



NIABA News

Men and women sharing a common heritage in a chosen professional

BOARD OF DIRECTORS

President

Frank Sommario

Executive VP

Alice Salvo

Regional VPs

Cristina Carabetta
New England

Anthony Garganese
South

Charles DiLorenzo
Mid -Atlantic

Angela Lavin
Midwest

Mariana Noli
West

Dino Mazzone
Canada

Giampaolo Girardi
Marco De Fazi
Italy

Treasurer

Ralph Liguori

Secretary

Domenic Lucarelli

Historian

Dino Mazzone

Imm. Past President

Francis Donnarumma

Chairman

Francis Donnarumma

President's Message

Connecting Through NIABA

Dear Colleagues and Friends:

NIABA Officers and Board Members from across the United States, Canada and Italy attended the Board of Directors' meetings in Newport Beach, CA on September 28-29, 2023. Thank you to Board Members Claire Ambrosio and James Michalski for hosting the board meetings and providing breakfast and lunch.



On Wednesday evening, September 27, 2023, some of the Board attended the Italian American Lawyers Association (IALA)'s New York Street Fair Event at Casa Italiana (1051 N. Broadway, Los Angeles, CA 90012), where we enjoyed an incredible dinner and wine. Many judges, past Presidents, and members of IALA, as well as current President Angela Zanin, were in attendance. After dinner, the Board enjoyed a magic show by Magician Blake Vogt from America's Got Talent. Special thanks to Sponsors NIABA Executive Vice President Alice Salvo, EastWest Bank and Trust Properties USA.

At the Thursday afternoon Board meeting, which was actually held in a Board Meeting room in Huntington Beach, the NIABA board enjoyed a lunch provided by NIABA Board Members Claire Ambrosio and James Michalski, while the Board went through the Agenda and the various reports. NIABA Board members were treated to an ad hoc Air Show where they could see and HEAR many jets flying overhead. The Board was visited by Justinian Past President Hon. Gloria Coco, who was officially voted in as a NIABA Board Member, so the Board welcomed her as a new Board Member.

At the Thursday night dinner on September 28, 2023, the Board had another excellent dinner at Il Farro Restaurant (111 21st Pl., Newport Beach, CA 92663), where more IALA and NIABA members enjoyed another great meal, conversation and wine. Special thanks to NIABA Regional Vice President of the West, Mariana Noli, for selecting the venue and menu.

cont. on page 2

Cont. from page 1

On Friday morning, the Board met again at the Board Meeting room in Huntington Beach, where the NIABA board enjoyed a breakfast provided by NIABA Board Members Claire Ambrosio and James Michalski, while the Board finished the Agenda and the various committee reports. The Board was visited via zoom by Alessandro Graziani of Cosenza and Michele Calantropo of Sicily to give an update on various items going on Italy. The Board was also given a short presentation by sponsor Paul Hargraves and Roberta Marr of Trust Properties USA.

At the Friday night dinner on September 29, 2023, the Board enjoyed an elegant dinner at Antonello Ristorante (3800 S Plaza Dr., Santa Ana, CA 92704). IALA President Angela Zanin attended again along with other members of IALA and NIABA, where we enjoyed a special guest of NIABA Board Member Roberta Gentili, (who is also the Hon. Consul of Italy in Arizona), Father Darrin Merlino, who is a Catholic Priest, radio host/writer/actor and now an Italian Citizen. Special thanks again to NIABA Regional Vice President of the West, Mariana Noli, for selecting the venue and menu.

Following our Board meetings in Newport Beach, members did not stop in promoting NIABA further. On October 12, 2023, I, as President of NIABA, along with many other Italian organization leaders, attended the Italian American Heritage Celebration event at the White House as a guest of the First Lady, Dr. Jill Biden, who hosted a large delegation of Italian American leaders from across the country.

The First Lady said in her address to the delegation, “our heritage is much more than our hospitality and food, isn’t it? It’s the Sicilians who were dragged from their cells and killed in New Orleans by an angry mob, it’s ‘Italians Need Not Apply,’ it’s people like my dad who was never quite accepted by my mom’s family because he was Italian. It’s a history of those who led movements, who wrote our laws and penned our poetry; of men and women who were courageous, even when they were most afraid.”

While I was there attending that event, the same night NIABA Regional Vice Present of New England, Cristina Carabetta, cohosted a Law Student event at the Antonin Scalia Law School, George Mason University in Arlington, VA with both Scalia and Catholic Law students in attendance. Cristina had the privilege of addressing the students, sharing her story, and what it means to be a member of NIABA. NIABA presented Catholic Law Student, Sarah Persico a scholarship check. Finally, on October 14, 2023, several of our NIABA board members attended the NIAF Gala at the Omni Shoreham Hotel in Washington, DC.

