

## Utah State Bar Commission Meeting

Friday, September 16, 2022  
S.J. Quinney College of Law  
Multipurpose Room - 6<sup>th</sup> Floor

### AGENDA

**1. 9:00 a.m. President's Welcome and Reports: Katie Woods**

- 30 Mins.* 1.1 Innovation Office Report: John Lund
- 03 Mins.* 1.2 New Utah State Bar Website
- 03 Mins.* 1.3 In-Person Admissions Ceremony – October 18<sup>th</sup> at State Capitol
- 03 Mins.* 1.4 Lawyer-Legislator Breakfast – **Tentative - November 15<sup>th</sup> - 7:30 am**

**2. 9:45 a.m. Action Items**

- 30 Mins.* 2.1 Select Fifth District Judicial Nominating Commission Nominees (TAB 1, Page 3)
- 30 Mins.* 2.2 Approve Bar Survey Questions: **Katie Woods**
- 05 Mins.* 2.3 Approve Purchase of a Table for the November 10<sup>th</sup> UMBA Scholarship & Awards Banquet at the Little America

**3. 11:00 a.m. Information Items**

- 05 Mins.* 3.1 Mental Health Provider Review: **Andrew Morse**
- 10 Mins.* 3.2 Judicial Council Report: **Margaret Plane**

**5. 11:15 a.m. Executive Session**

**12:00 noon. Adjourn for Lunch with S.J. Quinney Law Students**

### CONSENT AGENDA

(TAB 2, Page 63)

(Approved without discussion by policy if no objection is raised)

- 1. Approve minutes of August 26, 2022 Commission Meeting

## **CALENDAR**

<b>October 7</b>	Access to Justice Summit		Law and Justice Center
<b>October 7</b>	Executive Committee Meeting	Noon	Video Conference
<b>October 14</b>	Bar Commission Meeting	1:00 p.m.	Springdale, Utah
<b>October 15</b>	Bar Commission Retreat	9:00 a.m.	Springdale, Utah
<b>October 18</b>	Admissions Ceremony	12:00 Noon	Capitol Building
<b>November 4</b>	Fall Forum		Little America Hotel, SLC
<b>November 10</b>	UMBA Awards Banquet		Little America Hotel, SLC
<b>November 11</b>	Executive Committee Meeting		Video Conference
<b>November 15</b>	<i>(Tentative)</i> Breakfast with Lawyer Legislators		State Capitol
<b>November 18</b>	Commission Meeting	9:00 a.m.	Law & Justice Center
<b>December 9</b>	Executive Committee Meeting	Noon	Video Conference
<b>December 16</b>	Bar Commission Meeting	9:00 a.m.	Law & Justice Center

## **2023**

<b>January 1</b>	President-elect Election Notices Due
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# TAB 1

## UTAH BAR COMMISSION MEETING AGENDA ITEM

**Title:** Fifth Judicial Court Nominating Commission Nominees  
**Submitted by:** Elizabeth Wright  
**Meeting Date:** September 16, 2022

### ITEM/ISSUE:

To select four nominees for the Fifth Judicial Court Nominating Commission.

### SUMMARY:

The Utah State Bar is seeking applications from lawyers to serve on the Fifth District Trial Court Judicial Nominating Commission. The Commission nominates judges to fill vacancies on the district court and the juvenile courts within the Fifth Judicial District. The Governor will appoint two lawyers from a list of four nominees provided by the Bar. Commissioners must be citizens of the United States and residents of the Fifth Judicial District (Beaver, Iron, and Washington Counties). Commissioners are appointed for one term of four years and may not serve successive terms. No more than four of the seven members of the nominating commission may be of the same political party.

### APPLICANTS:

#### Independent:

1. Britt K. Beckstrom
2. Victoria Carlton
3. Jaren Ryde Casper
4. Ben E. Conner
5. Chantelle M. Petersen

#### Democrat:

1. Turia Averett
2. William E. Frazier
3. Kristin Gerdy Kyle

#### Republican:

1. Jack Burns
2. N. Adam Caldwell
3. Justin D. Caplin
4. Stephen Dent
5. G. Michael Edwards
6. Shawn E. Farris
7. Angela Adams MacKay
8. Russell S. Mitchell
9. Angie Reddish-Day
10. Heath H. Snow
11. Marshall S. Witt

**INFO ONLY:**

**DISCUSSION:**

**ACTION NEEDED: X**



# BRITT K. BECKSTROM

2367 S. 1340 W., St. George, Utah 435-862-9021 Email: [britt@schwlaw.com](mailto:britt@schwlaw.com)

## EXPERIENCE

*April 2022 - Present*

**Snow, Caldwell, Beckstrom & Wilbanks, P.L.L.C.**

**Partner**

- Emphasis in Family Law Practice

*January 2002 - March 2022*

**Gallian, Welker & Beckstrom, L.C.**

**Partner**

- Emphasis in Family Law Practice

*April 2019 - Present*

**Family Law Mediator**

- Conducted 200 + domestic mediations with a settlement rate of approximately 90%

*September 2000 - December 2001*

**Dixon & Truman, P.C.**

**Las Vegas, Nevada and St. George, Utah**

**Associate Attorney**

*September 1999 - September 2000*

**Barker, Brown, Busby, Chrisman & Thomas, L.C.**

**Las Vegas, Nevada**

**Associate Attorney**

## EDUCATION

*May 1999*

**Juris Doctorate, with Distinction, University of Nebraska College of Law,  
Lincoln, Nebraska**

- Class Rank: 27/109
- Top Score in 1<sup>st</sup> Year Class 1997 Oral Argument Competition
- First Place 1997 Allen Moot Court Competition
- Semi-Finalist 1998 Allen Moot Court Competition
- Runner-Up Best Brief 1998 Allen Moot Court Competition

*December 1995*

**Bachelor of Arts, History, Brigham Young University  
Provo, Utah**

## ACTIVITIES

- President, Southern Utah Bar Association - 2013
- Member, Southern Utah Bar Board - 2010-2014
- Assistant tennis coach, Dixie High School - 2015-2022
- Avid tennis and pickleball player
- Love travel and reading ancient history

## POLITICAL AFFILIATION

- Independent

## VICTORIA CARLTON

(801) 850-1667 • vcarlton@snowjensen.com • [www.linkedin.com/in/victoriacarlton](http://www.linkedin.com/in/victoriacarlton)

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### BAR ADMISSIONS

- State of Utah 16267
- State of Texas 24105567

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### EDUCATION

- Juris Doctorate**, Dean's List, Dean's Fellow April 2016  
J. Reuben Clark Law School, Brigham Young University Provo, UT
- Law Review, Senior Editor, 2014 – 2016
  - Journal of Public Law, Managing Editor, 2013 – 2015
  - International Law & Management Review, Managing Editor, 2013 – 2015
  - Education & Law Journal, Editor, 2013 – 2014
  - Research Assistant, Dean David H. Moore, 2014 – 2015
  - Research Assistant, Howard W. Hunter Law Library, 2014 – 2015
  - Women in Law, Treasurer, 2013 – 2016
  - BYU Law Student Bar Association, 2012 – 2013
- Master of Public Administration**, Emphasis in Local Government April 2016  
Marriott School of Management, Brigham Young University Provo, UT
- Romney Endowment Scholarship Recipient
  - Teaching Assistant, Writing in Public Administration
- Bachelor of Science in Political Science** April 2012  
Utah Valley University Orem, UT
- Dean's List, *magna cum laude*, Teaching Assistant, Art History with Dean Courtney Davis

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### EXPERIENCE

- Snow Jensen & Reece** August 2019 – Present  
*Associate Attorney* St. George, UT
- My practice areas include: commercial litigation, representation of local governments (this includes, but is not limited to, representation of service districts, water associations, Town of Springdale, City of Santa Clara, public infrastructure districts etc.), and other general property disputes
  - Assisting in all aspects of transactional and litigation practice. This has included researching, drafting, and writing legal memoranda, pleadings (complaints and answers), discovery requests, motions, foreclosures, settlement agreements, contracts, commercial leases, loan agreements, real estate purchase agreements, among other legal documents
  - Arguing and presenting motions to dismiss and summary judgment before judges in oral argument and successfully winning two motions for summary judgment which entirely dismissed the cases
  - Reviewing GRAMA document requests, preparing responses to GRAMA requests, and reviewing interlocal agreements
- Utah Second Judicial District Court** January 2018 – August 2019  
*Judicial Clerkship* Farmington, UT
- Assisted Judge David Connors, Judge Robert Dale, and Judge David Hamilton in all aspects of judicial practice, including preparing for trial and oral arguments; attending trial and oral arguments; reviewing trial records; and researching and preparing orders and jury instructions

**Federal Public Defender's Office Western District of Texas**

March 2017 – January 2018

*Public Interest Legal Fellow*

San Antonio, TX

- Legal Fellow for the Capital Habeas Team and Appellate Team, including drafting appellate briefs to the Fifth Circuit and Supreme Court (e.g., Rosales-Mirales, I was part of a team drafting and preparing portions of the appellate brief)
- Legal research and writing for motions to suppress, motions in limine, and written objections to probation recommendations
- Conducted meetings with clients, reviewed discovery and evidence, and explained complex legal issues to clients
- Long-term research of general deterrence in the criminal justice system, simple federal misdemeanors, mitigation techniques, and SORNA violations and the tier system

**South Salt Lake City Attorney's Office**

September 2016 – February 2017

*Real Estate Law Clerk*

Salt Lake City, UT

- Assisted the City Attorney in creating a database of property profiles for all of the City's real estate. Reviewed all City minutes, contracts, and other documents to track the City's properties.

**Utah Attorney General, Executive Team & State Agency Counsel Division**

May 2015 – May 2016

*Law Clerk*

Salt Lake City, UT

- Conducted legal research and writing for appellate briefs on constitutional issues
- Presented recommendations and memoranda to the Solicitor General, Tyler Green, and the former Chief Civil Deputy, General Brian Tarbet
- Drafted memoranda for state agency clients on legal issues such as the Tobacco Master Settlement Agreement, juvenile detention, and State election laws

**Salt Lake County District Attorney's Office, Civil Division**

January 2015 – August 2015

*Law Clerk*

Salt Lake City, UT

- Prepared memoranda on all city related legal issues such as property taxes, ADA accommodations in City parks, among other legal concerns

**Honorable Ted Stewart, United States District Court**

January 2014 – April 2014

*Judicial Extern*

Salt Lake City, UT

- Analyzed legal issues, conducted legal research, and drafted bench memoranda on federal issues

**Honorable L.A. Dever, Utah Third Judicial District Court**

May 2013 – October 2013

*Judicial Extern*

Salt Lake City, UT

- Analyzed legal issues, conducted research, and drafted findings

**PROFESSIONAL AND CIVIC INVOLVEMENT**

- Utah State Bar, Young Lawyers Division, Southern Utah Liaison, 2020 to Present
- Utah Bar Journal Editor, Utah Law Developments, 2021 to Present
- RRCI, Red Rock Center for Independence, Board Member, October 2021 to Present
- WIN, Women's Influence Network, Incorporator and Board Member, March 2021 to Present

**PUBLICATIONS**

- *Legal Research Doesn't Have to Break the Bank: Free and Low-Cost Research Avenues*, Utah Bar Journal, Vol. 35, No. 4, 35-26.
- *H.B. 82 and Utah's Pursuit of Affordable Housing*, Utah Bar Journal, Volume 35, No. 1, 41-42.
- *A Need for Reform — In the Wake of the Penn State Scandal: In Higher Education and K-12 Schools*, 2015 BYU EDUC. & L.J. 507 (2015).
- *Working Toward World Peace in Non-International Armed Conflict: In a World of Uncertainty, Terrorism, and Disagreements, is it Possible?*, 10 BYU INT'L LAW. & MGMT. REV. 210 (2015).
- Victoria Carlton & Jacqueline Carlton, "The Bolivarian Republic of Venezuela," *Encyclopedia of Law and Religion*, Cole W. Durham, Jr. and Gerhard Robbers, eds. (Leiden, The Netherlands: Brill, Apr. 2016, available online).



Resume of:

**JARED RYDE CASPER**

723 North 1000 West  
St. George, Utah 84770  
(801)674-2009  
jcasper@robertdebry.com

**POLITICAL AFFILIATION:** Registered as a non-affiliated voter. I am politically independent.

**QUALIFICATIONS:** Utah State Bar, 1998; United States District Court, Utah, 1998; United States Supreme Court, 2003; Oregon State Bar, 2007; United States District Court, Oregon, 2008; Idaho State Bar, 2012; United States District Court, Idaho, 2012; Utah Association for Justice, 2018.

**PROFESSIONAL ASSOCIATIONS:** Utah Defense Lawyers Association, Board of Directors, President-Elect, August 2014-2017; Utah State Bar, Bar Examiner, Civil Procedure, 2015-Present; Member, Executive Committee- Litigation Section, Utah State Bar, 2006-2008; Arbitrator for Jackson County Circuit Court, September 2008-February 2010; Arbitrator and Mediator for Arbitration Service of Portland, Inc., October 2008-February 2010.

**EMPLOYMENT:** Robert J. DeBry & Associates  
Current: 134 North 200 East, Suite 302  
St. George, Utah. 84770  
(435)656-0198  
Manager: Michael Banks  
Position: Attorney  
Areas of practice include: evaluating, developing, and prosecuting personal injury cases both pre-litigation and through litigation including motor vehicle accidents, slip and fall, trip and fall, and third-party worker's compensation claims.  
October 2017 to present

Previous: Farmers Insurance Exchange  
Claims Litigation Department  
Lloyd R. Jones & Associates  
230 South 500 East, Suite 400  
Salt Lake City, Utah 84102  
(801)323-3000  
Manager: Lloyd R. Jones  
Position: Trial Attorney  
Areas of practice include: defending claims through litigation for large loss, commercial, and personal lines of insurance, including personal injury, construction defect, underinsured motorist, and homeowner's association claims.  
May 2012 to October 2017

Smith & Glauser  
1218 East 7800 South, Suite 300  
Sandy, Utah 84094  
(801)562-5555  
Supervising Partners: Lowell V. Smith and Richard K. Glauser  
Position: Associate Attorney  
Areas of practice include defense of personal injury, construction defect, insurance coverage, and bad faith litigation.  
March 2010 to May 2012

Grantland, Blodgett, Shaw & Abel, LLP

1818 E. McAndrews Rd.

Medford, OR 97504

(541)773-6855

Supervising Partners: Jim Grantland, and Greg Abel

Position: Associate Attorney

Areas of practice include personal injury, real estate litigation and transactions, conservatorships and guardianships, estate litigation, DMV Hearings, and criminal defense cases.

