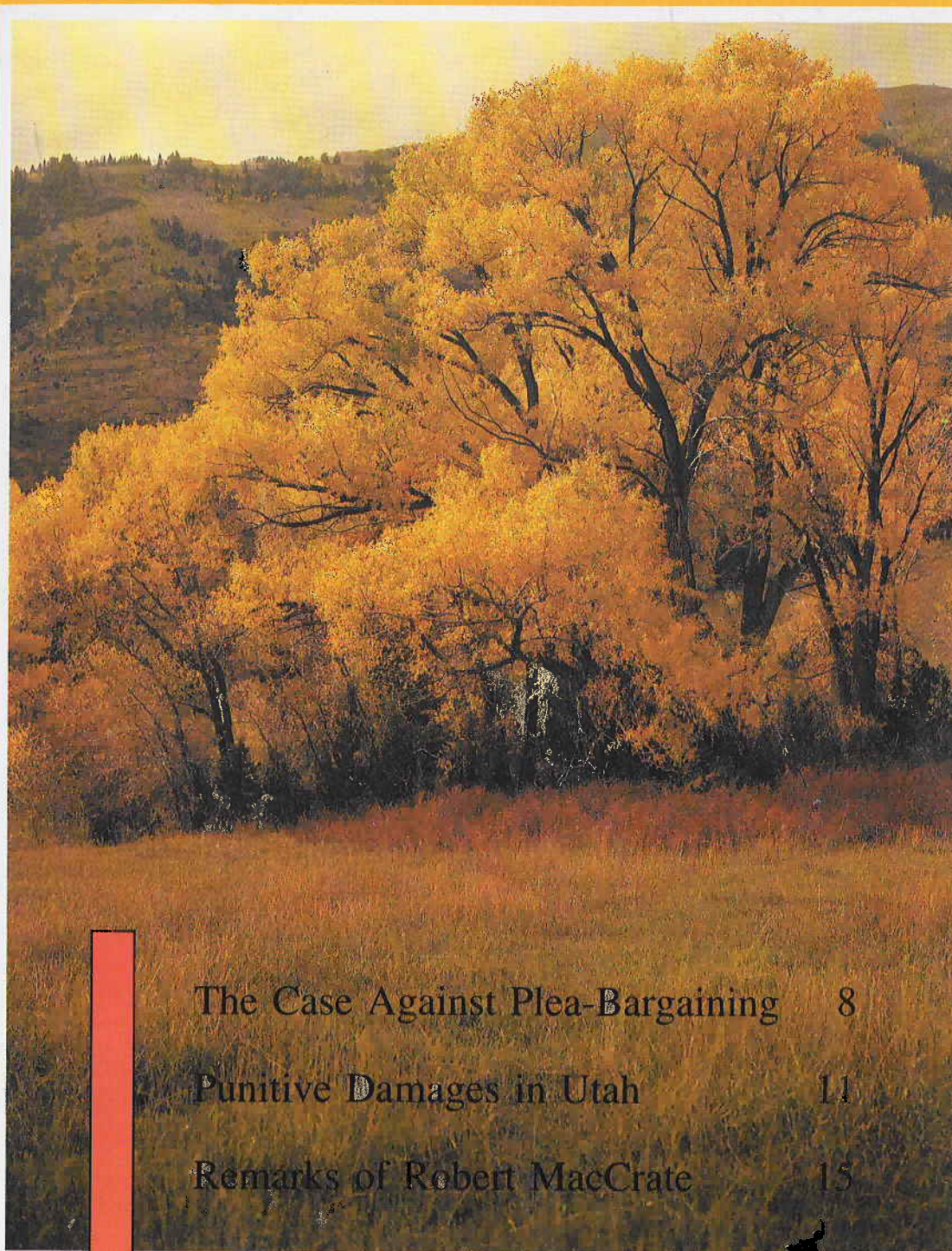


UTAH BAR JOURNAL

Vol. 1, No. 3

November 1988



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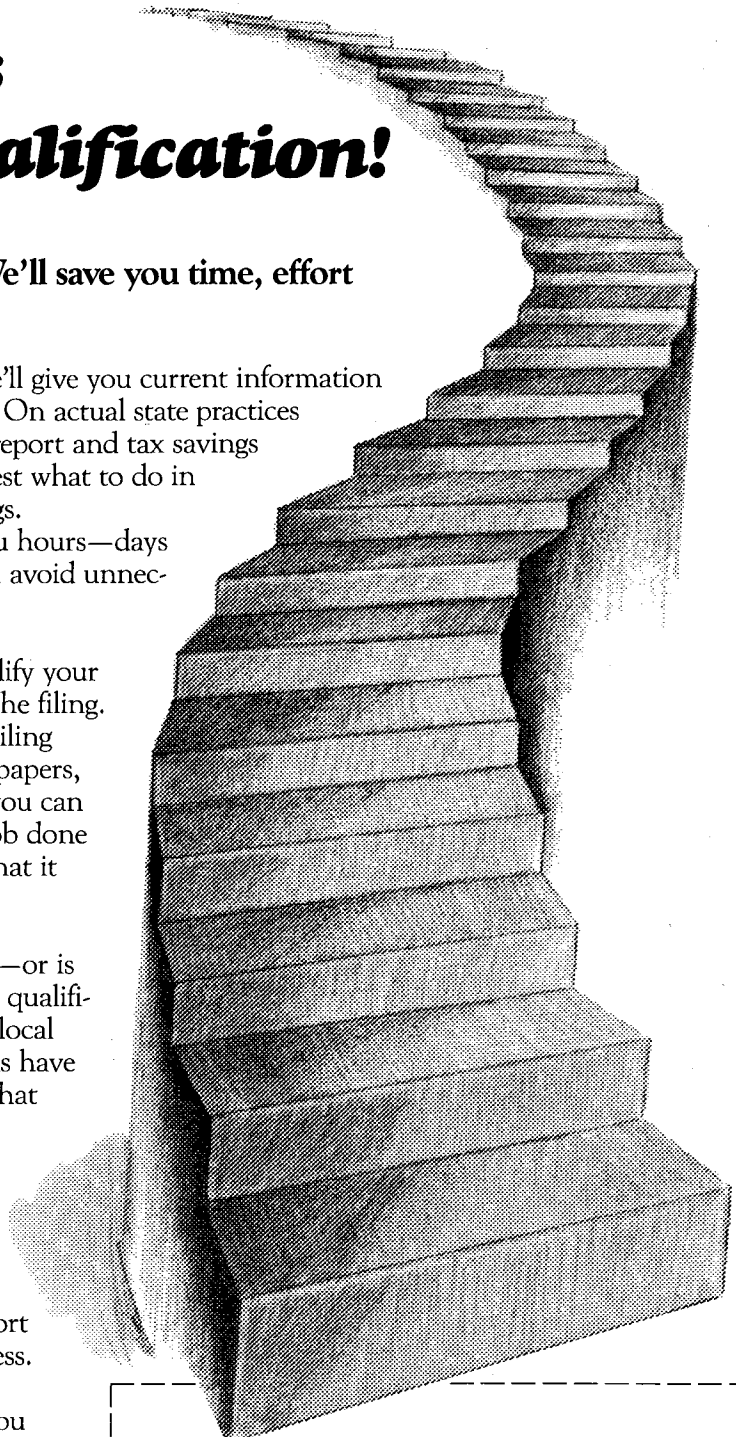


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 Cover: "Autumn Cottonwoods," Joe's Valley in Manti-LaSal National Forest, Utah, by
 Chris P. Wangsgard, a partner in the firm of VanCott, Bagley, Cornwall &
 McCarthy.
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President, Executive Director and
Utah Bar Journal Editor

Re: New Law and Justice Center & **Utah Bar Journal**.

Gentlemen:

With completion of the new Law and Justice Center and publication of the new **Utah Bar Journal**, our bar has finally become one of the progressive bar associations in this country.

I commend you and everyone involved for two jobs very well done.

Very truly yours,

George M. McCune

Editor:

What's the problem with the disciplinary system of the Utah State Bar?

Why have there been four (4) different Bar Counsels to handle discipline during 1986-1988? Such a turnover seems to indicate a serious malfunction.

