



Winter 2012-2013

NIABA NEWS

Men and women sharing a common heritage in a chosen profession

NIABA JOINS NIAF AT ANNUAL MEETING TO PRESENT CLE PROGRAM AND LAW STUDENT SCHOLARSHIP

By Frank Schiro
NIABA President

During the weekend of October 12th, the NIABA Board met in Washington D.C. to once again partner with the National Italian American Foundation (NIAF) for their 37th Annual Gala held at the Washington Hilton Hotel.

NIABA was able to arrange for a preferred group rate at the elegant Churchill Hotel with full amenities across the street from the Washington Hilton.



The weekend was kicked off on Friday with a jointly presented Conference on Immigration Law - Recent Developments in the United States, in conjunction with NIAF. The syllabus was authored by one of our respected Board members **Joseph Sena**, from New York, who is an immigration law expert and who travels the country representing individuals in cases involving immigration challenges and issues. The other panelists included NIABA member **Francesco Isgro**, Senior Litigation Counsel and Director of Training from the Office of Immigration Litigation, and Quyoumars Golparvar, who was recently promoted to the Chief of the Immigration Law and Practice Division of the U.S. Immigration and Customs Enforcement Office. Yours truly had the honor to moderate the seminar and this august panel. They presented an informative and exciting seminar on U.S. immigration law developments, particularly in light of Padilla vs. Kentucky.

It is noteworthy that the Immigration Law Seminar qualified for CLE credits in the State of Wisconsin and is CLE eligible in other states upon being processed with the appropriate state required information.

There was much interchange and interaction with the attendees and panelists. Additionally, we were able to meet, greet and congratulate law student Teisha Ruggiero (see article on page 3), who was the recipient of the joint NIABA-NIAF Law Scholarship of \$5,000. The scholarship was presented in honor of our former member, deceased donor Anthony Rosinia, and named as the Anthony and Ann Rosinia Scholarship Fund, which is earmarked through NIABA for Italian American students who wish to study law. Teisha Ruggiero is currently in her second year at Brooklyn Law School and we found her to be delightful as well as a highly-talented and qualified recipient for this scholarship both academically and culturally. In addition to being a law student, she is an emerging artist in her own right.

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Fall Meeting

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A host of issues and subjects were addressed at the Board meeting, including but not limited to the updated and revised website that has recently been launched, and with the new and approved newsletter. Back issues are available on the website and, for those not computer sophisticated, we continue to print and mail hard copies.

Prior to the end of the Board meeting, it was targeted that Atlanta, GA would be the site for the late January 2013 meeting and that the preparations were in the works for such. All NIABA members are welcome to attend (see details below), as the program

will include networking opportunities aside from the Board meeting.

The weekend provided an opportunity for cultural and professional enrichment and networking with our Board members as well as other Italian Americans from various fields in Washington, D.C. We look forward to such networking, camaraderie and enrichment to continue and invite your membership if you have not yet applied.

Fraternally yours,
Frank J. Schiro
NIABA President

Members Welcome! Winter Meeting to Be Held in Atlanta

The NIABA Board of Directors will meet on January 24-27 in Atlanta, GA. A number of social events will be scheduled around the board meetings, to provide opportunities for networking and comraderie. All NIABA members are welcome to attend.

Members are invited as individuals, or as delegates of their own chapter or area. This gathering could be a catalyst for the development of a new chapter, as well as one-on-one networking and resource building.

A special NIABA preferred room rate is available at the Grand Hyatt Atlanta in Buckhead. Reservations can be made at <https://resweb.passkey.com/go/GreenbergTraurigJanuary2013> or by calling Dionne Chu at 404-364-3857.

For more information on the schedule of events, contact President Frank Schiro at 414-271-7776 or fschiro@gmail.com.



We Need Your Email Address

If you received a hard copy of this newsletter in the mail, it may mean we do not have your current email address. Please help us, help yourself, and help the environment by providing that contact information to NIABA Administrator Dana Robb at dana@barefoot-marketing.com.

Not only will we save the cost of printing and mailing, as well as the environmental resources, you'll also get your newsletter sooner and be able to take better advantage of the information and resources we offer in each issue.



NIABA/NIAF SCHOLARSHIP RECIPIENT PASSIONATE ABOUT LAW, ART

Teisha grew up in a small town in New Jersey, just outside of New York City. Large Sunday family gatherings and frequent trips into the city – particularly to Mulberry Street, where her parents grew up – were the staples of her childhood.

Teisha Ruggiero, the 2012 recipient of the NIABA/NIAF scholarship, is in her second year at Brooklyn Law School. She has an array of talent and experience that she attributes, in large part, to her family and her Italian American heritage.