May 2008 to February 2010

Ivie & Young

226 West 2230 North, Suite 210

Provo, UT 84603

(801)375-3000

Supervising Partners: R. Phil Ivie, David Mortensen

Associate Attorney

Litigation responsibilities: representing clients in personal injury and insurance coverage cases with some work representing clients in business organizations and transactions.

May 2000 to April 2008

**EDUCATION:**  
Professional

Gonzaga University

School of Law

Spokane, Washington

J.D. 1998

Phi Alpha Delta

Undergraduate

University of Utah

Salt Lake City, Utah

B.A. Finance 1994

V.P. Marketing- Financial Management Association

Emphasis on corporate and international finance.

**MISC:**

Utah Basketball Club

Salt Lake City, Utah

Board of Directors

2011-Present

United States Marine Corps Reserve

F. Co. 2/23, Salt Lake City, Utah

Rank: Sergeant

Company Training NCO

July 1988 to November 1996

The Church of Jesus Christ of Latter-day Saints

Missionary in Porto, Portugal 1989-1991

**Christy Abad**

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**From:** Ben E. Connor <Ben@connorlegal.com>  
**Sent:** Thursday, August 18, 2022 5:26 PM  
**To:** Christy Abad  
**Subject:** FW: Seeking applications from lawyers to serve on the Fifth District Judicial Nominating Commission  
**Attachments:** BEN CONNOR RESUME 2022.pdf

Christy, I am an independent.

Best regards,

Ben



### **An Estate Planning Law Firm**

St. George, Utah Office  
 20 North Main Street  
 Suite 301  
 MAINSTREET PLAZA  
 St. George, Utah 84770  
 435-359-1414  
 800-679-6709

Scottsdale, Arizona Office:  
 Shea & E 101  
 800-679-6709

Ben@ConnorLegal.com  
<https://url2.mailanyone.net/scanner?m=1oOotx-0009te-4T&d=3%7Cmail%2F90%2F1660864800%2F1oOotx-0009te-4T%7Cin2g%7C57e1b682%7C14347382%7C9027339%7C62FECA954F172917C2C84D21253E0B61&s=LLdTiH74kwUNTJALq0OY4A8nkTk&o=www.connorlegal.com>  
 Licensed to practice law in:  
 Arizona & Utah



**Ben E. Connor**

The Connor Law Firm, PLC

Main Office

20 North Main Street

St. George, Utah 84770

435-359-1414 (Office)

435-992-6640 Cell

www.connorlegal.com

\*Licensed to practice law in Utah and Arizona

**Education:****California Western School of Law (1990)**

- Juris Doctor (J.D.)

**Brigham Young University (1972)**

- Bachelor of Arts (B.A.)

**Professional Experience:****Legal:****The Connor Law Firm, PLC, (1994 -- Present) Attorney at Law/Principal**

Estate Planning law firm focusing on Trusts, Wills, Probate, Entity formation & business management, mediation and other legal protections.

Conducted many legal training workshops for CPAs, financial advisors, and insurance professionals, including keynote speaker experience for state conventions.

Received mediation training under the direction of the Arizona Attorney General's office and was a voluntary mediator for the Arizona Attorney General's office for several years. Mediated dozens of disputes between government agencies, business entities, and high net worth individuals. Contributing author of Utah Domestic Asset Protection Trust legislation.

Ben is a long-time Member (20+ years) of WealthCounsel -- a nationwide collaboration of approximately 4000+ trust, business, and estate planning attorneys dedicated to client service and continuing education, and a founding member of their "Practice Builders" program.

**Business: (1972 -- 1994) Corporate Executive**

Prior to establishing The Connor Law Firm in 1994, spent twenty two (22) years as an executive with such notable companies as Tiffany & Company, Xerox, Merrill Lynch, and The TharpeRobbins Company. Served as legal liaison between Boston & New York

law firms; supervision of up to 155 administrative employees; Internal Control Manager over five (5) state area; Design and implementation of National Sales Programs; negotiating and drafting national contract for independent representatives and employees; counsel to company officers; consultation with high net worth investment clients regarding long-term investment strategy.

**Professional Memberships:**

- Utah State Bar
- Southern Utah Bar Association
- Licensed to practice before the Utah Supreme Court
- Founder and Member of the Wealth Counsel Forum (Utah and Arizona)
- Arizona State Bar
- Licensed to practice before the Arizona Supreme Court
- Was President Elect of National Academy of Elder Law Attorneys prior to relocating to Utah

**Legal & Business Skills**

- Trust and estate law.
- Business formation & management.
- Dispute resolution/mediation.
- Contract drafting & negotiation.
- Group training & presentations.

**UTAH OFFICE**

253 W. St. George Blvd, Ste. 100  
 St. George, Utah 84770  
 (435) 656-1900 phone  
 (435) 656-1963 fax

*Reply to Utah Office*

**SNOW CALDWELL BECKSTROM & WILBANKS, PLLC**

ATTORNEYS & COUNSELORS AT LAW

[www.scbwlaw.com](http://www.scbwlaw.com)

**NEVADA OFFICE**

840 Pinnacle Court, Ste. 202  
 Mesquite, Nevada 89027  
 (702) 346-7300 phone  
 (702) 346-7313 fax

[cpetersen@scbwlaw.com](mailto:cpetersen@scbwlaw.com)

***Via Email only***

Utah State Bar  
 c/o Christy Abad  
[christy.abad@utahbar.org](mailto:christy.abad@utahbar.org)

RE: Fifth District Judicial Nominating Commission

To Whom it May Concern:

I am an attorney practicing in St. George, Utah, and would like to be considered for the Fifth District Judicial Nominating Commission. Please find my resume attached.

I have lived in St. George since 2016, following my graduation from law school. I believe my experience as an attorney here in Washington County, as well as my experience prior to law school (employed by the First District Court of Utah, in Logan, Utah) can provide valuable assistance to the nomination commission.

Please contact me at your convenience should you have any questions.

**SNOW CALDWELL BECKSTROM &  
 WILBANKS, PLLC**

Chantelle M. Petersen

# CHANTELLE PETERSEN

3374 East Chimney Rock Drive, St. George, UT 84790 (435)279-0646 cpetersen@scbwlaw.com

## EDUCATION

**Juris Doctor**, April 2016

*J. Reuben Clark Law School, Brigham Young University, Provo, UT*

**Bachelor of Arts, Law and Constitutional Studies**, December 2007

*Utah State University, Logan, UT*

## EXPERIENCE

**Associate Attorney**, November 2016 – current

*Snow Caldwell Beckstrom & Wilbanks, PLLC, St. George UT*

- Practice of law focusing primarily on family law and general civil litigation
- Responsibilities include preparing for and attending court hearings and mediations, communicating with clients, and preparing written pleadings

**Law Clerk (externship)**, April 2015 – August 2015

*Utah County Public Defender's Association, Provo, UT*

**Law Clerk**, February 2015 – April 2015

*Daniel W. McKay & Associates, Spanish Fork, UT*

**Law Clerk (externship)**, June – August 2014

*U.S. Attorney's Office, Salt Lake City, UT*

**Law Clerk (externship)**, May 2014

*Cache County Attorney's Office, Logan, UT*

**Juvenile Probation Officer**, November 2011 – August 2013

*First District Court, Logan, UT*

**Judicial Assistant**, July 2008 – November 2011

*First District Court, Logan, UT*

## COMMUNITY INVOLVEMENT

- Southern Utah Bar Association, Board Member (term beginning December 2021)
- Women Lawyers of Utah (current Southern Utah Chapter Liaison)
- Family Law Section of Utah State Bar (member)

## POLITICAL AFFILIATION

- Independent

## INTERESTS

- Chauffeur my three children to their activities, traveling, planning future travels, hiking and canyoneering, camping, and generally any other outdoor activities





## Christy Abad

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**From:** Turia Andrus <teandrus@gmail.com>  
**Sent:** Thursday, September 1, 2022 2:52 PM  
**To:** Christy Abad  
**Subject:** Fifth District Judicial Nominating Commission  
**Attachments:** Nov 2021 Resume .pdf

Hi Christy,

My name is Turia Averett. I am interested in applying for the Fifth District Judicial Nominating Commission and have attached my resume below. However, I am not sure what the qualifications are to apply. I could not find anything other than living in a county in the Fifth District. Could you shed some light on this?

As for my political party, I have typically registered as a Democrat. Recently, I changed my political party to Republican, so that I could vote in a primary election.

Any requirements and information would be greatly appreciated.

Best,  
Turia Averett

# TURIA AVERETT

124 Las Hurdes Drive Unit 3D St. George, UT 84770 ▪ (801) 310-7105 ▪ Turia@turneratlaw.com

## EDUCATION

**JURIS DOCTOR CANDIDATE, S.J. QUINNEY COLLEGE OF LAW** May 2020  
University of Utah, Salt Lake City, UT

- Senior Staff, *University of Utah Law Review*
- Previous Minority Law Caucus Vice President
- Moot Court Participant
- Public Interest Certificate
- Licenses in Utah & Oregon

**BACHELOR OF SCIENCE, COMMUNICATIVE DISORDERS (COMD)** May 2013  
Utah State University, Logan, UT

- New Century Scholarship
- Access & Diversity Scholarship

## PROFESSIONAL EXPERIENCE

**TURNER LAW, PC** Mar. 2021 - Current  
ASSOCIATE St. George, UT

**SHUMWAY VAN** Nov. 2020 - Feb. 2021  
ASSOCIATE St. George, UT

**THE HONORABLE JUDGE KELLY, THIRD JUDICIAL DISTRICT OF UTAH** Aug. 2019 - Nov. 2019  
LAW INTERN Salt Lake City, UT

**RICHARDS BRANDT MILLER NELSON** May 2019 - Aug. 2019  
LAW CLERK Salt Lake City, UT

**UNIVERSITY OF UTAH: ATHLETIC COMPLIANCE OFFICE** Jan. 2019 - Mar. 2019  
LAW INTERN Salt Lake City, UT

**UTAH LEGAL SERVICES: SOCIAL SECURITY/DISABILITY** Aug. 2018 – Oct. 2018  
LAW INTERN Salt Lake City, UT

**PROVO SCHOOL DISTRICT** Aug. 2015 - Jul. 2017  
SPEECH LANGUAGE TECHNICIAN Provo, UT

## COMMUNITY EXPERIENCE

**FULL-TIME MISSIONARY** Jul. 2013 - Jan. 2015  
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS Rochester, NY

**COMMUNITY ABUSE PREVENTION SERVICES AGENCY** Jan. 2012 - Jan. 2013  
MOBILE CRISES UNIT TEAM MEMBER Logan, UT

## INTERESTS

Pickleball, swimming, and backpacking

**Christy Abad**

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**From:** Bill Frazier <bill@bfgfirm.com>  
**Sent:** Tuesday, August 23, 2022 9:58 AM  
**To:** Christy Abad  
**Subject:** Resume - Seeking Position on Fifth District Judicial Nominating Commission  
**Attachments:** Fifth District Nominating Commission Resume of William E Frazier.pdf



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender bill@bfgfirm.com

Ms. Abad:

I received an email from the Utah State Bar indicating openings on the Fifth District Nominating Commission. I am a U.S. Citizen, and have resided in St. George, within the Fifth District, since 2005. I am registered to vote in Utah as a Democrat.

I have attached my resume for consideration of appointment. Please feel free to contact me anytime if any additional information is needed. My mobile number is (435) 817-2561. My office number is listed below.

Sincerely,

Bill Frazier

--

William E. Frazier  
Managing Partner

Bangerter Frazier Group  
912 W. 1600 S., Suite A-200  
St. George, UT 84770

Tel: (435) 628-7004  
Fax: (435) 673-1964

[www.bfgfirm.com](http://www.bfgfirm.com)

Offices in St. George and Oakland

# William E. Frazier

Managing Partner, Bangerter Frazier Group

912 W. 1600 S., Ste A200  
St. George, UT 84770

(435) 817-2561 [cell]  
(435) 628-7004 [office]

[bill@bfgfirm.com](mailto:bill@bfgfirm.com)

## OBJECTIVE

I am seeking the opportunity to serve on the Fifth District Judicial Nominating Commission. I have practiced law within the Fifth District for over 15 years. It would be a privilege to play a small role in nominating judicial applicants for the Governor's consideration.

## EDUCATION —

Thomas Jefferson School of  
Law (J.D., 2003, *cum laude*,  
Law Review Literary Editor)

San Diego State University  
(B.S., Criminal Justice, 1995,  
*cum laude*, with distinction in  
major)

## EXPERIENCE

3/18/18 - Present  
Managing Partner • Bangerter Frazier Group, PC

12/1/12 – 3/17/18  
Partner • Bangerter Frazier Group, PC (then known as Bangerter  
Sheppard & Frazier, PC and Bangerter Frazier & Graff, PC)

3/28/05 – 11/30/12  
Associate • Bangerter Frazier Group, PC (then known as Bangerter  
Sheppard, PC)

Since 2003, the majority of my practice has been within the  
litigation arena. I have handled matters from inception through  
bench/jury trials, and appeals. Since 2012, I have served as a  
Small Claims Judge *Pro Tempore* with the Washington County  
Justice Court.

## Licenses —

State Bar of CA (2003)  
State Bar of NV (2006)  
State Bar of UT (2007)  
State Bar of WA (2012)

## Political Affiliation

I am registered to vote in the state of Utah as a Democrat.

## Volunteerism

Our firm has been awarded Pro Bono Firm of Year and individual  
attorney awards on multiple occasions in Utah. I served as the  
President of the Southern Utah Bar Association in 2018.

# KRISTIN B. GERDY KYLE

Phone: (801) 318-4895  
 gerdyk@law.byu.edu; kgerdy@gmail.com

3499 S. 2710 E.  
 St. George, UT 84790

## EDUCATION

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<b>Juris Doctor Cum Laude</b>	April 1995
J. Reuben Clark Law School, Brigham Young University, Provo, UT	
<b>Bachelor of Arts</b>	April 1992
J. Reuben Clark Law School, Brigham Young University, Provo, UT	

## HONORS AND AWARDS

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<b>LexisNexis/LWI Scholarship Award</b>	2022
Monetary grant to support the writing of my article <i>What's in a Name?: Proper Names, Descriptions, and Referential Practice, the Socio-Pragmatic, Psycholinguistic, and Strategic Choices in Constructing Persuasive Narrative</i> .	
<b>SBA First-Year Professor of the Year</b>	2015
Student-selected award recognizing excellence in classroom teaching, service, and citizenship.	
<b>R. Wayne Hansen Teaching and Learning Faculty Fellowship</b>	2008-2011
University-wide fellowship awarded to outstanding faculty for projects directed at enhancing teaching and learning.	
<b>Brigham Young University Religious Education Transfer Professor Award</b>	2010
Inaugural recipient of the award, which recognizes the outstanding professor in religious education from outside the religion department.	