Why did Jo Carol Nasset-Sale recently resign?

Utah's attorneys are entitled to a vigorous and professional disciplinary system. The public will allow attorneys to be self-regulating only if the Utah State Bar does a strong credible job.

The membership is entitled to a complete and detailed report as to the status of Bar Counsel and the status of the disciplinary system. I'm tired of being in the dark.

C. Dane Nolan
Attorney at Law

Editor:

I am disturbed that the Utah Board of Bar Commissioners voted to join as *amicus* on behalf of the Wisconsin Bar Association in the appeal of *Levine v. Wisconsin State Bar*, in which the federal trial court found the concept of an integrated bar unconstitutional as a violation of an attorney's first amendment right not to associate.

I, for one, am uncomfortable with mandatory membership in an integrated bar, especially where the Bar takes political and ideological positions contrary to the feelings of the majority of its involuntary members. I value my membership in the Bar, but I wish it were voluntary.

Sincerely,

Bradley H. Parker
Attorney at Law

Re: Utah Bar Journal

Editor:

I received my copy of the first, all-new *Utah Bar Journal* this week. I was very pleased with the quality of the publication, both in terms of content and appearance. I thought the balance of Bar news, case summaries, and topical articles was about right. The articles were timely and well-written.

I know how much work goes into a publication of that caliber. Congratulations on an excellent first issue.

Very truly yours,

Judge Gregory K. Orme
Utah Court of Appeals

Continued publication of the Utah Bar Journal at the present quality, frequency and size (number of sections, departments and articles) will depend upon maintaining the current level of revenues from advertising. Continuing this level logically will depend upon the resulting patronage given to the advertisers. Accordingly, the Bar Journal Committee and Editorial Board strongly solicit and encourage your support of the advertisers and their products and services, especially at this nascent stage of the Bar Journal. Any commendation or expression of approval you could convey to advertisers would ultimately benefit the maintenance of a quality publication.

Editor

\$.25 a Day—Can You Afford It?

This message is directed only to those who have not contributed to the Utah Law and Justice Center. If you have contributed, feel free to turn the page and read something else. If you haven't given, the following facts and figures may just convince you that a contribution would be in order. So, please, read on!

Five years ago, under the leadership of Stephen Anderson, your Bar Commission decided to undertake a rather large and novel project—a project designed to serve Utah lawyers and judges and Utah citizens; a project which was the first of its kind in the nation; a project aimed at letting the public know that Utah lawyers and judges are committed to improving our system of justice and providing new avenues for citizens to more speedily and economically resolve disputes. A great number of Utah lawyers have given their own hard-earned dollars to support that project and construct a facility which would house programs to simplify the resolution of disputes between Utah citizens.

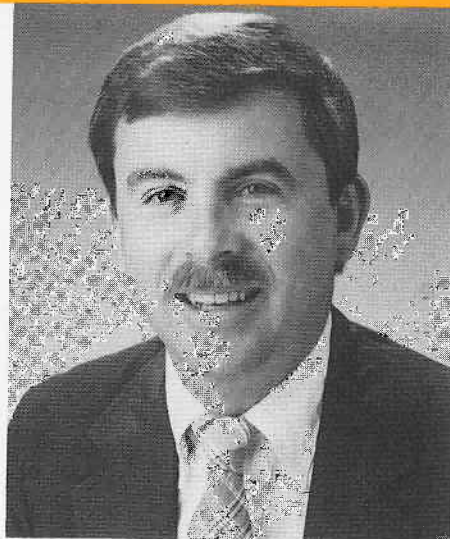
Five years ago, that project was a dream. Today, it is a reality. It exists and is operating because more than 1,200 of our members reached into their pockets and gave dollars to get the project under way and completed. Take a minute and consider who has given:

Total cost of Utah Law and Justice Center	\$3,200,000
Private Contributions	750,000+
The Eccles Foundation	
The Michaels Foundation	
Mr. O.C. Tanner	
The Dumpke Foundation	
Contributions from Utah Lawyers and Judges	1,150,000
Sale Proceeds of 425 E. 100 S. Bar Building	237,000
Bar Reserves	250,000+
Loan for Balance	800,000

The \$800,000 would not have to be borrowed had the lawyers who have not yet given each pledged the token sum of \$.25 a day for the next three years. Think of it—a \$3.2 million project totally paid for with only that little additional commitment from the members of our Association who have yet to give.

