

NIKI KUCKES

Roger Williams School of Law
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Barrington, RI 02806
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PRESENT EMPLOYMENT

Roger Williams University School of Law, Bristol, RI
Professor of Law (August 2009 to present)
Associate Professor of Law (August 2003 to 2009)
Assistant Dean for Strategic Planning (2013 to 2016)

Teaching areas: Civil Procedure, Professional Responsibility,
Intellectual Property

EDUCATION

Yale Law School
J.D. May 1985

Senior Editor, *Yale Law Journal*

Editor, *Yale Law & Policy Review* Editor, *Yale
Journal of International Law* Coker Fellow
(Teaching Assistant)

Cornell University

College of Arts and Sciences
B.A. June 1981 *cum laude* and with distinction in all subjects

CLERKSHIP

The Honorable Antonin Scalia
U.S. Court of Appeals for the D.C. Circuit, Washington, D.C.
Law Clerk (1985 to 1986)

PAST EMPLOYMENT (Professional)

Baker Botts L.L.P., Washington, D.C.
Partner (January 2001 to August 2003)

Miller, Cassidy, Larroca & Lewin, L.L.P., Washington, D.C.
Partner (1987 to December 2000) (date of firm merger with Baker Botts)

Practice areas: Civil litigation, criminal investigations, housing
discrimination, legal malpractice, copyright, First
Amendment

PAST EMPLOYMENT
(Academic)

Quinnipiac University School of Law, Hamden, CT
Visiting Associate Professor (Spring and Summer 2003)

Yale Law School, New Haven, CT
Research Scholar (Spring and Spring 2003)

Cornell Law School, Ithaca, NY
Distinguished Practitioner in Residence (Fall 2002)

PROFESSIONAL SERVICE

Federal Litigation Academy

Co-Director (2014 to present)

Innovative project initiated by the United States District Court for the District of Rhode Island, the Rhode Island Chapter of the Federal Bar Association, and RWU Law School to provide hands-on training in litigation skills to new law graduates; offers twice annual training sessions in trial-related skills

Reporter, Rhode Island Rules of Evidence Committee, Report on Proposal to Amend Rhode Island Rule of Evidence 502 (2019)

Served as Reporter and drafted the Committee's report proposing amendments to RI Rule of Evidence 502, concerning limitations on the waiver of attorney-client privilege and work product protection (later adopted by the Court)

United States District Court for the District of Rhode Island Federal Bench-Bar Committee Social Media Subcommittee

Co-Chair (2014 to 2015)

Specially-appointed subcommittee charged with reviewing and making recommendations for the use of social media by the federal district court

American Bar Association

Member, Criminal Justice Section, Committee on Ethics, Gideon, and Professionalism (2007 to 2009)

Chair and Member, Criminal Justice Standards Committee (1997 to 2000)

Co-Reporter (with Julie R. O'Sullivan), *Pleas of Guilty*, ABA Criminal Justice Standards (1999)

Co-Reporter (with Gerald T. Bennett), *Discovery*, ABA Criminal Justice Standards (1996)

District of Columbia Bar Association

Chair, Criminal Law and Individual Rights Section (1996-1999) Judicial Evaluation Committee (1999 to 2000)

PRESENTATIONS

Panelist, Roger Williams University School of Law, *Examining Justice: Ferguson, Staten Island, and Beyond* (2015)

Keynote Speaker, Rhode Island Bar Annual Meeting, *Cybersecurity Risks and Issues: What Lawyers Need to Know to Protect Their Clients*, (2014)

Panelist, Adler, Pollack & Sheehan Annual Ethics Seminar, *The Evolving Intersection of Law and Technology: How the Legal Ethics Rules Have Changed (and Why Every Lawyer Should Read Them Again)* (2014)

Featured Speaker, Rhode Island Bar Association Continuing Legal Ethics Program, *Ethical Billing Practices* (2013)

Keynote Speaker, “The Ethical Lawyer Meets Twitter, Metadata, and the Cloud,” *AON-RIBA Continuing Legal Education Programs*, Rhode Island Bar Association (2012)

Panelist (with Judge McConnell), *The Effect of Twombly and Iqbal on Federal Litigation*, Rhode Island Federal District Court Conference (2011)

Keynote Speaker, “Good Lawyering in a Bad Economy,” *AON-RIBA Continuing Legal Education Programs*, Rhode Island Bar Association (2009)

Speaker, *The Prosecutor’s Ethical Duty to Redress Wrongful Convictions*, Rhode Island District Court Prosecutors’ Association (2009)

Commentator, *Grand Jury Roundtable*, George Washington University School of Law (2008)

Panelist, *Confidential Civil Settlements*, Common Cause of Rhode Island (2003)

PUBLICATIONS

Iancu v. Brunetti: Free Speech Meets “Immoral and Scandalous” Trademarks in the Supreme Court, United States Supreme Court Survey: 2018 Term, 25 R.W.U. Law Rev. 80 (Winter 2020)

Matal v. Tam: Free Speech Meets Disparaging Trademarks in the Supreme Court, United States Supreme Court Survey: 2016 Term, 23 R.W.U. Law Rev. 122 (Winter 2018)

Designing Law School Externships that Comply with the Fair Labor Standards Act, 21
Clinical Law Review 79 (2014)

A Short History of Law Firm Billing, Chapter in *Law Practice Management*
(American Bar Association 2013)

Understanding the New Work Product Rules on Expert Discovery,
AALS Professional Responsibility Section Newsletter (Fall 2011)

“Rewriting Grand Jury History,” in *Grand Jury 2.0* (Carolina Press, 2010) (Roger
Fairfax, ed.)

The State of Rule 3.8: Prosecutorial Ethics Reform Since Ethics 2000,
22 Geo. J. Legal Ethics 427 (Spring 2009)

Prosecutor’s New Ethical Duty Relating to Wrongful Convictions,
Rhode Island Bar Journal 37 (September/October 2008)

Civil Due Process, Criminal Due Process, 25 Yale Law & Pol. Rev. 1 (2006)

*The Democratic Prosecutor: Explaining the Constitutional Function of the Federal Grand
Jury*, 94 Geo. L.J. 1265 (2006)

The Useful, Dangerous Fiction of Grand Jury Independence, 41 Am. Crim. L. Rev. 1
(2004)

Delusions of Grand Juries, Legal Affairs (November/December 2003)

The Hours, Legal Affairs (September/October 2002)

Special Responsibilities of a Prosecutor, ABA Report on Rule 3.8 (1999)

An Introduction to Jurisdiction in the American Federal System

(co-author with L. Brilmayer and others) (Michie 1986)

*Reenacting the Equal Access to Justice Act: A Proposal for Automatic Attorney’s Fee
Awards*, 94 Yale L.J. 1207 (1985)

*Using Federal Funds to Dictate Local Policies: Student Religious Meetings Under the
Equal Access Act*, 3 Yale L. & Pol’y Rev. 187 (Fall 1984)