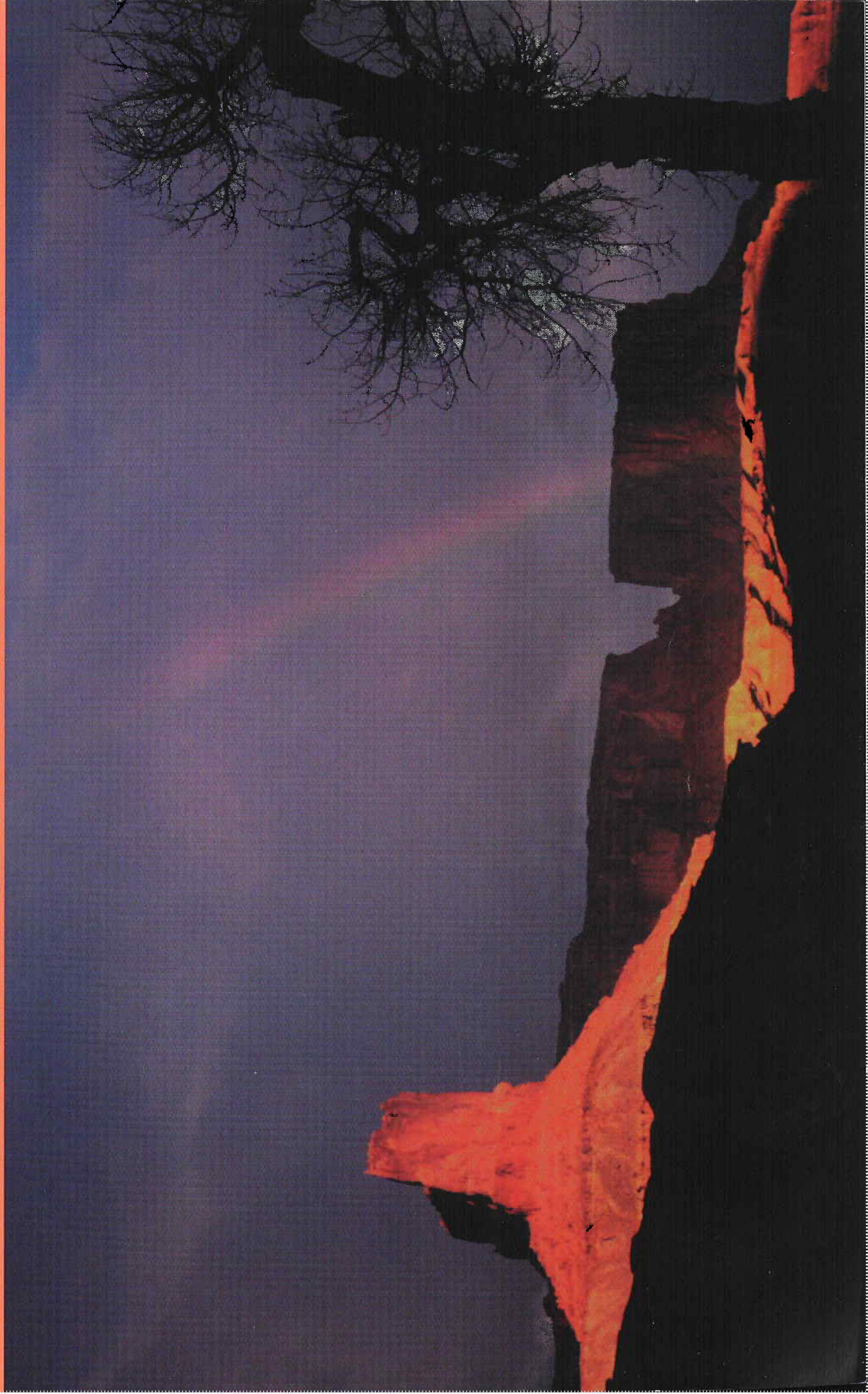


Utah Bar JOURNAL

Volume 13 No. 6
June/July 2000



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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.*

COVER: Candlestick formation, taken from Potato Bottom, Canyonlands National Park, Utah, by E. Craig McAllister, Orem, Utah

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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 Rules of Professional Conduct, or (c) otherwise may subject the Utah State Bar, the Board of Bar 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 of each letter if and when a letter is rejected.

Cover Art

Members of the Utah State Bar or members of the Legal Assistants Division of the Utah State Bar who are interested in having their photographs of Utah scenes published on the cover of the *Utah Bar Journal* should contact Randall L. Romrell, Esq., Regence BlueCross BlueShield of Utah, 2890 East Cottonwood Parkway, Mail Stop 70, Salt Lake City, Utah 84121, (801) 333-5691. Send a print, transparency, or slide of each scene you want to be considered, along with a description of where the photograph was taken. If you would like your photograph returned, enclose a self-addressed, stamped envelope.

Interested in writing an article for the *Bar Journal*?

