

Utah Prosecution Council
Statewide Association of Public Attorneys of Utah
Utah Association of Counties
Utah Counties Insurance Pool

2015 Annual Government Civil Practice Conference
October 14-16, 2015
Moab Valley Inn
711 South Main Street
Moab, Utah

Agenda

Wednesday, October 14th

12:30 Registration Desk Opens

12:45 Welcome and Administration

UTAH ASSOCIATION OF COUNTIES SESSION

1:00 Balance of Powers - A Panel Discussion
The panel will discuss the relationships between the county commission and the various elected officials in county government and focus on potential legal conflicts regarding supervision, hiring and firing, budget decisions and internal management

Gavin Anderson - Deputy Salt Lake County
District Attorney

Jami Brackin - Deputy Summit County Attorney
Johnnie Miller - Chief Executive Officer, UCIP

2:00 Break

2:10 Governmental Immunity - Recent Developments
Description-----

Kent Holmberg - Assistant Utah Attorney General

3:10 Break

3:20 The Utah Association of Counties (UAC) -
Using Our Resources to Advance Your Counties
Interests

Adam Trupp - Director, UAC

4:20 Adjourn

Thursday, October 15th

8:00 Registration Desk Open

8:30 Dodging a Bullet - Tax Sale of Contaminated
Properties
Selling contaminated properties at tax sale may pose significant risk to counties. Understand the due diligence necessary to protect county interests avoid costly mistakes.

Kelly Wright - Deputy Salt Lake County
District Attorney

9:00 Tax Appeals - Land Mines to Avoid
This presentation will discuss appeal procedures before the Utah State Tax Commission and discuss applicable procedures and rules of evidence.

Tim Bodily - Deputy Salt Lake County
District Attorney

Thursday, October 15th (Continued)

9:30 You Are Going Where and For How Long?
Most employers, including governmental entities, have employees who also serve part-time in the Military. This presentation will discuss the rights and responsibilities of employees serving in the military in regards to his/her employers under The Uniformed Services Employment and Reemployment Rights Act.

Bradley C. Johnson - Deputy Salt Lake County Major,
Utah Army National Guard

10:00 Break

10:10 Panel Discussion: The 6th Amendment Right To Counsel - Utah Developments
Following a three year study of Utah's provision of indigent criminal defense trial services, a Task Force, established by the Judicial Council, will publish later this month its report and recommendations to the state, including findings of the 6th Amendment Center Study Report on 10 Utah counties and recommendations for establishment of a Utah Indigent Defense Commission

The Hon. Stephen Roth - Court of Appeals
Richard P. Mauro - Attorney at Law
Jared Eldridge- Juab County Attorney
Ann Marie McIff Allen - Ann Marie McIff Allen, P.C.

11:10 Break

11:20 Officer Involved Critical Incidents: Navigating Troubled Waters
Preparing your city/county for an officer involved Critical incident. Who does what? Rules of the Roles of the county attorney, city attorney, police chief and sheriff. Requirements of the new Utah Code Section 76-2-408. Lessons learned.

Jeff Buhman - Utah County Attorney

12:20 Luncheon Presentation - Lunch Provided
Lawyers Helping Lawyers

Chris Martinez - Attorney at Law,
Legal Aid Society of Salt Lake

Description-----

1:40 Because I Said So! - Protecting Clients from Spoliation Claims

Darcy Goddard - Deputy Salt Lake County District Attorney

Description-----

2:40 Break

2:50 HB 323 - County Resources Management Plans- The Intersection of Federal and State Statutory Requirements
This presentation will examine the statutory and regulatory authorities requiring federal land management agencies to coordinate and cooperate with local governments when revising and maintaining resource management plans; State law (HB 323 2015 general session) governing county resource management plans; and an example and suggested template for coordinating with the U.S. Forest Service.

J. Mark Ward - General Counsel and Public Lands Policy Analyst for UAC

4:30 Adjourn

FRIDAY, OCTOBER 16th

8:00 Registration Desk Opens

8:30 **Lawyering in the Information Age:
Leveraging Information to Win Cases**
We will discuss strategies for protecting your case by properly fulfilling preservation duties; getting the information you need from your client, your opponent and third parties to win your case. We will discuss strategies for using the proportionality limitation in the Utah Rules and the soon-to-be-amended Federal Rules to limit overly burdensome discovery.

Bennet B. Borden - Chief Data Scientist and
Chair Information Governance
and eDiscovery Group,
Drinker Biddle & Reath, LLP

9:30 Break

9:40 **What is an Environmental Crime and Who Do
You Call?**
This presentation will focus on Salt Lake County's Environmental crimes Task Force, benefits of a task force and steps of establish a task force. Case studies of administrative and criminal actions will be discussed.

Alex Huggard - Criminal Investigator,
Salt Lake County Health Department
Ronald Lund - Enforcement Coordinator
Salt Lake County Health Department

10:40 Break

10:50 **Clash of the Titans: The First and Sixth Amendments-
Pre-trial Publicity**
This presentation will examine URPC 3.6, which addresses limits on a attorney's pre-trial decision of matters which might affect a defendant's right to a fair trial. It will discuss the provisions of the rule including the standards in which pre-trial publicity is prohibited and balances those provisions with an attorney's rights of free expression. It will examine potential harms and will focus on case law addressing the two competing interests, including limits on the rule.

Gavin Anderson - Deputy Salt Lake County
District Attorney

1:50 Adjourn

NOTE OF APPRECIATION

Utah Prosecution Council and the Statewide Association of Public Attorneys express deep appreciation to the Utah Counties Indemnity Pool, and the Utah Association of Counties for the financial contribution provided by them and in the planning and presentation of the 2015 Government Civil Practice Conference. The professional and knowledgeable staffs of these organizations bring important expertise and experience to the conference planning process and to the presentations of the conference agenda. Their financial assistance enables UPC to stretch its training budget. Thank you UCIP and UAC!

