

# BAR & BENCH

## SALT LAKE COUNTY BAR ASSOCIATION

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JUNE 2023

### President's Message

by Mark Kittrell

Salt Lake County Bar Association President

Much has recently been written about the perils of artificial intelligence, and chief among the more immediate concerns for those in our profession is whether A.I. can supplant what we do on a daily basis. While there have been some concerns about attorneys using A.I. for legal work and thus showing that A.I. isn't quite ready for prime time in the legal arena, I'm wondering if it can handle and ease my anxiety about writing a President's Message to my colleagues and peers.

*Dear Members of the Salt Lake County Bar Association,*

*As I sit down to write this message, I can't help but reflect on the rollercoaster ride of a season we've had here in Utah. The snowfall this past winter was nothing short of extraordinary, with mountains of snow blanketing our beautiful state. While we've always been proud of our winter wonderland, I think we can all agree that it's time to bid adieu to the snowflakes and embrace the warmth of the sun that now graces our days. With the change in weather, I am thrilled to invite you all to our upcoming Spring Dinner and Election of Officers event at the prestigious Salt Lake Country Club on June 16.*

*But before we dive into the details of our exciting upcoming event, let's take a moment to recap the fantastic Continuing Legal Education (CLE) events we've had this spring. We started with the highly informative Joanna Schwarz CLE event at the*

*esteemed Alta Club. The insightful discussions and presentations left us all with a deeper understanding of the ever-evolving legal landscape.*

*Next, we brought together seasoned attorneys and trial judges for our Trialapalooza CLE. This interactive session provided a unique opportunity for attorneys to delve into the intricacies of trial practice and gain valuable insights from the experienced members of our judiciary.*



Mark Kittrell

*Who could forget the delightful Caputo's CLE? We indulged in delectable food and drink from Caputo's while expanding our knowledge of Utah's laws regarding alcohol. It was a tasteful way to learn and connect with fellow legal professionals.*

*Speaking of connections, our social event for law students and members proved to be a huge success. It was heartening to witness the exchange of ideas and experiences between the bright minds of our future legal community and the seasoned members of our organization. These networking opportunities are crucial for fostering a strong and supportive legal community.*

*I want to take a moment to express my sincere gratitude to our dedicated board and our incredible membership. Without your unwavering support and active participation, this year's programming would not have been possible. Your enthusiasm and engagement have made my tenure as president of this*

## President's Message Continued

*esteemed organization incredibly rewarding. I am truly humbled by the talent and passion that exists within our legal community.*

*And now, for a lighthearted moment, I must share an amusing anecdote that has made its way to my ears. It appears that even our esteemed attorneys can sometimes fall prey to the temptations of technology. Rumor has it that one enterprising lawyer was caught red-handed using false case citations obtained from none other than ChatGPT, an AI language model. While we appreciate the resourcefulness, let us all remember that the best legal arguments come from thorough research and genuine expertise. So, my friends, let's keep our legal knowledge grounded in reality and leave the creative writing to our cherished authors.*

*As we bid farewell to this year, let us look forward to the upcoming Spring Dinner and Election of Officers event, where we can celebrate our accomplishments and welcome the new leadership of our organization. With sun-kissed days and warm temperatures on the horizon, I have no doubt that this event will be nothing short of fantastic.*

*Thank you all for your continued support, dedication, and camaraderie. Together, we have made this year one to remember. I am honored to have served as your president, and I look forward to the exciting opportunities that lie ahead for our Salt Lake County Bar Association.*

*Warm regards,*

*[Your Name] President, Salt Lake County Bar Association*

Chat GPT may not be a great lawyer, but it might make for a decent County Bar President. I, for one, welcome our ChatGPT overlords (as it relates to drafting messages for professional newsletters).

Before I forget, I want to take a moment to recognize our first scholarship recipients: Emma Russell and Paulina Barboza. Please check out their write-ups in this issue. And, finally, I want to sincerely thank the SLCBA Board and membership. The past 15 years of

service to this organization and its members has been among the highlights of my legal career. It's where I have made friendships that have made the practice of law enjoyable and rewarding. I look forward to seeing many of you at the Spring Party. If I look like I might be enjoying myself a little too much, apologies in advance!

## Judicial Profile

### Judge Coral Sanchez

**By: Mike Lehr**

Judge Coral Sanchez was nominated to the Third District Court by Governor Cox in December 2022 and took the bench in January 2023. Mike Lehr sat down with Judge Sanchez (virtually) to discuss her background and her first few months as a judge.

