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October 3, 2018

Law School News

The First Circuit at RWU Law

Law students observed four actual hearings (with School of Law alumni among the attorneys), then enjoyed a Q & A session with the judges.



The Honorable Bruce M. Selya H '02, his wife Cindy, the Honorable O. Rogeriee Thompson H '10; and the Honorable Jeffrey R. Howard, Chief Judge of the First Circuit, after the unveiling of Judge Selya's portrait. Image Credit: Andrea Hansen/RWU Law

October 3, 2018 by Michael M. Bowden and Julia Rubin

The Honorable Bruce M. Selya Appellate Courtroom has been the site of many exciting events over the past 25 years, prominently including a “Fireside Chat” with U.S. Supreme Court Justice Ruth Bader Ginsburg earlier this year.

Another noteworthy visit took place on Tuesday when a panel of the United States Court of Appeals for the First Circuit sat and heard arguments on four cases before an audience of law students, who then had the opportunity to ask the judges and lawyers questions about the hearing.

In the early morning, the School of Law was already abuzz with eager chatter as students in suits, dresses, and freshly shined shoes gathered in groups in the growing line outside the courtroom. At 8:45 sharp, the clerk called the attention of the bustling room, reminding students that this was a real courtroom and that all rules of court applied.

“All rise,” he instructed, and three judges of the First Circuit – the Honorable Jeffrey R. Howard, Chief Judge; the Honorable O. Rogeriee Thompson H ’10; and the Honorable Bruce M. Selya H ’02 entered the courtroom.

Having just come off midterms, students were enthused to see their studies coming to life before their eyes. “It’s exciting to see everything up close after reading so much about it,” said 1L Megan Hansen.

And not only did they get a firsthand view of the appellate process; students also got a vivid opportunity to envision their own future careers, as the attorneys arguing the cases included RWU Law alumni Mark P. Gagliardi ’03 and Josh Xavier ’14.

Students followed the proceedings attentively, many feverishly taking notes. But there were also moments of levity to break the tension. At one point, for example, after a lawyer addressed Judge Selya as “Justice,” the respected jurist replied, “It’s judge, not justice. Here’s how you can remember – there is no justice in the court of appeals.”

“It’s incredible to see such an evolved legal mind use humor in that way,” said Maggie Montgomery ’21, who was one of the students participating in the Q & A session after the hearings ended.

Montgomery asked what sorts of mechanisms are in place to help judges resolve internal conflicts when they disagree on a decision. Judge Selya explained that unlike district court practice, decisions of Court of Appeals are collective. Though the jurists can sometimes see issues differently, it is up to them to come to a consensus. “We do our best,” said Judge Thompson with a smile.

3L Kennedy Dalton asked, “What is the biggest area of court reform that’s needed?”

“Quadruple the pay,” joked Judge Selya.

Though known for his quick-witted humor, Judge Selya’s expression softened when Dean Michael Yelnosky addressed him. “It is not hyperbole to say that Judge Selya is one of the greatest judges in Rhode Island, and even in the country. Your willingness to have your name on this courtroom honors us,” he said.

As a visual reminder of this honor, the law school has hung a portrait of Judge Selya on the wall of the courtroom. Judge Selya’s wife, Cindy, was called to unveil the portrait, which was draped in cloth. “I will be forever grateful for the mental image of my friend and soulmate pulling back the curtain on that portrait,” Judge Selya said. Then reverting to comedy, he added, “She indeed predicted that a day would come when I would be framed and hung!”

The relationship between RWU Law and Judge Selya has been profound, helping students develop transformative real-world experiences and partake of his deep legal wisdom over the years. A longtime friend of the law school, an adjunct faculty member and honorary degree recipient, Judge Selya has been instrumental in bring several Justices of the U.S. Supreme Court to the law school over the years, and this is his fifth time bringing the First Circuit (previous visits occurred in 1999, 2001, 2005, and 2010). He currently serves as vice-Chair of the Board of Directors.

“I continue to be grateful to my friends at this law school and for their support over the years,” Judge Selya said. “That this beautiful venue will be in my name makes me very proud.”