

LITIGATION SECTION EXECUTIVE COMMITTEE

Meeting Minutes – March 8, 2017

Present: Rod Andreason, Heather Sneddon, Judge Dawson, Erik Christiansen, Tom Seiler, Sarah Hafen, Peter Strand, Katy Strand, Judge Stone, Cameron Sabin

By Phone: Dan Steele, Megan Garrett, Jon Hafen, Anthony Loubet, Christina Wilson, Bryan Pattison, Matthew Koyle, Kim Neville, Whitney Krogue, Ben Harmon, Heather Thuet

1. Welcome and Chair's Report

Rod Andreason welcomed the executive committee and invited comments on the meeting minutes. Erik Christiansen moved to approve the minutes, which motion was seconded. The motion passed unanimously.

Mr. Andreason also raised the S.J. Quinney College of Law's Annual Sections Fair. Our Section has been invited to attend, and he believes it would be good to have folks from the Membership and Law Student Relations Committees to be there. He asked whether one of our student representatives should also attend. Sarah Hafen thinks that would help. Erik Christiansen will ask Joe Amadon whether he can attend. The event is scheduled for March 21st.

Mr. Andreason sought input on the Animal Law Summit. Tom Seiler and other members suggested potential presenters.

2. Treasurer's Report

Heather Sneddon delivered the Treasurer's Report and discussed the Section's financials. Most events have been revenue-neutral, which means that the Section has not spent down significant membership funds. She invited ideas and discussion on how we might address the Section's overage.

Ms. Sneddon also discussed the sponsorship request from And Justice for All to support the annual Law Day Run for \$1500. Peter Strand suggested that we make an effort to get more face time with potential members at the event by possibly putting out a table, a banner, giving out snacks, shirts, etc. He will work with the Membership Committee on working the event. A motion to approve the sponsorship was made and seconded, and passed unanimously. Ms. Sneddon will inform And Justice for All.

Ms. Sneddon discussed the BYU Law School's sponsorship request for the Barrister's Ball in the amount of \$1000. The dean of the law school has also requested that one of our Section committee members present the awards at the event on March 29th. Sarah Hafen and Dan Steele commented that it is a nice event. Ms. Hafen also said that most students plan to attend. Mr. Strand noted the importance of maintaining our relationship with the school. A motion to approve the sponsorship was made and seconded, and passed unanimously. Ms. Sneddon will inform the law school. Tom Seiler and Dan Steele offered to attend and present the awards.

3. Recently Completed Events

The Tailored Approach to Enforcing Judgments CLE was a success. Judge Shaughnessy just finished a debt collection calendar, and Timothy Dance did a great job. The CLE was aimed at litigators who don't really know how to collect judgments. A few seasoned collectors were in the audience, and

they answered questions and gave helpful insight. Great attendance at the federal courthouse, and a packet of forms was provided.

4. Committee Reports

A. Bar Conventions

Ben Harmon reported that the Spring Convention starts tomorrow night. The reception is all set, it looks like a good program, and we've had strong sign-ups. Mr. Andreason thanked him for shepherding the Spring Convention this year. Cameron Sabin asked about bringing a Section banner for the reception event at Snow Canyon. He was advised to follow up with Christy Abad at the Bar regarding logistics.

Jon Hafen reported that they are moving some of the hours around for the Summer Convention. The organizers wanted more of a single-themed presentation, but now they want to change up. We're going to be doing the "don't have to be a jerk to be a great trial lawyer" presentation. The organizers also liked "how to win friends and influence judges" as a topic. They cut our Section's hours by a few, so we're going to be doing a presentation rather than a deposition boot camp. Some great judges are lined up, including some of our committee members. It will be ready to go in Sun Valley at the end of July.

Mr. Hafen also commented on the convention survey. The committee is still working on how to get our conventions right. Utah is the only bar (that we know of) that puts on more than one convention a year, and we put on three. The Spring Convention and Fall Forum are meeting our needs, so the question is what to do with the Annual Convention in the summer. It will be in Sun Valley for a couple of years, and then it will move to Park City. We want to make it more interesting to younger lawyers. Judge Dawson said that Mr. Hafen does such a great job working on these conventions. He and his wife have reservations at Sun Valley Inn already, and he recommended that others make their reservations soon if they plan to attend this year.