## TEACHING EXPERIENCE

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<b>UNLV Boyd School of Law</b>	August 2022-May 2023
<b>Distinguished Visiting Professor of Lawyering Process</b>	
<ul style="list-style-type: none"> <li>Will teach 2 sections of Lawyering Process 1 and 2.</li> </ul>	
<b>UNLV Boyd School of Law</b>	August 2021-present
<b>Visiting Adjunct Professor</b>	
<ul style="list-style-type: none"> <li>Taught Lawyering Process 1 and 2 during the Fall/Spring semesters to a class of 21 students in an online format.</li> <li>Currently teaching Lawyering Process 3: Judicial Writing during the Summer semester to a class of 18 students in an online format.</li> </ul>	

**Brigham Young University, J. Reuben Clark Law School** August 2007 to present  
**Teaching Professor and Director, Rex E. Lee Advocacy Program**

- Highlight important projects, duties, skills, and responsibilities following a consistent grammatical style
- Directs the efforts of 3 part-time writing professors and 5 library faculty members.
- Oversees curriculum development and modification, course material preparation, and teacher evaluations for the law school legal writing program.
- Teaches first-year research, writing, analysis, appellate advocacy, and oral argument to up to 50 students.
- Creates and oversees the creation of course problems.
- Chairs the Law School Student Writing Committee, which is charged with enhancing the Law School's Writing Culture.
- Trains and supervises 24 upper-division teaching assistants.
- Teaches upper-division courses related to legal writing, communication, and appellate advocacy.
- Supervises Substantial Writing papers for 2-3 students per semester.
- Coaches National Moot Court Team.
- Teaches Judicial Clinical Alliance courses and oversee students working with all judicial placements during the school year and in summer externships.
- Reviews summer externship journals and placement materials for judicial externs.
- Keeps in touch with judicial placement providers to ensure that our students are bringing the skills necessary for their externships and to ensure that we are teaching the classes in the clinical alliances that will best enable student success.
- Also teaches undergraduate courses in Religion, LDS Church history, and Public Speaking as needed to fill University needs.
- Coordinates the Law School's 3Minute Thesis Competition as part of the University 3MT Competition.

**Brigham Young University, J. Reuben Clark Law School** Feb. 2002-Aug. 2007  
**Associate Teaching Professor and Director, Rex E. Lee Advocacy Program**

- Granted promotion to full professor effective Fall semester 2007.

**Brigham Young University, J. Reuben Clark Law School** May 2001-Feb. 2002  
**Associate Librarian and Acting Director, Rex E. Lee Advocacy Program**

- Granted continuing faculty status (BYU's version of tenure) effective Fall semester 2002.

**Temple University Beasley School of Law, Philadelphia, PA** July 1999-June 2001  
**Visiting Assistant Professor of Law**

- Taught first-year research, writing, analysis, appellate advocacy, and oral argument.
- Created course problems.
- Developed an upper-division Advanced Legal Research course for Spring semester.
- Supervised upper-division guided research students and creation of upper-division moot court competition problem.
- Taught Advanced Appellate Advocacy course and advise 2L members of the Moot Court Honor Society.

**Brigham Young University, J. Reuben Clark Law School** Jan. 1998- May 2001  
**Assistant Librarian, Lawyering Skills Instructor and References Services Coordinator**

- Instrumental in developing the concept and curriculum for new first-year legal research and writing course.
- Created course problems.
- Trained 18 teaching assistants.
- In second year trained new adjunct instructors and teaching assistants.
- Oversaw majority of program's administration.
- Taught the program's only integrated research and writing section (other sections were team taught by an adjunct writing professor and a law librarian).

**Brigham Young University, J. Reuben Clark Law School** May 1997-Jan. 1998  
**Assistant Librarian, Data Base/Reference Librarian/Lawyering Skills Instructor**

**Brigham Young University, J. Reuben Clark Law School** Oct. 1995-May 1997  
**Assistant Librarian, Reference Librarian/Legal Research Instructor**

**Brigham Young University** Aug. 1994-1999  
**Adjunct Professor of Church History and Doctrine**

#### **COURSES TAUGHT**

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Advanced Appellate Advocacy  
 Advanced Appellate Brief Writing  
 Advanced Legal Research  
 Advocacy I and II  
 Lawyering Process I and II  
 Lawyering Process III: Judicial Writing  
 Legal Research and Writing I and II  
 Judicial Clinical Alliance  
 Judicial Writing Seminar  
 Moot Court Team: Advanced Brief Writing  
 Public Speaking for Lawyers  
 Scholarly Writing Seminar  
 Student Development 150: Public Speaking

#### **SELECTED PUBLICATIONS**

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##### **ARTICLES**

Kristin B. Gerdy Kyle & Benjamin Forsgren, *Solving the Parental Catch-22: Special Masters During Times of Crisis*, 60 FAMILY COURT REV. 2259 (2022) (mentored co-authorship with a 3L law student).

Kristin B. Gerdy Kyle, *Big Brother, Othello, and Dogs that Don't Bark: Literary References in the Federal Appellate Courts* 29 U. S. C. INTERDISCIPLINARY L. J. 427 (2020).

Kristin B. Gerdy, *The Heart of Lawyering*, in LIFE IN THE LAW: RELIGIOUS CONVICTION (2013).

Kristin B. Gerdy, *The Heart of Lawyering*, CLARK MEMORANDUM Fall 2009, 28-38.

Kristin B. Gerdy, *Clients, Empathy, and Compassion: Introducing First-Year Students to the "Heart" of Lawyering*, 87 NEBRASKA L. REV. 1 (2008).

Kristin B. Gerdy, *The Irresistible Force Meets the Immovable Object: When Antidiscrimination Standards And Religious Belief Collide in ABA-Accredited Law Schools*, 85 U. ORE. L. REV. 943 (2006).

Kristin B. Gerdy, Jane H. Wise & Alison Craig, *Expanding Our Classroom Walls: Enhancing Teaching and Learning Through Technology*, 11 LEGAL WRITING, J. LEG. WRITING INST. 263 (2005) (main author).

Kristin B. Gerdy, *"Important" and "Irreversible" but Maybe Not "Unreviewable": The Dilemma of Protecting Defendants' Rights Through the Collateral Order Doctrine*, 38 UNIVERSITY OF SAN FRANCISCO L. REV. 213 (2004).

Kristin B. Gerdy, *Continuing Development: A Snapshot of Legal Research and Writing Programs Through the Lens of the 2002 LWT and ALWD Survey*, 9 LEG. WRITING 227 (2003).

Kristin B. Gerdy, *Teacher, Coach, Cheerleader, and Judge: Promoting Learning through Learner-Centered Assessment*, 94 LAW LIBRARY JOURNAL 59 (2002).

Kristin B. Gerdy, *Making the Connection: Learning Style Theory and the Legal Research Curriculum*, 19 LEGAL REFERENCE SERVICES QUARTERLY 71 (2001).

Kristin B. Gerdy, *The Internet Alternative*, 19 LEGAL REFERENCE SERVICES QUARTERLY 119 (2001).

## ESSAYS AND SHORTER WORKS

*An Abiding Hope in Christ: It is Well with My Soul*, BYU WOMEN'S CONFERENCE (invited) (2019).

Kristin B. Gerdy, *Highlights of the 2004 ALWD/LWT Survey of Legal Writing Programs*, 19 SECOND DRAFT: BULL. LEGAL WRITING INST. 14 (December 2004).

Kristin B. Gerdy, *Law Student Plagiarism: Why It Happens, Where It's Found, And How To Find It*, 2004 BYU EDUCATION AND LAW JOURNAL 431. (Invited, Symposium on Plagiarism)

Kristin B. Gerdy, *Teachable Moments: What is the difference between substantive and procedural law? And how do I research procedure?*, 9 PERSPECTIVES: TEACHING LEGAL RESEARCH AND WRITING 5 (Fall 2000).



## SELECTED EDITORSHIPS AND MISCELLANEOUS

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Editorial Board Member, Journal of Legal Communication and Rhetoric: JALWD, 2010-2021.

Editor-in-Chief, Legal Writing: The Journal of the Legal Writing Institute, 2008-2013 (volumes 15-18)

Assistant Editor-in-Chief, Legal Writing: The Journal of the Legal Writing Institute, 2006-2008 (volumes 12-14)

Association of Legal Writing Directors and Legal Writing Institute, Annual Survey of Legal Writing Programs Report (2001-2005) (administered survey instrument, compiled and analyzed data from more than 170 schools each year, and prepared survey response report that was distributed to all ABA-accredited law schools).

Kristin B. Gerdy, editor, *Tenth Annual National Legal Research Teach-In Training Kit* (West 2002). (Also edited the Sixth through Ninth Annual publications.)

## SELECTED PRESENTATIONS AND INVITED LECTURES

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*The Neglected R in LRW: Leveraging Asynchronous Modules and Targeted Class time to put Research back in the Legal Research and Writing Curriculum*, LWI One-day Workshop, UNLV Boyd School of Law, December 2021.

An Abiding Hope in Christ: *It is Well with My Soul*, BYU Women's Conference, May 3, 2019.

*Big Brother, Othello, and Dogs that Don't Bark: Literary References in the Federal Appellate Courts*, Work in Progress presentation at UNLV Boyd School of Law, October 2012.

*Public Speaking for Lawyers: The Overlooked Skill*. Legal Writing Institute Conference, Palm Desert, California, July 2012.

*Clients, Empathy, and Compassion: Introducing First-Year Students to the "Heart" of Lawyering in the Legal Writing Classroom*, Legal Writing Institute Conference, Marco Island, Florida, July 2010.

*Clients, Empathy, and Compassion: Introducing First-Year Students to the "Heart" of Lawyering*, Conference of Religiously Affiliated Law Schools, Provo, Utah, March 2010.

*25 Years of the Legal Writing Institute*, Joint Symposium of the Journal of Legal Writing and the Mercer Law Review, Macon, Georgia, November 2009 (organizer and speaker).

*Special Challenges for Directors of Adjunct, Part-time, and Hybrid Programs*, with Hether McFarlane, Association of Legal Writing Directors Conference, Kansas City, Missouri, July 2009.

*"For Policy Reasons": Helping Novice Legal Writers Find and Articulate Effective Policy Arguments*, with Joi Gardner Pearson, Rocky Mountain Legal Writing Conference, Salt Lake City, Utah, March 2008.

*Teaching 1Ls about Clients, Empathy, and Compassion*, Association of Legal Writing Directors Conference, Denver, Colorado, June 2007.

*The Changed Organizational Structure Of Law Schools And Its Impact On Faculty*, AALS Annual Meeting, Washington, D.C., January 2007 (invited panelist).

*In the Footsteps of Giants*, presentation to the Chicago Chapter of the J. Reuben Clark Law Society, July 20, 2005.

*Developing Legal Research Programs*, Preparing for Practice: A Conference on Legal Skills Training in Central and Eastern Europe, Prague, Czech Republic, May 2005

*Expanding Our Classroom Walls: Enhancing Teaching and Learning Through Technology*, Legal Writing Institute Conference, Seattle, Washington, July 2004.

*Courting Technology: Recent Technological Innovations for Federal Courts*, Tenth Circuit Judicial Conference, Park City, Utah, July 2004.

*Applying Technology in First Year Legal Research and Writing: Two Schools' Approaches*, SubTech 2004 Conference, Seattle, Washington, June 2004.

*Technology in the Legal Writing Classroom*, AALS Workshop on Technology, Atlanta, Georgia, January 2004.

*Beating the Plagiarism Plague*, AALS Annual Meeting, Atlanta Georgia, January 2004.

*Creating Legal Research Problems and Assignments that Work*, American Association of Law Libraries Annual Meeting, Philadelphia, PA, July 2000.

*Opening Windows: Using Your Computer To Teach Legal Writing Better*, half-day workshop for Legal Writing Institute with Jan Levine, Seattle, WA, July 2000.

*Adult and Experiential Learning Theory in the Legal Research Classroom*, Teaching Research in Academic Law Libraries Institute, sponsored by LEXIS Publishing, Philadelphia, PA, July 2000.

*What if?: Evaluating Learning in the Legal Research Classroom*, Teaching Research in Academic Law Libraries Institute, sponsored by LEXIS Publishing, Philadelphia, PA, July 2000.

*Legal Research on the Internet: Navigating the Net to Find the Law*, Utah Library Association Annual Meeting, Cedar City, Utah, May 1999.

*Legal Research on the Internet: Navigating the Net to Find the Law*, Wasatch Front Law Library Association, Provo, Utah, May 1999.

*If Socrates Only Knew: Expanding Law Class Discourse*, CALI Conference on Law School Computing, Chicago, Illinois, July 1998.

*Spanning the Horizon: Adapting Legal Research Teaching to Accommodate Differing Learning Styles*, AALL Annual Meeting, Anaheim, California, July 1998.

*Legal Research on the Internet*, Wasatch Front Law Library Association, Provo, Utah, March 1998.

*Taking a Step Back: Dealing with Difficult and Demanding People*, American Association of Law Libraries Annual Meeting, Baltimore, MD, July 1997. Coordinator and moderator.

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## PROFESSIONAL AFFILIATIONS AND SERVICE

### **American Association of Law Libraries**

- Member, 1996- present
- SIS Council Member, July 1999- July 2001
- SIS Council Chair and Liaison to the AALL Executive Board, July 2000-July 2001
- Publications Committee, Member, July 2000-July 2002
- Publications Committee, Chair, July 2001-July 2002.