Twenty-five cents a day from our remaining lawyers would not only pay off the loan, but would provide extra monies to further fund programs which call the center home. It also would have the effect of eliminating payments to service the debt, thereby providing additional funds which could be used to expand and improve services and programs which benefit Utah lawyers and judges, as well as other Utah citizens.

As I was writing this message, I started to think what \$.25 a day may mean to each of us in terms of financial sacrifice.



Kent Kasting

Consider the following. \$.25 is:

- ½ the cost of a newspaper (.50)
- ½ the cost of a soft drink (.50)
- ½ the cost of a cup of coffee (.75)
- ¾ the cost of a doughnut (.30)
- ⅓ the cost of a hamburger and fries (2.50)
- ½ the cost of a pack of gum (.50)
- ½ the cost of a bus ride (.50)
- 30 minutes at a Salt Lake City parking meter (.25)

I think if we're honest with ourselves, \$.25 a day for three years doesn't amount to very much at all, and that doesn't even take into account the tax benefits you get from any contribution made.

As I said earlier, this message is directed only to those Utah lawyers and judges who haven't made a pledge to the Utah Law and Justice Center. My request is that you consider giving at least \$.25 a day for the next three years—that's only \$91.25 per year, or a little over \$7.00 per month.

The readers of this message, I believe, will fall into three categories:

1. Those who have, over the past five years, always had the good intention of making a contribution and have just not gotten around to it.
2. Those lawyers who have been admitted to the Bar during the last five years, and simply have not been asked to give.
3. Those who have questioned the merits of the project, thinking it either wouldn't get off the ground or, if it did, it would serve no useful purpose.

To those in the first category, let me just remind you that your financial support is needed and you would do a service to the public, the courts and the Bar if you were to take a moment and fill out a pledge and send it to the center at 645 S. 200 E., Salt Lake City, UT 84111-3834. Remember, \$.25 a day is not very much any way you "cut it."

To those lawyers in practice under five years who haven't been asked to give, let me be the

first to make the request of you. As I said, this project is the first of its kind in the nation. It's designed to explore and implement forms of Alternative Dispute Resolution (ADR) and it is directly aligned with and related to our ethical commitment to make justice available to all citizens and assist in striving to achieve a more fair, orderly, and just society. Please demonstrate your commitment to these goals by also filling out a pledge card.

To those disbelievers who fall into the third category, I can only tell you that your doubts have been proven wrong. We now have a Law and Justice Center that is in full operation. It's being used by lawyers and judges and members of the public on a daily basis. Its Citizens' Policy and Programs Advisory Board is hard at work making plans and recommendations for the center's future programs and projects. National authorities on Alternative Dispute Resolution (ADR) are astounded that a Bar the size of ours could successfully complete a project of such magnitude. If you don't believe me, take a minute and go to the center and ask for a tour. I'm certain if you do, you'll like what you see and you'll want to be able to say that you are a part of and involved in the Utah Law and Justice Center.

On the chance that some of our members who have given dollars to the center did not take advantage of my suggestion at the beginning of this message that they need not read on, let me simply say thanks from me, from Bar Staff and from members of the Commission and the Law and Justice Center Committee for your support and willingness to see the project through to completion.

Finally, to all Utah lawyers and judges, I invite you to use the center. It was conceived and designed to meet your needs, as well as to serve the citizens of Utah, and it is there for you to use.

Thanks for your continued interest and support. Utah has a Bar Association of which each of its members can indeed be proud.

UTAH LAW AND JUSTICE CENTER PLEDGE CARD

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In consideration of similar pledges by other members of the Bar, I pledge the sum of \$ _____

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 1991 \$ _____ 1992 \$ _____

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Please complete, clip and mail this card with your pledge to the Utah Law and Justice Center, 645 S. 200 E., Salt Lake City, UT 84111. Telephone (801) 531-9077.