B. Public Service

Keith Call reported that a CLE is in the works for March 31st at the Bountiful courthouse. It will be the same as the last CLE at Third District Court: a free 2-hour training CLE if you agree to attend the debt collection calendar at least one time. Lunch will be provided. Our efforts gave a nice boost to the Third District Court, and he expects to do the same in Second District. Judge Kay will help us pitch the need for pro bono assistance.

C. Judicial Receptions / Introduction to Matheson

Anthony Loubet said that the Fourth District has a judicial reception scheduled at the BYU law school on March 23rd. Marketing has begun through Section emails and ads in the Young Lawyers mailer. He asked Christy Abad to send a mailer to the general bar in 2nd, 3rd, 4th and 5th Districts. He has eight judges confirmed and one commissioner. So far, the head count is 30-40. Mr. Loubet also reported on the Introduction to the Matheson event. It's been bumped back a month to get speakers lined up, but that should be accomplished soon. Then emails advertising the event will be sent for next month. Judge Dawson thanked Mr. Loubet for his work on those events.

Matthew Koyle reported on the Second Judicial Reception set for May 4th. Commissioner Wilson is going to arrange for food. Mr. Koyle will be working on getting announcements sent out. Judge Dawson recommended that information be sent to Erik Christiansen for the Zealous Advocate. Rod Andreason thanked everyone for their contributions.

D. Special Events

Dan Steele reported that he met with the Special Events Committee over breakfast to discuss plans for the rest of the year. As for the Golf & CLE events, Matt Orme will take on the primary

organizational role for the Salt Lake County Golf & CLE event. The Utah County event is set for September 29, 2017, with Judge Harris and Wally Bugden. He would like to round out the panel with a civil practitioner, as the focus will be on evidence and expert witnesses. The golf course and room are reserved. The St. George event is tentatively set for October 20, 2017. Lynn Davies and Mike Mormon will be presenting on mediation and ADR, giving practical, hands-on instruction. Christian Hansen has reached out to the local bar community in Cache County, and has tentatively reserved the date of August 25th at Birch Creek Golf Course. He's seeking input from their bar on what topic they'd prefer we present.

Heather Sneddon reported on her tentative plans for the Cheese & CLE at Caputo's, and received input from the committee, including Jonathan Hafen, on potential topics and presenters, including women judges. She will follow up with Mr. Hafen.

With respect to the Professor Terrell event, Heather Thuet reported that she is looking for dates for him for a 2-day event in August or September. The first day will be a presentation to judges, and the second day will be a presentation to our Section and the legal community.

Ms. Thuet also requested assistance on the Judicial Excellence awards. She would like a volunteer to help put together the judicial survey. She'd like to plan the Moab event to give out awards after the heat of summer, and she has some great ideas in store. Katy Strand volunteered to assist with the survey, and will contact Ms. Thuet about that.

E. Law Student Relations

Sarah Hafen reported that the "How to Win Friends and Influence Judges" CLE is scheduled at the BYU law school for March 22nd. Some great judges have committed to participating, and Mr. Hafen is finalizing some of the other speakers. Once the event is closer, she'll send an email to students. She asked whether attorneys will be attending the event. Mr. Hafen indicated that, typically, the Section sends an email to lawyers in Utah County about a week or so ahead of event. Last year, there were approximately 8-10 lawyers who attended. The event is mainly targeted at law students, but because we do less in Utah County than in Salt Lake County, Mr. Hafen wondered if we could do something similar next week, i.e., send an email to members in Utah county. Tom Seiler suggested that emails could be handled through the Central Utah Bar Association. Mr. Andreason asked Ms. Hafen to coordinate with James McConkie through CUBA and/or the Utah Bar regarding emails.