Her parents encouraged her to be generous and freely expressive; her brother taught her to always challenge herself and the ideas of others. As a result, Teisha was passionate about her friendships, her studies, and a hobby that she developed on the side –

painting. “All were perfect forums for me to experiment and grow,” Teisha says, “especially as I moved to different cities to pursue higher education.”

When she was 18, Teisha moved to Montreal to earn a Bachelor of Arts in Political Science at McGill University. While studying at McGill, she had her first art show. “The diversity and artistic expression that permeated this city as I was studying history and politics was an energizing combination,” Teisha recalls. “Before I graduated I knew I wanted to keep going.”

sive and inspiring that I decided law school would be the most appropriate next step.”

Teisha is now “loving” her study of business law at Brooklyn Law School. She externs at the Securities and Exchange Commission part-time, and says that her dream is to work for the U.S. Department of Justice trying cases for tax evasion or white-collar crime.



A few months after receiving her diploma from McGill, Teisha moved to London to pursue a Masters in Politics and Markets from the London School of Economics (LSE). While at the LSE, she worked as a research assistant for Dr. Henry Hardy at Oxford University to collect memoirs of the British political philosopher Isaiah Berlin. In London she worked as a Communications Officer for a European Parliamentary campaign.

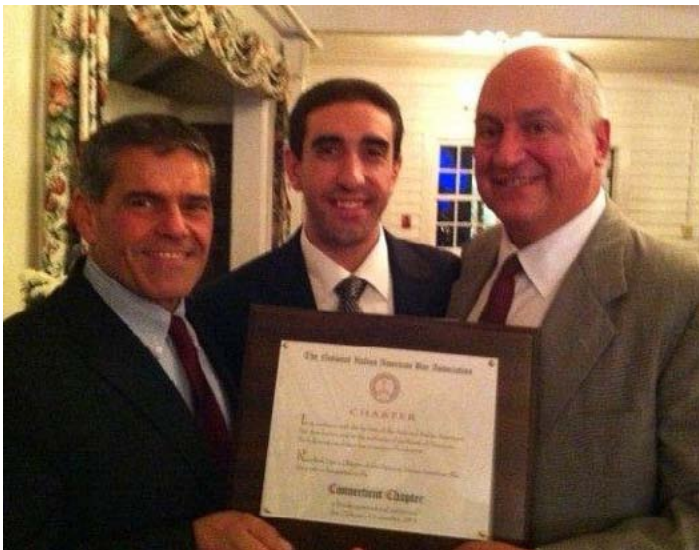
Teisha notes that beneath her inexorable career ambition she will always have her love for art, food and family. “This probably explains the instant connection I felt with NIABA,” Teisha says. “The NIABA president and members presented my scholarship with an extraordinarily warm greeting and congratulatory lunch. I was reminded immediately of my family’s traditional Sunday gatherings.”

After extending her stay in London an extra year, Teisha was anxious to return to the U.S. to apply her knowledge of financial markets and policy. She moved to Washington D.C. to work for the Congressional Research Service on the implementation of the Dodd-Frank Wall Street Reform Act, where she wrote reports with other analysts for members of the House and Senate. “The analysts were mostly former law graduates. I found them to be so impres-

Teisha closes with the observation: “Aside from being extraordinary people, many of NIABA’s participants are incredibly distinguished in law. I hope to be part of this organization for a long time.”

Affiliate Highlights

Connecticut Italian American Bar Association



On September 27th at the University Club in New Haven, CT, NIABA Board member **Anthony Gianfrancesco** presented a charter recognizing the newly reestablished Connecticut Chapter to **Francis Donnarumma** (President) and **Daniel Elliott** (Vice President). At that time, CIABA conducted an Annual Heritage Dinner, at which a presentation of Lifetime Achievement Awards was made to Alice A. Bruno, Executive Director of the Connecticut Bar Association, and to Karen L. Torre of New Haven. The Honorable Alfred V. Covello, Senior U.S. District Judge of the District of Connecticut gave the keynote address.



The Sons of Italy Foundation

2013 National Leadership Grant Competition

"We cannot teach people anything; we can only help them discover it themselves." – Galileo Galilei

GENERAL INFORMATION

Through the Sons of Italy Foundation (SIF) and more than 650 state and local lodges, the Order Sons of Italy in America (OSIA) has awarded \$50 million in scholarships to date. Each year, the SIF offers 10 to 12 merit-based scholarships (National Leadership Grants), ranging from \$5,000 to \$25,000, in the nationwide National Leadership Grant Competition.

General Eligibility: U.S. citizens of Italian descent (at least one Italian or Italian American grandparent) enrolled in an undergraduate or graduate program at a four-year, accredited academic institution for the **Fall 2013 term**. Previous SIF scholarship winners are not eligible. (Please note: Additional eligibility requirements may apply to specific scholarships.)

General Requirements: Please see each scholarship description for its specific requirements. The following general requirements apply to all scholarships:

Application Form: Must be submitted along with requirements. Submit one application form regardless of the number of scholarships being applied for.

