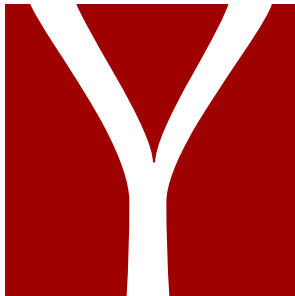


# YOUNG LAWYERS DIVISION

of the UTAH STATE BAR

April 2008 Newsletter

Young.  
Bold.  
Inventive.



## Young Lawyers Division Update

*Stephanie W. Pugsley*  
2007-2008 YLD President



Thank you for helping making our new YLD E-Newsletter such a success. With the October 2007 first edition, and two successive editions, we have been more able to reach young lawyers in all four corners of Utah. Now, we are looking to name our E-Newsletter. Please send suggestions to [stephanie.pugsley@gmail.com](mailto:stephanie.pugsley@gmail.com). Recently, several members of the YLD Executive Committee and I were in St. George for the Spring Bar Convention. While there we participated in the first Wills for Heroes program. It was great to meet and work with the Southern Utah Bar Association (SUBA) young lawyer volunteers. There are plans in the works to put together a Southern Utah young lawyer group. If you are interested in being involved in this, please let me or Aaron Randall, SUBA President, know. Aaron may be reached via email at [aaron@htrmlaw.com](mailto:aaron@htrmlaw.com). Finally, I met with the Utah Young CPAs last month who are interested in meeting and networking with the Utah Young Lawyers. Please watch for details of joint CPA/YLD CLEs and other networking events.

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|---|
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### Upcoming Volunteer Opportunities

- YLD And Justice For All Phone-A-Thon on page four
- Wills-For-Heroes on page six
- Tuesday Night Bar on page eight
- Toy Drive on page five

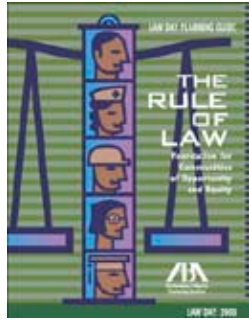
### Upcoming Events

- Law Day Banquet, May 1, noon, Little America Hotel on page two
- Law Day Wills for Heroes, May 2 on page six
- Law Day Run, May 3 S.J. Quinney College of Law on page nine

### Mocktail Party

The Young Lawyers Division and the BYU Student Bar Association co-sponsored a "Mocktail Party" on Friday, March 21, 2008 in which law students from the J. Reuben Clark Law School mingled with practicing attorneys to interact in a professional yet social setting in preparation for similar experiences during their summer and fulltime employment. The

"MOCKTAIL" continued on page five



## Law Day's Beginnings

Fifty years ago, President Eisenhower issued a proclamation making May 1st the first Law Day, as a "day of national dedication to the principle of government under law." Law Day 2008 explores the meaning of the rule of law, fostering public understanding of the rule of law through discussion of its role in a free society.

## Law Day 50th Anniversary – "The Rule of Law"

Please join us in celebrating the 50th anniversary of Law Day. The Wasatch front's celebration will include a banquet at Little America with a key note address by Tenth Circuit Judge Michael McConnell. During the banquet, the Liberty Bell Award will be awarded, as well as the Young Lawyer of the Year. Awards for the Salt Lake County Bar's annual essay contest and the Art & the Law contest will be awarded as well. Tickets are \$25 or tables are \$250. Tables may be reserved by contacting Gary Guelker or Tyson Snow at [gary@jsglawyers.com](mailto:gary@jsglawyers.com) or [tsnow@mc2b.com](mailto:tsnow@mc2b.com).

### Meet the Bar

On March 26, 2008, representatives of many sections of the Utah State Bar traveled to the S. J. Quinney College of Law at the University of Utah to promote Bar and section membership. In Bar President V. Lowry Snow's absence, YLD President, Stephanie Pugsley, addressed the group explaining the benefits of Bar and Section membership. She explained that with membership comes networking and pro bono opportunities, practice development, CLE, Casemaker online case research tools, free Blomquist Hale counseling services for attorneys and their families, and many other great benefits. After the joint session, students were encouraged to visit each section's table to sign up for section membership and visit with representatives to learn more about the



individual offerings of each section. Brian Rosander, Karthik Nadesan and Stephanie Pugsley were able to discuss with students how the Young Lawyers Division is the gateway from law school to the practice of law. The Young Lawyers Division looks forward to next year's Meet the Bar event.

