

PRESIDENT'S MESSAGE

by *Jeffrey J. Hunt*
Salt Lake County Bar President

The Utah Legislature has adjourned and, in lieu of the Salt Lake County Bar's annual legislative review CLE seminar, I have been asked to review the significant statutory offerings from this year's session. Here are a few of the highlights:

- H.B. 00001 (Attorney Fee Arbitration Act) - The first piece of legislation passed this year, this bill was sponsored by Rep. M.D. Welby, R-Deweyville, and requires mandatory arbitration of all fee disputes between clients and attorneys. Under the bill's provisions, the client and the attorney each pick one arbitrator, who jointly selects a third arbitrator from a list of IHC-approved physicians. The bill also caps fees in complex commercial cases with no redeeming social value at \$450 per hour and increases compensation for court-appointed counsel in death penalty cases to \$65 per hour. Although the Bar lobbied against this bill, it seems like a fine piece of consumer-protection legislation to me.

- S.B. .357(MAG) (Courthouse Gun Locker Act) - Sponsored by Smith N. Wesson R-Ibapah, this bill resurrects the courthouse gun locker concept, which got caught in the cross-hairs of then-Presiding Third District Judge Ron Nehring some years ago. Under the provisions of this bill, all persons carrying loaded machine guns, machine pistols, and sawed-off shotguns with deer loads will be required to check their weapons at the front desk. The guns will be lockered and their owners will



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receive a claim check. Persons carrying a valid concealed weapons permit will be allowed to carry their weapons "anywhere in the courthouse without restriction, except in Judge Tim Hanson's courtroom." All judges will be required to pack heat (to make it even).

- H.B. 09999 (Lawyer Civility Act) - Sponsored by M. Wilkins Durrant, R-Hamlin Valley, this was the last bill to be passed this session. The bill requires all lawyers to act with civility, professionalism, and integrity, subject to the following exceptions: (i) you are an SOB litigator, everyone in town, including the judges, knows it, the only reason you get cases is because of it, and if you stopped being a jerk, the rest of the bar and bench would have no one to complain about; (ii) it's a really, really important

case; or (iii) you're dealing with New York counsel.

- S.B. 010101 (Courthouse Art Liberation Act) - Sponsored by D. Snow, D-Torrey, this bill requires removal of the shrouded "Capitol Reef" painting from the Utah Supreme Court. The painting will be transported to a copy machine, reduced to one-tenth size, and hung in the courthouse cafeteria with a miniature shroud installed. The bill, pushed by the Utah Beef Producers Association, requires the painting to be displayed, in completely unshrouded form, during cafeteria hours. The wonderful student art from the Salt Lake County Bar's Art & the Law Program, which can be seen in Judge Fratto's courtroom among others, will be appropriated by the Utah Supreme Court. The bill mandates increased artistic output from the County Bar's Art & the Law Program to replenish the art supply for the district judges.

Obviously, the legislative output this session only underscores the need for more attorneys to run for the legislature. Meanwhile, don't be greedy, check your guns, be civil, and take a moment to enjoy the art at the Matheson Courthouse.

Happy April Fool's Day.

Justice Tongue Advocates Abolition of Lawyers and Juries. Tongue Advocates Internet Compurgation, American Idol and Oprah Winfrey Paradigms

Editors Note: We are shocked at the behavior of Justice Tongue! Although the good justice is normally irascible when bombarded with what he ruefully categorizes as the "inane," he has been dutiful in his responses. In this instance, however, he has fired back a response question scribbled on a napkin with what looks like smatterings of a Carl's Jr. hamburger with a clear red imprint from the base of a wine glass. We do not quite know what to think, but in the interest of editorial integrity, believe we should give you the raw product.

From the Tongue!

Well, this tears it! I'm tired of all your silly questions. It's time for me to ask you boobs a question or two. For instance, why in the world are we wasting millions if not billions of dollars on this slow, grinding, inefficient mechanism of "American jurisprudence?" Maybe it should be better entitled "American jumbled imprudence."

Open your eyes. Don't you see the technological advances available to us by which we can eliminate this inefficient, process-bound pageantry we call justice?

Yes, that's right. Get rid of the judges. Get rid of the lawyers. And get rid of the juries. Internet and tv is the answer; interfaced with one of the tried and true means of resolving disputes, viz compurgation. Decide cases the same way we pick the American Idol. Let them come on stage, do their number, and see who votes them up or down. We could put the Greeks to shame. Their grand juries were 1,500. Ours could be 15,000 or 15,000,000. We simply need to get it on tv or the internet and get the populace voting. No rules, no standards, no evidentiary bars. You got a dispute, you just simply show up for the video and off it goes into cyberspace. For a moderator, see if Ryan Secrist is busy or get his analog. No more judges – just hosts. Here we go. Video the plaintiff and the defendant, attach the e-mail and 800 number and see what the answer is. No need

for appeals to higher courts. This is the appeal.

If the parties do not want a vote up or down and want to go the mealy mouth mediation route, put them on an Oprah show. These shows could be playing nonstop in all the communities. The audience could be calling in at all hours, giving the parties a clear signal on how it should all be resolved.

The wave of the future is pop culture. We should finally give in. And the popular should prevail and the unpopular should slink back into anonymity. No more struggle. No more sacrifice. No more discipline. No more rules. All hail to the mob!

SLCBA New Releasee Reception

On May 31, 2004, the Salt Lake County Bar Association will host a reception for newly released inmates from Utah's correctional facilities at South Mountain Golf Club. We expect a particularly strong turnout from the judges who so assisted in their reform and rehabilitation. Hunt Bail Bonds has graciously agreed to provide refreshments. This event will be a unique opportunity for client development. Invitations will be following in the mail!