While we work on our goals for my term of finding more ways to continue to increase our membership, maintain fiscal responsibility, and find ways to offer more benefits to our members, I want to thank everyone who have participated at the Committee level because that is where the majority of the work gets done. I want to encourage those that have not been able to participate to please try to make the time to attend the meetings and help continue the progress that we have made so far. I want to thank each and everyone of my fellow Officers (namely Executive Vice President Alice Salvo, Treasurer Ralph Liguori and Secretary Domenic Lucarelli), all the Regional Vice Presidents and Board of Directors, for all the contributions of time and energy to continue to make NIABA better. I also want to especially thank our Administrator, Cindy Martin for everything that she does.

I look forward to seeing everyone at our next Board meetings and dinner events in Ft. Lauderdale, FL on February 16-17, 2024, which is being planned as I write this, and I want to thank Past President Paul Finizio, Board Member Antonietta Brancaccio-Balzano, and NIABA Secretary Dom Lucarelli, who have all volunteered to help plan the dinners. I also want to thank Ken Jenero and Holland & Knight for hosting us at their Ft. Lauderdale office. Finally, I would ask those who have not already done so, please consider the sponsorship opportunities, either as an Annual Sponsor or Meeting Sponsor for the upcoming meeting, on the forms that are on our website. I especially look forward to the Italy trip in September 2024 that Past President Anthony Gianfrancesco has been planning for months already.

Frank A. Sommario
2023-25 President

National Italian American Bar Association

Upcoming Events



Winter 2024 BOARD MEETING:

Fort Lauderdale Florida

The next meeting of the Board of Directors of the National Italian American Bar Association will take place February 15 to February 17, in Fort Lauderdale, Florida.

All NIABA members are welcome to attend!

Please visit www.NIABA.org for the weekend's events and registration

Agenda for Board Meeting

Thursday, February 15, 6:00 pm ~ Welcome Dinner. Piazza Italia, 904 E. Las Olas Blvd., Fort Lauderdale. \$100 per person.

Friday, February 16, 12:00 pm to 4:00 pm ~ Board of Directors meeting.

Friday, February 16, 6:00 pm ~ Dinner. Wyndham Hotel, Cafe Med. 2096 NE 2nd Street, Deerfield Beach, Florida. \$100 per person.

Music event to follow dinner at the home of Sergio and Rebecca Salani. All are welcome to attend.

Saturday, February 17, 9:00 am to 12:30 pm ~ Board of Directors meeting.

Saturday, February 17, 6:00 pm ~ Cafe Vico. 1125 N Federal Highway, Fort Lauderdale Florida.

Register early!

Please check www.NIABA.org for all our upcoming events



L'Ordine degli Avvocati di Palermo è l'Ordine più grande della Sicilia con i circa 5000 avvocati iscritti ed, in considerazione della sua storia e del ruolo determinante avuto nei secoli, è l'Ordine distrettuale a cui gli altri Ordini della Sicilia Occidentale (Agrigento, Sciacca, Marsala, Trapani e Termini Imerese) si rivolgono per la soluzione dei problemi che superano i limiti di competenza del territorio a loro assegnati.

La data di fondazione dell'Ordine di Palermo è incerta perché la struttura moderna sicuramente trova il suo fondamento nella Regio Decreto 1578 del 1933, poi via via riformato fino alla legge n.247 del 2012, ma la presenza della figura degli Avvocati a Palermo ha origini storiche molto antiche.

Sicuramente nel corso della presenza dei Vicerè spagnoli la regolamentazione della figura degli avvocati ebbe un grande impulso nella capitale siciliana dell'Impero Iberico tra il XVI e XVIII secolo.

Infatti la Storia siciliana e la letteratura sono piene di testimonianze della presenza di Avvocati palermitani con ruoli di rilievo.

Una figura indimenticabile appare quella di Francesco Paolo Di Blasi (1709-1756) che, figlio dell'Avvocato Vincenzo e nipote di Don Scipione Di Blasi ed Ebbano (1673-1734), a sua volta governatore del Monte di Pietà, senatore, e ancora sindaco in perpetuo di Palermo, fu uno dei legali più in vista della storia siciliana.

Francesco Paolo esercitò la professione forense e iniziò a pubblicare degli scritti giuridici. Fu inoltre promotore di un'accademia di lingua siciliana a Palermo: fondò, infatti, l'Accademia Siciliana, che aveva sede proprio nel palazzo della famiglia Di Blasi sul "Piano delli tri re" ("Ghianu di li tri re" in siciliano).

Nel 1778 pubblicò Dissertazione sopra l'egualità e la disuguaglianza degli uomini in riguardo alla loro felicità. Quando nel 1781 giunse Caracciolo, proprio Di Blasi propose la pubblicazione riordinata e completa delle Prammatiche del Regno, cioè delle leggi sicule, dal 1339 al 1759. L'incarico di farlo gli fu dato dal successore di Caracciolo, il nuovo viceré, Francesco d'Aquino, principe di Caramanico. Le Prammatiche furono ultimate nell'anno della Rivoluzione francese nel 1789, anno in cui sarà nominato dal viceré, giudice della Gran Corte Pretoriana di Palermo. Nel 1790, pubblicherà il suo scritto più famoso, Saggio sulla legislazione della Sicilia.