Raised in South Central Los Angeles by immigrant parents, Judge Sanchez never envisioned herself attending college, let alone law school. Almost no one from her neighborhood went to college and it wasn't until a sixteen-year-old Judge Sanchez helped an older friend with college school work that she realized attending college was possible.

Always a good student who loved learning and voracious reader, Judge Sanchez applied to colleges close to home in Los Angeles and was accepted and enrolled at the University of Southern California. While at USC, Judge Sanchez studied the American legal system and was taken by the idea of resolving disputes in a courtroom through the presentation of evidence and argument. This was different than what she had experienced growing up in her neighborhood where disputes were often resolved with violence, or in Mexico—where her parents were born—where bribery and corruption were common. She decided to apply to law school and, looking to live somewhere other than Los Angeles for the first time, decided to attend the University of Utah in Salt Lake City, a place she had never been before.

Judge Sanchez arrived on campus in August 2000 not knowing a soul. Although there were some difficulties adjusting to life in Salt Lake, Judge Sanchez quickly decided that as a lawyer she wanted to be in the courtroom presenting evidence and making arguments and that criminal law would offer more courtroom opportunities than civil cases. To get a better idea of what a prosecuting attorney's job

entailed, she clerked at the Salt Lake County District Attorney's Office during law school, where she would ultimately end up spending over a decade of her career.

Judge Sanchez never intended to stay in Utah. She assumed she would head back to Los Angeles after law school where she would begin her career as an attorney. But she fell in love with all Utah has to offer (the outdoors, high standard of living, less expensive and less traffic than LA), met her husband, and decided to stay. She began her career as an associate city prosecutor in the Salt Lake City Prosecutor's Office and, shortly thereafter, moved to the Salt Lake County District Attorney's Office where she served as a deputy district attorney.



Judge Coral Sanchez

Judge Sanchez spent the next fourteen years at the District Attorney's Office eventually becoming the Special Victims Unit chief where she focused on prosecuting difficult and sensitive cases including child physical and sexual abuse, child homicide, adult sexual assault, and domestic violence. She then moved to the Davis County Attorney's Office where she handled the same type of cases. In her role with Davis County prior to her appointment to the bench, Judge Sanchez served as the Special Victims Unit division

chief where, in addition to various other duties, she supervised the Children's Justice Center and helped guide Davis County policy while serving as a liaison between the County Attorney, County Commission, and Attorney General's Office. All told, Judge Sanchez tried over 100 jury cases during her career as a prosecutor fulfilling her ambition of being in the courtroom as much as possible as an attorney.

Her experience and desire to remain in the courtroom influenced Judge Sanchez's decision seek a position on the Third District Court. During her interview with Governor Cox, Judge Sanchez and the Governor connected on their shared interest in running and

## Judge Coral Sanchez

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realized that they both recently ran the St. George half marathon. Ultimately, the Governor nominated Judge Sanchez in mid-December and she was confirmed on December 29, 2022.

When asked about what has stood out in her first few months as a judge, Judge Sanchez pointed to two things. First, the kindness and skill of her colleagues. Every fellow Third District Judge has reached out and offered help which has allowed Judge Sanchez to hit the ground running. And, second, consistent with her love of learning, Judge Sanchez has enjoyed the variety of work on a judge's calendar which has already allowed her to deal with a broad scope of issues in both the criminal and civil context.

## Practitioner Profile

Jackie Rosen

**By: Dani Cepernich**

Looking at her resume, you might expect to find Jackie Rosen on Capitol Hill or working in international affairs rather than finishing her first year as an associate with Fabian VanCott. But, she couldn't be happier than where she is.

Jackie obtained her undergraduate degree in international studies from the University of Utah. This major allowed her to continue her study of Chinese, which she had started in high school. It also afforded Jackie the opportunity to travel to Cuba for two weeks in connection with a class on Cuban-American relations. While in undergrad, Jackie worked at the University of Utah Library in the Western Americana special collections, cataloguing and pricing donations. She recalls working on a particularly interesting large collection donated by the Salt Lake Ladies Literary Society.

Jackie also spent three sessions at the Utah Capitol working as a Constituent Services Specialist for the House Democrats, and primarily the leadership team. In that role, Jackie was responsible for answering constituents' questions about what proposed legislation meant for them and helping to point constituents in the right direction to have their questions answered or their voices heard. She enjoyed the collaborative nature of the work, and getting to experience the real-life impact legislation has on individuals.