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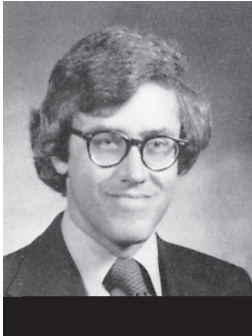
CORAM PARIBUS AD BARRAM

Welcome to special installment of this feature of the Bar & Bench. Those who submitted correct guesses for our January contest were entered into a drawing and the winner was selected at random. Congratulations to Mary Corporon, who correctly identified Alan Sullivan, Brian Barnard, and Judge J. Dennis Frederick. Mary won two tickets to the Salt Lake County Bar Spring Dinner and Casino Night, which will be held at Tuscany on May 21, 2004.

This month we are featuring some of our most famous, and timely, members. For the past couple years, the County Bar has been diverting membership dues into Powerball lottery tickets, with numbers chosen by our esteemed President. Last month, his intuition paid off, and the County Bar is now flush with cash. To give something back to the little people, without whose "dues" this wouldn't be possible, we are offering a special prize to the winner of this month's contest. Whoever is selected as the winner will receive a mostly-full, delicious bottle of Mad Dog 20/20 fortified wine, left over from the last Executive Committee meeting. We like to think of it as a snapshot of a better life. As always, the answers will appear in the following newsletter edition. Please e-mail your guesses to David Reymann at dcr@pwlaw.com.

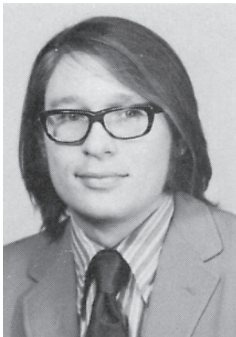
Featured Last Time:

Who Am I?



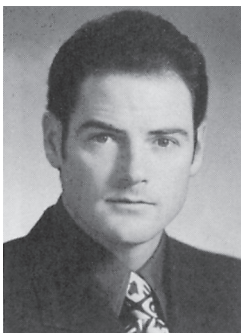
ALAN SULLIVAN

- Learned his craft as a law clerk and errand-boy at Helms Deep
- Avid sushi fan
- Once filed a restraining order against himself in the groundbreaking case *Smiegel v. Smiegel*



BRIAN BARNARD

- Began her career with an internship in the FCC's Indecency Division, but left after an embarrassing "wardrobe malfunction" in her office created an uncomfortable work environment
- Has trouble getting through metal detectors



JUDGE J. DENNIS
FREDERICK

- Left a successful practice in Utah to seek bigger success in Los Angeles, but found that big-city life was not all it was cracked up to be
- Has never heard a legal argument that couldn't be won with a swift elbow to the face



Restaurant Review: Friendly Staff, So-So Cuisine at Northern Exposure

by Julianne Blanch

When I moved to Utah, I was very excited to learn that there is a restaurant named after one of my favorite television shows. Also, I am a huge fan of Alaskan cuisine, so I have wanted to try Northern Exposure for a long time. I asked my friend Colin King to accompany me to Northern Exposure so we could review the lunch. He warned me ahead of time, though, that he had heard that food is not the big draw of Northern Exposure and that it is best known for its ambience.

We went during the lunch hour with a few other lawyers who for some reason did not want their names mentioned in this review. Northern Exposure is a private club, so we purchased a membership from Paulina, the very pleasant general manager. She directed us into the main dining area, which contains pool tables and a stage. To create an intimate atmosphere, the lighting was turned low and the romantic strains of AC/DC and Guns N' Roses provided the background music.

Our waitress, Tiffany, was extremely nice and friendly and chatted with us throughout the meal. She told us she is a "people person," and Northern Exposure looks for that trait in the waitresses it hires. She unnecessarily apologized that she was not at her best, explaining that she was a little sore

from a surgical procedure she had the week before. Despite this, Tiffany was very attentive, and our table gave her a sizeable tip for her service. One of the gentlemen actually handed out several tips to other people, commenting that "everyone here is so good at what they do."

While Northern Exposure gets high rankings for its service and unique atmosphere, unfortunately, the food was a disappointment. Tiffany told us that dinner is their more popular time and that they focus their creative efforts on the evenings. The lunch menu was torn and colorless, leaving one with the impression that the menu is almost an afterthought. The menu contains approximately ten items, including Caesar salad, a ham and cheese sandwich, and a roast beef sandwich. They were out of many of these items, so we ordered chicken quesadillas and hamburgers. The quesadilla was huge and came with ample portions of sour cream and salsa. It was run-of-the-mill for a quesadilla. Colin described his hamburger as average. Our dining companions kept complaining that the pastries were too big and there weren't enough tarts, although I didn't notice a dessert menu.

Northern Exposure plans in mid-March to expand its menu by adding appetizers and offering a wider selection of entrees. I suggested that they add wild salmon, in

keeping with the restaurant's name. Paulina graciously accepted the suggestion but mentioned that while their clientele appreciate anything wild, they don't want to pay more than \$10 for it. She did say that they are always open to experimenting, so the new menu should be exciting.

Northern Exposure has very friendly staff. That may be because they do little things to boost employee morale. For example, we received a calendar featuring employees of the month. It is touching that a restaurant would provide such recognition to its staff. The gentlemen at our table thoughtfully promised Tiffany that they would put theirs up in their offices. Also, they do not have a strict dress code because they want to make sure their employees are as comfortable as possible while working. That is a good thing, because they must not make very good tips. Based on their attire, it appeared they have trouble affording warm winter clothing.

Although the cuisine is subpar, Northern Exposure really goes out of its way to please the customers. We had a short wait for our food, although the others at our table were so engrossed in the ambience that they didn't notice. We didn't complain about the wait, but Paulina felt it was unacceptable and gave us free memberships for a year.

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