## Jackie Chiles Law Society's 2nd Annual Jackie Chiles Year-End Banquet with keynote speaker Corbin Bernsen of "L.A. Law"

You are cordially invited to attend the Second Annual Jackie Chiles Year-End Banquet featuring Corbin Bernsen of "L.A. Law." Last year's inaugural event was enjoyed by over 250 local members of the legal community. This year is sure to be entertaining as Mr. Bernsen addresses the mix of law and pop culture in our society! Please join us for a night of dinner, entertainment, and engaging legal discussion. Information about the event is listed below. Be sure to reserve your tickets by email [chilesj@law.utah.edu](mailto:chilesj@law.utah.edu), or purchase your tickets by using the link listed below. We look forward to seeing you!

Mr. Bernsen has worked on "JAG," "Boston Legal" and the forthcoming "Since I Don't Have You" as Dan The Attorney. Corbin Bernsen has also played non-lawyers in Major League, "The Young and the Restless" Kiss Kiss Bang Bang, "Psych" and Call Me: The Rise and Fall of Heidi Fleiss

Thursday, April 10, 2007, 7:00 PM at The Hilton Hotel, 255 South West Temple  
CLE PENDING(1 hr)

Tickets are \$40 per person, \$70 per couple, \$600 per table (8 people) Priority seating  
To reserve your tickets/tables email [chilesj@law.utah.edu](mailto:chilesj@law.utah.edu)

**Law Day 50th Anniversary**

**“The Rule of Law”**

WHEREAS it is fitting that the people of this Nation should remember with pride and vigilantly guard the great heritage of liberty, justice and equality under law which our forefathers bequeathed to us; and

WHEREAS it is our moral and civic obligation as free men and as Americans to preserve and strengthen that great heritage; and

WHEREAS the principle of guaranteed fundamental rights of individuals under the law is the heart and sinew of our Nation, and distinguishes our governmental system from the type of government that rules by might alone; and

WHEREAS our government has served as an inspiration and a beacon light for oppressed peoples of the World seeking freedom, justice and equality of the individual under law; and

WHEREAS universal application of the principles of the rule of law in the settlement of international disputes would greatly enhance the cause of a just and enduring peace; and

WHEREAS a day of national dedication to the principle of government under law would afford us an opportunity better to understand and appreciate the manifold virtues of such a government and to focus the attention of the World upon them;

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Thursday, May 1, 1958 as Law Day - USA. I urge the people of the United States to observe the designated day with appropriate ceremonies and activities, and I especially urge the legal profession, the press, and



*Dwight D. Eisenhower*  
(c) Brian Brake, Photo Researchers, Inc.

the radio, television and motion picture industries to promote and to participate in the observance of that date.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Third Day of February in the Year of our Lord Nineteen Hundred and Fifty-eight, and of the Independence of the United States of America the One Hundred and Eighty-second.

(Signed) DWIGHT D. EISENHOWER By the President

JOHN FOSTER DULLES Secretary of State

The White House

February 3, 1958

**The questions you have.  
The questions you haven't thought of yet.**

The Young Lawyer's Division brings a panel of young, practicing attorneys for a discussion on...  
The Transition to Practice  
No nonsense answers.

Tuesday, April 8, 2008, 2:15 p.m. to 1:10 p.m., Room 105,  
Don't miss one of the most popular events each year.

April 2008 Newsletter



**2008 YOUNG LAWYERS PHONE-A-THON**

Thursday, April 10, 2008  
9:00 a.m. – 12:00 p.m.