### **American Association of Law Libraries Research Instruction and Patron Services Special Interest Section**

- Member, 1996-present
- Program Committee, Member, 1996-1998
- Public Relations Committee, Chair, 1997-1998
- Program Committee, Chair, 1998-1999
- Vice Chair/ Chair-Elect, 1998-1999
- Chair, July 1999-July 2000

### **Association of American Law Schools Section on Teaching Methods**

- Website Committee Chair, November 2006-2009
- Program Committee Chair, 2009-2010

### **Association of American Law Schools Section on Legal Writing, Reasoning, and Research**

- Awards Committee Member, February 2007 to 2010

### **Association of Legal Writing Directors**

- Member, 1997-1999; 2001-present
- Survey Committee Co-Chair, 2001-2002
- Board of Directors, Member, 2002-2004
- Survey Committee Chair, 2002-2005
- Moot Court Committee Member, 2002-2010
- President-Elect, July 2004-July 2005
- President, July 2005 – July 2006
- Immediate Past President, July 2006 – 2007

- Representative to the AALS Council on Legal Education, July 2006 to 2011
- Secretary: July 2008-July 2011

#### **Legal Writing Institute**

- Member, 1997-present
- Board of Directors, Member, July 2004-July 2008
- Secretary, June 2006 – July 2008
- Program Co-Chair, 2014 National Conference, 2012-2014
- Sirico Scholars' Workshop Governing Board 2021-present

#### **LEXIS-NEXIS Legal Research and Writing Advisory Board**

- Member, 2001-2003 (when Board was dissolved)

#### **Teaching Research in Academic Law Libraries Colloquium**

- Faculty and Advisory Council Member, 1999-2009

#### **Utah Bar Association**

- Member, 1995-present
- Bar Exam Essay Grading Committee, 2019-2020

#### **Utah Supreme Court Committee on Plain Language Jury Instructions**

- Member, 2011-2015

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#### **SELECTED LAW SCHOOL SERVICE**

- Writing Committee, Chair, 2019-present
- Legal Writing Committee Member, 2001 – present; Chair, 2006 - present
- Moot Court Team Faculty Advisor: 2009 to 2021
- Moot Court Team Judge and National Team Coach, 1995-1999, 2001-present
- Professional Skills Committee Member, 2016-present
- 3L Mentoring Committee Chair, 2003-2005
- Admissions Committee Member, 2007-2011
- Alumni Board Member, 2003-2006, 2015-present
- Curriculum Committee Member, 2012-2015
- Judicial Clerkship Committee Member, 2011-2012
- Law School Choir Faculty Advisor: 2011-2014
- Native American Law Students' Association Faculty Advisor: 2009 to 2011
- Technology Executive Committee, 2001-2008
- Writing Prizes Committee Member, 2011-2019 (when committee was combined into the Writing Committee)

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**SELECTED UNIVERSITY SERVICE**

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- Undergraduate General Education Accreditation Committee 2021-present
- BYU Women's Conference Committee Member 2018-2020
- University Faculty Advisory Council (BYU's version of Faculty Senate), 2014-17 (Chair, 2015-2017)
- Professional Faculty Rank and Status Council Member 2009-2012
- Religion Department Transfer Faculty Member: 1996-2012
- Curriculum Council Member, 2012-2014
- Writing Committee Member 2006-2010

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**SELECTED COMMUNITY SERVICE**

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**Mormon Tabernacle Choir**

- Member, November 2009 through December 2018

**Utah County Democratic Party**

- Treasurer; May 2006-August 2008
- Neighborhood Precinct Chair; May 2005 to 2018

**Utah State Democratic Party**

- Platform Committee Member, January – December 2006
  - Rules and Elections Committee, 2011-2018
-

**REFERENCES**

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**Kevin J Worthen**

President, Brigham Young University  
D-346 ASB  
Provo, UT 84602  
kevin\_worthen@byu.edu  
801-422-2521

(I have worked with President Worthen from the time I was a law student until present. First as my professor, then as my colleague, dean, and now as University President.)

**Elder James R. Rasband**

First Counselor, Asia North Area Presidency  
Church of Jesus Christ of Latter-day Saints  
jim.rasband@outlook.com  
Contact by email or I can facilitate contact

(I have worked with Elder Rasband from the time I began teaching at the law school. He has been my colleague, my dean, and the AVP of the University with whom I worked very closely when I served as Chair of the Faculty Advisory Council.)

**Judge Ryan D. Tenney**

Utah Court of Appeals  
(384) 910-7342  
rdtenney@gmail.com

(Judge Tenney was my student and my teaching assistant when he was in law school. After law school he taught under me as an adjunct professor for more than a decade. He has also assisted me with moot court and other law school projects for more than 20 years.)



**Christy Abad**

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**From:** Jack Burns <jburns@burnslawpractice.com>  
**Sent:** Friday, September 9, 2022 4:20 PM  
**To:** Christy Abad  
**Subject:** Application to serve on 5th District Judicial Nominating Commission  
**Attachments:** Burns Resume 2022.pdf

 IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender jburns@burnslawpractice.com

Dear Ms. Abad,

Please consider this my application to serve on the Fifth Judicial District Nominating Commission. As may be evident from the attached resume, I was born, raised, and have lived the majority of my life in Southern Utah. I am raising my children in Southern Utah. I have a thriving law practice in Southern Utah. I know the "players" and have an interest in filling the judiciary with quality candidates as I plan on practicing in front of the next 5th District Court judge just as I do the current judges.

Thank you for considering my application for the position. Please do not hesitate to contact me if I can answer any questions.

Respectfully,

Jack Burns

—  
Burns Law Office, PC  
415 North Main Street, Suite 106  
Cedar City, UT 84721-1398  
(435) 586-2718 (office)  
(435) 586-2725 (fax)

The information contained in this e-mail and any attachment hereto are for the exclusive use of the addressee and may contain confidential and privileged information. If the recipient has received this e-mail in error, please return e-mail immediately and delete the e-mail from your inbox.



**JACK B. BURNS**

415 North Main, Suite 106  
 Cedar City, UT 84721  
 (435) 586-2718  
 jburns@burnslawpractice.com

<b>LICENSURE</b>	Utah State Bar, Active and Good Standing Nevada State Bar, Inactive and Good Standing	Bar No. 10402 Bar No. 9775
<b>EDUCATION</b>	<b>University of Iowa, College of Law (top-20 law school)</b> J.D., May 2004 <i>Journal of Corporation Law</i> , Staff Writer Jack Burns, Note, <i>Are Nonprofit Hospitals Really Charitable?: Taking the Question to the State and Local Level</i> , 29 J. CORP. L. 665 Faculty Research Assistant  <b>Southern Utah University</b>  B.S., May 2001 Major: Political Science Minor: English Literature Summa Cum Laude Governor's Honors Academy Scholarship (4 years)	Iowa City, Iowa          Cedar City, Utah
<b>EXPERIENCE</b>	<b>Burns Law Office, P.C.</b> Attorney/Shareholder  Successfully manage a large caseload. Assess strengths and weaknesses of evidence and defenses of all manner in both civil and criminal cases. Actively engage with law enforcement and prosecution regarding the investigation, prosecution and defense of cases. Represent clients in all manner of criminal charges and court hearings including bench and jury trials which address charges that include homicide, attempted aggravated murder, aggravated arson, aggravated assault, theft, etc. Represent clients in civil litigation in various areas of law.  <b>Honorable Brent J. Moss</b>  Met and corresponded with attorneys regarding their respective cases. Acted as a liaison between the judge and attorneys. Advised court staff in four counties on legal issues and procedure. Actively involved in all aspects of criminal and civil cases before the court. Researched and drafted opinions in both civil and criminal areas of the law.  <b>Legal Clerk</b>	Cedar City, Utah 9/2006 – Present          Rexburg, Idaho Judicial Law Clerk 1/2005 – 9/2006       6/2004 – 12/2004

Researched and drafted pleadings, motions and court memoranda. Met with and interviewed clients and prospective clients. Researched and drafted internal memoranda identifying legal arguments.

**Henry County Attorney's Office**

Mt. Pleasant, Iowa  
Prosecuting Intern  
5/2003-5/2004

Managed and tried misdemeanors from time of charging to final disposition. File charges, communicate with defense attorneys, interview witnesses, communicate with victims, negotiate plea agreements, draft motions, tried bench and jury trials. Represented county in all civil commitment hearings. Drafted memoranda for civil and criminal issues.

**U.S. Senate Judiciary Committee**

Staff Assistant  
Intern

Washington, D.C.  
2/2000-7/2000  
1/2000-2/2000

Researched and edited memoranda dealing with a variety of issues such as the Pain Relief Promotion Act (assisted suicide bill) and the Radiation Exposure Compensation Act. Disseminated information to national lobbyists, citizens, and witnesses who testified before the U.S. Senate Judiciary Committee.

**U.S. Army, ROTC Training**  
Cadet

Fort Knox, Kentucky  
5/1999-7/1999

Graduated in top ten percent of ROTC Basic Camp; scholarship offered.

**Center for Politics and Public Service**  
Assistant Chair of Special Projects

Southern Utah Univ.

**OTHER  
EMPLOYMENT****Jones Paint and Glass**  
Auto Glass Installation and Sales

Cedar City, Utah  
Intermittent, '98-2001

Worked my way through college selling and installing glass.

**POLITICAL PARTY** Registered Republican

## UTAH OFFICE

253 W. St. George Blvd, Ste. 100  
St. George, Utah 84770  
(435) 656-1900 phone  
(435) 656-1963 fax

*Reply to Utah Office*



## SNOW CALDWELL BECKSTROM &amp; WILBANKS, PLLC

ATTORNEYS & COUNSELORS AT LAW

[www.scbwlaw.com](http://www.scbwlaw.com)

## NEVADA OFFICE

840 Pinnacle Court, Ste. 202  
Mesquite, Nevada 89027  
(702) 346-7300 phone  
(702) 346-7313 fax

[adam@scbwlaw.com](mailto:adam@scbwlaw.com)

September 9, 2022

Via email [christy.abad@utahbar.org](mailto:christy.abad@utahbar.org)

Christy Abad  
Utah State Bar  
645 South 200 East  
Salt Lake City, Utah 84111

Re: Fifth District Judicial Nominating Commission

Dear Ms. Abad,

Attached is my resume for the vacancy on the Fifth District Judicial Nominating Commission. As to my political party, I am a registered Republican.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

N. Adam Caldwell

# N. Adam Caldwell

253 West St. George Boulevard, St. George, Utah 84770  
(435) 656-1900 (office) (801) 699-3735 (mobile) e-mail: adam@scbwlaw.com

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## PROFESSIONAL EXPERIENCE

### **PARTNER**, Fall 2011 to Present

*Snow Caldwell Beckstrom & Wilbanks, PLLC*, St. George, Utah

- Practice of law primarily consisting of Family Law and Civil Litigation.

### **SHAREHOLDER**, Spring 2001 to Fall 2011

*Snow Jensen & Reece*, St. George, Utah

- Practice of law primarily consisting of Family Law and Civil Litigation.

### **COLLEGE INSTRUCTOR**, 2002 to 2010

*College of Southern Nevada*, Mesquite, Nevada

- Instruct college students on a survey of the national, state, and local governments with an emphasis on the cultural aspects of the governing process.

### **LAW CLERK**, Summer 1999

*Marriott International – Lodging Operations Section*, Bethesda, Maryland

- Drafted Hotel Management Agreements, Operating Lease Agreements and Rooftop Antenna License Agreements

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## HONORS & AWARDS

- Appointed by the Utah Supreme Court to serve on the Paralegal Practitioner Steering Committee (2016)
- Utah Business Magazine – Utah Legal Elite, Family Law – 2022, 2020, 2016
- Appointed to the Board of Directors of the Utah Bar Foundation to make grants to legal related causes from funds received from attorneys' IOLTA accounts (2012 – 2015)
- Appointed by the Utah Supreme Court to the Utah State Board of Mandatory Continuing Legal Education (2012 – Present)
- Appointed by Governor Gary Herbert to the 2011 Child Support Guidelines Advisory Committee (elected as Chair by committee members)
- Appointed by the Utah Supreme Court as a New Lawyer Training Program Mentor
- Appointed by the Judicial Council to serve on the Standing Committee on Children and Family Law, 2009 – 2014
  - Child Custody Evaluations Subcommittee (Chair)
  - Divorce Procedures Subcommittee
- Family Law Executive Committee Member - Utah State Bar (2002 to present)
  - Chair – 2016
  - Executive Committee Secretary – 2014

- Mid-Year Bar Planning Subcommittee (Chair)
- Legislative Relations Subcommittee
- Mountain States Super Lawyers – 2009, 2010 Rising Star in Family Law
- “Distinguished Service Award” – Awarded by the Utah State Bar for the community involvement by the Southern Utah Bar Association, 2008
- Appointed by Governor Jon M. Huntsman, Jr., to the 2007 Child Support Guidelines Advisory Committee (elected as Co-Chair by committee members)
- Law Day Activity Recognition – Featured by the American Bar Association for Outstanding Law Day Activity, 2007
- “Southern Utah Pillar of Justice” – Awarded by *And Justice for All* for work in opening the Southern Utah Community Legal Center, 2007
- “Order of the Barristers” – for Excellence in Courtroom Advocacy, 2001

## EDUCATION

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**BRIGHAM YOUNG UNIVERSITY**, J. Reuben Clark Law School, Provo, Utah  
*Juris Doctor, December 2000*

- Winner of the 1999 Woody Deem Trial Advocacy Competition
- Trial Advocacy Traveling Team and Board Member
- J. Reuben Clark Law School Academic Scholarship
- Executive Editor - *BYU Journal of Public Law*

**TRINITY COLLEGE (VIA TULANE UNIVERSITY)**, Cambridge, England  
*Study Abroad, Summer 2000*

- Study of Common Law, Civil Law, Comparative Freedom of Expression and Comparative Trial Practice

**UNIVERSITY OF UTAH**, Salt Lake City, Utah

*Honors Degree - Bachelor of Arts in Political Science; Minor in Economics, Spring 1998*

- Service-Learning Scholar – Lowell Bennion Community Service Center
- Political Science Department Pacesetter Award (1998)
- Honors Program Baccalaureate Scholarship (1998)
- Truman Scholar Finalist (1998)
- Honors Thesis: *Bureaucratic Accountability: A Look at Utah's Redevelopment Agencies.*
- Chair of the University of Utah College Republicans (1997-1998)
- Radio Moderator – Hinckley Institute of Politics (1997-1998)
- Utah State Legislative Assistant – Senator Craig L. Taylor (1997)
- Summer Internship – The Heritage Foundation, Washington, D.C. (1997)

## PRESENTATIONS

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- *Child & Spousal Support* – Top Challenges in Utah Family Law, April 2022
- *Using Experts in Divorce* – Utah Divorce Law Boot Camp, October 2021

- *2011 Child Support Guidelines Advisory Committee Recommendations* – Interim Judiciary Committee, Utah State Legislature, October 2011.
- *Recent Developments in Family Law and Important Rule Changes* – Southern Utah Bar Association 8<sup>th</sup> Annual Fall CLE, December 2010
- *Case Law Update* – Annual Family Law Section Seminar, May 2008.
- *Recent Developments in Family Law* – Utah Bar’s Spring Convention, March 2008.
- *Hot Topics in Family Law* – SUBA’s Annual CLE, December 2007
- *The Southern Utah Community Legal Center – A Call to Duty* – Southern Utah Bar Association’s Annual CLE, December 2007
- *Unbundling Practices* – Fall Forum, Utah State Bar, November 2007
- *2007 Child Support Guidelines Advisory Committee Recommendations* – Interim Judiciary Committee, Utah State Legislature, October 2007
- *Child Custody Evaluations* – Annual Judicial Conference, May 2007
- *Utah Family Law Practice for Paralegals* – HalfMoon Seminars, May 2006

## **ASSOCIATIONS & INTERESTS**

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- **ASSOCIATIONS**
  - President - St. George Kiwanis Club (2003-2004; 2013-2014)
  - Board Member – Southern Utah Community Legal Center (2007-2008)
  - President - Southern Utah Bar Association (2007)
  - Private Attorney Guardian ad Litem (2002 to 2012)
  - Board Member - Utah Epilepsy Foundation (2001-2007)
- **HOBBIES**
  - Travelling (83 countries to date)
  - Running Marathons (21 to date)
  - Sailing (ASA 101, 103 & 104 Certifications)
  - Scuba Diving (PADI Rescue Diver Certification)
  - Gourmet Cooking (Training in Chinese, Thai & Italian)
- **SERVICE**
  - Swimming Official (2008 to present)
    - USA Swimming – N3 Stroke/Turn Certification (highest certification)
    - Utah Swimming – Level 3 Referee & Starter (highest certification)
    - Utah High School Activities Association – Trainer for High School Officials
    - Huntsman World Senior Games – Head Referee/ Meet Director
    - Utah Summer Games – Head Referee / Meet Director
  - Lead Organizer for the Annual Easter Egg Hunt at Vernon Worthen Park
  - Most Hours Donated to the SUBA’s Talk to a Lawyer Project (2008)
  - Host Family to numerous summer foreign exchange students, and Professional Ironman Athletes (Germany, Estonia, Finland, and Oregon)
  - *Church of Jesus Christ of Latter-day Saints* – Helsinki, Finland (1994-95)
- **FAMILY** – Wife (Danielle), 3 Children (Rebekah, Samantha, Nathan)

# Justin D. Caplin

Political Party: Republican

321 N Mall Dr. Bldg R-109 St. George, Utah \* (435)-674-6800 \* [justin@sudivorce.com](mailto:justin@sudivorce.com)

## PROFESSIONAL VISION and PURPOSE

Help create a better situation for children by representing, guiding, and educating parents going through divorce or custody disputes with a focus on decreasing co-parenting conflict by helping them see what they can do to improve their own parenting and co-parenting rather than hyper-focusing on the faults of their ex. Doing this, the parents can ease and improve the situation for their children while improving the parent's own outlook and stature when court-involvement is necessary.

