

*(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).*

## **PROBATE JUDGE ADVISORY COMMISSION**

A meeting of the Probate Judge Advisory Commission was held on Tuesday, December 10, 2024 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 5:35 p.m. by the Assistant City Clerk/Clerk of Committees.

Present: Michelle Bergin-Conte, Esq.  
Susan Maria Pires, Esq.  
Ann Marie Maccarone, Esq.

Absent: Jessica Dyal Salter  
Henry Palazzo

Also Present: Rosalba Zanni, Assistant City Clerk/Clerk of Committees

- **CONSIDERATION OF NOMINEES FOR RECOMMENDATION TO CITY COUNCIL FOR PROBATE JUDGE**

Attorney Pires nominated Attorney Maccarone to Chair the meeting. Attorney Bergin-Conte seconded the nomination.

No other nominations were made.

Attorney Maccarone was appointed to serve as Chair. Motion passed unanimously.

Chair indicated that there is only one candidate to be considered this evening and that is Cynthia Fogarty, the current Probate Judge, who is present this evening. She asked Attorney Fogarty to speak.

Attorney Fogarty appeared to speak and thanked the Committee for taking the time for doing this. She stated that people may question if this is necessary. Yes, it is because you are making a recommendation to the City Council based on your review and the City Council will take a motion to appoint people. She has been Probate Judge for the past two years. She also has a letter of recommendation from Cristine McBurney, Probate Judge in the City of Pawtucket and also the President of the Rhode Island Probate Judges Association. She was asked for a certificate of good standing from the Supreme Court last Thursday and she requested it Friday morning and provided the receipt of that request to the Clerk. Once she receives the letter, she can provide it to the Clerk.

Attorney Fogarty stated that being Probate Judge is a challenging and busy position. You cannot realize how busy this calendar is. They meet twice a month initially and takes from three to six hours for her to review the files and prepare for Court. She goes into the Clerk's Office periodically to sign any documents and to address Small Estates to review and sign the documents. The Court hears approximately forty matters a month. The Clerk's Office is incredible in preparation to do things for her to review. She still practices law, primarily family law and Probate. She is also Adjunct Professor at Johnson & Wales University She has lived in Cranston for approximately forty years and has raised two

children in Cranston and her office is in Cranston. She is proud to have served the last two years. She does have one case on appeal and waiting for Supreme Court decision. She asked the Committee to consider the resume and letter of recommendation before the committee Members.

Attorney Maccarone asked Attorney Fogarty if she has reached out and made any inquiries to law schools for help with research. Attorney Fogarty stated that Dawn is the Probate Administrative Clerk with no law background so she does any research that is necessary. That is something she will consider.

Attorney Maccarone asked Attorney Fogarty what one thing is that she did not expect when she started serving as Judge. Attorney Fogarty stated that the elderly population is growing and there is an increase in adult guardianships and it breaks her heart to see some of the relationships between family members being torn apart. Those are issues she is coming across more now and it is hard. She has had great responses from people commending what a great job she is doing.

On motion by Attorney Bergin-Conti, seconded by Attorney Pires, it was voted to recommend Attorney Cynthia Fogarty to be appointed as Probate Judge. Motion passed unanimously.

The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees