

LITIGATION SECTION EXECUTIVE COMMITTEE

Meeting Minutes: Dec. 14, 2016

Excused: Dan Steele, Anthony Loubet, Erik Christiansen, Jess Krannich, Alexis Juergens, Judge Christina Wilson, Bryan Pattison, Tom Seiler,

Via telephone: Liisa Hancock, Judge Stone, Dallas Young, Matthew Koyle, Kim Neville, Heather Thuet (partial), Phil Lott, Sam Harmon, Ian Hiatt, Ben Harmon

In attendance: Rod Andreason, Mike Stahler, Jen Tomchak, Heather Sneddon, James Magelby, Judge Jill Pohlman, Peter Strand, Katy Strand, Whitney Krogue, Judge Dawson, Megan Garrett, Cameron Sabin, Doug Farr, Tim Pack, James McConkie, Jon Hafen, Sade' Turner, Heather Thuet

1. **Welcome and Chair's Report** (Rod Andreason) 8:10

Rod welcomed the Executive Committee ("EC"). Mike Stahler moved and Peter Strand seconded a motion to add the following new members to the EC: Alexis Juergens, Whitney Krogue, James Magelby, James McConkie, Kimberly Neville, Judge Jill Pohlman, Dallas Young, Commissioner Christina Wilson, Anthony Loubet, Ian Hiatt, and Megan Garrett. The motion passed unanimously. The EC will direct Erik C. to add these names to the Zealous Advocate and Litigation Section website.

Rod announced a special recognition to Judge Roth for his service on the EC. Heather Sneddon circulated a thank you card.

a. Approve November Meeting Minutes

Peter Strand moved and Mike Stahler seconded that the November Meeting minutes be approved. The motion passed.

b. Webcasting –

When you host an event, please remember to remind the people at the Bar that you would like it videotaped to ensure that they are videotaping the events. Mike S. reported that the Bar will also do webcasting if you ask Connie Howard. The charge is \$9.95 per person. Connie's assistant is Lexie Goates.

c. Sponsorship from Utah Law Review

Rod opened the discussion on the sponsorship request that was circulated with the meeting agenda. (Ex. A hereto.) James Magelby and Peter Strand spoke in favor of the request. There was some concern raised about the amount requested and the amount available in our budget. Mike Stahler suggested \$1,500 as an appropriate amount. We have historically limited sponsorship contributions to \$2,000. We have also budgeted \$2,000 for sponsorship requests other than And Justice for All. The discussion was tabled for Heather Sneddon to give the Treasurer's Report.

2. **Treasurer's Report** (Heather Sneddon) 8:25

a. **Monthly Financials**

Heather reported that we are ahead of where we have been historically and of the budget we approved last month. The current balance is \$92,500. We have been spending slower than anticipated and also bringing in more money than we anticipated due to the success of the Golf & CLE events.

The discussion was re-opened on the Sponsorship Request. Cameron Sabin suggested approving the \$2,000 request and increasing the budget for sponsorship requests to \$4,000. Jen T. suggested exploring a reception in connection with the event. James McConkie approved and suggested that we make this part of the mentoring social.

Doug Farr asked about additional requests we are anticipating. Rod A. and Mike S. discussed three regular requests of approximately \$500 each for debate competitions. Heather Thuet mentioned that there is a \$6,000 request later on the agenda. Jen T. reminded the EC that there is also a request related to travel costs on the agenda. Tim Pack moved and Heather S. seconded a motion for \$2,000. The motion passed.

3. Recently-Completed Events – 8:38

a. Fall Forum (Jon Hafen/Mike Stahler)

James Magelby reported that he thought Fall Forum was a great event and he was honored to be asked to participate. He was impressed by the number of attendees. Jon reported that we had 2/3 of the 375 participants attend our session. We provided 9 hours of CLE. It was a significant amount of work, but worth it. The one constructive comment given was to ensure that the program is videotaped next year. Overall attendance was almost double than last year, but the Bar is still anticipating a \$20,000 loss. Rod thanked everyone who participated.

b. Breakfast Bar Review (Jen Tomchak) – 8:40

The event was well attended and well received. The judges seemed to appreciate hosting the event at the courthouse.

c. Justice Court CLE (Katy Strand) – 8:42

Katy reported that 63 people registered. The Judges were pleased with the presentation and suggested additional, related CLE presentations.

4. Committee Reports

a. Quarterly CLE (Jess Krannich)

Jess was attending the CLE presentation. Jen T. reported on his behalf related to the first quarter Rise and Shine.