## LEGAL EXPERIENCE

- Divorce and Child custody attorney focusing on cases involving minor children, including Divorce, Custody, Paternity, Protective Orders, Child Protective Orders, Termination of Parental Rights, etc.
- Have represented hundreds of individuals in District and Juvenile courts with over 1,000 court appearances and mediations.
- Practice includes regularly representing Spanish-speaking clients
- Past Juvenile Court Public Defender contract, representing indigent parents with DCFS involvement
- Current Private Guardian ad Litem, representing minor children in high conflict custody actions

## PROFESSIONAL EMPLOYMENT HISTORY

<b>Southern Utah Divorce Law, LLC</b>	St. George, UT	<i>Owner/Attorney</i>	2021 – Present
<b>Turner Law</b>	St. George, UT	<i>Attorney</i>	2018 – 2021
<b>Fisher &amp; Hunter Law</b>	St. George, UT	<i>Attorney</i>	2017 – 2018
<b>Moody Brown Law</b>	Provo, UT	<i>Law Clerk/Attorney</i>	2011 – 2017

## EDUCATION

<b>J. Reuben Clark Law School, Brigham Young University</b> <i>Juris Doctor</i>	December 2012
<b>Utah State University</b> <i>Bachelor of Arts, Summa Cum Laude</i> Major: Sociology Minor: Family and Human Development	May 2010
<b>Dixie State College</b> <i>Associate in Arts, Cum Laude</i>	May 2008

## CURRENT PROFESSIONAL, COMMUNITY, AND VOLUNTEER ASSOCIATIONS

- Utah State Bar (9 years)
- Family Law Section of Utah Bar (5 years)
- Southern Utah Bar Association (5 years)
- Association of Family and Conciliation Courts (1.5 years)
- Safety Officer, Snow Canyon Little League (3 years)
- PTA & Reflections Committee, Santa Clara Elementary School (1<sup>st</sup> year)
- Delegate, Washington County Republican Party (4 years)



## Stephen Dent

SAINT GEORGE, UTAH  
801-707-4181  
STEPHENPDENT@GMAIL.COM  
POLITICAL PARTY: REPUBLICAN

### EXPERIENCE

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**United States Attorney's Office for the District of Utah** St. George, Utah  
*Assistant United States Attorney*, September 2019–Present

- Prosecute federal crimes, including fraud, money laundering, drug trafficking, child exploitation, and violent offenses.

**Utah Tech University** St. George, Utah  
*Adjunct Professor of Business Law*, January 2021–Present

**Gibson, Dunn & Crutcher** Washington, D.C.  
*Associate*, February 2017–September 2019  
*Summer Associate*, May 2013–July 2013

- Litigated appellate, complex commercial, and antitrust cases in state and federal trial and appellate courts.
- Represented petitioners in *Lucia v. Securities and Exchange Commission*, a U.S. Supreme Court case on the Appointments Clause.

**Judge Scott Matheson, Jr., Tenth Circuit Court of Appeals** Salt Lake City, Utah  
*Judicial Clerk*, January 2016–January 2017

**Judge Robert Shelby, U.S. District Court for the District of Utah** Salt Lake City, Utah  
*Judicial Clerk*, October 2014–December 2015

### EDUCATION

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**University of Utah S.J. Quinney College of Law** Salt Lake City, Utah  
Juris Doctor, with Highest Honors and Order of the Coif, May 2014

- GPA: 4.0; Class Rank: 1
- Editor-in-Chief, *Utah Law Review*
- Moot Court: Second-Best Brief in National Competition; Finalist and Best Brief in Regional Competition; First Place and Best Brief in intramural competition
- CALI Award for highest grade in Civil Procedure, Constitutional Law I, Criminal Law, Evidence, Federal Courts, Legal Methods II, and Property

**Brigham Young University** Provo, Utah  
Bachelor of Arts, Political Science, April 2011

### BAR ADMISSIONS

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- Admitted to practice in Utah, the District of Columbia (inactive), and Maryland
- Editor, *Utah Bar Journal*



**G. MICHAEL EDWARDS***(Republican Party Affiliation)*

123 South 200 East  
 Parowan, Utah 84761  
 Cell: (435) 590-6695  
 gme.edwards@gmail.com

**LEGAL EDUCATION**

Willamette University College of Law, Salem, OR

Juris Doctor, May 2007

Honors and Activities:

Moot Court Board

First Year Appellate Competition - Winner

Don Turner Criminal Trial Competition – Quarter Finalist

National Appellate Competition – Semi Finalist

**UNDERGRADUATE EDUCATION**

Southern Utah University, Cedar City, UT

Bachelor of Science, May 2004: Political Science Major, History Minor

Honors and Activities:

Deans List: Fall 2000, Spring 2003

Political Science Honors Society

Center for Politics and Public Service

Associate Justice, Judicial Council

**WORK EXPERIENCE**

Associate Attorney **Fisher & Hunter** St. George, UT August 2021 – Present

Litigating a wide variety of cases, including family law, personal injury defense, contract disputes, collections, trust distribution, property boundary disputes, property rights, protective orders, and criminal defense.

Deputy County Attorney **Iron County** Cedar City, UT October 2007 – August 2021

Advised all Iron County departments regarding liability, risk management, and legal compliance. Represented Iron County in District Court, Labor Commission, Career Service Counsel, and Tax Commission proceedings. Attend County Commission and Planning Commission meetings as legal counsel. Prosecuted criminal offenses in Justice and District Court (25 jury trials)

Law Clerk **Burns Law Office, P.C.** Cedar City, UT June 2007 – Present

Assisted Solo Practitioner in general practice. Prepared complaints, answers, motions and orders in the following types of cases: protective orders, divorce, probate, expungement of criminal record, property partition and property disputes. Assisted attorney preparing for employment law, real estate transactions, and general criminal defense matters.

Court Certified Law Clerk **Marion County District Attorney** Salem, OR June 2005 – May 2007

Represented the State of Oregon in criminal cases. Managed caseload in which was responsible for charging decisions, plea negotiations, filing and responding to motions, court appearances for hearings and nine trials.

## SHAWN T. FARRIS

2017 W. Sunset Blvd, 2nd Floor, Saint George, UT 84770 | 435-634-1600  
Farris@ArgusLawGroup.com

Managing Partner of a litigation and mediation law firm; known as an accomplished professional lecturer, creative strategies, cultural awareness, research, linguistics and creation of successful resolutions in complex environments, including litigation, and dedication to quality professionalism.

### PROFESSIONAL EXPERIENCE

#### Managing Partner, Argus Law Group, PC

May 2022 - Present

- Licensed and in good standing to practice law in state of Utah, U.S. Court of Appeals for the Tenth Circuit and Federal Courts.
- President and Shareholder of the law firm Farris & Utley, PC, St. George, Utah. (1995 to Present).
- Hispanic ethnicity and fluent in Spanish, Danish and English, and conversational in several other languages.
- Chair of J. Reuben Clark Law Society (2014 to Present).
- Board Member of local chapter of the BYU Management Society (2022 to Present).
- 27 years as a member of the Southern Utah Bar Association, licensed with the Utah Bar and practice before state and federal courts, and primarily with the Fifth Judicial District Court.

#### Managing Partner, Farris & Utley, PC

1995 – May 2022

- President of the law firm Farris & Utley, PC, St. George, Utah. (1995 to 2022).
- Well-established law firm.
- Former President of the Southern Utah Bar Association.

#### National and International Lecturer

2010 – Present

##### Judicial Training Conferences, Continuing Legal Education and Law Schools

- Lecturer for the Utah Administrative Offices of the Courts. Author and lecturer for legal education seminars semi-annually for the judicial conferences for Utah Justice Court Judges. (2010 to Present).
- Lecturer, Instructor and Author for continuing-education programs and publications for the National Business Institute. (2009 to Present).
- Guest Lecturer at Nanjing University Law School in the People's Republic of China and the national law schools of the Republic of Moldova at Facultatea de Drept Chișinău and Facultatea de Drept Bălți.

#### Judge Pro Tempore, Fifth District, in and for Washington County, Utah.

1996 - 2003

### EDUCATION

- Juris Doctorate Degree. J. Reuben Clark Law School, Brigham Young University.

- Bachelor of Science, International Business Marketing. Brigham Young University.
- Esbjerg Statsskolen, International Studies. Esbjerg, Denmark.

## LINGUISTIC SKILLS

Fluent in English, Spanish and Danish. Conversational in several other languages.

## PUBLICATIONS

*Adjudication of Contract Claims* (2010). Judicial Training Conference, Utah Administrative Offices of the Courts.

*Trust Deed Foreclosure Law and Related Proceedings* (2010). Southern Utah Bar Association.

*Statutory and Equitable Discovery Rules and their Applications* (2010). Judicial Training Conference, Utah Administrative Offices of the Courts.

*Judicial Liens and Enforcement* (2010). National Business Institute.

*Contract Issues in Financial Card Transactions* (2010). Nanjing University, Nanjing, China.

*Summary Judgment Procedures and Related Issues* (2010). Nanjing University, Nanjing, China.

*American Rules of Evidence and Practical Applications* (2010). Nanjing University, Nanjing, China.

*Collection Litigation, Fraudulent Transfers, and Motion Practice* (2011). National Business Institute.

*Consumer Sales Practices Act* (2011). Judicial Training Conference, Utah Administrative Offices of the Courts.

*Bankruptcy Issues in Civil Courts* (2011). Judicial Training Conference, Utah Administrative Offices of the Courts.

*Awarding Attorney's Fees in Litigation* (Judicial Education 2011).

*Designing a Collection System for Business Clients* (2011). National Business Institute.

*Handling Post-Judgment Legal Concerns* (2012). National Business Institute.

*Collecting the Judgment – Methods that Work* (2012). National Business Institute.

*Practicing in Utah Courts – Panel Discussion with Hon. James L. Shumate and Shawn Farris* (Bar Convention 2013).

*Technology in the Courtroom* (National Business Institute 2013).

*Jury and Bench Trials in American Courts* (May 2013). Law Schools in Chişinău and Bălţi, Republic of Moldova.

*Title Law in Utah* (2015). National Land Surveyors Convention.

*Post-Judgment Collection Remedies* (Judicial Conference 2015). Judicial Training Conference, Utah Administrative Offices of the Courts.

*Unconscionability in Contracts* (March 2016). Judicial Training Conference, Administrative Offices of the Courts.

*Title Law from Start to Finish* (2016). National Business Institute.

*Alter Ego Doctrine* (Judicial Conference 2016). Judicial Training Conference, Administrative Offices of the Courts.

*Landlord Obligations to Tenants and Vexatious Litigants* (April 2017). Judicial Training Conference, Utah Administrative Offices of the Courts.

*Attorney Fees in Small Claims; Prevailing party, Categorization, Reduction* – (October 2018). Judicial Training Conference, Utah Administrative Offices of the Courts.

*How to Deal with Non-Sufficient Funds Checks in Collection Cases* (October 2018). Judicial Training Conference, Utah Administrative Offices of the Courts.

*American Personal Bankruptcy Procedure and Law* (Jan 2019). Changzhou, China.

*Offshore Family Trusts and Limited Partnerships* (Jan 2019). Changzhou, China.

*Designing a Collection Case System* (June 2019). National Business Institute.

*Contempt and Unconscionability* (Nov 2019). Judicial Training Conference, Administrative Offices of the Courts.

*Personal Injury litigation in Small Claims* (Feb 2020). Judicial Training Conference, Administrative Offices of the Courts.

*Contractual Defenses and Doctrines in Post-Covid World* (May 2021). Judicial Training Conference, Administrative Offices of the Courts.

*Trial Notebooks and Voir Dire* (June 2021). National Business Institute.

*Collection Law: South Carolina Guide* (Feb 2022). National Business Institute.

## PERSONAL INTERESTS AND ATTRIBUTES

- Avid World Traveler – I have traveled to 116 countries already as of August, 2022,; with the most recent travels to Uzbekistan, Ukraine, Republic of Georgia and Azerbaijan.
- Attendee of the International Polyglot Conference in Poland in June 2022.
- Political party affiliation – Republican Party.