Her involvement in politics continued after graduation, when she moved to Rhode Island with her then-boyfriend, who would later become her husband. During the year the two lived in Providence, Jackie worked as a research director on incumbent Gina Raimondo's successful campaign for her second term as Governor of Rhode Island. Following Governor Raimondo's reelection, Jackie worked as a policy advisor in the Executive Office of Commerce.

Her experience at the Utah State Capitol and working

with Governor Raimondo triggered an interest in going to law school. As a native of Murray, Utah, Jackie was set on returning home. She took a (well-thought-through, calculated) gamble and only applied to the U.

Having begun law school in September 2019, Jackie feels fortunate to have experienced most of her first year in the pre-COVID times. She was able to develop close relationships with her classmates during those months that carried through the rest of her law school tenure, even after classes went virtual after spring break of their first year.

Jackie and her husband got married in November 2019, which she reflects made studying for finals a bit more stressful than it otherwise is during first semester of your 1L year. Winter break allowed them to honeymoon in Puerto Rico.

During her first summer, Jackie worked at the Salt Lake City Attorney's Office, where she enjoyed working on research issues including sidewalk liability and constitutional issues. She was a member of Law Review her second year, and an Executive Text Editor her third year.

The fall of her third year, Jackie additionally externed with the Independent Redistricting Commission with its general counsel, Ray Quinney & Nebeker. As you may recall, the Independent Redistricting Commission is the advisory body that was created following the 2018 passage of Better Boundaries' ballot initiative Proposition 4 and the subsequent 2020 legislative amendments, S.B. 200. As the Commission prepared three proposed redistricting maps for each the House, Senate, and State School Board, Jackie was able to assist with research projects, including compliance with the Open and Public Meetings Act. Although the Utah Legislative Redistricting Committee ultimately did not adopt any of the maps proposed by the Commission, Jackie is grateful for the opportunity to have been part of the



Jackie Rosen

## Jackie Rosen

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process and to have gotten to work with the Commission, which included former Justice Christine Durham and Former Judge William Thorne.

After graduation, Jackie returned to Fabian, where she had spent her second summer during school. She was drawn to Fabian because of its potential to allow her to experience a broad range of practice areas. In the time that she has been practicing, Jackie has found this have proven true. She has been able to work on a variety of civil litigation matters, contract disputes and those involving administrative law, as well as a few plaintiff cases.

Although relatively new to the legal community, Jackie is already an active member—she is a member of the Watkiss-Sutherland Inn of Court and enjoys attending Salt Lake County Bar events (though she did admit to missing the Holiday Dinner Dance in order to cheer on the Utes). She also recently became a member of the Sugarhouse Park Authority Board of Trustees. The Sugarhouse Park Authority, which Harold Fabian was instrumental in establishing in 1957, maintains and operates Sugarhouse Park.

In her free time, Jackie is an avid reader. At the beginning of the year, Jackie was actively reading nineteen books. Although she tends to read more fiction than non-fiction, Jackie recommends *Sapiens: A Brief History of Humankind* and its sequel, *Homo Deus: A Brief History of Tomorrow*.

Inspired by her time in Puerto Rico and Cuba, Jackie is something of a tiki cocktail connoisseur. Because of the limited selection of liqueurs at the State Liquor Store, Jackie has taken to making her own liqueurs for tiki cocktails, such as allspice dram—a staple. She has a theory that rum will be the next liquor to have a moment once the mezcal and tequila market becomes a bit saturated. Based on the prevalence of tiki drinks at bars and even new bars that specialize in such cocktails, we have to say she might be right.

Whether you see Jackie at a tiki bar, cross-country skiing at Mountain Dell (a new hobby), or at a local bookstore, be sure to say hello and welcome her to the Salt Lake County Bar.

## Meet Utah's New United States Attorney

By: Judge Michele Christiansen Forster

The Honorable Trina A. Higgins was nominated by President Biden on January 21, 2022 and confirmed by the United States Senate on April 27<sup>th</sup> as the first woman to serve as a presidentially appointed United States Attorney in Utah. Prior to her confirmation, Ms. Higgins served at the United States Embassy in Valletta, Malta, as the Mediterranean Regional Legal Advisor for the Department of Justice. Ms. Higgins previously served as an Assistant United States Attorney for more than 20 years prosecuting hundreds of cases and began her career as a Deputy District Attorney. Higgins graduated from Weber State University with a B.A. in 1992, and earned her law degree from the University of Utah S.J. Quinney College of Law in 1995.