We are asking for volunteers to join the Young Lawyers Division for the ninth annual "AND JUSTICE FOR ALL" Phone-a-thon to be held on Thursday, April 10th, from 9:00 a.m. to 12:00 p.m. at the Jones Waldo law offices, located on the 15th Floor inside the U.S. Bank building – 170 S. Main Street.

Join us for whatever length of time you can and make only the calls you choose. We'll have pledge cards sorted for your ease in locating potential donors you know and feel comfortable calling. All the names on the list are people who have given to "AND JUSTICE FOR ALL" in the past - no cold calls!

Please come and help us out by recruiting as many additional callers as you can - attorneys, law clerks, paralegals, and other staff.

We will have cell phones (temporarily donated by Cricket) for your use. We have also prepared talking points and answers to common questions. Snacks and drinks will be provided.

Thank you for all your support!

Please RSVP to any of the following individuals:

Candice Pitcher, YLD "and Justice for all"  
Committee Co-Chair  
JONES WALDO HOLBROOK &  
McDONOUGH  
Phone: (801) 521-3200  
Email: cpitcher@joneswaldo.com

C. Ryan Christensen, YLD "and Justice for all"  
Committee Co-Chair  
PARSONS KINGHORN HARRIS

Phone: (801) 363 - 4300  
Email: crc@pkhlawyers.com

Metra Barton-Henry  
"AND JUSTICE FOR ALL"  
Phone: (801) 924-3182  
Email: metra@communitylegalcenter.org

Directions to the Jones Waldo offices, located inside the U.S. Bank building, 170 South Main Street, Salt Lake City, Utah

NORTHBOUND I-15: Exit at 600 South  
SOUTHBOUND I-15: Exit at 400 South

After exiting I-15, drive east to West Temple. Turn left (north) onto West Temple. Proceed to 200 S. Turn right (east) onto 200 S. and drive until you pass the Capitol Theatre (on your left). Turn left into the parking structure marked "170 South Main Parking."

**PARKING:** Enter the parking facility and take a ticket from the parking attendant (we will be happy to validate your parking). Drive straight ahead following the arrows (on your right) to parking levels 1 – 4. After parking, follow signs pointing to the elevator.

**PARKING STRUCTURE ELEVATOR:** Take the elevator to the 1st floor. You will see a sign that reads "170 South, Main Floor Lobby." Go through the doors on your right and proceed down a sloping carpeted hallway.

**TRAX:** Whether northbound or southbound, get off at the "Gallivan Center" stop on Main Street. Walk north on Main Street to 200 South. Our building (170 South Main) is on the northwest corner of the intersection. Enter the building through the south doors and proceed to the elevators. See "170 South Main Elevators" section above.

## St. George Mid Year Bar Convention

The Young Lawyers Division sponsored several great speakers at this year's Spring Convention in St. George. On the Family Law front, Lee Killian and Clark Sessions, from the law firm of Clyde Snow, discussed the do's and don'ts of Family Law trial practice. Joshua F. King, an up and coming mediator, navigated his audience through the pitfalls of mediation. Also, Wendy Crowther, also from Clyde Snow, discussed the hot topics of Water Law in the Western United States. After being educated, many lawyers made their way to the Golf Course to enjoy the beautiful sunny weather. For those who did not golf, the YLD offered a great pro bono opportunity at its first Wills for Heroes event. Deacon Haymond, of Jones Waldo, Holbrook & McDonough, trained all attorneys present in basic trusts and estates law and Michelle Allred, of Ballard, Spahr Andrews & Ingersoll taught attorney participants how to use LexisNexis' HotDocs. Those who participated in any of the above sessions received NLCLE credit. Many thanks to YLD Bar Conferences Chairmen Kurt Hawes and Chris Snow for all of their great work at the St. George Mid Year Convention. St. George continues to be a choice venue for the Spring Convention and we hope to see many more of you there next year.



## YLD Needs of Children Committee Spring Toy Drive

Beginning May 5th, the YLD Needs of Children Committee will begin collecting toys as part of the Spring Toy Drive. The YLD will be accepting (preferably) new and gently used children's toys (0-12), child will be gifted to child-receiving centers throughout Utah.