Transcripts: For all scholarships, transcripts provided must be through the **December 2012 term**. All transcripts must be stamped by the institution and included in a separate, sealed envelope. Transcripts may be submitted with entire application package; however, we understand some schools prefer to send them separately.

Processing Fee: A **\$30 non-refundable processing fee** is required for each scholarship being applied for. The fee includes a one-year national at-large membership to the Order Sons of Italy in America and a subscription to *Italian America* magazine.

- **Only money orders will be accepted;** no exceptions. Make money orders payable to the Sons of Italy Foundation.
- Any application without the processing fee or with the processing fee postmarked after the deadline will not be eligible. Processing fees for incomplete or late applications will not be refunded.

Deadline: The deadline for all scholarships (unless otherwise noted) is **February 28, 2013**. All requirements for a given scholarship must be met or the application will not be considered. All required materials must be in one package and **postmarked no later than February 28, 2013**. Transcripts may be mailed separately but must be postmarked by **February 28, 2013**. Express mail, FedEx or the equivalent is highly recommended for those sending applications in mid to late February. Applications and required materials postmarked after **February 28, 2013**, will not be accepted under any circumstance. No exceptions will be made. The SIF takes no responsibility for incomplete or late applications.

To expedite application processing, please mail all materials in one package and send via certified or express mail. All complete applications should be sent to:

[Sons of Italy Foundation](#)
Attn: National Leadership Grant Competition
219 E Street, NE
Washington, DC 20002

Acknowledgement: Only applications sent with a self-addressed, stamped envelope and received by **February 14** will be acknowledged by mail. Acknowledgement of applications received after February 14 is not guaranteed.

Process: Applications are screened by education professionals. Final selection is made by OSIA's National Education Committee. **Scholarship recipients only will be notified by May 1**. Monetary awards are presented directly to students' academic institutions in accordance with eligibility requirements.

NIABA is a co-sponsor of the OSIA Scholarship program. For complete details, visit www.osia.org.

GENERAL STUDY SCHOLARSHIPS

General Scholarships

A number of General Study Scholarships are available. Only one set of application and requirements are required to be eligible for all General Study Scholarships.

Eligibility: U.S. citizens of Italian descent enrolled in a four-year undergraduate program or a graduate program at an accredited academic institution for the **2013 Fall term**.

Deadline: The application deadline is **February 28, 2013**. (See additional details in the General Information section.)

Application & Requirements:

1. Application Form: Complete application form and send with remaining requirements and self-addressed, stamped, standard business-size envelope for acknowledgment.
2. Official Transcripts: Submit one official transcript from each academic institution attended **through Dec. 2012**. (See additional details in the General Information section.)
 - High school students: transcripts should include class rank, class size and GPA.
 - Undergraduates: submit high school and undergraduate transcripts.
 - Graduates: submit undergraduate and graduate transcripts. If your first year as a graduate student will be Fall 2012, please specify.
3. Test Scores: Submit copies of official results from all standardized tests (ACT, SAT, GMAT, GRE, LSAT, MCAT) taken during the past 5 years. Scores reported on official transcripts will usually fulfill this requirement.
4. Résumé: Submit a current résumé outlining extracurricular activities, work experience, volunteer service and honors.
5. Letters of Recommendation: Submit 2 letters of recommendation from teachers, professors or educational administrators.
6. Essay: Submit a typewritten original essay of 500-750 words about a personal experience which demonstrated or generated pride in your Italian heritage.
7. Processing Fee: A non-refundable \$30 processing fee must accompany **each** application. (See additional details in the General Information section.)

The Charles Evans Scholarship is one of the General Study Scholarships offered. It was established in 2009 through an endowment from The Charles Evans Foundation. The scholarship is named in memory of Charles Evans, founder of Evan-Picone fashion house, a U.S. veteran, an entrepreneur and a lifelong philanthropist.

There are no additional requirements to apply for the Charles Evans Scholarship. Please submit an application with the requirements noted above.

Henry Salvatori Scholarship

Established by the late philanthropist and businessman for whom it is named, the **Henry Salvatori Scholarship for general study** is a grant awarded to a college-bound high school senior who demonstrates exceptional leadership, distinguished scholarship and a deep understanding and respect for the principles upon which our nation was founded -- liberty, freedom and equality.

Applicants for this scholarship are automatically eligible for a General Study Scholarship, but need only submit the requirements below for the Henry Salvatori Scholarship.

Eligibility: U.S. citizens of Italian descent in their senior year of high school and planning to attend an undergraduate program at a four-year, accredited academic institution for the **2013 Fall term**.

Deadline: The application deadline is **February 28, 2013**. (See additional details in the General Information section.)