Ms. Hafen also discussed a possible reception at BYU on March 29th, although a location has not yet been set. The budget would be \$1,250. Mr. Seiler commented that another event is scheduled that day. Ms. Hafen expressed her appreciation for the heads up, as she is trying to balance the dates with the final exam schedule in April. She'll work to find new dates with Mr. McConkie.

For the S.J. Quinney College of Law, Mr. McConkie mentioned the Law Review Symposium. He believes it is on March 31, 2017, with a reception at 3:15 pm. There will be a dinner the night before for the speakers. We donated \$2,000 for this event. Mr. Andreason asked that Mr. McConkie relay the details for the event to Mr. Christiansen for the Zealous Advocate.

F. Quarterly CLEs

Keith Call mentioned the "Confessions of a Civility Skeptic" CLE scheduled on May 25th at the federal courthouse, which should be great. Kim Neville reported on a "Civility in Communications" CLE planned for June 22nd. Justice Durham is committed, and perhaps someone from the governor's office. The emphasis will be on implicit bias issues. Mr. Andreason mentioned that the quality of the presenters, the timing, and the topic might require a location like Rice Eccles to house all attendees. Ms. Neville responded that there is a lot of interest in this topic, so she is looking for co-sponsorships and is expecting a large draw.

Mr. Andreason reported that there will be a small claims panel on April 4th at the federal courthouse to address the Utah Supreme Court ruling from last year that you can have a jury trial on at least the appeal of small claims actions. The question is how to implement that decision. The advisory committee wants to make sure that practitioners are aware of the issue and have an opportunity to provide feedback. Jess Krannich will be working on this, and Mr. Andreason invited Erik Christiansen to reach out to Mr. Krannich about it so that it can be advertised in the Zealous Advocate.

G. Publicity

Mr. Christiansen reported that the Zealous Advocate will go out this week. He encouraged everyone to remember to take photographs at events for inclusion in the publication. He also raised another CLE topic idea: if Sean Reyes gets appointed as FTC Commissioner, it might be a good idea to bring him in for an FTC presentation.

H. Membership

Megan Garrett reported that she received an email from the Bar about our membership dues and what we want to charge, i.e., if we want to keep fees at \$35/person, and if want to change categories of free members. The only free memberships that we currently offer are to judges. She is unclear on whether we have firmly decided whether to offer free memberships to new admittees to the Bar. Ms. Garrett believes a decision is due in a month or so.

Mr. Sabin commented that last month we had talked about excess budget and wrestled over membership fees because of significant reductions in our membership. He wonders if that is associated with new admittees not getting the first year free anymore. The Section has the funds to offer free memberships to new admittees, and the expense is significant for them, particularly when more law graduates are starting their own firms right out of law school. He knows a lot of members who became and stayed members because it was free for them at first.

Mr. Andreason commented that this is an important issue that he believes we should take up at the next meeting. He asked that Ms. Garrett and Tim Pack consider it and make a proposal before the next meeting. Perhaps new admittees pay a minimal fee, such as \$5, or perhaps we have them opt-in. We need to figure out how to encourage new admittees to join our Section without being charged unnecessarily by the Bar. Ms. Garrett reported that she had revised her flier to be more general for use at events, as well as a list of talking points about the Section. Mr. Andreason asked that she circulate those to the committee. Mr. Seiler suggested that we include materials on colored paper to go in the packet for new admittees; other organizations have seen an uptick in membership with that approach. Mr. Strand suggested that perhaps we should go back to having a free CLE every few months. Mr. Andreason liked that idea, especially for newer lawyers. He asked the committee to think about that.

I. Bench Books

Sade Turner reported via email that no new bench books have been submitted, but they are continuing to work on obtaining them from judges. Judge Stone commented that he may have crossed the line into nagging at this point. Mr. Andreason thanked him for his efforts.

J. Trial Academy

Jon Hafen reported that he is looking at September for dates, and will try to get something set up and proposed by the next meeting.

Respectfully submitted,

/s/ Heather M. Sneddon
Executive Committee Treasurer