Each child-receiving center is an interim home for children whose lives have been disrupted by neglect or violence. Although the various county-sponsored child-receiving centers are supposed to only be way-stations, the number of children that are housed there is alarmingly high. The toys and facilities provided are heavily used, but essential.

Please take time this month to purchase a small toy, book or other item for donation. Or, please set aside something during your spring cleaning. The YLD is currently setting up donation receptacles at law firms throughout the state. If there is not a donation receptacle at your law firm, the Needs of Children Committee would like to bring one to you. If you have any questions or would like to volunteer your firm as a donation site, please email the Needs of Children Committee: [davidlj@email.utcourts.gov](mailto:davidlj@email.utcourts.gov) or [jyancey@rookerlaw.com](mailto:jyancey@rookerlaw.com).

Drop boxes will be available at the following firms:

Ballard, Spahr, Andrews & Ingersoll  
Clyde, Snow, Sessions & Swenson  
Hobbs & Olson  
Holmes, Roberts & Owens  
Jones, Waldo Holbrook & McDonough  
Manning, Curtis & Bednar  
McKay Burton & Thurman  
Parr, Waddoups, Brown, Gee & Loveless  
Parsons, Behle & Lattimer  
Ray, Quinney & Nebeker  
Rooker Rawlins  
Stoel Rives  
Strong & Hanni

"MOCKTAIL" continued from page one

first annual Mocktail Party was held at the newly constructed Hinckley Alumni Center. As this is expected to become an annual event, we hope young lawyers throughout the Wasatch Front will plan on joining us next year. To find out more about the next Mocktail Party or other YLD sponsored events planned at the J. Reuben Clark Law School, please contact the YLD Membership Committee.

## YLD Sponsors Its FirstWills for Heroes Event in St. George, Utah

On March 14, 2008, volunteer members of the Bar, in connection with the Young Lawyers Division and the Wills for Heroes Foundation®, donated their time and effort to create free wills and other estate planning documents for police officers, firefighters, and other first responders in the St. George area.



Using laptop computers and software on loan from Ballard Spahr Andrews & Ingersoll, LLP, and Lexis Nexis, as well as document templates created by estate planning attorneys Deacon Haymond of Jones, Waldo, Holbrook & McDonough (also a YLD member) and Mark J. Morisse of Callister Nebeker & McCullough, volunteer attorneys met one-on-one with first responders and their spouses at the St. George police station to prepare basic wills, health care directives, and financial power of attorney documents. Volunteer witnesses and notaries, members of the Paralegal Division of the Utah State Bar, were on hand to complete the process, and the 41 first responder participants left with finalized estate planning documents.



The St. George Wills For Heroes event was the first of its kind in Utah. To commemorate the importance of the event, St. George Mayor Daniel D. McArthur proclaimed March 14, 2008 as "Wills for Heroes" Day at a meeting of the St. George City Council, presenting a formal Proclamation to Utah State Bar President V. Lowry Snow, on behalf of the Utah State Bar and the Young Lawyers Division. A copy of the Proclamation may be found at <http://www.utahbar.org/sections/yld/willsforheroes/assets/proclamation.pdf>.



The Wills for Heroes program was co-founded by Anthony Hayes and Jeffrey Jacobson in the wake of September 11th, after Hayes learned that many of the first responders who perished in the tragedy did not leave behind wills to protect their loved ones. Since 2001, the program has provided more than 7,000 estate planning documents nationwide to first responders, who risk their lives every day to





keep our communities safe. For more information about the Wills for Heroes Foundation please visit their website at [www.willsforheroes.org](http://www.willsforheroes.org).

Co-founder Jeffrey Jacobson attended the St. George event on March 14, 2008 and praised the organizers for organizing and presenting what he called a "flawless event." Said Jacobson, "I watched as the first responders, some hesitant at first, one by one left the event with a clear sense of relief and gratitude knowing that their loved ones are now protected in case the unthinkable should occur."