Trina and I sat down to talk about her new role and what her appointment means to her and to the State of Utah. As the United States Attorney for the District of Utah, Higgins serves as the top federal law enforcement official in the State of Utah. She represents the United States in civil and criminal cases in federal court. Higgins said that the US Attorney's Office will implement the Department of Justice priorities under Attorney General Merrick Garland to uphold the rule of law, keep our country safe, and protect civil rights, while also focusing on specific areas of concern in Utah. One particular area of focus for Higgins and her staff will be on financial crime because the citizens of Utah are disproportionately victimized by fraud.

Higgins said she is honored to have this opportunity and is excited for the challenges ahead. She identified women leaders in the office who mentored her—Carlie Christensen, Judge Brooke Wells, and Barbara Bearnson—and others who served in leadership positions in the office—Utah Supreme Court Justice Diana Hagen and Andrea Martinez. These women

Trina A. Higgins

“demonstrated exceptional leadership skills and served the United States with great distinction.” Higgins hopes to use the skills learned from these women to enhance the US Attorney's Office's ability to serve and protect the citizens of Utah.

As someone who has prosecuted in both state and federal court, Trina notes that the biggest differences between the two criminal justice systems are the use of the grand jury in the federal system and indeterminate sentencing in the state system. The federal grand jury investigates offenses against the United States and indicts defendants for felony offenses based on a probable cause determination. In state court, most defendants are charged with felony offenses by the prosecuting office and later have a preliminary hearing where a judge makes the probable cause decision.

In terms of sentencing, federal judges sentence convicted defendants to a specific number of months. In the state system, if a judge sentences an offender to prison, the sentence is set forth as a range and it is up to the Utah Board of Pardons and Parole to determine the actual length of the sentence.

Trina was not planning to go to law school or be a prosecutor. In fact, growing up in West Bountiful, riding horses and roping cattle, she did not know any attorneys and did not think about a career in the law until a professor at Weber State University convinced her she should apply to law

school. And this community should be glad she took that advice. From her time at the Salt Lake County District Attorney's Office through 20 years at the United States Attorney's Office, Higgins has handled numerous noteworthy cases. She has been recognized as one of Utah's most outstanding trial attorneys as a Fellow in the American College of Trial Lawyers and has handled all of her cases with compassion and dedication and an emphasis on justice. Many cases left a lasting impression on Trina and impacted her approach to this job. Trina recalls several violent-



U.S. Attorney  
Trina A. Higgins

## Trina Higgins

Continued

crime cases that stand out, including one involving a young Ute Tribal member who starting at age eight was sexually assaulted by her foster brother for nearly a decade, the prosecution of a Native American Medicine Man who raped a disabled woman in his care, and the murder of Millard County Deputy Sheriff Josie Greathouse Fox. A few years ago, US Attorney Higgins started working financial crime cases, including Ponzi schemes and one investment fraud that involved more than 500 victims, who collectively lost over \$50 million.

On a personal note, I have known United States Attorney Trina Higgins for 31 years (we met the very first day of law school) and have never known her to be intimidated by anybody. This amazing person is down to earth and has a big heart, but she is also as tough as nails. Trina acts with integrity and does what is right at all times and I think that is the kind of mentality one needs to be the top law enforcement official in the State of Utah. I am lucky to call her my friend.



## TV Review

**By: Brady Rasmussen**

“It’s that damn [Ryan Reynolds]! He’s so hot right now!”

But this isn’t an article about Ryan Reynolds. At least not entirely. The rightful subject of this article is an obscure Welsh town and its low-level professional soccer club. A town and a team that would have remained out of our minds if not for the golden touch of Hollywood.

Wrexham A.F.C. is a Welsh football (soccer) club based in Wrexham, Wales. It’s one of the oldest professional football teams in the world and plays home matches at the world’s oldest international football stadium – The Racecourse Ground. Unfortunately, its modern history is not as rich. The last decade has seen Wrexham toiling in the lowest tier of the English football leagues, regularly teetering upon financial collapse. That all changed in 2020. The beginning of this red-carpet story.