## REFERENCES

Justin Wayment 51 East 400 North Cedar City, UT 84720 435.590.4288 <a href="mailto:jwayment@waymentandjoneslaw.com">jwayment@waymentandjoneslaw.com</a>	Geoffrey Chesnut 491 N Bluff St #301 St. George, UT 84770 435.634.1000 <a href="mailto:GChesnut@expresslaw.com">GChesnut@expresslaw.com</a>	David Pinkston 10 Exchange Place, Ste 1100 Salt Lake City, UT 84111 801.322.9180 <a href="mailto:DPinkston@scmlaw.com">DPinkston@scmlaw.com</a>
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## ANGELA ADAMS MACKAY

1610 W. 100 North #90 • St. George, Utah 84770 • (435) 632-1258 • [angela.adams@wcattorney.com](mailto:angela.adams@wcattorney.com)

### PROFESSIONAL EXPERIENCE

WASHINGTON COUNTY ATTORNEY'S OFFICE, St. George, Utah

*Deputy County Attorney*

September 2003 - present

Prosecute criminal and delinquency cases, primarily in Juvenile Court. Screen all charges in juvenile court. Oversee all juvenile court decisions and unique issues.

PRIVATE PRACTICE, St. George, Utah

*Adoption Attorney*

July 2004 - present

Represent adoptive parents to finalize adoptions of kinship/foster children in Juvenile Court.

OFFICE OF GUARDIAN AD LITEM, State of Utah

*Guardian ad Litem Attorney*

June 1998 - August 2003

Court-appointed attorney to represent the best interests of children in cases of alleged abuse and neglect in district and juvenile court cases. Practiced in the Fourth and Fifth Judicial Districts.

HASKINS & ASSOCIATES

*Associate Attorney*

October 1997 - June 1998

Performed various duties associated with a general civil law practice which included legal research, drafting of pleadings, and appearing in court.

FOURTH DISTRICT COURT, Provo, Utah

*Judicial Law Clerk/Bailiff*

August 1996 - August 1997

Judge Guy R. Burningham -Drafted judicial rulings and memoranda, performed legal research, drafted correspondence, and coordinated juries and courtroom proceedings.

### EDUCATION

J. REUBEN CLARK LAW SCHOOL

April 1996

BRIGHAM YOUNG UNIVERSITY, Provo, Utah

*Juris Doctor*

UTAH STATE UNIVERSITY, Logan, Utah

December 1992

*Bachelor of Arts, Pre-Law*

**PROFESSIONAL AFFILIATIONS**

BOARD MEMBER, Statewide Association of Prosecutors and Public Attorneys (SWAP)  
April, 2021 - present

BOARD MEMBER, Executive Committee of the Juvenile Justice Oversight Committee (JJOC)  
May, 2021 - present

FOUNDING MEMBER and BOARD CHAIRPERSON, Reading for Life -Southern Utah, non-profit  
organization for raising awareness and creating resources for children with Dyslexia in Southern Utah  
November, 2016 - present

**POLITICAL PARTY - Republican**

**RUSSELL S. MITCHELL**

301 W. Sugar Leo Road, St. George, Utah 84790  
(435) 669-3209

**Resume for 5<sup>th</sup> District Judicial Nominating Commission 2022****INTEREST IN JUDICIAL NOMINATING COMMISSION**

I was born and raised in St. George. I returned to raise my own family here and I have practiced law in southern Utah for the last 27 years in both litigation and transactional matters. I have become familiar with other attorneys serving in this area both in my daily practice and while serving on the board of the Southern Utah Bar Association. I intend to continue to practice law for about another four to five years before retiring. I have great respect for our current judges. I would like to be part of the selecting of judges to help keep our judiciary the excellent group that it currently is.

**EDUCATION**

- Juris Doctor, S. J. Quinney College of Law, University of Utah, May 1994
- Bachelor of Science, Medical Technology, University of Utah, May 1985

**WORK EXPERIENCE**

Upon receiving my degree in Medical Technology, I worked as a Clinical Microbiologist with Advanced Clinical Microbiology beginning June 1985 and remained there until returning to law school in 1991. I was advanced to Lab Manager and later to Vice President of the company while working there. Upon graduating from law school, I set up my own solo practice in Salt Lake City and practiced from October 1994 to November 1995 as a sole practitioner. I was then hired by Jones, Waldo, Holbrook & McDonough to work in their St. George office beginning November 1995 where I worked for over 24 years, until doing a short transfer to Kirton McConkie from 2019 to 2021, and then returning to Jones, Waldo, Holbrook & McDonough until it closed its doors. I am currently “of counsel” with Snow Caldwell Beckstrom & Wilbanks.

**PROFESSIONAL ASSOCIATIONS**

- Utah Bar Probate Rules Subcommittee, April 2019–present
- Southern Utah Bar Association, July 1997–present
  - Board of Directors (elected), January 2014–December 2016; President 2016
- Bar Sections: Litigation; Probate/Estate Planning; and Real Property

**COMMUNITY INVOLVEMENT**

- Kiwanis Club of St. George, August 1996–present; current President
- St. George Area Chamber of Commerce, Chairman, Community Action Comm., 2002–2003
- Ironman St. George, Captain of Bike Aid Station #3, races in May 2010, 2011, 2012
- Woods Cross City Council, elected to four-year term, January 1990–January 1994

**POLITICAL AFFILIATION** – Registered Republican



**ANGIE REDDISH-DAY**

P.O. Box 495 • Hurricane, Utah 84737 • (801) 391-1877  
Angela.Reddish-Day@usdoj.gov

**EDUCATION & LICENSES**

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**CALIFORNIA WESTERN SCHOOL OF LAW**, San Diego, California

*Juris Doctor*, Magna Cum Laude, January 1996

G.P.A. 89.10/95, Class Rank 4/265

Honors: Dean's Honor List, Spring 1994, Summer 1994, Fall 1994, Spring 1995

American Jurisprudence Awards (8); Academic Achievement Awards (2)

**UNIVERSITY OF COLORADO**, Boulder, Colorado; *Bachelor of Science*, Accounting, May 1990

**STATE BAR LICENSES:** California, 1996; Colorado, 2000; Arizona, 2006; Utah, 2016

**PARTY AFFILIATION:** Republican

**PROFESSIONAL EXPERIENCE**

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**UNITED STATES ATTORNEY'S OFFICE, DISTRICT OF UTAH, ST. GEORGE BRANCH**

*Assistant United States Attorney, Criminal Division*, September 2018 – Present

*Assistant United States Attorney, St. George Branch Chief*, July 2022 – Present

Responsible for the prosecution of federal crimes within the southern region of the District of Utah, including firearms offenses, organized crime, white-collar crime, internet-related crime, narcotics offenses, violent crime, and all offenses on federal land and in national parks. Advise federal law enforcement agents and local task force officers on criminal investigations, draft search and arrest warrants, present cases to the grand jury, prepare and argue a broad range of motions, and try criminal cases before the United States District Court. As the St. George Branch Chief, responsible for managing the branch office and approving charging decisions and case resolutions.

**WASHINGTON COUNTY ATTORNEY'S OFFICE, ST. GEORGE, UTAH**

*Deputy County Attorney, Criminal Division*, October 2016 – September 2018

Responsible for the vertical prosecution of a large felony and misdemeanor caseload at all stages, including case filing, arrest warrants, victim interviews, preliminary hearings, legal motions, jury trials, and sentencing in Fifth District Court. Responsible for the prosecution of select special victim cases, including a complex child torture case that garnered national media attention. Member of the Washington County Children's Justice Center Multidisciplinary Team.

**BIG BROTHERS BIG SISTERS OF UTAH, ST. GEORGE, UTAH**

*Southern Utah Manager*, April 2016 – September 2016

Responsible for program implementation, community development, and oversight of fundraising activities in southern Utah. Managed the Southern Utah Advisory Board and local grants, monitored metrics to meet program goals, and supervised enrollment, match support, and donation center staff.

**SAN DIEGO POLICE DEPARTMENT, SAN DIEGO, CALIFORNIA**

*Executive Director & Civilian Commanding Officer, STAR/PAL*, October 2013 – November 2015

Responsible for the management of the non-profit organization STAR/PAL (Sports Training, Academics, Recreation / Police Athletic League), reporting to the Police Chief and 21 member Board of Directors. Responsible for the supervision of police officers, staff, and volunteers, in order to implement and manage multiple academic, athletic, and recreational programs for at-risk youth led by law enforcement officers. Managed all fundraising via grants, numerous special events, and donations.



## **SAN DIEGO CITY ATTORNEY'S OFFICE, SAN DIEGO, CALIFORNIA**

*Assistant City Attorney, Criminal & Community Justice Divisions, January 2012 – September 2013*

Responsible for the management of 60 attorneys and 90 classified staff in seven distinct units: Neighborhood Prosecution, Trial, Case Issuance, Domestic Violence & Sex Crimes, Appellate, Consumer & Environmental Protection, and Code Enforcement. Responsible for hiring, performance evaluations, policy development, and staffing allocations to ensure the smooth processing of more than 20,000 misdemeanor criminal cases annually, from case intake through trial. Managed three Community Courts, Homeless Court, Veterans Court, Mental Health Court, and Domestic Violence Court.

*Senior Deputy City Attorney, Special Projects, Criminal Division, March 2011 – January 2012*

Assisted with Criminal Division management, developed alternative sentencing options in response to state prison realignment, and implemented organizational change to improve operations and outcomes.

*Senior Deputy City Attorney, Domestic Violence & Special Victims Unit, July 2006 – March 2011*

Responsible for the training and supervision of seven attorneys, including screening cases for prosecution, trial preparation, case management, and daily Domestic Violence Court oversight. Served as the designated liaison to the San Diego Family Justice Center and SDPD's Domestic Violence Unit.

*Chief Deputy City Attorney, Neighborhood Prosecution Unit, March 2005 - July 2006*

Responsible for the supervision of attorneys and staff, managing unit operations, including problem-solving projects, prosecution of chronic offenders, operation of three distinct Community Courts, Homeless Court, Veterans Court, Mental Health Court, and other community outreach programs and Advisory Boards. Secured a \$200,000 U.S. Department of Justice grant and served as faculty for the American Prosecutors Research Institute at Advanced Community Prosecution Workshops nationwide.

*Deputy City Attorney, Civil Division, San Diego Police Legal Advisor, January 2001 - March 2005*

Provided legal advice to the San Diego Police Department at all levels of command, to both civilian and sworn personnel, on all matters pertaining to civil liability. Advised on discipline and personnel issues, training, contracts, subpoenas, California Public Records Act requests, policies and procedures, firearms matters, and other legal issues. Represented the Department at administrative hearings on licensing and employment cases, and in Superior Court on a variety of hearings, motions, and appeals.

*Deputy City Attorney, Appellate Unit, May 2000 - January 2001*

Researched legal issues, drafted responsive pleadings, and argued motions in Superior Court. Prepared and argued appeals before the Superior Court Appellate Division and Fourth District Court of Appeal.

*Senior Deputy City Attorney, Child Abuse & Domestic Violence Unit, September 1998 - May 2000*

Responsible for the supervision of eight attorneys. Prosecuted the entire child abuse caseload from arraignment to sentencing. Designated liaison to SDPD's Child Abuse and Domestic Violence Units.

*Deputy City Attorney, Child Abuse & Domestic Violence Unit, December 1996 - September 1998*

Managed a large vertical domestic violence caseload and the entire misdemeanor child abuse caseload. Conducted numerous jury trials and evidentiary hearings. Implemented the grant-funded Child Advocacy Program in partnership with SDPD and Children's Hospital Center for Child Protection.

*Deputy City Attorney, Criminal Division, March 1996 - December 1996*

Screened police reports, prepared criminal complaints, and arrest warrants, and conducted jury trials.

## **UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

*Judicial Extern for David R. Thompson, Circuit Judge, August 1995 - December 1995*

Researched and prepared bench memoranda. Drafted opinions and memoranda dispositions.

# HEATH H. SNOW, ESQ.

253 West St. George Boulevard, Suite 100, St. George, Utah 84770  
 (435) 656-1900 Phone - (435) 656-1963 Fax  
[heath@schwlaw.com](mailto:heath@schwlaw.com)

## WORK EXPERIENCE:

<i>Managing Partner</i>	SNOW CALDWELL BECKSTROM & WILBANKS, PLLC (formerly Bingham Snow & Caldwell) St. George, Utah & Mesquite, Nevada	July 2005-Present
	Civil Practice (both transactional and litigation) specializing in: -Banking -Real Estate -Real Estate Development/Construction -Business -Insurance Defense, and -Municipal Law	
<i>Partner</i>	BARNEY MCKENNA & OLMSTEAD, P.C. St. George, Utah & Mesquite, Nevada	Mar. 2003-July 2005
<i>Senior Associate</i>	DURHAM JONES & PINEGAR (SG Office Formerly Snow Nuffer) St. George/Salt Lake City, Utah & Las Vegas, Nevada	April 1999-Mar.2003
<i>Law Clerk</i>	STOCKWELL BRINGUS, L.P. Lawrence, Kansas	Mar. 1997-June 1998

## EDUCATION:

<i>Juris Doctorate Degree</i>	UNIVERSITY OF KANSAS, SCHOOL OF LAW Lawrence, Kansas	Aug. 1996-April 1999
	-Member, Law School National Moot Court Team, 1998-99 -Region 9 Moot Court Finalist - Kansas City, Missouri, 1998 -National Moot Court Quarterfinalist – New York City, New York, 1999 -Lewis F. Powell Excellence in Advocacy Award, Am. College of Trial Lawyers, 1998 -Top 1/3 <sup>rd</sup> Class Rank	
<i>Bachelor's Degree</i>	BRIGHAM YOUNG UNIVERSITY Provo, Utah	June 1993-Aug. 1996
	-History Major, -Business Minor, -Dean's List	

## MEMBERSHIPS:

Utah State Bar Association	Oct. 1999-Present
Southern Utah Bar Association	Oct. 1999-Present
Utah Municipal Attorney's Association	Jan. 2001-Present
American Bar Association	Oct. 1999-Present
Nevada Bar Association	Sept.2003-Present
Utah State Courts Mediator Panel	July 2005-Present
Southern Utah Homebuilders Association	July 2007-2010

**POSITIONS:**

<i>Chair</i>	So. Utah Community Legal Center Advisory Board	July 2012-17
<i>Certified Mediator</i>	Utah State Court System	July 2006-Present
<i>Director</i>	J. Rueben Clark Law Society ( <i>So. Ut. Chptr</i> )	July 2004- July 2006
<i>President</i>	Southern Utah Bar Association	2003 & 2011
<i>Director</i>	Southern Utah Bar Association	2001-03, 2008-12
<i>Assistant City Attorney</i>	Washington City, Utah	Oct.1999-Mar. 2003
<i>Town Attorney</i>	Leeds Town, Utah	April 2002-2014
<i>City Attorney</i>	Enterprise City, Utah	Jan. 2006-Present
<i>City Attorney</i>	Toquerville City, Utah	July 2006-Present
<i>Town Attorney</i>	Virgin Town, Utah	Aug. 2007-Present
<i>Special Counsel</i>	City of St. George, LaVerkin City & Ivins City	July 2007-Present
<i>Treasurer</i>	Dixie Aquatics Race Team, Inc.	August 2010-2014

**DISTINCTIONS/RECOGNITIONS:**

AV (Preeminent) Martindale Hubbell Peer Review Rating	Sept 2014 – Present
Outstanding Young Lawyer, Salt Lake Magazine	July 2012
Top 10%, America’s Most Honored Professionals	August 2011 & 12
Rising Star, Mountain States Lawyer Magazine	2010, 11 & 12
Utah Top Lawyers, Utah Business Magazine	2010-21 (6 times)
Young Lawyer of the Year, Utah State Bar Association	July 2004

**REPORTED CASES:**

Bonnie Timmerman v. Virgin Town WL 20210315 (Utah App. 2022)
Scalia v. Paragon Contractors Corp. 796 Fed.Appx 962 (10 <sup>th</sup> Cir. Ct. App)
Zions Gate RV Resort, LLC v Oliphant 326 P.3d 118 (Utah App. 2014)
Harding v. Atlas Title Ins. Co., Inc. 285 P.3d 1260 (Utah App. 2012)
Town of Leeds v. Prisbrey, 179 P.3d 757 (Utah 2008)
Stevens v. LaVerkin City, 183 P.3d 1059 (Utah App. 2008)
Christopherson, Farris, White & Utley, P.C. v. Pugh 2006 Ut App 68 (2006)
Hernandez v. Baker 104 P.3d 664 (Utah App. 2004)

**REPRESENTATIVE CLIENTS:***Banking & Asset Management:*

FDIC; Midland States Bank; First National Bank; State Bank of Southern Utah; Olympus Capital; Cypress Capital; Kingston Management Services, LLC; Midland Loan Servicing, LLC; Prescient Asset Management; National Capital Management; America First Credit Union, Vantage Strategies, LLC, CB Richard Ellis; Olympus Capital, LLC.