Nel Saggio sulla legislazione di Sicilia si traccia un piano di radicale rinnovamento sociale, ispirato a sentimenti umanitari, egualitari e democratici. In particolare, si delinea un sistema che non esclude la presenza delle classi, ma le struttura su basi economiche che rispondano a principi meritocratici. La tassazione si sarebbe dovuta applicare proporzionalmente secondo i guadagni, così da scongiurare l'ingiustizia dei ceti privilegiati.

Ispirato dalle nuove dottrine di Beccaria, Filangeri e Pagano, Di Blasi si fece inoltre promotore di una riforma giudiziaria, denunciando la pena di morte e la tortura, ancora in uso nel Regno siciliano: "In Sicilia quanto vi ha di lungherie nelle cause civili, tanto di precipitanza decide della vita di un cittadino. La parola stessa ex abrupto lo dimostra ad evidenza. Uno accusa: due testimoni lo affermano: qualunque sia la loro condizioni per lo più fanno fede. Senza sentirsi il supposto reo si mette nelle forze della giustizia: si ricerca del delitto: si astringe a confessare con tormenti. Con una confessione più delle volte strappata dal timore o dalla vessazione si perfeziona la prova del delitto ed il processo fiscale". Il Di Blasi viene ricordato da Leonardo Sciascia nel suo romanzo il Consiglio D'Egitto.

Sempre Sciascia, nell'altro romanzo "Morte dell'Inquisitore" parla degli Avvocati accreditati presso il Tribunale della Santa Inquisizione e della loro attività in favore dei sospettati di eresia o di stregoneria.

Nel corso dei secoli altri avvocati palermitani hanno dato lustro alla Storia isolana ed italiana.

Si pensi a Vittorio Emanuele Orlando che, prima di diventare professore universitario, seguì le orme del padre fino a divenire nel 1950 Presidente del Consiglio Nazionale Forense. Vittorio Emanuele Orlando fu il Presidente del Consiglio dei Ministri che guidò la delegazione italiana alla Conferenza di pace di Parigi del 1919 al termine della Prima Guerra Mondiale e per questo venne chiamato “Il Presidente della Vittoria”.

Nel corso del periodo fascista, pur in presenza delle leggi razziali del 1938, l’Ordine di Palermo non ha mai cancellato alcun avvocato di origini ebraiche, rinviando con varie motivazioni la discussione su tale increscioso e, allora, dovuto atto amministrativo.

Tra gli innumerevoli Avvocati del Foro di Palermo che hanno dato lustro all’Ordine ricordiamo l’attuale Presidente della Repubblica Italiana, Avv. Sergio Mattarella.

l’Ordine degli Avvocati di Palermo è un ente pubblico non economico che ha tra i propri valori quello di tutelare i diritti dei cittadini e a promuovere la giustizia.

Inoltre, l’Ordine organizza eventi culturali e formativi per gli avvocati e per gli studenti delle scuole e delle Università presenti sul territorio.

Ha relazioni stabili con la Law Societies britanniche, con gli Ordini di Barcellona, Madrid, Parigi, Varsavia, Breslavia e il Cairo nonché partecipa attivamente alle attività di organismi internazionali come CCBE, FBE ed ha sottoscritto nel 2022 con la NIABA di cui ospiterà la delegazione nel 2026.

Avv. Dario Greco
Presidente dell’Ordine degli Avvocati di Palermo

The Palermo Bar Association is the largest in Sicily with approximately 5,000 lawyers registered and, in consideration of its history and the decisive role it has had over the centuries, it is the district Order to whom the other Orders in Western Sicily (Agrigento, Sciacca, Marsala, Trapani and Termini Imerese) turn to for the solution of problems that go beyond the limits of their assigned territory.

The date of foundation of the Order of Palermo is uncertain because the modern structure certainly finds its foundation in Royal Decree 1578 of 1933, later gradually reformed until Law 247 of 2012, but the presence of the figure of lawyers in Palermo has very ancient historical origins. Certainly during the presence of the Spanish Viceroy, the regulation of the figure of lawyers had a great impulse in the Sicilian capital of the Iberian Empire between the 16th and 18th centuries.

In fact, Sicilian history and literature are full of evidence of the presence of Palermo lawyers with prominent roles.

An unforgettable personality appears to be that of Francesco Paolo Di Blasi (1709-1756) who, son of Avvocato Vincenzo and grandson of Don Scipione Di Blasi and Ebbano (1673-1734), himself governor of the Monte di Pietà, senator, and still mayor in perpetuity of Palermo, was one of the most prominent lawyers in Sicilian history.

Francesco Paolo practised the legal profession and began publishing legal writings. He was also promoter of a Sicilian language academy in Palermo: he founded the Accademia Siciliana, which had based in the Di Blasi family palace on the “Piano delli tre re; (Ghianu di li tri re in Sicilian).