Because it’s every American boy’s dream to own a professional sports team, in the fall of 2020, Ryan Reynolds and his bestie actor pal, Rob McElhenny (of *It’s Always Sunny in Philadelphia* acclaim), bought the Wrexham football club. (I’m not jealous.) The purchase was just part of the plan. Deciding Wrexham was destined for the big screen, the new owners began a documentary series of their purchase and the club, calling it *Welcome to Wrexham*.

*Welcome to Wrexham* aired in 2022 and follows the plight of Rob and Ryan in becoming owners and managing the football club, as well as focusing on the team and its supporters. While the goal of most any sports team is to win its league, the English football system holds a bigger carrot. In the system, the best teams in a league are “promoted” to a higher league with the worst teams “relegated” down to a lower league. With promotion comes the spoils that a bigger league offers.



### Welcome to (a review of) Wrexham

In the quest for promotion, Rob and Ryan lean on the force of fame, attracting Wrexham F.C. sponsors like TikTok, Expedia, Vistaprint. In a brilliant source of win-win cross marketing, the team is also sponsored by Mint Mobile and Aviation American Gin both of which are majority owned by Ryan Reynolds.

The owners also understood that every strong team and drama story requires a strong supporting cast. While having a winning pedigree of experience, they hired a new coach who appears destined to break the Guinness World Record for number of curse words used in a halftime speech. (That may be an imagined and unofficial record.)

They signed Paul Mullin, a goalscoring workhorse, dare I say superhero, adored by fans with the boisterous chant:

*We’ve got Mullin*

*Super Paul Mullin*

*I just don't think you understand*

*He plays in red and white*

*He's ducking dynamite*

*We’ve got super Paul Mullin*

Then, there’s the featured local fans offering the sentimental touch. Like the owner of the Turf pub, which sits next to the Racecourse stadium and serves as a gathering place for Wrexham supporters, whose life and business is intertwined with the success of the team.

*Welcome to Wrexham* is like a real life take on the dramedy *Ted Lasso*. Will they earn promotion? Will they win the hearts and minds of the town supporters and TV viewers? While not quite The Beatles, Wrexham is coming to America this summer to play a series of matches against American teams and the English juggernaut Manchester United.

I guess we truly are suckers for Cinderella stories, and...Ryan Reynolds.

## Meet our First Scholarship Recipients

During the 2022 Summer Party last August, the Salt Lake County Bar Association announced the SLCBA Endowed Scholarship at the SJ Quinney College of Law. This scholarship fund will financially assist students who intend to practice law in Salt Lake County after graduation, with preference given to students who have experienced hardship and have demonstrated resilience and grit in the face of such adversity.

We are pleased to announce the first two recipients of the SLCBA Endowed Scholarship: **Emma Russell** and **Paulina Barboza**. We look forward to welcoming you to the Salt Lake County Bar upon graduation!

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### Emma Russell

As one of many out-of-state transplants, I am grateful to the Salt Lake legal community for graciously welcoming me. Growing up in a military family, I have moved 23 times in 26 years. Six years ago, I was working for the State Department in Bangladesh when a terrorist attack abruptly cut my job short. Like countless others in our community, law school represented a second chance to reset my career and explore new passions. I exclusively applied to schools in Utah with the determination to invest my efforts locally and establish a network of future colleagues. Today, I am humbled that the community I longed for throughout my life has chosen to invest in me through the Salt Lake County Bar Association Scholarship.



### Paulina Barboza

I am the daughter of immigrants, a first-generation college graduate, and a member of the Latinx community. Most importantly, I am a mother to my 5-year-old son. I am committed



to making the world more inclusive for him. I am incredibly thankful to have received this year's Salt Lake County Bar Association Endowed Scholarship. I am determined to succeed in a career in the public interest. This award has allowed me to continue pursuing this goal. I came to law school to become involved in government and progressive public policy. I want to utilize my legal career to advocate for underrepresented communities, social justice, and human rights in Salt Lake City, Utah. I am excited to get involved with the Salt Lake County Bar Association, be mentored by exceptional attorneys, and establish myself in the Utah Legal Community. I am eager to join those in Utah making extraordinary progress in addressing the challenging issues and progressive policy in our community.

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Thank you to all those who have donated to the SLCBA Endowed Scholarship. The scholarships given to Emma and Paulina would not be possible without your support. Our goal is to raise \$5,000 each year so that we can continue to support the legal education of similar, wonderful students. Please consider a donation, which can be made [here](#).



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