

# UTAH BAR JOURNAL

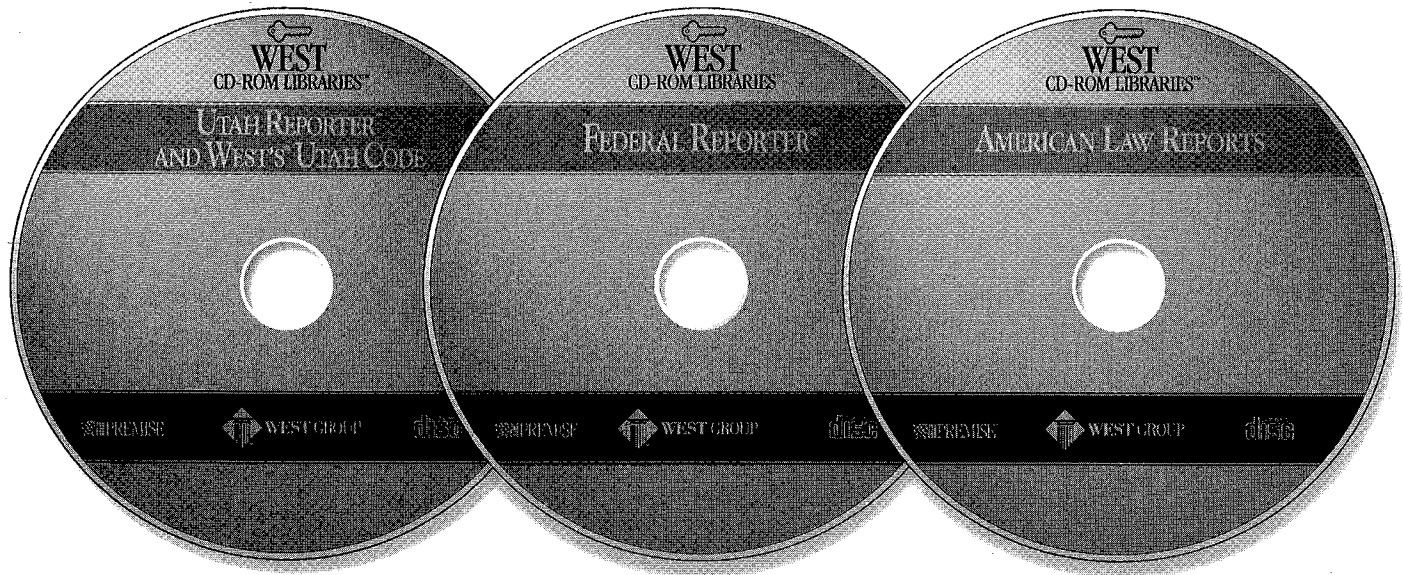
Vol. 11 No. 1

February 1998



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**Published by The Utah State Bar**

645 South 200 East  
Salt Lake City, Utah 84111  
Telephone (801) 531-9077  
www.utahbar.org

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COVER: From Inside An Abandoned House, Ophir, Utah, by Brett P. Johnson.

**CORRECTION**

The Credit for the December 1997 cover photograph should have read as follows:  
"Provo River in Winter" by Judge Fred D. Howard, Provo, Utah"

Members of the Utah Bar who are interested in having photographs they have taken of Utah scenes published on the cover of the *Utah Bar Journal* should contact Randall L. Romrell, Randle, Deamer, Zarr, Romrell & Lee, P.C., 139 East South Temple, Suite 330, Salt Lake City, UT, 84111-1169, 531-0441. Send a slide, transparency or print of each scene you want to be considered.

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## LETTERS

Dear Editor:

I recently received Vol. 10, No. 7 (per the cover) or 8 (per the table of contents), the October 1997 issue of the *Utah Bar Journal*. Since the demands of work and family leave little leisure reading time, like many attorneys no doubt, I generally select one or two articles to skim. I was thus anxious to read Mr. Perry's article about the Grand Staircase-Escalante National Monument, since I hadn't had an opportunity to educate myself on the topic. I was sorely disappointed at the partisan tone and content of the article.