Application & Requirements:

1. Application Form: Complete application form and send with remaining requirements and self-addressed, stamped, standard business-size envelope for acknowledgment.
2. Cover Letter: Submit a typewritten cover letter of 150-250 words outlining your academic and professional goals.
3. Official Transcripts: Submit one official transcript from each academic institution attended **through Dec. 2012**. Transcripts should include class rank, class size and GPA. (See additional details in the General Information section.)
4. Test Scores: Submit copies of official results from all standardized tests (ACT, SAT) taken during the past 5 years. Scores reported on official transcripts will usually fulfill this requirement.
5. Résumé: Submit a current résumé outlining extracurricular activities, work experience, volunteer service and honors.
6. Letters of Recommendation: Submit 2 letters of recommendation from public officials / figures (elected or appointed government official, law enforcement officer, firefighter, etc.) whose careers have demonstrated a commitment to the principles the scholarship embodies.
7. Essay: Submit a typewritten original essay of 750-1,000 words on the following: The Declaration of Independence, the Constitution and the Bill of Rights are considered to be living documents by many historical and legal scholars. Discuss the relevance of these documents to the principles of liberty, freedom, and equality in the United States today.
8. Processing Fee: A non-refundable \$30 processing fee must accompany **each** application. (See additional details in the General Information section.)

In Memorial

MICHAEL RAINONE, 94, CHAMPION OF CAUSES



On October 17, 2012, NIABA lost Mike Rainone, a former President as well as a respected colleague and close friend to many of our members. The following article is reprinted from philly.com.

You may never have heard of Cesare Beccaria, but if you visit the Philadelphia Criminal Justice Center you'll find a bust of him.

The 18th-century Italian legal scholar was a hero to Michael C. Rainone, a prominent Philadelphia lawyer who wanted to honor the memory of Beccaria, known for his humane philosophy of penology.

Rainone established an award in Beccaria's honor, as well as one to honor the memory of another hero, the late Pennsylvania Supreme Court Justice Michael A. Musmanno.

Mike Rainone was proud of his Italian heritage and wanted to keep in the public memory the accomplishments of the many Italian-Americans who made their mark on Philadelphia, the nation and the world.

"When Mike Rainone set out to accomplish something, nothing could stand in his way," said longtime friend, Daniel A. Cirucci, public-relations executive and occasional Daily News op-ed columnist.

Michael Rainone, who served as president of a number of Philadelphia legal societies, was a former secretary and

longtime board member of the Philadelphia Bar Association, a mentor to young people seeking to become lawyers and a champion of numerous causes to benefit the needy, died Wednesday. He was 94 and living in Binghamton, N.Y., where he moved to be close to his daughter.

He was a native South Philadelphian and later lived in Merion. "He believed passionately that you should never back down from something that you believe is right," said his daughter, Francine Rainone. "And he never did."

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ALFRED AFFINITO, 84, NIABA FOUNDING MEMBER



On November 17, 2012, longtime NIABA member and board member Al Affinito passed away. The following obituary is reprinted from legacy.com.

Alfred A. Affinito was born on June 13, 1928 in Bronx, NY. He came to Pittsburg, CA at the age of 5 where his family

started a business known as the West End Market. This is when Al began to show pride in the place he would forever call home. He graduated with honors from both Pittsburg HS in 1946, the University of San Francisco Law School in 1953. He then proudly served his country in the US Navy as an attorney, representing the Pacific Rim. During that time, he married Bess Ferraro had 3 children - Alfred II, Michael, Mary. He is grandfather to Carina, Cassie, Vincent Affinito.

Upon his return home, Al opened a successful law practice, served as Pittsburg city councilman, including the role mayor. He was also the city attorney for the city of Pittsburg. He was the founder

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RAYMOND DETTORE, JR., 65, NIABA FOUNDING MEMBER



In December, the NIABA board mourned the passing of Ray Dettore, the third such loss in as many months. The following obituary is reprinted from legacy.com.

Ray Dettore Jr. passed away peacefully on December 15, 2012 surrounded by his loving

family in the Philip Hulitar Inpatient Center.

A lifelong resident of Providence, he was the son of Christine L. (DeSantis) Dettore and the late Raymond Dettore. He was also the loving brother of Deborah L. Angelo and her husband Donald of Smithfield and uncle of Jeffrey Raymond Angelo and the late Christopher Raymond Angelo.

Raymond graduated LaSalle Academy and attended St. Francis College, now University of New England, and earned a Juris Doctorate degree from Suffolk University Law School. He had a private law practice for several years before becoming Chairman of the Board of Licenses for the

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WELCOME NEW NIABA MEMBERS

Welcome to the following members, who've joined NIABA between October 15 and December 12, 2012.