*Real Estate, Development & Construction:*

Firelight Development, Inc., Sun River St. George Development, LLC; Rockwell Development, LLC; Velocity Construction; Velocity Homes; Paragon Contractors; Adams Construction & Management; Sun West Management; Sunroc, Corp; Jensen & Sons Construction; Vantage Commercial Real Estate, Coldwell Banker Premier Real Estate, ReMax First Realty; Stewart Enterprises, LLC; Sand Hollow Development Group, LLC; Niota Investments, LLC

*Insurance Defense/Title:*

First American Title Company; Fidelity Title, Ins. Co.; Fidelity National Ins. Co.; Nationwide Mutual Ins. Co.; Traveler's Insurance Co.

*Municipal:*

Toquerville City; Enterprise City; Town of Leeds; Virgin Town, Glen Canyon Special Service District, Utah State Institutional Trust Lands Administration, City of St. George; La Verkin City, Pole Canyon Basic Local District;

*Business/Commercial:*

Heaton Livestock Company; Straight Stripe Painting, Inc.; Terrible Herbst, Inc.; Empire Business Ventures, LLC; Empire Logistics, LLC; Co-West Commodities, Inc.; Zurchers, Inc., Team Stewart Limited Partnership; Knight Transportation, Inc.; Red Rock Hotel Group, LLC; Vinyl Industries, LLC; Sandale Investments, LLC; Venuti Holdings, LLC.

**POLITICAL AFFILIATION:**

Member of the US Republican Party

**Christy Abad**

---

**From:** Marshall Witt <marshall@wittandassociates.com>  
**Sent:** Tuesday, August 23, 2022 6:10 PM  
**To:** Christy Abad  
**Subject:** Application for Fifth District Judicial Nominating Commission  
**Attachments:** Marshall S. Witt Resume 1.4.pdf



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender  
marshall@wittandassociates.com

Christy:

Attached please find my resume in application for the Fifth District Judicial Nominating Commission. I am a registered Republican.

Please let me know if anything more is needed and don't hesitate to give me a call at 435-673-8400 if you have any questions.

Regards,

**Marshall S. Witt**  
WITT LAW OFFICES  
A Professional Corporation  
801-766-4200 - Northern Utah  
435-673-8400 - Southern Utah  
[marshall@wittandassociates.com](mailto:marshall@wittandassociates.com)

**Marshall S. Witt**  
**WITT LAW OFFICES**  
 491 North Bluff Street, Suite 301  
 St. George, UT 84770  
 435-673-8400 (office)  
 801-360-8000 (cell)  
[marshall@wittandassociates.com](mailto:marshall@wittandassociates.com)



## EDUCATION

**Juris Doctor**, J. Reuben Clark Law School, Brigham Young University (1988)

**Editor-in-Chief**, BYU International and Comparative Law Journal, annual comparative law issue of BYU Law Review (1987-88). Served in this capacity on the BYU Law Review managing board, as coordinating liaison between journal and law review.

**Lead Articles Editor**, BYU International and Comparative Law Journal, (1986-87)

**Recipient**, J. Reuben Clark *International and Comparative Law Award* (1987),  
 For helping create new extra-curricular law school program, the International and Comparative Law Society.

**Recipient**, West Publishing Company's *Corpus Juris Secundum Award* (1987),  
 for "outstanding contributions in the international and comparative law areas"

**Recipient**, Highest Grade, Criminal Law, Professor Cole Durham (1985).

**Master of Arts**, International Relations, with emphasis in economics,  
Brigham Young University (1985), 3.7 GPA

**Recipient**, David M. Kennedy Scholarship, David M. Kennedy School of International  
Relations, Brigham Young University. Full-tuition scholarship. Awarded twice  
to cover two full years in master of arts program.

**Bachelor of Arts**, International Relations, emphasis in political science and foreign languages,  
Brigham Young University (1983), 3.5 GPA

**Dean's List**, Dixie Jr. College (1976-77), 3.6 GPA

## **EMPLOYMENT HISTORY & EXPERIENCE**

**Attorney and Owner**, WITT LAW OFFICES, A Professional Corporation

St. George, Utah (2013 to present)

Full-service civil litigation practice. Practice is focused on effective resolution through mediation, arbitration or trial of cases involving: (1) all types of plaintiff personal injury claims, with an emphasis on traumatic brain injury and spinal cord cases; (2) criminal defense (felony/misdemeanor & adult/juvenile); (3) family law (divorce, custody, child support, alimony, protective orders, modifications, etc.); (4) wills, trusts and probate; (5) business formation; and (6) other general civil litigation (real estate, commercial and collection).

**Attorney and Owner**, WITT & ASSOCIATES, A Professional Corporation

Lehi, Utah (2009 TO 2013)

Full-service civil litigation practice. Practice is focused on effective resolution through mediation, arbitration or trial of cases involving: (1) all types of plaintiff personal injury claims, with an emphasis on traumatic brain injury and spinal cord cases; (2) criminal defense (felony/misdemeanor & adult/juvenile); (3) family law (divorce, custody, child support, alimony, protective orders, modifications, etc.); (4) wills & complete trust packages; (5) business formation; and (6) other general civil litigation (real estate, business and collection).

**Attorney and Owner**, WITT & ANDERSON, A Professional Corporation

Lehi, Utah (2007 TO 2009)

Full-service civil litigation practice. Practice is focused on effective resolution through mediation, arbitration or trial of cases involving: (1) all types of plaintiff personal injury claims, with an emphasis on traumatic brain injury and spinal cord cases; (2) criminal defense (felony/misdemeanor & adult/juvenile); (3) family law (divorce, custody, child support, alimony, protective orders, modifications, etc.); (4) wills & complete trust packages; (5) business formation; and (6) other general civil litigation (real estate, business and collection).



**Attorney and Owner, WITT MORLEY & ANDERSON, A Professional Corporation**

American Fork, Utah (2003 to 2007)

Full-service civil litigation practice. Practice is focused on effective resolution through mediation, arbitration or trial of cases involving: (1) all types of plaintiff personal injury claims, with an emphasis on traumatic brain injury and spinal cord cases; (2) criminal defense (felony/misdemeanor & adult/juvenile); (3) family law (divorce, custody, child support, alimony, protective orders, modifications, etc.); (4) wills & complete trust packages; (5) business formation; and (6) other general civil litigation (real estate, business and collection).

**Attorney and Managing Partner, HANSEN WITT MORLEY & ANDERSON, P.C.**

Formerly DUVAL HANSEN WITT & MORLEY, P.C.

American Fork and Pleasant Grove, Utah (1995 to 2003)

Practice devoted primarily to all aspects of plaintiff personal injury work – with particular interest in traumatic brain injury and spinal cord injury cases. A portion of practice also included criminal defense, family law, wills & trust, business organization and other civil litigation.

**Associate Attorney, HARDING & ASSOCIATES, P.C.**

American Fork, Utah (1994 to 1995)

Practice primarily involved plaintiff personal injury.

**Associate Attorney, McMURRAY, McMURRAY, DALE & PARKINSON, P.C.**

Salt Lake City, Utah (1991 to 1994)

Practice primarily involved plaintiff personal injury.

**Associate Attorney, LYNCH, CROSBY & SISSON, P.C.**

Anchorage, Alaska (1989 to 1991)

Practice primarily involved insurance defense.

**Associate Attorney, BRADBURY, BLISS & RIORDAN**

Anchorage, Alaska (1988 to 1989)

Practice primarily involved insurance defense.

**Summer Associate, SHORT & CRESSMAN**

Seattle, Washington (1987)

**Law Clerk, HOWARD LEWIS & PETERSEN**

Provo, Utah (1986)



## OTHER EMPLOYMENT EXPERIENCE

**Research and Teaching Assistant**, David M. Kennedy Center for International Studies,  
Brigham Young University (1982 to 1985)  
Performed research and teaching assignments as requested.

**Zone Coordinator**, Missionary Training Center, Provo, Utah (1981 and 1982)  
Hired, trained and supervised Mandarin Chinese teachers.

**Youth Counselor / Teacher**, Youth Developmental Enterprises & Granite School District,  
Maui, Hawaii (March - August 1981)  
Worked around-the-clock as youth counselor, which included teaching  
several high school courses to program youth as authorized by  
Granite School District in Utah.

**Teacher Trainer**, Foreign Language Teachers, Missionary Training Center (1980 and 1981)  
Taught weekly seminars to new groups of foreign language teachers  
who had recently been hired or were receiving regular refresher training.

**Instructor**, Mandarin Chinese, Missionary Training Center (1980)  
Taught new groups of missionaries all aspects covered at MTC.

## SELECTED EXTRACURRICULAR ACTIVITIES

**Member**, BNI Business Leaders Chapter (2022 to present)

**Member**, Allies USA (2021 to present)

**Member**, St. George Chamber of Commerce (2021 to present)

**Member**, St. George Dixie Elks Lodge #1743 (2021 to present)

**Mediator**, Divorce and Family Law Matters (2019 to present)

**Member**, Utah Bar Association (1992 to present)

**Member**, Southern Utah Bar Association (SUBA) (2013 to present)

**Vice President**, BNI Trust Chapter, St. George, Utah (2014-2015)

**Member**, Business Networking International (BNI), St. George, Utah (2014 to present)

**Member**, Corporate Alliance, St. George, Utah (2014 to 2020)

**Certificate Recipient**, Basic Mediation Training Seminar, Utah Dispute Resolution (2013, 2019)

**Member**, Central Utah Bar Association, Provo, Utah (1994 to 2013)

**Judge**, Mock Trial, J. Reuben Clark Law School, BYU, Provo, Utah (2013)  
Judged a mock trial competition of law students at BYU law school as part of their curriculum. Critiqued participants and made recommendations.

**Guest Lecturer**, Annual Pro Bono Celebration, Central Bar Association, Utah Valley University, Orem, Utah (2012)  
Participation and training of UVU paralegal program students.

**Guest Lecturer**, Utah Valley University, Department of Legal Studies, Pre-law Society Orem, Utah (2012), “Modern Law Practice”

**Guest Lecturer**, Utah Valley University, Department of Legal Studies, Orem, Utah (2012), “Juvenile Criminal Law”

**Cubmaster**, Spring Hollow Ward, LDS Church (2012)  
Responsible to insure proper training of den leaders

**Board Member**, Utah Crossing, Inc., Lehi, Utah (2009 to 2012)  
Private project to build bridge across Utah Lake.

**Presenter**, Central Utah Bar Association, Provo, Utah (2011)  
“The Legal Aspects of Utah Crossing Bridge Project”

**Member**, Brain Injury Association of Utah, Salt Lake City, Utah (2000 to 2009)

**Director of Board**, China Rural Education Foundation, Provo, Utah (2007 to 2008)  
Directed non-profit organization in raising funds students in rural China.

**Board Member**, China Rural Education Foundation, Provo, Utah (2005 to 2006)  
Engaged in non-profit fundraising for students in rural China.

**Scout Committee Chairman / Merit Badge Counselor Trainer**, Manila 5<sup>th</sup> Ward & Boy Scouts of America (2003 to 2004)  
Directed all aspects of recruiting, teaching, training and supervising scout leaders and merit badge counselors for local scouting program.

**Young Men’s President**, Manila 5<sup>th</sup> Ward, Manila Stake (1995 to 1998)  
Taught and trained the adult leaders and male youth in all aspects related to youth activity in an LDS ward and stake.

**Stake Mission President**, West Jordan Utah Prairie Stake (1993 to 1994)

Trained and supervised all aspects of stake missionary work for nine (9) different wards.

**Bishop**, Anchorage 4<sup>th</sup> Ward, Anchorage North Stake (1989 to 1992)

Responsible for all aspects of a properly functioning LDS ward, including the teaching and training of all leaders in all aspects related to their respective positions.

**Adjunct Professor**, University of Alaska (1990 and 1991)

Taught seminars at University of Alaska and its satellite locations.

## COURT APPEARANCES

I have personally appeared for a variety of hearings in personal injury, criminal defense, family law, probate, eviction and/or collection cases in the following courts:

First District Court, Cache County, Logan  
 Logan City Justice Court  
 Second District Court, Weber County, Ogden District  
 Second District Court, Davis County, Farmington District  
 Second District Juvenile Court, Davis County, Farmington  
 Third District Court, Salt Lake County, Salt Lake  
 Third District Court, Salt Lake County, West Jordan  
 Third District Court, Tooele County, Tooele  
 Salt Lake City Justice Court  
 Murray Municipal Justice Court  
 Sandy City Justice Court  
 Draper City Justice Court  
 Fourth District Court, Utah County, American Fork District  
 Fourth District Court, Utah County, Provo District  
 Fourth District Court, Utah County, Spanish Fork District  
 Fourth District Court, Wasatch County, Heber City District  
 Utah County Justice Court, Provo  
 Bluffdale Justice Court  
 Highland City Justice Court  
 Lehi City Justice Court  
 Saratoga Springs Justice Court  
 Lindon City Justice Court  
 Provo City Justice Court  
 Springville City Justice Court  
 Fourth District Juvenile Court, Utah County, American Fork  
 Fourth District Juvenile Court, Utah County, Orem  
 Payson City Justice Court  
 Juab County Justice Court, Nephi Precinct  
 Fifth District Court, Beaver County, Beaver District  
 Sixth District Court, Sanpete County, Manti District

Ephraim Justice Court  
 Moroni City Justice Court  
 Seventh District, Carbon County, Price  
 Blanding City Justice Court  
 Fifth District Court, Kane County, Kanab District  
 Fifth District Court, Iron County, Cedar City District  
 Fifth District Court, Washington County, St. George District  
 Santa Clara City Justice Court  
 Washington County Justice Court  
 Washington City Justice Court  
 U.S. District Court, Salt Lake City  
 U.S. District Court, St. George  
 Utah Court of Appeals

### PERSONAL

**Born** in Red Bluff, California. Involved in sports and student government in elementary, high school, college and law school.