Palermo Bar Association

In 1778, he published *Dissertation on the Equality and Inequality of Men with Regard to Their Happiness*. When Caracciolo arrived in 1781, it was Di Blasi himself who proposed the reordered and complete publication of the *Prammatiche del Regno*, i.e. Sicilian laws, from 1339 to 1759. The task of doing so was given to him by Caracciolo's successor, the new viceroy, Francesco D'Aquino, prince of Caramanico. The *Prammatiche* were completed in the year of the French Revolution in 1789, the year in which he was appointed by the viceroy, judge of the Grand Praetorian Court of Palermo. In 1790, he published his most famous piece of writing, *Essays on Legislation of Sicily*.

In the *Essay on the Legislation of Sicily*, a plan for radical social renewal is outlined, inspired by humanitarian, egalitarian and democratic sentiments. In particular, it outlines a system that does not exclude the presence of classes, but structures them on economic bases that respond to meritocratic principles. The taxation should be applied proportionally according to earnings, so as to prevent the injustice of the privileged classes. Inspired by the new doctrines of Beccaria, Filangeri and Pagano, Di Blasi also promoted a judicial reform, denouncing the death penalty and torture, still in use in the Sicilian kingdom: "In Sicily what there is of length in civil cases, so much of haste decides a citizen's life. The word itself ex abrupto proves this. One accuses: two witnesses affirm it: whatever their conditions mostly bear witness. Without feeling the supposed offender puts himself in the forces of justice: he seeks of the crime: he abstains to confess with torments. With a confession most often wrenched from fear or by vexation, the proof of the crime and the tax trial are perfected". Di Blasi has been mentioned by Leonardo Sciascia in his novel *The Council of Egypt*.

Again Sciascia, in his other novel '*Morte dell'Inquisitore*' (Death of the Inquisitor) speaks of the lawyers accredited to the Tribunal of the Holy Inquisition and their activities in favour of those suspected of heresy or witchcraft. Over the centuries, other lawyers from Palermo have brought prestige to island and Italian history.

One thinks of Vittorio Emanuele Orlando who, before becoming a university professor, followed in his father's footsteps to become President of the National Forensic Council in 1950. Vittorio Emanuele Orlando was the Prime Minister who led the Italian delegation at the Paris Peace Conference in 1919 at the end of the First World War and was therefore called 'The President of Victory'.

During the Fascist period, despite the racial laws of 1933, the Palermo Bar Association never cancelled any lawyer of Jewish origin, postponing with various reasons the discussion on this regrettable and, at the time, due administrative act. Among the countless lawyers of the Court of Palermo who have brought prestige to the Order are the current President of the Italian Republic, Mr. Sergio Mattarella.

The Palermo Bar Association is a non-economic public institution that has among its values protecting citizens' rights and promoting justice. In addition, the Order organises cultural and training events for lawyers and for students from schools and Universities in the area.

It has stable relations with the British Law Societies, the, Madrid, Paris, Warsaw, Wroclaw and New Cairo Bar Associations as well as actively participating in the activities of international bodies such as CCBE, FBE and signed in 2022 with NIABA, whose delegation it will host in 2026.

Attorney Dario Greco
President of Palermo Bar Association

NIABA SPONSORS



National Italian American Bar Association

Men and women sharing a common heritage
in a chosen profession

NIABA Sponsors



Holland & Knight



Law Offices of
Alice A. Salvo



TE THOMPSON
FLANAGAN
AN NFP COMPANY



MICHALSKI LAW OFFICES



Kevin Markey
President
kevin@advocacydm.com
CHICAGO, 312-667-1000
NEW YORK, 646-859-4340
CELL, 773-809-4649
www.advocacydm.com
@advocacydigital



CONNECTICUT ITALIAN AMERICAN
BAR ASSOCIATION

DLG LAW GROUP

Paul Hargraves & Roberta Marr
800.579.4380 | 310.362.4836


TRUST PROPERTIES USA
PROBATE & TRUST REAL ESTATE
800+ PROBATE AND TRUST ESTATES SOLD

RB ROMANUCCI
BLANDINI LAW
25 YEARS



GIBSON'S
RESTAURANT GROUP

Ralph R. Liguori, Esq.
JONES KELLEHER LLP
Attorneys at Law
The Local Choice for Personal Injury
Boston (617) 737-3100
www.joneskel.com
Providence (401) 273-0800

 LexisNexis®



The Donnarumma
Law Firm, LLC

**Wegman
Hessler Valore**
+ THE ART OF LAW

ATHLETICO | **PIVOT**
PHYSICAL THERAPY | PHYSICAL THERAPY

AVANTI

 THE
FINIZIO
LAW GROUP

LUCARELLI
Law Offices • Naples, FL

RINGLER
Everybody Wins 

ProFile
DISCOVERY

The National Italian American Bar Association gratefully acknowledges these generous Sponsors

2024 NIABA SPONSORS



Sponsorship Registration Form 2024

Name/Firm/Organization Information

Name:

Company:

Primary Contact:

Address:

Telephone:

Levels of Support

Please indicate the level at which you wish to participate. Complete information on the different sponsorship levels and the benefits associated with each are described on the information page included in this package.