Federico Bucchi
+393334953148
b.federico@gmail.com

Col. Marilyn S. Chiafullo
U.S. Army JAG Corps
2200 Army Pentagon
Washington, DC 20310-2200
703-545-2814
marilyn.chiafullo@us.army.mil

Antonio d'Onofrio
via Appia, 57
Paolisi Bn 82010, Italy
donoa@tin.it

Hon. Frank Forchione
115 Central Plaza N
Canton, OH 44702
330-451-7715
judgeforchione@co.stark.oh.us

Lauren Hopkins
Department of Justice
1301 New York Ave., Ste 800
Washington, DC 20005
202-353-0572
lauren.hopkins@gmail.com

Michele Kinney
1743 P ST NW, Apt 204
Washington, DC 20036
michelekinney@gmail.com

Frank Lamicella
212 Paulding Avenue
Staten Island, NY 10314
frank.lamicella@
law.cardozo.yu.edu

Christopher Mercurio
580 Commonwealth Avenue,
Unit 415
Boston, MA 02215
617-529-0034
cmerc@bu.edu

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Roselli & McNelis, P.A.
4800 N. Federal Hwy.,
Suite 202 E
Boca Raton, FL 33431
561-826-0826
nroselli@rosellimcnelis.com

Teisha Ruggiero
208 E. 70th Street, Apt. 4A
New York, NY 10021
917-886-9415
teisha.ruggiero@gmail.com

Anthony M. Stella
Shook, Hardy and Bacon, LLP
201 S. Biscayne
Miami, FL 33131
305-358-5171
astella@shb.com

Scott Sweeney
Wilson, Elser, Moskowitz,
Edelman & Dicker, LLP
1512 Larimer St., Suite 550
Denver, CO 80202
303-572-5324
scott.sweeney@
wilsonelser.com

Virginia Veneziano
131 Church Street
Wallingford, CT 06492
vveneziano@gmail.com

Nicole Wilmet
nwilmet@kentlaw.iit.edu

**Francesco Antonio
Zincone, III**
Fowler White Boggs, P.A.
1200 E. Las Olas Blvd.,
Suite 500
Fort Lauderdale, FL 33301
954-703-3951
francesco.zincone@
fowlerwhite.com

Rainone *continued from page 6*

"He was never not working. When he died, he had a number of open cases."

She said that when diabetes affected her father's vision in recent years, he told her, "I can't see, but I can think."

Mike had an office in Center City, and also maintained an office in West Philadelphia because he wanted to help people living there.

"He once came home with a chicken," Francine said. "That was his legal fee."

She said that he was contemplating an autobiography that he would call Champion of Causes. "That title summed up his life's work," Francine said.

Mike was president of the National Italian American Bar Association, the Lawyers' Club of Philadelphia and the Philadelphia Trial Lawyers Association. He was international president of the Orphans of Italy, regional vice president of the National Italian American Foundation and president of the Columbus Day Committee of Pennsylvania.

Affinito *continued from page 6*

of Delta Pacific Bank in 1979. He would eventually go on to lead the Order Sons of Italy, both locally nationally, become a founding member of the National Italian American Bar Association, to name only a few of his many accomplishments.

Alfred A. Affinito died at home on November 17, 2012.

He is preceded in death by his parents Alfonse Maria Affinito, his son Alfred II, sister Josephine. He is survived by Mario Nancy Affinito, Dominic Peachie Affinito, Beatrice Medinas, wife Janie Wegner Affinito, many nieces nephews. His family friends have felt a huge loss upon his passing. He will truly be missed.

Deffore *continued from page 6*

City of Providence. Later he became Deputy City Solicitor and retired from the city in 2005 while working in the Law Department.

As a proud Italian-American, Raymond was active in many organizations such as the Sons of Italy where he held numerous State and National offices, including being National Historian and most recently National Orator. Ray was also active in The Justinian Law

Society, The National Italian American Bar Association (NIABA), The Italo-American Club, the Chairman of the Board of Directors of the Center of Individualized Training and Education (CITE) and was on the Governor's Advisory Commission for the Blind and Visually Impaired, and was recently elected to the Democratic Ward Committee. Additionally, Ray served on the board of numerous charitable organizations.



National Italian American Bar Association - Application for Membership

Duplication and redistribution of this document is encouraged.