The ABA Young Lawyers Division named the Wills for Heroes program as its public service project for 2007-2008 bar year. The Utah YLD has chosen to sponsor the program by organizing Wills for Heroes events across the state. The Utah YLD is committed to continue the program as long as attorneys are willing to donate their time and first responders are interested in receiving this service.

Rachel Terry, co-chair of the Young Lawyers Division Community Service Committee and one of the organizers of the event said, "It's a really great feeling to be able to serve those who serve us. As we take this program across the state, we will be able to use our legal skills to make a tangible impact on the lives of our first responders." The Young Lawyers Division appreciates the leadership of Rachel Terry, Emily Smith, and Michelle Allred in getting this monumental project off the ground in Utah. The YLD also appreciates the tremendous support of the Utah State Bar, the Utah Bar Commission, and the Utah State Bar support staff for their commitment to the Utah Wills For Heroes program.

The next Wills for Heroes event will be held in the Salt Lake area on May 2, 2008, in connection with Law Day. Attorneys interested in volunteering will receive one hour of CLE. For a list of other events and information, we invite you to visit the YLD website [www.utahbar.org/sections/yld/willsforheroes/Welcome.html](http://www.utahbar.org/sections/yld/willsforheroes/Welcome.html). Attorneys and paralegals interested in volunteering at future events should contact Rachel Terry at [rterry@fabianlaw.com](mailto:rterry@fabianlaw.com) or Emily Smith at [esmith@swlaw.com](mailto:esmith@swlaw.com). All other Wills for Heroes questions should be directed to YLD President Stephanie Pugsley at [stephanie.pugsley@gmail.com](mailto:stephanie.pugsley@gmail.com).



Check out photos of this event at: <http://www.flickr.com/photos/utahyounglawyersdivision>.

## 2008 Utah Legislative Wrap Up

With the commencement of each annual session of the Utah Legislature, the Utah State Bar's Governmental Relations Committee resumes its work. For those who are unfamiliar with its purpose and function, the Committee (acting pursuant to the direction of the Utah Supreme Court) reviews and analyzes pending or proposed legislation in order to provide recommendations to the Bar Commission on bills that may affect the legal profession. For example, the Committee examines legislation related to state courts, procedural or evidentiary changes, the practice of law, and judicial administration, in addition to frequently weighing in on substantive legal issues where the collective expertise of attorneys is particularly relevant or which affect an individual's ability to access legal services.

Each week during the session, the Committee, which is comprised of members from each of the Bar's sections, meets to review and comment on pending legislation. If a proposed measure potentially pits the interests of two sections of the Bar against one another (for example, a criminal bill where prosecutors and defense counsel do not see eye-to-eye), the Committee will typically recommend "No Position," which is the default stance on most legislation. Similarly, given appropriate circumstances, the Committee can also vote to "Support" or "Oppose" any bill that comes before it.

By way of example, this year, the Committee addressed two unique proposals related to the state judiciary. The first, Senate Bill 72 sponsored by Senator Lyle Hillyard, is entitled "Justice Court Amendments" and provides for, among other things, a performance evaluation and retention process for all justice court judges and the creation of a county-wide judicial nominating commission to fill vacancies in these courts. The Committee recommended that the Bar support this bill. The second measure of note was Senate Bill 105 sponsored by Senator D. Chris Butters, entitled "Judicial

Performance Evaluation Commission." This bill, which was referred to the Bar Commission for further review, attempts to create a new body, comprised of members from the executive, legislative, and judicial branches, to review and implement new criteria for the evaluation of judges and the subsequent dissemination of those evaluations to the public.

Going forward, the Young Lawyers Division encourages all members who have an interest in the legislative process to consider providing feedback about proposed bills to various substantive law sections of the Bar (i.e. Corporate Section, Employment Section, etc.) or to Jonathan Pappasideris, the Young Lawyers Division Governmental Relations Committee Liaison.