Gold \$2,500

Silver \$1,500

Bronze \$ 750

Meeting Sponsorship \$500

Please specify if you would like your sponsorship to go towards a specific NIABA meeting.

Amount enclosed \$ _____

Please make check payable to NIABA, or email Cindy Martin (cindylu616@comcast.net) with your commitment and to pay by credit card online.

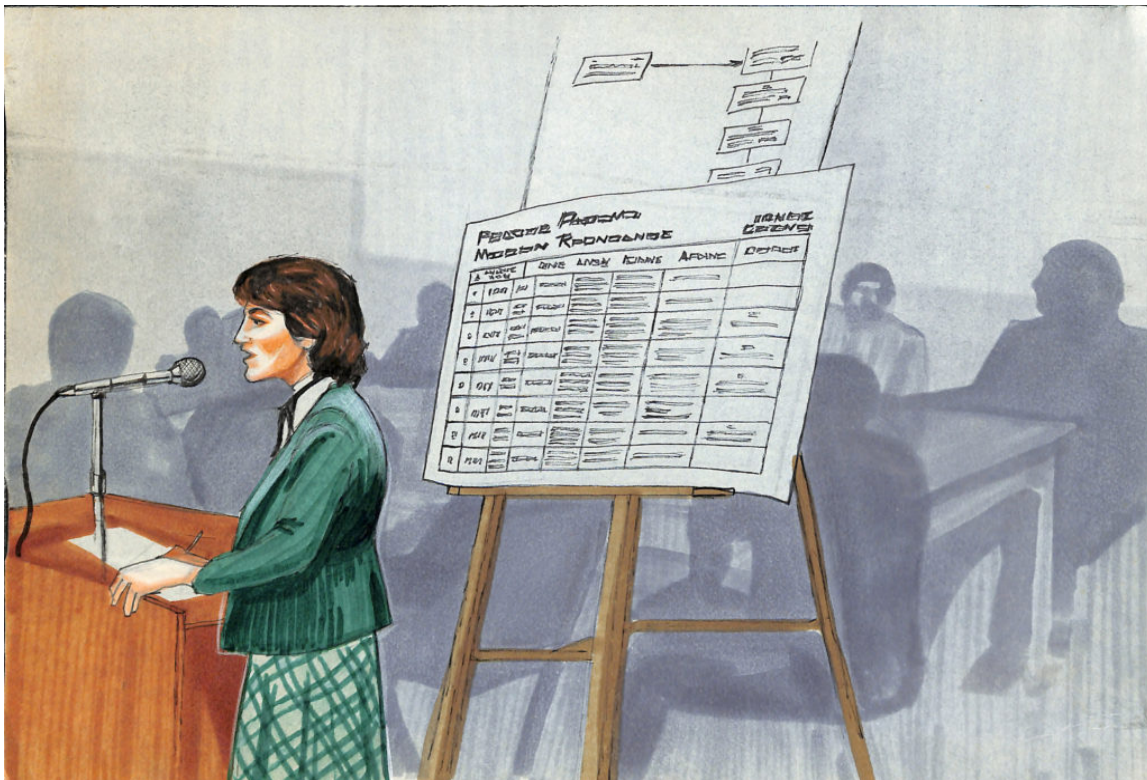
Mailing Address: NIABA, PMB 932, 2020 Pennsylvania Avenue NW, Washington DC 20006-1846

All proceeds benefit NIABA, a 501(c)3 non-profit organization. Your contribution is tax-deductible subject to the extent of the law. Your contribution helps NIABA further its mission and is greatly appreciated.

NIABA sponsorships and contributions go a long way in supporting a strong and viable Bar Association. We would like to extend our sincerest gratitude for your commitment to the Association. We will be highlighting your contribution throughout the year to our members as well as our legal community.

Thank you.

Trailblazer Hon. Donna Congeni Fitzsimmons Retires



This courtroom sketch depicts Donna Congeni Fitzsimmons, a young federal Organized Strike Force attorney who was the lead prosecutor in the 12-week trial of Cleveland Mafia boss Angelo Lonardo and five associates in 1983. She and her team convicted all six defendants on drug trafficking charges, and they all received life sentences.

Trailblazer Hon. Donna Congeni Fitzsimmons Retires
By: Lisa Gasbarre Black, Esq.

Trailblazing Judge Donna Congeni Fitzsimmons has retired from over 40 years of a professional life dedicated to fighting crime and improving her community through judicial service and civic involvement. As judge of the Rocky River, Ohio Municipal Court, which encompasses five western municipalities in the Greater Cleveland area, Judge Fitzsimmons has sought to bring an understanding of the justice system to local schools and launched numerous educational programs over the years to enhance young people's civic knowledge and understanding of the rule of law.

