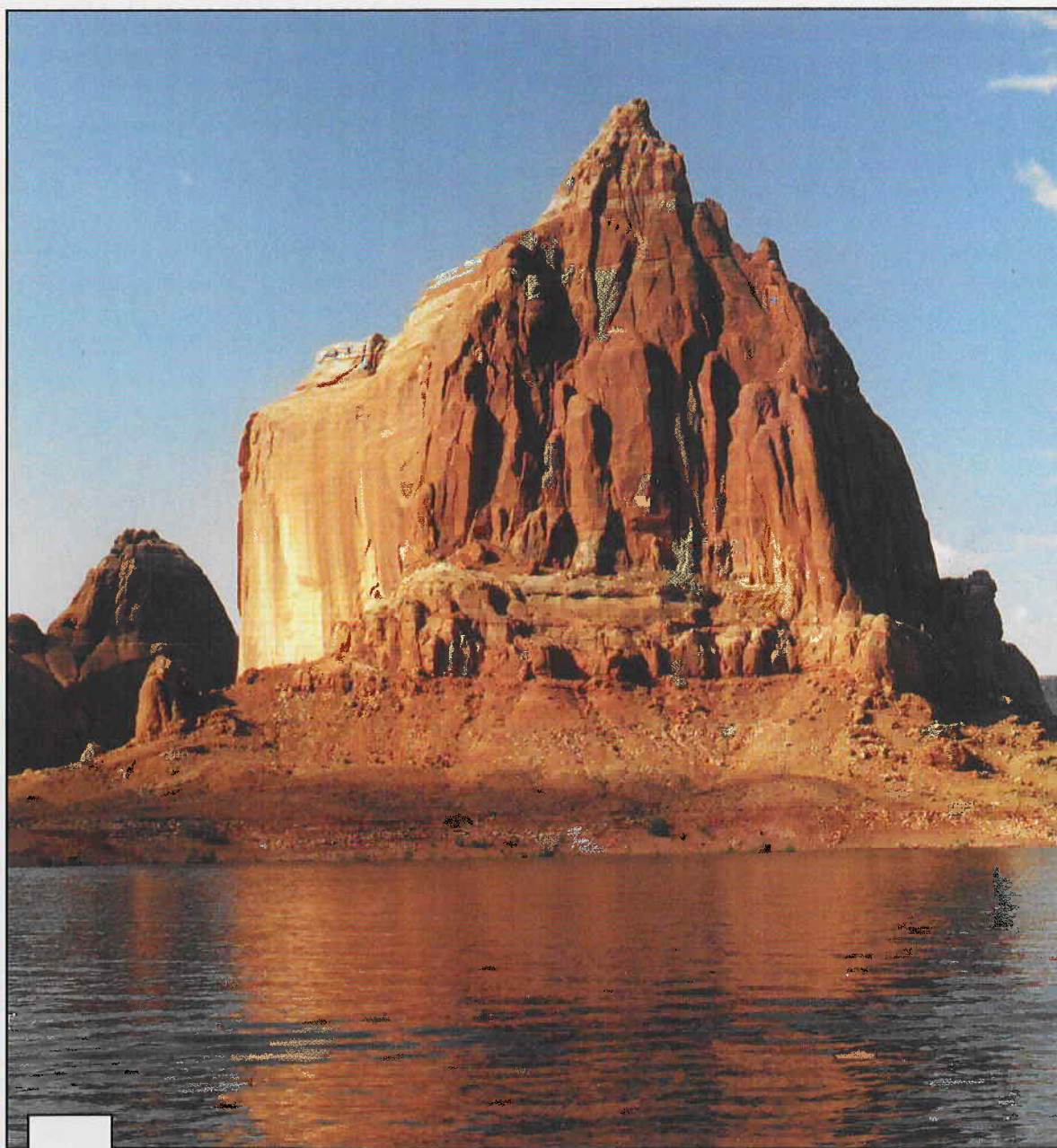


# UTAH BAR JOURNAL

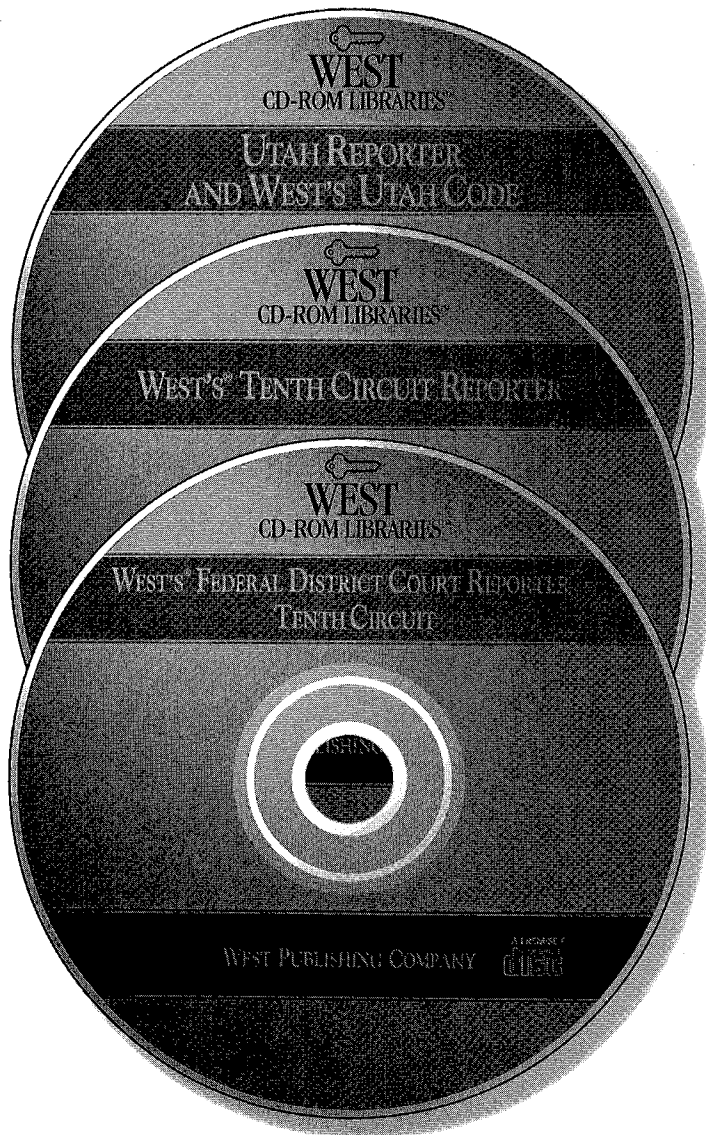
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**UTAH BAR JOURNAL**

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**VISION OF THE BAR:** To lead society in the creation of a justice system that is understood, valued, respected and accessible to all.

**MISSION OF THE BAR:** To represent lawyers in the State of Utah and to serve the public and the legal profession by promoting justice, professional excellence, civility, ethics, respect for and understanding of, the law.

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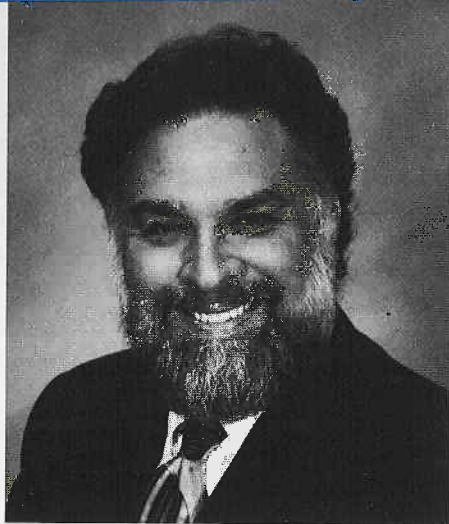
COVER: South Shore of Padre Bay, Lake Powell, Utah, by Professor David A. Thomas, J. Reuben Clark Law School.

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### To Be or Not To Be (That is *NOT* the Question)

*By Steven M. Kaufman*

If you have read my articles over the last few years, you may recall my predisposition with Shakespeare and kissing all the lawyers. If not, it's time to jump start your thought processes and let you know what my plans for this new Bar year encompass. I still feel strongly about our wonderful profession and the necessity to let the public know how much good you do for so many. First, if you know me, you know the respect I have for all of our brothers and sisters of the Bar, lawyer and judge alike. If you don't know me, it's time to fulfill my desire to get to know as many of you as I can during this next year, and get you excited about YOUR Bar and what you can do for it and what it can do for you. With that said, I will wax nostalgic for just a moment.

I want to especially thank my previous mentors, past Presidents Dryer, Moxley, and Haslam. The energy, kindness, and wisdom each exhibited during each of their terms was inspirational. Many presidents before them deserve a big thank you also, but these three brought me into the fold, took me under their wings, and made me feel like this small-town Ogden lawyer could accomplish almost anything. They

taught me about the pride of being a lawyer, and how to enhance the workplace through involvement, leadership, and caring. Each of them gave me the confidence and drive to help lawyers and be excited about Bar work. The Bar thanks you all, and all before you, for being the best. I thank you for being my friends.

As for the present, I have the grand opportunity of working with a Bar Commission which is dedicated, hard-working, and caring. All the members of the Board, and I mean all of them, are concerned with being the best they can be, and it shows in the spirit and goal orientation of the Board. The time commitment is substantial and the work they involve themselves in is important for all of us. Take a moment to get to know your Bar Commissioner and what he or she is doing for you. It will amaze, and hopefully, jump start you into becoming involved in YOUR Bar.