You can also apply and pay online at www.niaba.org

Name _____

Firm Name _____

Firm Address _____

City, State, Zip and Country _____

Office Phone _____ Fax _____

Cell Phone _____ E-mail _____

Web Site _____

Home Address _____

Home Phone _____

Law School, w/ graduation year _____

In which states and/or countries are you licensed to practice law? _____

Which languages (besides English) can you read and/or speak fluently? _____

Areas of Practice (please select no more than three)

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Administrative | <input type="checkbox"/> Defamation | <input type="checkbox"/> Labor/Empl/Mgmt Relations | <input type="checkbox"/> Real Estate Tax |
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| <input type="checkbox"/> Bankruptcy/Reorganization | <input type="checkbox"/> Family Law | <input type="checkbox"/> Municipal | <input type="checkbox"/> Traffic |
| <input type="checkbox"/> Business | <input type="checkbox"/> Franchise | <input type="checkbox"/> Patent & Trademark | <input type="checkbox"/> Training/Consulting/Education |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> General Practice | <input type="checkbox"/> Personal Injury (Plaintiff) | <input type="checkbox"/> Wills and Trusts |
| <input type="checkbox"/> Class Actions | <input type="checkbox"/> Health Care | <input type="checkbox"/> Personal Injury (Defendant) | <input type="checkbox"/> Workers Comp (Plaintiff) |
| <input type="checkbox"/> Commodities | <input type="checkbox"/> Immigration | <input type="checkbox"/> Probate | <input type="checkbox"/> Workers Comp (Defendant) |
| <input type="checkbox"/> Commercial Litigation | <input type="checkbox"/> In-House | <input type="checkbox"/> Product Liability (Plaintiff) | <input type="checkbox"/> Zoning/Planning |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Insurance | <input type="checkbox"/> Product Liability (Defendant) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Corporate/Business | <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Professional Disciplinary | |
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Investment Banking | <input type="checkbox"/> Public Service | |
| <input type="checkbox"/> Customs/International Trade | <input type="checkbox"/> Judge | <input type="checkbox"/> Real Estate | |

Membership Status: Attorney Judge Retired Law student

Membership Level & Annual Dues: Regular (\$50) Sponsor (\$100) Patron (\$250) Law student (free)

Our newsletter is distributed electronically. If you would prefer to receive a hard copy in the mail, check here .

How did you learn about NIABA? Local Association Web Site The Digest Law Journal Referral Other

Would you like to make a contribution to the NIABA Scholarship Fund? \$100 or more \$50 \$25 Other

Include your check, made payable to NIABA Scholarship Fund

I certify that I am at least one of the following: a lawyer of Italian birth or extraction; a lawyer related by marriage to a person of Italian birth or extraction; a lawyer who is willing to support the purposes and objectives of this association. I further certify that I have been admitted to practice law and am in good standing in any country or jurisdiction; or have been granted and possess a law degree from a college of law in any jurisdiction and would qualify for admission to practice law; or am currently a law student in an accredited law school in any country or jurisdiction. All information I have provided is true and accurate to the best of my knowledge.

Signature _____ Date _____

Please mail this form along with your membership dues and any other amounts listed above, made payable to NIABA, to:

NIABA
PMB 932
2020 Pennsylvania Ave., NW
Washington, DC 20006-1846

www.niaba.org

Phone: 414-750-4404
Fax: 414-255-3615

DINO PRIVITERA: MAKING A DIFFERENCE

A PRO BONO BARRISTER AND A HISTORIC REFUGEE CASE



By Sally Friedman

There was a moment, several years ago, when Dino Privitera, a Philadelphia lawyer, stood in chambers of the late Senator Ted Kennedy, amazed by the journey that had led him there.

“Here I was, the son of Italian immigrants, standing with the son of one of the most famous families in this country, representing the first person in American history to be granted a special type of refugee asylum,” recalls Privitera.

For him, it was a wonderful and poignant reminder of why his parents made the odyssey they did, and what it has meant in his life.

Roots and Values

It was back in the small town of Biancavilla, Sicily, in the Province of Catania, that Dino Privitera’s parents met and married. Giuseppe, a tailor, and Concettina, the beautiful girl he’d met when she was still in her teens, decided to seek their destinies in the United States with their two sons, leaving family and familiarity behind.

Privitera, now 45, was only an infant when they emigrated in 1967. The Privitera family settled in Lawrence, Mass., an industrial city north of Boston, renting a modest

apartment above a shoe repair store.

Giuseppe, who had been trained as a skilled tailor back in Italy, went to work in a clothing factory, and so did his wife, who also juggled caring for their sons. It’s not an unfamiliar immigrant tale, and it’s one that left a deep and lasting imprint on Dino about the ethic of hard work and sacrifice.

That both Privitera sons would go to college was a given in that household. Education was a key component of his parents’ dreams for their advancement. An excellent student in high school, Dino attended the University of Massachusetts at Amherst where he majored in journalism. After college, he worked in a homeless shelter teaching basic life skills.

His decision to change course and become a lawyer was motivated by the story of Sacco and Vanzetti, Italian immigrants who were wrongly convicted of killing two men during a bank robbery, and later executed. “It was widely recognized as a miscarriage

of justice and a travesty,” says Privitera. “That had bothered me since childhood.”

A Life in the Law

In 1993, Privitera earned his law degree, graduating cum laude from Temple University Law School in Philadelphia. “I recall standing near the bust of Abraham Lincoln in front of the law school with my parents,” he says. “I don’t think they were ever prouder of me than on the day I graduated.”

