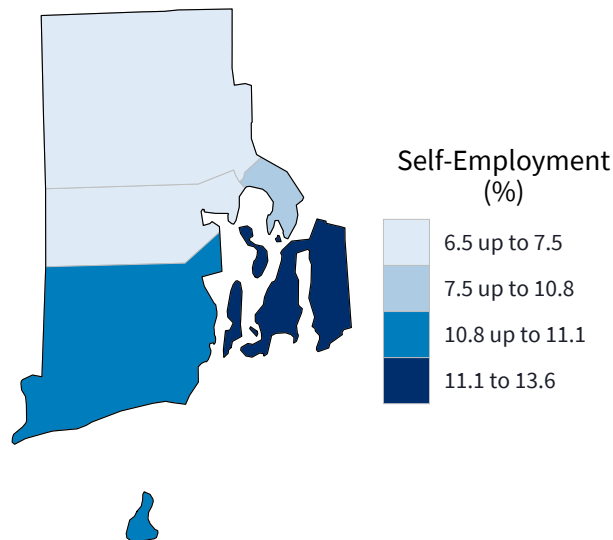
- A total of 1,896 firms exported goods from Rhode Island in 2018. Of these, 1,635, or 86.2%, were small firms, which generated 60.5% of Rhode Island's \$2.2 billion in total exports. (Source: ITA)

## Small Business Employment by Industry and Self-Employment by County

**Table 1: Rhode Island Employment by Industry, 2017**

Industry	Small Business Employment	Total Private Employment	Small Business Employment Share
Health Care and Social Assistance	42,022	87,348	48.1
Accommodation and Food Services	37,054	51,332	72.2
Manufacturing	23,346	38,800	60.2
Retail Trade	18,050	49,329	36.6
Construction	17,366	18,492	93.9
Professional, Scientific, and Technical Services	16,689	24,187	69.0
Other Services (except Public Administration)	15,902	17,641	90.1
Administrative, Support, and Waste Management	13,358	24,057	55.5
Wholesale Trade	12,392	21,623	57.3
Educational Services	6,854	30,100	22.8
Finance and Insurance	5,943	25,885	23.0
Arts, Entertainment, and Recreation	5,825	8,823	66.0
Transportation and Warehousing	4,871	11,021	44.2
Real Estate and Rental and Leasing	3,835	5,386	71.2
Information	3,031	6,921	43.8
Management of Companies and Enterprises	2,229	13,425	16.6
Agriculture, Forestry, and Fishing and Hunting	162	162	100.0
Utilities	136	1,278	10.6
Mining, Quarrying, and Oil and Gas Extraction	116	137	84.7
Industries Not Classified	31	31	100.0
<b>Total</b>	<b>229,212</b>	<b>435,978</b>	<b>52.6</b>

**Figure 4: Rhode Island Self-Employment Rates by County, 2018**



**Table 2: Rhode Island Small Businesses by Industry and Firm Size, 2017**

Industry	1-19 Employees	1-499 Employees	Nonemployer Firms	Total Small Firms
Professional, Scientific, and Technical Services	2,512	2,736	12,388	15,124
Other Services (except Public Administration)	2,572	2,729	11,462	14,191
Construction	2,994	3,145	8,365	11,510
Real Estate and Rental and Leasing	819	867	10,102	10,969
Retail Trade	2,314	2,544	5,532	8,076
Health Care and Social Assistance	1,737	2,143	5,762	7,905
Administrative, Support, and Waste Management	1,397	1,557	5,544	7,101
Transportation and Warehousing	533	606	5,843	6,449
Arts, Entertainment, and Recreation	431	509	5,355	5,864
Accommodation and Food Services	2,042	2,639	1,066	3,705
Educational Services	255	355	2,977	3,332
Finance and Insurance	587	664	1,938	2,602
Manufacturing	905	1,229	1,123	2,352
Wholesale Trade	825	1,054	1,135	2,189
Agriculture, Forestry, and Fishing and Hunting	45	47	1,213	1,260
Information	202	246	997	1,243
Utilities	10	12	94	106
Mining, Quarrying, and Oil and Gas Extraction	12	13	9	22
<b>Total</b>	<b>20,224</b>	<b>23,081</b>	<b>80,905</b>	<b>103,986</b>

Tables 1 and 2 display data from the 2017 Statistics of U.S. Businesses (SUSB). Table 2 includes additional data from the 2017 Nonemployer Statistics (NES). Figure 4 provides estimates of the rate of self-employment among employed civilians, 16 years and over, including both incorporated and unincorporated businesses, from the 2018 American Community Survey (ACS).

**References**

The Small Business Profiles, source data, and methodology are available at <https://go.usa.gov/xvSPA>.

- ACS American Community Survey, US Census Bureau
- BEA Bureau of Economic Analysis, US Department of Commerce
- BDM Business Employment Dynamics, BLS
- BLS Bureau of Labor Statistics, US Department of Labor
- CES Current Employment Statistics, BLS
- CPS Current Population Survey, BLS
- FDIC Federal Deposit Insurance Corporation
- FFIEC Federal Financial Institutions Examination Council
- ITA International Trade Administration, US Department of Commerce
- NES Nonemployer Statistics, US Census Bureau
- SUSB Statistics of US Businesses, US Census Bureau



FOR IMMEDIATE RELEASE

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**KEY MEDIATION LLC TO PROVIDE MEDIATION OF CIVIL LAW DISPUTES**

North Kingstown, RI – June 4, 2020- Attorneys Christine Marinello and Kristen Sloan Maccini have together formed KEY MEDIATION LLC, a Rhode Island-based dispute resolution company. Key provides mediation of all civil disputes. Its partners are currently providing remote mediations using videoconferencing platforms, including Zoom.

Established just prior to the Governor’s stay at home order, Key’s partners quickly pivoted to expand its in-office mediations with remote options to ensure seamless service. “We had to close our physical doors to our recently renovated office space,” said Christine Marinello whose solo law practice has been based at the same address in the historic Lafayette Mill since 2013. In light of COVID, “we quickly accommodated to online platforms which have helped us to continue to meet client needs and interests,” said Kristen Sloan Maccini, her Key business partner, whose solo Jamestown-based law firm has served Of Counsel to Marinello Law since 2019.

Trained mediators and attorneys with more than 40 years’ of combined experience, Christine and Kristen met and discovered their shared interest in mediation when both were appointed to the panel of approved mediators for a state agency. Throughout their careers, Christine ([www.marinellolaw.com](http://www.marinellolaw.com)) and Kristen ([www.ksmlawmediation.com](http://www.ksmlawmediation.com)) have witnessed the toll litigation took on their clients due to the required investment of time, money and mental energy. Both believe that mediation offers parties an efficient way of resolving disputes that values party experiences and circumstances as well as their positions. Both have received formal training and utilize various mediation methods, including facilitative and case evaluative, tailored to the unique needs of the parties and their disputes. Each has provided mediation services through her own law practice, but decided to form Key Mediation to combine their skills and resources to address the needs of parties in all areas of the civil law. These include, although are not limited to, employment, family law, contract, probate, construction, property and regulatory matters. Through Key, they look forward to helping parties open the door to resolution.

Key Mediation LLC  
650 Ten Rod Road  
North Kingstown, RI 02852  
(401) 379- 2539  
[www.keymediationllc.com](http://www.keymediationllc.com)