In her early years of practice, though, she gained local and national prominence as a fierce federal prosecutor who led the Northern Ohio Organized Crime Strike force in the early 1980s. Her prosecution of organized crime figure Angelo Lonardo in 1983 led to her work being memorialized in a permanent exhibit at the National Museum of Organized Crime in Law Vegas. Accolades from the U.S. Department of Justice resulting from her trial victories opened doors for her that eventually led to appointment as Deputy Counsel of the President's Commission on Organized Crime under President Ronald Reagan from 1983-85.

Trailblazer Hon. Donna Congeni Fitzsimmons Retires, cont.

Judge Fitzsimmons' early days of prosecuting organized crime figures were groundbreaking for women. She was the only woman on her team when she prosecuted the case against Lonardo. Being either the only woman, or one of a few women, was not a daunting experience for Judge Fitzsimmons. She says she "felt comfortable working with men", as a result of being raised with three brothers. From childhood, she said "I had very easy conversations with men. I knew everything about sports from my brothers" who all went on to become successful physicians. Consequently, she said, "I appeared nonthreatening to men, and in navigating the world of men I learned that male psyche."

Italian values also contributed to her professional formation: "Every night we had dinner together as a family and I learned how to work with men." Her parents were first generation Italian-Americans, and of her childhood growing up with Italian immigrant grandparents, she "had the most beautiful life."

The role of Judge Fitzsimmons' father in her professional life was perhaps the key to her success. Her father, Leo Congeni, was the carpenter for Cleveland's Justice Center and he often brought her to work with him when she was a youngster. Judge Fitzsimmons' early experiences with her father at the Justice Center exposed her to the court system, lawyers and eventually a summer job in the Sheriff's Department when she was a teenager. Her father encouraged her to pursue law and she realized that she, too, wanted to be a litigator when she grew up.

Prior to her work as an Assistant U.S. Attorney in the Northern District of Ohio, Judge Fitzsimmons worked as an Assistant County Prosecutor in Cuyahoga County. At the time she was one of five female prosecutors among 100 males. "They thought we [women] would do appellate work, but [then-County Prosecutor] J.T. Corrigan said we could do jury trials and so we worked hard; they quickly realized that women did very well with juries." Her resilience and courtroom experience at the county level gave her the credentials she needed to take her career to the next level in the U.S. Attorney's Office where she sought out organized crime and public corruption cases which, she said, were "more difficult to prosecute. It was a great challenge. I was among the first women in that office", as well.

Prosecuting tough federal cases was a niche for which Judge Fitzsimmons was well-suited. A Cum Laude graduate of The George Washington Law School, it seemed a natural progression for her to accept the position with the President's Commission on Organized Crime: "I went to law school in Washington DC and there were Organized Crime Strike Forces in major cities throughout the U.S. I was able to connect with attorneys all over the country" who were involved in cases either linked or closely aligned with her prosecutorial work at the federal level.

After nearly three years' in Washington, she returned home to Cleveland to litigate civil cases as partner with Arter & Hadden, now Tucker Ellis, prior to seeking the bench. She married business litigation attorney Matthew Fitzsimmons who is originally from Staten Island, New York and who himself grew up surrounded by Italians.

The couple have been married for 37 years and have three children and two grandchildren. They recently appeared in a podcast <https://cmbapodcasts.buzzsprout.com/2029417/14256691> for the Cleveland Metropolitan Bar Association as part of the CMBA's Legacy 150 campaign, celebrating the CMBA's 150th Anniversary, in which they shared highlights of their fulfilling careers, marriage, and community involvement. Judge Fitzsimmons continues to be active in Italian-American organizations in the Greater Cleveland area and serves as an Honorary Trustee of the Justinian Forum, among many other public service oriented endeavors.

Confidentiality: Duty and Strength of Lawyers

The legal systems in which Lawyers operate differ considerably in many jurisdictions and so it is also between Italy and the United State of America.

However, in both systems, great attention is given to protecting the attorney-client privilege of Lawyers because confidentiality is a fundamental principle of justice.

Legal professional privilege and confidentiality serves to protect communications between a client and a lawyer. On the one hand, it is the indispensable precondition for the client's right to legal assistance and, on the other hand, it is based on the specific role of the Lawyer as being required to provide, in full independence, and in the overriding interests of Justice, such legal assistance as the client needs.

Usually, the attorney-client privilege is protected by law in many jurisdictions and plays a crucial role in ensuring trust in the relationship between lawyer and client.

It imposes an ethical and legal duty on Lawyers to keep confidential all information received from their clients during the professional relationship or legal representation.

This means that Lawyers may not disclose information received from their clients to third parties without the client's consent, unless there is a legal obligation to do so or a specific exception provided by law.