- i. **Mapping the Law CLE** (Q4 Rise and Shine) – Dec. 15 -- (Erik Christiansen)
- ii. **Q1 2017 Lunch:** Judgment Collection in Utah's Courts (Doug Farr)
- iii. **Q1 2017 Rise & Shine:** Trial Technology in the Courtroom, Jan. 6 (Ben Harmon)
- iv. **Q2 Lunch:** Ethics/Professionalism/Civility Topic TBD (Keith Call)
- v. **Q2 Rise & Shine:** Ethics/Professionalism/Civility Topic TBD (Kim Neville)

b. Judicial Reception/Introduction to Matheson (Judge Dawson) 8:45

Judge Dawson reported that Anthony Loubet is leading the efforts to plan the Fourth District Reception and Introduction to the Matheson events. They are looking at February dates for the Matheson Event. Matthew Koyle volunteered to help with the Second District Reception. Commissioner Wilson may also be able to help.

c. **Membership** (Tim Pack) – 8:48

i. Survey responses

Tim reported that no one has responded to the membership survey despite two invitations to do so. Megan G. addressed the EC about increasing membership. She suggested reaching out to other committees to do joint CLEs with other sections. She also suggested reaching out to younger lawyers who might need specific training. Heather S. reminded the EC of an earlier discussion about conditioning free section membership on a free training CLE for new lawyers.

d. **Law Student Relations** (James McConkie) 8:52

i. Courtroom Advocacy – University of Utah – Jan. 17

James Mc. reported that we are confirmed for this event. We have invited Judge Furse to present about courtroom advocacy. He is working with Alexis J. and Sarah H. to plan these events at their respective schools.

ii. BYU CLE

This event will take place on March 16.

iii. Mentoring Social

James Mc. will confer with the Utah Law Review about the joint law review-social as discussed earlier in the meeting.

e. **Bar Conventions** (Jon Hafen, Ben Harmon) 8:55

Jon reported that Rob Rice wanted a mini Fall Forum at the Summer Convention. We have been asked to fill five hours (we usually fill three). Jon and Judge Dawson are working on filling those hours. One of the presentations will be, "How to be a good litigator without being a jerk." We will split costs with the Bar. We may need to fund travel expenses for a few judges to attend. Judge Dawson raised the issue about awards for judges. Heather Thuet said those awards will be presented in Moab.

i. Request to sponsor travel costs for speakers at Spring Convention

Jen T. reported on Ben's behalf about the one hour the Section will be filling. The panel will consist of Bryan Pattison, a second St. George practitioner, Judge Pettit, and potentially Judge Stone. They will be presenting about moving cases expeditiously to trial. Jon moved and Mike S. seconded approving the request up to \$1,000. The motion passed.

f. **Health & Wellness** (Heather Thuet) – 9:02

i. Request to sponsor Professor Terrell to present at a legal writing event.

Heather T. presented a request for \$6,000, which is a reduced amount for Prof. Terrell to speak for two days. One day will be for judges. The second day will be for the Section members. Prof. Terrell is a well-known legal writer. The date has not yet been set. Heather S. reported that we had set aside \$5,000 to new projects. Heather T. moved and Tim Pack seconded the motion for \$6,000. The motion passed.

ii. CLE about judicial merit selection, discipline, and retention process.

Justice Durrant is very interested in this presentation. They are discussing March dates. They are anticipating offering professionalism credit. It will be a lunch. Jess is supportive of this request, but has already filled the CLE calendar for the year. Heather S. was unsure of the budget status and Rod A. suggested tabling the discussion until the next meeting. Judge Dawson suggested Ron Gordon, Jennifer

Yim, and David Jordan. Jon moved and Mike S. seconded to approve the request up to \$500. The Motion passed.

g. **Public Service** (Keith Call) –

Rod A. reported on Keith's behalf. Please sign up for the pro bono calendar.

h. **Bench Books** (Sade' Turner)

Doug Farr reported on Sade' behalf. They have sent out all the bench books and are hoping to get 100% of the federal court judges done soon. All of the state court judges have been assigned.

i. **Trial Academy** (Jon Hafen)

i. Spring Trial Academy

Jon H. and Mike S. reported that they are looking for dates in the third week in May.

j. **Special Events** (Dan Steele)

Heather S. reported that most of these events have been completed until May.

5. Other Business:

The meeting adjourned at 9:15.

The next meeting will be on **January 11, 2017** at 8:00 a.m. at Parr Brown.