I first had misgivings when I read in the author's bio that Mr. Perry has filed a case challenging the monument designation. A party litigant is unlikely to present a balanced view, and for this reason, should usually not be allowed to abuse the forum of a nonpolitical educational journal to air his side of an ongoing case. My suspicions were confirmed with the first sentence ascribing political motivations to the proposed designation. The tone of the article only deteriorated from there, at one point disparagingly describing the President as "dron[ing] on and on," even disintegrating into vituperative paragraphs ending in exclamation points. Probably only your editors prevented even less professional use of gimmickry such as all capital letters or bold sentences. I hope Mr. Perry's briefs are more dispassionate and therefore more persuasive. This article at least bordered on the rabid.

I rely on the *Bar Journal* to educate me on issues of interest. The *Journal* need not steer clear of controversy, but should at

least strive to present a balanced view of currently litigated issues. This is especially true where the litigation concerns government agencies, which are often hamstrung by restrictions on public comment about ongoing cases. I hope Mr. Perry's polemic is not an indication of a new editorial trend at the *Journal*.

Sincerely,  
Eva Novak

Dear Editor:

I read with interest David Negri's December article about the Grand Staircase-Escalante Monument. Mr. Negri's article concludes in part that the designation of the monument will withstand judicial attack because President Clinton in his proclamation mentioned the "exemplary opportunities for geologists, paleontologists, archeologists, historians, and biologists." What Mr. Negri omitted to mention was the truth about Mr. Clinton's reasons for designating 1.7 million acres of our State as a monument. Would Mr. Negri's opinion be the same if Mr. Clinton's proclamation would have read as follows?

"Good morning ladies and gentlemen. This morning I am about to unilaterally take away the right of all citizens to mine, explore for oil and gas, graze, or even use most of 1.7 million acres of land in Utah. There are a number of reasons why I have decided to take this action at this time.

First, as you all know, it's an election year with election day just six weeks away. My recent decisions about the timber rider have created negative views about me and have disaffected many members of the environmental community. Even though

Kathleen McGinty, my Chairperson on the Council of Environmental Quality, believes 'there is a danger of abuse of the withdraw/antiquities authorities especially since these lands are not really endangered,' this sort of bold action will help me at the voting booth with those same disaffected 'enviros.'

Secondly, even though I haven't the slightest idea about where this area actually is, several large contributors to my campaign don't want the competition that all those coal reserves could create for them.

While the Utah voters and Congressional delegation, who have never supported me, will be angered, those critical special interest voters out west will love it."

When the truth comes out Mr. Negri the Monument may crumble.

Sincerely,  
Allen K. Young

Re: Response to Charlotte L. Miller's article on Pro Bono

Dear Editor:

I have served as a judge pro tem in small claims court, and as a hearing officer for Salt Lake City in business license issues. I recently became legal officer for the Utah Wing of the Civil Air Patrol. I understand these services to be pro bono. I am concerned with the direction being taken in defining what constitutes pro bono work. I gather from statements made by various members of the Utah Supreme Court and the leadership of the bar, that such services will not qualify in the future as pro bono for purposes of satisfying rule 6.1. All pro bono work is not and can not be limited to cash contributions or the representation of

### Letters Submission Guidelines:

1. Letters shall be typewritten, double spaced, signed by the author and shall not exceed 300 words in length.

2. No one person shall have more than one letter to the editor published every six months.

3. All letters submitted for publication shall be addressed to Editor, Utah Bar Journal and shall be delivered to the office of the Utah State Bar at least six weeks prior to publication.

4. Letters shall be published in the order in which they are received for each publication period, except that priority shall be

given to the publication of letters which reflect contrasting or opposing viewpoints on the same subject.

5. No letter shall be published which (a) contains defamatory or obscene material, (b) violates the Code of Professional Conduct, or (c) otherwise may subject the Utah State Bar, the Board of Commissioners or any employee of the Utah State Bar to civil or criminal liability.

6. No letter shall be published which advocates or opposes a particular candidacy for a political or judicial office or which

contains a solicitation or advertisement for a commercial or business purpose.

7. Except as otherwise expressly set forth herein, the acceptance for publication of letters to the editor shall be made without regard to the identity of the author. Letters accepted for publication shall not be edited or condensed by the Utah State Bar, other than as may be necessary to meet these guidelines.

8. The Editor, or his or her designee, shall promptly notify the author or each letter if and when a letter is rejected.