### Tuesday Night Bar

Since October of 1988, the Young Lawyers Division has sponsored a free legal advice program in Salt Lake known as the Tuesday Night Bar. Approximately 1,100 individuals per year meet with a volunteer attorney for a brief one-on-one consultation at no cost. The purpose of this program is to assist the public in determining their legal rights. The Tuesday Night Bar is held the first four Tuesdays each month between 5:30 p.m. and 7:00 p.m. at the Utah Law & Justice Center, 645 South 200 East. Individuals seeking appointments for this program may be scheduled by calling 297-7037 eight days prior to the appointment from 1:00 - 5:00 p.m. No walk-ins are accepted at this clinic. The YLD always needs volunteer attorneys. If you are interested in volunteering, please contact the Tuesday Night Bar Committee chairs: Christina Micken at ickenc@aol.com, Kelly Lattimer at kellylattimer@comcast.net or Matt Wride at mwride@kmclaw.com. Additional Tuesday Night Bar programs are being developed in other regions of Utah and are in need of volunteer attorneys. For more information, please see: [http://www.utahbar.org/sections/yld/pro\\_bono.html](http://www.utahbar.org/sections/yld/pro_bono.html).

*check out the YLD Calendar, which has all of our activities for the entire year*  
[www.utahyounglawyers.org](http://www.utahyounglawyers.org)

April 2008 Newsletter

## Upcoming Events

### April

- 1 Tuesday Night Bar, 5:30 pm
- 8 Tuesday Night Bar, 5:30 pm
- 10 YLD Phone-A-Thon, 9:00 am - 12:00 pm, Jones Waldo Holbrook & McDonough
- 15 Tuesday Night Bar, 5:30 pm
- 16-17 ABA YLD Meetings, Washington D.C.
- 22 Tuesday Night Bar, 5:30 pm
- 23 Wills for Heroes CLE/training -(must attend 1 training to volunteer for May 2nd event)
- 24 NLCLE: Bankruptcy Collections Nuts & Bolts, 3 hr primers CLE/NLCLE, 4:30-7:45, Law & Justice Center
- 29 Wills for Heroes CLE/training – (must attend 1 training to volunteer for May 2nd event)
- 29 Tuesday Night Bar, 5:30 pm

### May

- 1 Law Day, Little America Hotel, 12:00 pm
- 2 Wills for Heroes In Conjunction with Law Day (time and place TBA)
- 3 Law Day Run
- 5 YLD Needs of Children Toy Drive,
- 6 Tuesday Night Bar, 5:30 pm
- 13 Tuesday Night Bar, 5:30 pm
- 14 Mechanics of Trial - Session II, 3 hrs CLE/NLCLE, 4:00 pm - 7:00 pm, Law & Justice Ctr.
- 20 Tuesday Night Bar, 5:30 pm
- 22 NLCLE Criminal Law Nuts & Bolts, 3 hr primers CLE/NLCLE, 4:30-7:45, Law & Justice Ctr.
- 23 Bar Admission Ceremony, 12:00 p.m., Salt Palace Convention Center
- TBA YLD General Elections Electronic Ballot (must have current email with the Utah State Bar)

### Looking Ahead

- June 3 Tuesday Night Bar, 5:30 pm
- 4 Deadline for YLD Election Nominees, see YLD Handbook Section 3 for more
- 6 New Lawyer Required Ethics Program (fulfills New Lawyer Ethics Requirement) - Mandatory, 8:30 am - 12:30 pm, Law & Justice Center
- 10 Tuesday Night Bar, 5:30 pm
- 17 Tuesday Night Bar, 5:30 pm
- 23-27 YLD Elections Nominations Due, June 27 by 5:00 p.m. to [Stephanie.pugsley@gmail.com](mailto:Stephanie.pugsley@gmail.com)
- 24 Tuesday Night Bar, 5:30 pm
- 26 NLCLE: Administrative Law – Everything you Can Learn in 3 Hours on Utah Admin Processes: DOPL Real Estate Division Consumer Protection 3 hour primers CLE/NLCLE, 4:30-7:45, Law & Justice Center
- 27 YLD Elections due by 5:00 p.m. to [Stephanie.pugsley@gmail.com](mailto:Stephanie.pugsley@gmail.com)