This confidentiality extends to all communications, documents, conversations and information received or acquired in the course of the lawyer's practice. The obligation to maintain professional secrecy survives even after the relationship between the client and the Lawyer ends and persists beyond the client's demise.

In Italy, these rules are set directly by law (State Law n.247/2012, Article 6) and are confirmed by Article 28 of the Italian Lawyers' Code of Conduct.

In Europe, the same principles are affirmed by the "Code of conduct of European Lawyers" (recently renewed by the CCBE, the Council of Bars and Law Societies of Europe).

In EU law, the protection of confidentiality has the status of a general legal principle in the nature of a fundamental right and confidentiality is currently recognized in all Member States of the European Union.

The protection of confidentiality also derives from Article 8 of the European Convention on Human Rights (ECHR) (protection of correspondence) in conjunction with Article 6 of the ECHR (right to a fair trial) as well as from Article 7 of the Charter of Fundamental Rights of the European Union (respect for communications) in conjunction with the second sentence of Article 47 and Article 48 of that Charter (right to be advised, defended and represented, respect for rights of defense).

So, in Europe and in Italy, Lawyer's professional confidentiality enjoys considerable legal protection and is generally considered an inviolable principle.

So it is because Lawyers have a central position in the administration of justice.

They defend rights of citizens by assisting and representing them and liaise between citizens and the courts. In this capacity, they hold a key position in ensuring the trust of the public in actions of the courts.

Confidentiality must persists even after the termination of the professional relationship with the client and can be violated only under very limited and specific circumstances, such as threats to life or safety.

However, there are situations in which Lawyers may be required to disclose the attorney-client privilege: for example, if serious illegal activities are involved or if disclosure of information is required by law, as in the case of preventing a serious crime or to comply with a court order.

However, attorney-client privilege is a crucial principle in the practice of law, indispensable for protecting confidential information of clients and contributing to the relationship of trust between Lawyer and client.

All of us Lawyers should be proud and must defend this prerogative, which is a fundamental element of the rule of law in all democratic nations.

Alessandro Graziani

Lawyer and Secretary of Rome Bar Council

NIABA NORTH OF THE BORDER

On Saturday December 1, 2023, NIABA board members Franco Schiro, Dino Mazzone and Anthony Gianfrancesco met with five board members of the Association of Italian Canadian Jurists of Quebec in Montreal Quebec to discuss the possibility of participating in future joint events. AIJCQ holds an annual Gala event in June of every year. NIABA is considering holding its annual membership and board meeting in Montreal in June of 2024 to celebrate our shared heritage with our northern cousins.

AICJQ's President Phillip Messina, Retired Judge Antonio DiScepola, and board members Anna Colarusso, Teresa Morello and Mario Spina expressed interest in joining NIABA in Bologna Italy in September 2024 during our Fourth Biannual CLE program. The program is also being offered to Australian Italian lawyers. Therefore, the Bologna trip will consist of attorneys and advocates of Italian heritage from four countries.

Also discussed was the desire to participate in a joint CLE program in the United States focusing on topics of mutual interest such as immigration, taxation, and property ownership. An association with AIJCQ will further expand NIABA's international associations. We are hoping to affiliate with the Toronto based Canadian Italian Advocates Organization (CIAO) and a Windsor based group as well.



NIABA News

NIABA Board member Chris Salamone was recently appointed to the Board of Trustees at Saint Anselm College in Manchester, New Hampshire. Chris is an alumnus of Saint Anselm where he was a four-year scholarship basketball player. In 2019, the college named the “Salamone Family Athletic Hall of Fame” in his honor.



"Chris has a passion for his alma mater and we are blessed that he shares his talent to support Saint Anselm College. Throughout his professional and personal life, Chris has demonstrated a deep commitment to the service of others. We are so pleased to recognize him for his commendable work and to welcome him to the Board or Trustees."

Dr. Joseph Favazza, President, Saint Anselm College

NIABA 5TH BIENNIAL ITALY CLE IN BOLOGNA

September 15-19, 2024

Attendees are responsible for their own airfare and travel arrangements. There is a \$600 registration fee which includes administrative costs and the CLE seminars. All other events are ala carte; you are welcome to attend all or some of the events. You will be charged for each dinner that you choose to attend. REGISTRATION \$600 must be paid by check prior to JUNE 30TH 2024, to reserve a spot. Checks are to be made payable to NIABA and mailed to Anthony Gianfrancesco, Esq, 214 Broadway, Providence, RI 02903.

Each attendee absolutely must pay in advance through the NIABA.org site for any event that they intend on attending. The purchase of alcoholic beverages, including wine, will be the responsibility of each attendee at the dinners. The price per dinner will be inclusive of food, taxes, gratuity, and wine.