**Married** to Sheryl Witt. Three children: Holden (34), Hayley (31) and Hayden (28). Have enjoyed being active in neighborhood, civic and church service. Was also been very active in Scouting program for over two decades, helping many young men, including my son, earn their Eagle Scout award.

**Enjoy** people and participating in most all sports and recreational activities. Golfing, biking and swimming are currently my favorites. I love teaching and am a natural resolver of disputes. Still conversant in Mandarin Chinese and Spanish. Could get by in French and Italian if I had to – and the money was right.



## REFERENCES

**Most Attorneys in St. George** Family Law Attorneys, Prosecutors, Others St. George, UT

**Carolyn Howard** 801-473-7911 [choffhoward@yahoo.com](mailto:choffhoward@yahoo.com) St. George, UT

Carolyn Howard has known me for years. She has also spent many hours with me in several family law mediations.

**Ray Harding** 801-598-8573 [raymharding@msn.com](mailto:raymharding@msn.com) 3249 Big Spruce Way  
Park City, UT 84098

Ray Harding is a former judge who has known me for 20 years. I was an associate in his office. He trusted me to take over responsibility of a portion of his practice when he became a judge. More recently, I have successfully mediated many family law cases with Ray as the mediator.

**Dave Lambert** 801-373-6345 [lambertd@provolawyers.com](mailto:lambertd@provolawyers.com) 120 E 300 N  
Provo, UT 84606

Dave Lambert is a partner at Howard Lewis & Petersen and has known me for over 25 years.

**Reed Parkin** 801-573-1510 [rparkin@utcourts.gov](mailto:rparkin@utcourts.gov) 13988 S Saddlehorn  
Bluffdale, UT 84065

Reed Parkin is the Orem Justice Court judge and has known me for over 20 years.

**Lew Quigley**                      801-380-6717    [lj\\_quigley@hotmail.com](mailto:lj_quigley@hotmail.com)

632 N Quail Hollow  
Alpine, UT 84004

Lew Quigley is a retired attorney and mediator who has known me for several years in the context of serving as a mediator in several cases I have handled.

**Jack Newman**                      801-824-6460    [jacktra@gmail.com](mailto:jacktra@gmail.com)

15 Altawood Drive  
Sandy, UT 84092

Jack is a former associate in our law office at Witt & Associates in Lehi before we relocated to St. George. Jack knows me well.

**Melinda Hicken**                      801-518-5979    [melinda.hicken@gmail.com](mailto:melinda.hicken@gmail.com)

7794 Windhover Rd  
Eagle Mountain, UT  
84005

Melinda was one of the most recent paralegals in our office at Witt & Associates before we relocated to St. George. Melinda knows me well.

**Mikele Naser**                      801-557-3586    [mikeleanne@live.com](mailto:mikeleanne@live.com)

3460 W 250 N  
Hurricane, UT 84737

Mikele was one of the most recent legal assistants and receptionist in our office at Witt & Associates before we relocated to St. George. Mikele knows me well.

# TAB 2

## UTAH STATE BAR COMMISSION MEETING

### MINUTES

Friday, August 26, 2022

Law and Justice Center

### AGENDA

**In Attendance:** President Kristin “Katie” Woods, President Elect Erik Christiansen, and Commissioners Tom Bayles, Traci Gunderson, Matt Hansen, Chrystal Mancuso-Smith, Mark Morris, Andrew Morse, Shawn Newell, Cara Tangaro, and Tyler Young.

**Ex-Officio Members:** Nate Alder, Kim Cordova, Cedar Cosner, Dean Elizabeth Kronk-Warner, Camila Moreno, Allison Phillips Belnap, Margaret Plane, and Dean Gordon Smith.

**Not in Attendance:** Commissioners Rick Hoffman, Greg Hoole, Beth Kennedy, and Marty Moore, and Ex Officio members Past-President Heather Thuet, Shalise McKinlay, Brittany J. Merrill, and Gabriela Mena.

**Also in Attendance:** Executive Director Elizabeth A. Wright, General Counsel Nancy J. Sylvester, Utah Court Representative Nick Stiles.

#### **1. President’s Welcome and Reports: Katie Woods**

##### **1.1 Report on National Conference of Bar Presidents Meeting: Katie Woods**

Ms. Woods reported that Elizabeth Wright, Nate Alder, Kim Cordova, Erik Christiansen, Camila Moreno, and Ms. Woods attended the ABA Conference in Chicago in August. She reported that it was very helpful to gather with other Bar leadership. Ms. Wright noted that it has been valuable to attend to network and discuss issues facing Bars across the country. Ms. Cordova noted that the ABA passed a resolution reaffirming the importance of the practice of law being limited as much as possible to lawyers. Ms. Moreno reported on the YLD meetings (hybrid). Ms. Alder noted that states in the west are viewed as more creative and innovative. Mr. Alder spoke further about Resolution 402. Mr. Alder noted that the ABA created a center on innovation to help lawyers be more innovative to get ahead of the large legal tech. ABA Resolution 402 says that non-lawyer ownership is anathema to the practice of law. He noted that the CCJJ several years back said that



they wanted states to innovate. There was a compromise struck.

Mr. Morris observed that Utah does not align itself with all the ABA's position. He also observed that the notion that innovation is bad is problematic.

### **1.2 Retreat Reminder – October 14-15: Katie Woods**

Ms. Woods reported that the Commission's next meeting will be at the S. J. Quinney College of Law. A future meeting will be held at the J. Reuben Clark Law School. After the meeting, there will be an opportunity to mix and mingle with students.

Ms. Woods noted that the October meeting will be a retreat right outside of Zions National Park. The retreat kicks off on Friday, October 14<sup>th</sup> at 1 p.m. Saturday, October 15<sup>th</sup>, will be a program from 9 a.m. to 12 p.m. This will be a team building exercise. There will also be a communication strategy discussion.

Ms. Woods further reported that November 4<sup>th</sup> is the Fall Forum, with Governor Cox as the lunchtime keynote speaker, and that November 15<sup>th</sup> is tentatively the Legislator Breakfast.

### **1.3 Report on Mental Health Provider Review: Andrew Morse & Martha Knudson**

Ms. Woods reported that the contract is up with Blomquist Hale and the Commission is studying vendors. She asked that Mr. Morse and Ms. Knudson report on the study effort. Mr. Morse reported that the committee is studying what would be best moving forward for well-being and the Bar. He noted that the Bar would continue to offer counseling, but also build out well-being resources on a web-based platform. Ms. Knudson noted that the Well-being Committee is trying to do something new that is proactive and preventative. The idea is to intervene early rather than when the wheels come off. She asked that the Commission think about what the Bar's values are. Ms. Wright noted that this is one of Bar's bigger budget items and it is important that the Bar is using its resources to maximize lawyer well-being.

## **2. Information Items**

### **2.1 Report on Chancery and Division Court Development: Senator Kirk Cullimore, Representative Brady Brammer and Frank Pignanelli**

Mr. Pignanelli introduced the lobbyist team and observed that Utah has some fantastic lawyer legislators who are working on good projects. He said Rep. Brammer had approached him at the last lawyer legislator breakfast about the idea of a chancery court and Senator Cullimore has been working on division courts with the judiciary. Rep. Brammer noted that Frank and his team are good for the Bar's interests at the Legislature. He noted that the Legislature is losing some of the best lawyer legislators this year. That means they are no longer there to lend a voice for lawyers.

Regarding chancery courts, Rep. Brammer noted that his practice is civil litigation and specifically in corporate matters. He said that there is a lot of uncertainty in the litigation process for corporations, and even though judges usually get this right, it can take a long time. Most large

corporations go to Delaware because of its chancery courts. He noted that there is a significant advantage to bringing this here for Utah's business environment. This is meant to be a signal that Utah is open for business and business issues will be handled efficiently and effectively. He said he has been studying this for the past year with a task force. Rep. Brammer said this will be patterned after the Arizona business court. In response to questions, he noted that the request to have the case heard in a chancery court would be made at the time of filing or within 21 days, or the court could remove it.

He said that anything related to cryptocurrency would automatically be sent to these courts, along with business litigation that is Tier 3 and above. Rep. Brammer noted that there would be new judges specifically confirmed for this purpose. Delaware's chancery court publishes all its opinions. He opined that, overall, this would reduce the caseload. Senator Cullimore said the judges would have statewide jurisdiction. Mr. Hansen asked if this could be created by rule. Rep. Brammer said part of this could, but the statewide jurisdiction must be created by the Legislature. He said there was also a public relations piece to this that is created by making it a creature of statute. Rep. Brammer said this will be at least a 2-year process because of things like the nominating process, procedural processes, and facilities. Rep. Brammer said there are six to seven states that have some form of business/chancery court. Arizona is the most recent one.

Ms. Tangaro noted that there are similar issues in the criminal justice system. She said that having criminal commissioners, for example, would be a solution so that decisions are consistent across the state. Rep. Brammer said that now that we have remote hearings, there is more of an appetite for specialization. Senator Cullimore said the Legislature has probably not been the obstacle.

Mr. Alder noted that there are some examples in the courts already of specialization, such as the guardianship assigned judge in Third District. He also noted that ADR could be used to reduce caseloads. He noted that efficiencies would be created by having more support around the judge.

Regarding division courts, Senator Cullimore spoke of the issues with de novo hearings in district courts following justice court resolutions. He said Judge Paul Farr has led this effort and the task force has met for 18 months. Division Courts will hear all misdemeanors, all small claims matters brought by businesses, and debt collections and evictions. 60-70% of all filings in district court would move to the division courts. These cases are not complex, although the caseloads would be large. He said that appeals would go straight to the Court of Appeals or the Supreme Court. The courts are trying to figure out what the cost is and have outsourced this analysis to the Gardner Institute. He opined that the Wasatch Front cities are the ones who want to hang on the most to their justice courts. He noted that he would rather have litigants show up and engage in the process, which the division courts may encourage.

The guests were excused, and the Commission then discussed the presented items.

### 3. Action Items

#### 3.1 Appoint Commission Ex Officio Members: Katie Woods

Ms. Tangaro moved to appoint the ex officio members listed in the materials. Mr. Morse

seconded. The motion carried.

### **3.2 Appoint Committee Chairs: Katie Woods**

Ms. Woods noted that Lauren Shultz would be the NLTP chair. Tyler Young moved to appoint the committee chairs listed in the materials with that addition. Chrystal Mancuso-Smith seconded. The motion carried.

### **3.4 Appoint Commission Liaisons: Katie Woods**

Ms. Mancuso-Smith noted that she was already attending the Pro Bono Commission and Matt Hansen said he was already active with the Prosecution Council so that may mean Tracy Gunderson could be excused as liaison. Ms. Woods said there may be some movement on the liaison assignments as those details are sorted out.

Mark Morris moved to appoint the commission liaisons listed in the materials. Shawn Newell seconded. The motion carried.

## **4. Discussion Items**

### **4.1 2023 Summer Convention Location: Katie Woods**

Ms. Woods noted that the Bar does not currently have a contract in place for Summer Convention 2023. She noted that there is historical data in the materials on attendance numbers. Summer Convention attendance at out-of-state locations has declined over the years. She noted that it has become more costly to travel out of state. The Fall Forum and the Spring Convention have better attendance and better revenue. She proposed building out the Fall Forum and Spring Convention and broadcasting the annual meeting throughout the state. She noted that the annual meeting is required.

Ms. Wright noted that this year's Summer Convention took a loss, which is partially explained by the unprecedented fuel and inflation costs. She noted that this was true despite large sponsorships.

Ms. Tangaro noted the draw of having judges and said she was on board as long as the other conventions were really built out. Ms. Woods said this would include building out the tracks on different types of practices.

Ms. Cordova said it would be beneficial to not get rid of the Summer Convention completely, but rather to have a banquet for the awards.

Ms. Woods noted that the convention would still offer CLE, but it would be virtual. She also proposed having it in June so that people can get their CLE's before the deadline. Mr. Alder noted that it is important to ensure that the Bar keep the vendors involved. Mr. Alder also noted the importance of surveying the members. Mr. Bayles proposed partnering with the local bars to participate in the convention virtually around the state. Mr. Morris noted that the content of the CLE is really critical. He said the practice-specific tracks are very important. Mr. Alder said for

the next 3-4 weeks, there needs to be a big push to build out this new style of convention.

Mr. Morse made a motion to move forward as discussed. Mr. Morris seconded the motion with the amendment that Ms. Woods gets two chairs on board immediately. The motion carried.

Mr. Bayles said the Bar should follow up with the affinity bars to get them involved. Mr. Alder said the Commission should crowdsource ideas on the Summer Convention and send them to Ms. Woods and Ms. Wright.

## **5. 11:00 a.m. Information Items**

### **5.1 ABA Delegates' Meeting: Kim Cordova and Camila Moreno**

Kim Cordova and Camila Moreno reported on this item at the beginning of the meeting.

### **5.2 Judicial Council Report: Margaret Plane**

Ms. Plane reported on the budget process of the Judicial Council and noted that the current discussions are around recruiting and retaining staff and judicial officers, including and especially positions that require law degrees. She noted that Judge Pullan had put a lot of thought into the Supreme Court's budget and its constitutional authority to regulate the practice of law. This goes to the Innovation Office discussions. The Supreme Court would have its own line item that the court spends so that the Judicial Council does not take over the Supreme Court's policy decisions regarding the practice of law.

The Commission then discussed the Innovation Office.

## **6. Adjournment**

The Commission adjourned at 12:15 p.m.

## **7. Executive Session**

An executive session was held.

## **8. Consent Agenda**

The following items were approved by consent:

1. Approve amendments to Fee Dispute Rules to make them consistent with the Rules of Professional Conduct.
2. Approve 2022-23 Committee Charges
3. Approve Minutes of July 6, 2022 Commission Meeting.

