

**THE JUDICIAL NOMINATING COMMISSION**  
**SUPERIOR COURT PUBLIC COMMENT HEARING**  
**WEDNESDAY, SEPTEMBER 21, 2016**

**MINUTES**

Mrs. Dowling called the meeting to order at 5:30 p.m. in Conference Room B on the 2<sup>nd</sup> floor of the Department of Administration Building. Rachel DiNezza, Legal Assistant to the Commission, kept the Minutes. Ms. DiNezza called the roll. The following Commissioners were present: Mrs. Dowling, Mrs. Duffy, Mr. Flanagan, Mr. Landroche, Mr. Rabideau, Ms. Shekarchi and Mr. Watchorn. Mrs. Dowling declared there was a quorum. Mr. McAuliffe arrived at 5:33 p.m.

Ms. Haynes was not present.

Mrs. Dowling pointed out that the Notice of the Meeting had been properly posted on September 15, 2016 in accordance with the Open Meetings Act. A copy of that Notice is annexed to these Minutes.

On a motion by Mr. Landroche and seconded by Mr. Flanagan, it was unanimously voted to approve the Minutes of the July 27, 2016 meeting of the Judicial Nominating Commission.

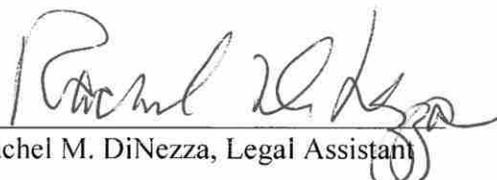
Mrs. Dowling filed a Statement of Conflict of Interest pursuant to R. I. Gen. Laws §36-14-6 with respect to this search indicating her recusal from taking official action due to the fact that candidate R. Bart Totten is a member of the Executive and Compensation Committees of her employer, Adler Pollock & Sheehan P.C., which committees determine her compensation. A copy of that Statement is attached hereto.

Mrs. Dowling welcomed the audience and gave a brief explanation of the public comment process. She then opened the floor for public comment and asked everyone to keep their remarks to five (5) minutes. The following persons were recognized and heard:

William Devereaux and The Honorable William Clifton spoke in favor of Kas R. DeCarvalho; A. T. Wall and Anne Ejnes spoke in favor of Patricia Coyne-Fague; The Honorable Brian Goldman and Peter Slom spoke in favor of Chief Magistrate William R. Guglietta; The Honorable Daniel A. Procaccini spoke in favor of The Honorable Joseph T. Houlihan; Savalle Sims and Matthew Lopes spoke in favor of Melissa A. Long; Erin Cahalan and William Delaney spoke in favor of The Honorable Pamela Woodcock Pfeiffer; Jorge C. Armesto spoke in favor of Laura A. Pisaturo; Collin Geiselman and Clifton Moore spoke on favor of Olin Thompson; and Mark A. Dingley and Patricia K. Rocha spoke on favor of R. Bart Totten.

There being no further business, on a motion by Mr. McAuliffe and seconded by Mrs. Duffy, it was unanimously voted to adjourn at 7:12 p.m.

Respectfully submitted,

  
Rachel M. DiNezza, Legal Assistant

**PUBLIC COMMENT NOTICE**

**STATE OF RHODE ISLAND**

**JUDICIAL NOMINATING COMMISSION**

An open meeting to: (1) approve the Minutes of the Open Meeting of the Commission on July 27, 2016; and (2) receive public comment about the applicants under consideration to fill the vacancy of Associate Justice on the Superior Court has been scheduled for **Wednesday, September 21, 2016, beginning at 5:30 p.m.** at the Rhode Island Department of Administration, One Capitol Hill, Second Floor Conference Room B, Providence, Rhode Island.

**The applicants under consideration are as follows:**

Kas R. DeCarvalho  
Patricia A. Coyne-Fague  
Chief Magistrate William R. Guglietta  
The Honorable Joseph T. Houlihan  
Melissa A. Long  
The Honorable Pamela Woodcock Pfeiffer  
Laura A. Pisaturo  
Olin Thompson  
R. Bart Totten

Commission Members may elect to go into Executive Session to consider and act upon such matters as may be considered at a meeting closed pursuant to Rhode Island General Laws §42-46-5(a)(1)... discussions of the job performance, character, or physical or mental health of a person or persons who have been notified in writing and advised that they may require that the discussion be held in open meeting.

The public is welcome to attend.

Pursuant to RIGL §42-46-(c) and (f) this notice will be posted on Thursday, September 15, 2016, at the Office of the Department of Administration, the State House Library and electronically with the Secretary of State. Anyone wishing to attend this meeting who may have special needs for access or services such as an interpreter, please contact Rachel DiNezza at (401) 427-6155 twenty-four hours in advance of the scheduled meeting.

Sarah T. Dowling  
Chairperson

Statement of Conflict of Interest  
pursuant to R.I. Gen. Laws § 36-14-6

I Sarah T. Dowling, holding the position of Chair of the Rhode Island Judicial Nominating Commission (the "Commission"), hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving the selection of candidates for Superior Court vacancies occasioned by the retirement of Judge Huest is presently before the Commission.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:  
R. Bart Tottel, a shareholder and member of the executive and compensation committees of Adlet Pollock, Sheehan P.C., the law firm where I am employed is a candidate for the position

3. [Please select one of the following]:

- A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)
- B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 21<sup>st</sup> day of September, 2016

Sarah T Dowling  
Signature