HOTELS Grand Hotel Majestic Baglini (5 star rating) grandhotelmjestic.guestservices.com



***Please visit niaba.org to view and print the full itinerary for the trip!
Registration is now open.***

Price includes:

CLEs (for participating lawyers)

CLEs location rental (if any)

Transfer from/to San Marino and Ravenna in private bus

Dinner in Ravenna

Guided Walking tour of Bologna with private guide (3 hours)

Dinner with Lawyers from Bologna Bar Association and UNICRINT (included in price only for NIABA participants – Italian Lawyers will make reservations and pay for it directly)

To be determined; private bus transportation from/to San Marino and Ravenna, dinner in Ravenna and a walking tour.

Price does not include:

Hotel accommodation, that will be booked and paid for directly by participants at discounted NIABA rates if available.

Departure for activities and excursions will be in private bus from the selected hotel.

Notes from the NIABA Office

New NIABA Website

Please visit the newlu updated NIABA website

www.niaba.org

* * * * *

Find Us on Social Media

NIABA is on Facebook at www.facebook.com. Join us to share news, referrals, and discussions with other NIABA members all over the world.

We're also on YouTube at <http://bit.ly/2pubGxM>, where you can watch videos from our Rome CLE program.

* * * * *

How to Contact Us

NIABA Administrator
Cindy Martin
203-859-1018
cindylu616@comcast.net

* * * * *

Reaching Out to Law Students

NIABA membership is free for law students and first-year attorneys. If you know of groups or events that we should reach out to, please contact NIABA at cindylu616@comcast.net and we will provide brochures or other information to the organization you recommend.

* * * * *

Writers Needed

The newsletter needs you! We're looking for articles that focus on the "overlap" of Italian culture or history and the law. If you have an experience or area of expertise that you'd like to share with out NIABA membership, contact Cindy Martin at niabagroup@gmail.com.

* * * * *

Can We Refer You?

Is your profile up-to-date on the NIABA [website](#)? If not, you may be missing valuable referrals! Members of the public use the Lawyer Search function, and sometimes contact us directly, looking for an attorney. The more information in your profile, the more likely they will choose you. Don't miss valuable opportunities. Login and update your profile now.

* * * * *

Member Logo Available

It's easy to show your NIABA affiliation on your firm's website or marketing materials. Email Cindy Martin to request a copy of our logo and we will send you a file that is suitable for online or print use.



NIABA Brochures

An electronic version (PDF) of the NIABA membership brochure is available on our [website](#). We encourage you to share the brochure with anyone who might be interested in joining NIABA. For hard copies to distribute to your colleagues or group, please contact the NIABA [office](#).

* * * * *

Our 2019 Scholarship recipient, Francesca Simone wrote a legal research article on Italian American Congressman Peter Rodino and how his Italian heritage influenced his legislation, particularly immigration reform and Columbus Day. Most of the research is from the Peter Rodino archives at Seton Hall Law; no one has ever written a paper using them before Francesca. See the full article on our website at niaba.org/scholarship

* * * * *

NIABA Merchandise Please check out our new NIABA merchandise on our website. Your purchases help support our mission.

THE ITALIAN LAW JOURNAL

The National Italian American Bar Association is now a proud sponsor of the Italian Law Journal. The Italian Law Journal is the leading international legal journal on Italian law, fostering academic debate on areas like Italian legal theory, comparative law, international law, and European law. Current and past issues are available at www.theitalianlawjournal.it.

We encourage scholars, students, and practicing attorneys to submit articles that could be of relevance to the journal for review. Manuscripts should be sent through Scholastica or by emailing info@theitalianlawjournal.it. More details on submissions can be found at <https://www.theitalianlawjournal.it/submissions/>.

If you are interested in working with the Italian Law Journal as an editor or in another capacity, please contact the journal at info@theitalianlawjournal.it

If you have additional content you would like to see here, please email your submissions to Cindy Martin at cindylu616@comcast.net



National Italian American Bar Association - Application for Membership

Duplication and redistribution of this document is encouraged.

You can also apply 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 |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Divorce | <input type="checkbox"/> Litigation | <input type="checkbox"/> Retired |
| <input type="checkbox"/> Antitrust | <input type="checkbox"/> Educator | Malpractice | <input type="checkbox"/> Securities |
| <input type="checkbox"/> Appellate | <input type="checkbox"/> Employee Benefits | <input type="checkbox"/> Accountant | <input type="checkbox"/> Social Security |
| <input type="checkbox"/> Arbitration/Mediation | <input type="checkbox"/> Environmental | <input type="checkbox"/> Attorney | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Banking | <input type="checkbox"/> Estate Planning | <input type="checkbox"/> Medical | <input type="checkbox"/> Torts |
| <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 Level & Contributions: _____

Regular (\$50) Sponsor (\$100) Patron (\$250) Lifetime (\$1,000)

Judge (free) First year attorney (free) Law student (free)

How did you learn about NIABA? Local Association Web Site Referral Other

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

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 NIABA. 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 contributions and any other amounts listed above. Make checks payable to NIABA.

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

www.niaba.org

Phone: 203-859-1018