Following his stint as a judicial law clerk for a federal judge, he worked as a prosecutor in Philadelphia, where his world revolved around victims of attempted murders, assaults, armed robberies and sexual offences.

Privitera went on to join two distinguished law firms in Philadelphia. At his current firm, Eisenberg Rothweiler Winkler Eisenberg & Jeck, he concentrates on the representation of people who have been catastrophically injured in accidents—another way, he believes, to help victims.

But ask this attorney what he regards as some of his most important work, and he doesn’t miss a beat: “Doing pro bono work is, to me, a moral duty that accompanies having a law license. We need to make justice accessible to all people, not just the rich and privileged. Ensuring equal justice for all is sacred work and the reason why I became a lawyer.”

One case vividly stands out to him as a personal and

professional milestone. It linked this native son of Italy, an immigrant himself, to a young man who lived a world away, but whose urgent need was to find life-saving asylum in the United States.

A Singular Opportunity

In 2003, Safa Ismael, then a 23-year-old college student with mastery of English, made the decision to help the U.S. troops landing in Mosul, Iraq. Ismael became a “terp,” the military slang for interpreter. And that decision immediately thrust him into constant danger, causing him to be branded by insurgents and terrorists as an “American collaborator.”

Two years later, Ismael was the victim of a well-orchestrated carbomb ambush that engulfed his van in a ball of fire. As glass shattered and debris filled the air, he managed to escape to a local hospital for treatment. He miraculously survived, but he knew it was time to get out of Iraq.

In November, 2005, Ismael got a temporary visitor’s visa to the United States, specifically to Philadelphia. It was the city most of the soldiers he’d worked with in Mosul called home. Ismael had nearly lost his life working for them, so it was a decidedly emotional reunion when he arrived.

And that’s when Privitera entered the picture. When several of his soldier friends told the attorney of Safa’s urgent need to stay in the United States or face an almost

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JUDGE EDWARD D. RE AND ROMAN LAW

By P. Charles DiLorenzo,
NIABA Historian

In his article *The Roman Contribution to the Common Laws*, 29 *Fordham L. Rev.* 447 (1961) Judge Edward D. Re sets forth the proofs that Roman law played a major part in the growth and development of the common law of England.

Although Julius Caesar had reached Britain in 53 B.C., the systematic conquest of Britain did not begin until the governorship of Agricola in 78 A.D. when he conquered more than 90 % of northern England, Scotland and Wales. A series of fortresses and connecting roads were built; and the process continued for the next three and a half centuries as the Roman province of Britannia. Several legions of soldiers, as many as 30,000, were stationed in the province; and they remained there until 410 A.D. when they were withdrawn to protect the northern borders of Italian peninsula against invasions.

The Roman laws are attributed as the sources of the feudal system and craft guilds. They caused the English village to be created based upon the functions of the Roman villa.

With the conversion of Emperor Constantine and the adoption of Christianity as the state religion in 325 A.D., there started a second Roman influence in the content of Ecclesiastic laws. The greatest contributor was St. Augustine, who arrived with a group of 40 monks in Canterbury in 596 A.D.

Most significantly, as the people of Britain embraced Christianity, the notions of individual moral responsibility replaced the notions of group responsibility. The ecclesia kept alive the Roman law during the seventh to eleventh centuries by the teaching of Roman law in major universities.

The Norman conquest of Britain by William in 1066 with his victory at the Battle of Hastings was the third major influence of Roman law. He appointed Lanfranc, a lawyer from Pavia, Italy, as the Archbishop of Canterbury. Later St. Anselm, a Piedmontese, succeeded as the Archbishop of Canterbury; and he helped establish a system of law where Chancellors assumed jurisdiction and gave relief when the ordinary courts would not.

Later, King Theobald, brought Vacarius from Mantua to establish the law School at Oxford. His students were both rich and poor; and for those who could not afford to buy parchment copies of Justinian's Code and Digest, he wrote a summary in 1149 which was printed as "Liber Pauperum".

During the Reign of Henry II, Ranulf de Granvill, a pupil of Vacarius, wrote a text of the complete laws then in effect. The text had the earmarks of a manual on procedure and practice; and it confirmed that the jury system was of Roman origin.

The greatest written document of rights of individuals which originate in Roman law was

the Magna Carta in 1215. The draftsman was Stephen Langton, a Doctor of Laws from the University of Bologna.

In time, there developed the courts of common law and the Courts of Chancery. The latter had jurisdiction over matrimonial matters related to marriage, divorce and legitimacy and over testamentary matters including administration of estates, control over executors and determination of intestate succession. These laws were based upon Roman laws and were administered up to mid 1800's by the Courts of Chancery .