The Editor of the *Utah Bar Journal* wants to hear about the topics and issues readers think should be covered in the magazine.

If you have an article idea or would be interested in writing on a particular topic, contact the Editor at 532-1234 or write *Utah Bar Journal*, 645 South 200 East, Salt Lake City, Utah 84111.

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Submission of Articles for the Utah Bar Journal

The *Utah Bar Journal* encourages Bar members to submit articles for publication. The following are a few guidelines for preparing your submission.

1. Length: The editorial staff prefers articles having no more than 3,000 words. If you cannot reduce your article to that length, consider dividing it into a "Part 1" and "Part 2" for publication in successive issues.

2. Format: Submit a hard copy and an electronic copy in Microsoft Word or WordPerfect format.

3. Endnotes: Articles may have endnotes, but the editorial staff discourages their use. The *Bar Journal* is not a Law Review, and the staff seeks articles of practical interest to attorneys and members of the bench. Subjects requiring substantial notes to convey their content may be more suitable for another publication.

4. Content: Articles should address the *Bar Journal* audience, which is composed primarily of licensed Bar members. The broader the appeal of your article, the better. Nevertheless, the editorial staff sometimes considers articles on narrower topics. If you are in doubt about the suitability of your article for publication, the editorial staff invites you to submit it for evaluation.

5. Editing: Any article submitted to the *Bar Journal* may be edited for citation style, length, grammar, and punctuation. Content is the author's responsibility—the editorial staff merely determines whether the article should be published.

6. Citation Format: All citations should at least attempt to follow *The Bluebook* format.

7. Authors: Submit a sentence identifying your place of employment. Photographs are discouraged, but may be submitted and will be considered for use, depending on available space.

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have become members of the firm

and

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&

Mara K. Featherstone

have joined the firm as associates

Your Bar Association

by Charles R. Brown

This will be my last President's message. As my final communication, I would like to inform you about the current state of the Bar. Financially, the Bar is in great shape. We estimate that for the fiscal year ending June 30, 2000, the Bar will recover a surplus of revenues over expenditures approximately \$150,000 in excess of that originally budgeted. Part of that surplus is due to prudent fiscal and money management and part of it is due to extraordinary events. Both the Annual and the Mid-Year Conventions operated at a surplus and, because 1999 was a reporting year, the CLE programs also generated a surplus, which is not the normal course of events. I would like to assure you that the current Bar Commission is committed to being fiscally prudent and is doing everything in its power, within the constraints of the mission and purposes of the Bar, to delay as long as possible any dues increase.

The issues which I wished to emphasize during my year as President were to focus the Bar and its members on the future of the profession and to implement a more formalized program to improve the communications process among the Bar, its members, the public and the courts. We have been successful in commencing implementation of both of those programs. The theme of the Annual Convention in San Diego is the future of the profession. We have scheduled numerous speakers who will discuss changes to the profession anticipated in the next century, both as a result of electronic commerce and the concept of multi-disciplinary practice. Speakers will also discuss how our members may compete effectively and profitably as those changes occur.

Regarding the issue of communications, a Communications Committee was formed. As a result of recommendations of that Committee we held a retreat for section and committee leadership, we have made substantial revisions to the website and *Bar Journal* and we held a Commission meeting with the Supreme Court. Other changes will be forthcoming. The goal is to assure not only that we communicate with our members regarding what is going on, but more importantly that our members are able to communicate with us regarding issues of concern.

Through the *Bar Journal*, the website, email, sections and committees, the Commission hopes to be more in tune with and responsive to the needs and concerns of our members.

It may be informative to explain the role of a Bar President. A Bar President is not really a President in the conventional sense. He or she serves a very short one-year term, effectively as Chairman of the Board. The role of the Bar Commission is to formulate policy, similar to the board of directors of a corporation. The role of the Bar President is to lead that policy-making Board in making recommendations and programs which will further the Bar's mission. The implementation of those policy recommendations is left to the Executive Director and staff. The continuity and stability of the organization mandate a more long-term CEO. In everything but name, the permanent Chief Executive Officer of the Bar is our Executive Director, John Baldwin. We are very fortunate to have John as our Executive Director. He has put together a superb staff which I believe is the equal of any in this country. Through the efforts of our staff, the Utah State Bar is now recognized as one of the most efficient, progressive and forward-looking Bars in the country.

Each of you is entitled to know how your \$350.00 is spent. The financial results of the 1999-2000 year and the budget for the year 2000-2001 are available for review by any of you who may be interested. The budget explains the overall anticipated revenues and expenditures and breaks these down into subreports for each specific program, such as Admissions and Licensing, Office of Professional Conduct or Continuing Legal Education. A cursory review of the budget will inform you that the most significant source of revenue is licensing and that the function which takes up the largest line item on the budget is the Office of Professional Conduct. As you know, we are an integrated Bar. That means that you must be a member of the Bar in order to be licensed to practice in the State of Utah. In addition to the core functions of admissions and discipline, an integrated Bar performs



