

**Litigation Section Executive Committee
Minutes for January 14, 2009**

The Executive Committee of the Litigation Section met on Wednesday, January 14, 2009, at 8:00 a.m. at the Utah Law & Justice Center in Salt Lake City.

Executive Committee members present or participating by telephone were:

- Gary Anderson
- Sammi Anderson
- Tom Boyle
- George Burbidge
- Patrick Burt
- Ryan Card (BYU Rep.)
- David Castleberry
- Christian W. Clinger
- Ryan B. Frazier
- Jonathan Hafen
- Ryan Harris
- Wayne Klein
- Brian Pattison
- Isaac Paxman
- Dan Steele
- Patrick Tanner

Executive Committee members excused were:

- Keith Call
- Michael Petrogeorge

1. **Minutes.** The minutes of the December 10, 2008 meeting were reviewed and approved.
2. **Financial Report.** Dan Steele reported that he did not receive the financials for the previous month. He believes that requesting additional detail has slowed things down. A report on the financials will be tabled until the next meeting.
3. **“And Justice For All”.** Dan Steele reported that with interest rates dropping, the Litigation Section’s interest on its share of the account would be so small that the amount the Bar would charge to calculate the interest would wipe out the amount of interest. Christian Clinger recommended talking directly to Jeff Eisenberg about the interest issue. Sammi Anderson suggested that Christian Clinger, Sammi Anderson, Wayne Klein, and Dan Steele should set up a meeting with Jeff Eisenberg to discuss this issue. Sammi then stated that she would report to the Committee members in an email.
4. **Mentors.** Sammi Anderson reported that on December 18, 2008, the Utah Supreme Court approved the new lawyer training program. She has attempted to find out how the Section can be of assistance in the mentoring program. The Section discussed using the February quarterly luncheon to publicize and promote the program.
5. **Quarterly Luncheon.** Jonathan Hafen reported that he is trying to do the third week in February, and he stated that it will be on the Bar’s mentoring program.
6. **Spring Convention.** Sammi Anderson reported that the Spring Convention is ready to go. There will be two breakout sessions. One presentation will be on Twombly and the other will be on persuading judges. The panel discussion on persuading judges has been moved to Saturday to accommodate the schedule of one of the judges on the panel.

7. **Website.** Dan Steele reported that he has sent an email to Justin Wilde seeking a status update on the website. Dan also reported that Justin has not yet submitted the bill to the Section.

8. **Annual Convention.** Ryan Frazier reported that the attempts to have Mark Glick and his group to participate in a breakout session have fallen through. He also reported that he has been in contact with Fran Wikstrom about a breakout regarding changes to the procedural rules. Jonathan Hafen stated that he could also speak to Fran and others to put together a panel for to discuss the changes. He also stated that he will speak with Mark Glick about the expert breakout.

9. **Clarence Darrow Type CLE.** This issue was tabled.

10. **Supporting State Court Judges.** Sammi Anderson suggested that some Committee members ought to get together with Justice Durham and the Court Administrator to discuss other ways in which the Section can support State Court Judges.

11. **Bench Books.** Ryan Harris reported that there have not been any additions to the Bench Books in the last month. Dan Steele suggested that Ryan Harris circulate a list of the judges that still need to have a bench book posted on the website so that individual members of the Section can contact those judges. Ryan Harris stated that he would do so.

12. **BYU Relations.** Isaac Paxman reported that he met with Ryan Card and discussed how practitioners and students can collaborate in writing projects. Isaac said that he will talk with David Castleberry regarding having law students and practitioners jointly write Bar Journal articles.

13. **Issues from the Bar.** Christian Clinger raised two issues. First, he reported that the courts are facing severe budget cuts which will mean there will be no new judges and that a potential furlough of court staff. He also reported projections that trial dates will be pushed out. Second, he raised a proposal to tax services, including attorneys fees. He stated that the Bar believes this is an access to justice issue and feels that the Bar will be addressing that.

14. **Golf and CLE.** Dan Steele raised an issue on how to proceed with the Golf and CLE in light of the budget discussions. The issue was tabled until the budget can be evaluated. Nevertheless, Gary Anderson will book facilities for the Logan Golf & CLE event.

The meeting adjourned at approximately 8:55 a.m. The next meeting will be held on February 11, 2009, at 8:00 a.m.

Dated this ___ day of February, 2009.

For the Executive Committee

Ryan B. Frazier
Secretary