I am extremely proud to be a member of the Executive Committee, which will be well served by Charlotte Miller, our new President-Elect, who will be a much needed partner over the next year. Commissioners James Jenkins, Charles R. Brown, and David Nuffer will also be partners with me in this

endeavor. This is the largest, and most geographically diverse, Executive Committee ever assembled. I am truly excited to have these people on this committee. The representation spans from St. George to Salt Lake City, and from Ogden to Logan. Coupling this expanded and diverse committee with what I consider to be a Board of Bar Commissioners unparalleled can only make for a most enlightening and interesting year. I can assure you that the best of the best sit on YOUR Board of Bar Commissioners. Don't hesitate to ask any of these knowledgeable people about Bar activities and how you might involve yourself in those activities.

This last year, with Dennis Haslam at the helm, the Bar commanded some wonderful beginnings. Dennis was a strong and caring leader, and I hope you were able to meet him and appreciate all that he accomplished. Children and adults alike are better off because of Dennis' promotion to educate kids about the law. More people have had access to lawyers because Dennis and the Young Lawyers Section of our Bar found lawyers to take thousands of phone calls concerning legal questions on Law Day. People in Utah are better off because

Dennis cared to make lawyers something other than an inspiration for bad jokes. Thanks, Dennis.

You have a Bar staff, headed by John Baldwin, which is clearly the most lawyer-friendly group of individuals you could ever meet, and you should meet them. It's YOUR Law and Justice Center where they work for you, and you ought to take a moment to see the fantastic work they do daily for us all. I would like to name them all, but for now, you should take the time to find out who they are and how they might help you to have a more involved and positive Bar experience.

Steve Cochelle and his dedicated staff work diligently to make sure that the best of the best shine, and that the few who do not, learn how to. Office of Attorney Discipline is more than just a place where complaints about lawyers are filed and reviewed. This is an office that will help you become better lawyers if you let it because you can obtain all types of answers to all types of questions, so that you know in advance how to shine before the public eye. Call and ask them a question in their field of expertise and find out how helpful the office can be. Let this office help you to become more knowledgeable about all the ways we can better help our clients, the Courts, and the public at large, to look at us in a positive manner. Try it out.

I am hopeful this year to complete some tasks which I have thought about for a long time. I hope to institute a mentor system for law students moving into the real world of the law. I can remember almost twenty years ago when I began practicing, that had I not had someone to help me through the rough times, which I luckily had, it would have been a disaster. Over one-half of our Bar members are solo or working in small law firms. The transition from law school to lawyer is hard to imagine, and we all can remember how apprehensive we were when we started out. We are so lucky to have the caring Deans of our two great law schools who have expressed an interest in joining with the Bar in this endeavor. Poet-extraordinaire and award-winning lawyer, Carman Kipp, has graciously agreed to help me put this together. We'll see what happens because this may be an endeavor that takes many years to complete, but with these wonderful people contributing, I think it is worth pursuing.

The Bench and Bar, working together, can surely enlighten our clients and the public as to the rich heritage we bring to society. I get tired of the same old lawyers jokes and bad press we get as lawyers and judges. It is time to put out the good word about lawyering and the law. Without our profession, there would be chaos. We do so much good for the betterment of society, but it appears much easier for people to just jab us, put us down, and forget the nobility of our profession. In whatever way I might, I hope in this next year to promote a better viewpoint about our Bar and what we do. Of course, if you have any ideas, please pass them on to me, the Bar staff, the Bar Commissioners, or anyone who will listen. It is important.

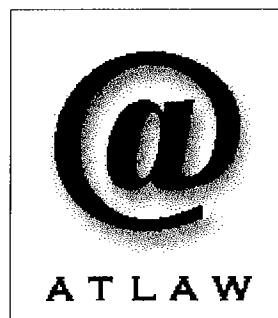
Finally, there are many sections and committees that need help, new ideas, and just plain interested lawyers to join in. How about checking out how you might be able to aid, in some small way, in the growth and expansion of ideas and ideals through membership in one or more of these committees? I appreciate, and very much understand, how busy all of us can get. I also appreciate the importance of paying attention to our law

practices. But maybe by becoming involved, through the networking and knowledge, you may gain something that will not only help your practice, but also help another lawyer or the public. It really works. Once you become a "Bar junky", you won't be able to quit. It becomes contagious.

This, my first shot at the president's message, is something I have long thought about because I want you to know what I am about and why the Bar is so important to me, and to each of you. My messages throughout the coming year will touch on these subjects again. Bear with me. As I have often said, my best friends are lawyers and they do make the best friends.

To my wife, kids, and parents, thanks for letting me "be", rather than "not to be." To my law partners, gear up 'cause I'm going to need a little understanding and help. To all my friends in the Bar, and all my soon-to-be friends in the Bar, thank you for your confidence. To the Bar Commissioners and Bar staff, let's get cooking. To be or not be is *not* the question. As lawyers and judges, you already are! Talk to you soon!

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