The final influence of Roman laws came in the form of the body of laws governing merchants or *lex mercatoria*. Due to the trade of Britain with the continent, the laws of the foreign traders were adopted of necessity. These laws were based upon practices of merchants bordering the ports of the Mediterranean. Such laws governed ultimately all commercial transactions, in particular, the concepts of warehouse receipts and liens.

Professor Re concludes that the great contribution continues today in the laws of Britain because the Romans reflect in their laws much of the best that man has devised as a result of thousands of years of experience in social

living raised to the level of civilized living.



Edward Dominic Re was born in Santa Marina, Salina, Italy on October 14, 1920, the son of Captain Antonio Re and Marina Maetta Re. He received a "Derivative Citizenship"

under his father with a "Certificate of Citizenship" in 1944.

He was educated in New York City at New Utrecht High School, Brooklyn, New York; St. John's University School of Commerce, B. S. cum laude, 1941; St. John's School of Law, LL.B. summa cum laude, 1943; and New York University School of Law, J.S.D. summa cum laude, 1950.

In 1943, Re joined the United States Air Force. He completed Officer Candidate School (OCS) and taught Military Law, Aircraft Recognition and languages (French, Italian and Spanish). He remained active duty in the United States Air Force until 1947. He retired at the rank of Colonel in 1969.

Re was appointed to the faculty of St. John's University School of Law and taught there from 1947 until 1961. He taught Appellate Advocacy, International Law, and Remedies. Chief Judge Re continued to teach as an adjunct professor while

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Privitera

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certain death in Iraq, the attorney immediately knew he would rally to the cause. Over the next year, Privitera and several colleagues worked tirelessly to build Ismael's asylum case. "For me, this was deeply personal," Privitera says. "I had come to this country not to escape persecution and death, but because of America's promise. I felt that Safa Ismael deserved that same opportunity."

From 2003 to 2006, it was nearly impossible for Iraqi interpreters to get refugee status. But, in 2006, Congress enacted special refugee legislation that allowed 50 people who had served as interpreters for American forces to get protective special immigrant status. But not easily.

"It actually was a very complex process that required

a lot of paperwork, from absolute proof that the candidate was an Iraqi national who had worked directly for U.S. troops for a period of at least a year, to a favorable written recommendation from a general," explains Privitera, who with a small pro bono team gathered the necessary documents and assembled the evidence to show that for Ismael to return to Iraq was a serious risk because of the courageous work he had done.

Safa's friends—the soldiers he had worked with in Mosul—eagerly came forward with testimonials and written letters of recommendation in support of this young interpreter's application for asylum.

Making History

In June, 2006, Safa Ismael became the first applicant ever to be granted special immigrant status under the

new legislation. So significant was Ismael's legal victory that the late U.S. Senator Edward "Ted" Kennedy, a co-sponsor of the refugee legislation, invited Privitera and Ismael to speak at Senate Judiciary Committee hearings in January, 2007, focused on the plight of Iraqi refugees.

With his identity concealed, Ismael shared his experience as an Iraqi interpreter, describing in chilling detail the threats on his life that made real for the committee the humanitarian crisis in Iraq. "I will always be proud of what I did, even though it meant risking my life," the translator said.

That testimony undoubtedly helped pave the way for the 2008 passage of a new refugee resettlement program that expanded the number of special immigrant visas

to 25,000 between 2008 and 2012. It was a giant leap forward, and one that validated all the hard work of this lawyer and his immigrant client.

Today, Privitera and Ismael are friends—the sort who have shared a remarkable, life-altering experience together. "I was so honored to help him," says Privitera. "He had earned the right to live here in freedom and safety. As an immigrant and the son of immigrants, that means everything to me."

Sally Friedman is a Moorestown, N.J., freelance writer and essayist who has contributed to the New York Times, the Philadelphia Inquirer and national and regional magazines.

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Judge Re

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serving on the bench, and returned to St. John's Law School. He remained a full-time faculty member until 2003.

In 1961, President Kennedy named Re Chairman of the Foreign Claims Settlement Commission. In 1969, President Johnson nominated Re to be a Judge of the United

States Customs Court. In 1980, President Reagan made him Chief Judge of the United States Court of International Trade. Judge Re retired from the federal bench in 1991.

Re married his law school classmate, Margaret Anne Corcoran, in 1950; and they had twelve children.

He authored over 30 books concerning equity, brief writing, international laws and remedies and over 250 articles concerning judicial independence, nationalization of foreign property. He was awarded more than 20 "Honorary Doctorates" from Colleges and Universities throughout the United States, Europe and Africa.

In 1978, Judge Re was the Recipient of the Charles A. Rapallo Award granted by the Columbian Lawyers Association, First Judicial Department, New York.

Judge Re died at age 85 in 2006. His legacy as a commanding lecturer continues with all who knew him.

NIABA MEMBERS VISITED AT OCTOBER MEETING IN D.C.



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