

2008

Jennifer Hawks v. Jeff Hawks : Brief of Appellant

Utah Court of Appeals

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IN THE UTAH COURT OF APPEALS

JENNIFER HAWKS,

Petitioner/Appellee,

vs.

JEFF HAWKS,

Respondent/Appellant.

Appellate Court No. 20080649

BRIEF OF THE APPELLANT

APPEAL FROM AN ORDER ENTERED BY THE
SECOND JUDICIAL DISTRICT COURT IN AND FOR THE
COUNTY OF DAVIS, STATE OF UTAH
HONORABLE MICHAEL ALLPHIN DISTRICT COURT JUDGE, PRESIDING

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BRIEF OF THE APPELLANT

STATEMENT OF JURISDICTION

The jurisdiction of this case is vested with the Utah Court of Appeals pursuant to Utah Code Annotated §78A-4-103(h).

REFERENCE TO PARTIES

For purposes of clarity, the Petitioner/Appellee will be referred to as Wife, and the Respondent/Appellant will be referred to as Husband. (Rule 24(d) Utah Rules of Appellate Procedure.)

STATEMENT OF ISSUES

- I. The Court committed an error in awarding alimony without making a determination of the Wife's earning capacity or ability to contribute to her own support.
- II. The Court committed an error in the amount of alimony that was awarded to the Wife.
- III. The Court committed an error in reducing the Husband's budget by deducting his

\$400 per month travel expense.

STANDARD OF REVIEW

The failure of the trial court to consider one of the factors required in determining alimony constitutes an abuse of discretion. *Rehn v. Rehn*, 974 P.2d 306 (Utah App. 1999) The Court will not overturn a trial Court's alimony ruling as long as the court supports its ruling with adequate findings and exercises its discretion according to the standards set by the Appellate Courts. *Willey v. Willey*, 914 P.2d 1149, 1152 (Utah App. 1996)

The Court's factual findings are reviewed for clear error and its conclusions of law for correctness, affording the court some discretion in applying the law to the facts. *Arnold v. Arnold*, 177 P.3d 89 (Utah App. 2008) A trial court's conclusion of law with respect to an alimony award is reviewed for correctness, and a trial court's findings of fact will not be reversed unless they are clearly erroneous. *Breinholt v. Breinholt*, 905 P.2d 877, 879 (Utah App. 1955)

DETERMINATIVE LAW

Arnold v. Arnold, 177 P.3d 89 (Utah App. 2008)

Breinholt v. Breinholt, 905 P.2d 877, 879 (Utah App. 1955)

Child v. Child, 194 P.3d 205 (Utah App. 2008)

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Rehn v. Rehn, 974 P.2d 306 (Utah App. 1999)

Schaumberg v. Schaumberg, 875 P.2d 598, 602 (Utah App. 1994)

Stevens v. Stevens, 754 P.2d 952, 958-59 (Utah App. 1988)

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Rule 24(a)(9) Utah Rules of Appellate Procedure

Rule 24(d) Utah Rules of Appellate Procedure

Utah Code Annotated §30-3-5(7)(a)(i)-(iv) (1998)

Utah Code Annotated §30-3-5(8)(a)

STATEMENT OF THE CASE

A Petition for Divorce was filed on January 10, 2007. A trial was held on May 15, 2008. The court took the matter under advisement, and made a ruling from the bench by videotape on May 16, 2008. The Findings of Fact and Conclusions of Law and Divorce Decree were signed by Judge Allphin on July 2, 2008, and entered with the clerk on the same date. The Respondent filed a Notice of Appeal on July 25, 2008.

During the course of the trial Judge Allphin received testimony from Dr. Kristy Farnsworth, PhD, who performed an analysis of employability of the Wife. Dr. Farnsworth testified that the Wife had the capacity to earn an income in the range of \$18,720 to \$21,490 per year or \$1,560 to \$1,790 gross income per month. Judge Allphin did not make a finding as to the Wife's ability to earn an income and contribute to her own support. Judge Allphin found that the Wife had reasonable needs of \$2,238 per month, that the Husband had been paying temporary alimony to the Wife in the sum of \$1,300, leaving her with a deficiency of \$938 per month. Judge Allphin found that if the Wife was awarded an additional \$600 in alimony, that would leave her with a net need of \$338 per month. (Paragraph 15 of the

Findings of Fact). The Court then found, “The Court received testimony from Dr. Kristy Farnsworth, PhD, as to the Wife’s ability to earn an income. The Court finds that the Wife has sufficient ability to get a part-time job to supplement that income to make her whole.” (Findings of Fact, paragraph 16) Based upon these findings, Judge Allphin required the Husband to pay the Wife alimony in the sum of \$1,900 per month. (Findings of Fact, paragraph 17)

The evidence showed that the Husband had travel expenses of \$400 per month. In determining the Husband’s monthly needs, Judge Allphin found, “The Court finds that the Husband’s reasonable monthly needs amount to \$3,207 per month. The Court reduces the Husband’s budget by \$400, which is the sum listed for travel.” (Findings of Fact, paragraph 13) Judge Allphin gave no explanation for why he did not make a determination of the Wife’s ability to earn an income and to contribute to her own support. Likewise, Judge Allphin made no findings as to why he arbitrarily reduced the \$400 for travel from the Husband’s budget.

The Husband maintains that Judge Allphin was required by state statute and by case law to determine the Wife’s earning capacity and her ability to contribute to her support, but failed to do so. The Husband also alleges that the Court inappropriately reduced the Husband’s budget by \$400, which was a valid expense incurred for his travel. The Court did not give any explanation nor make any findings to support his reduction in the Husband’s budget.

STATEMENT OF FACTS

1. The parties were married on January 9, 1976. The parties were separated in September 2005. At the time of the divorce trial, the son was 30 years of age, and the daughter was 24 years of age. (Transcript, page 16)
2. The Wife (Petitioner/Appellee herein), at the time of the trial, was 52 years of age. (Respondent's Exhibit 11, page 2)
3. The Wife filed a divorce proceeding on January 10, 2007. A temporary hearing was held before Commissioner David S. Dillon on April 26, 2007. At that hearing, the Wife requested temporary alimony in the sum of \$1,300 per month, and the Husband (Respondent/Appellant herein) agreed to pay that sum. The alimony became effective February 1, 2007. The Husband continued to pay the \$1,300 in alimony through the 15th day of May, 2008, when it was increased by Judge Allphin's Order, to \$1,900 per month. (Findings of Fact, paragraph 17; Divorce Decree, paragraph 7)
4. The court found that the Husband's gross income is \$82,055 per year, and that his net after taxes is \$5,121.43 per month. (Findings of Fact, paragraph 12)
5. The court found that the Husband's reasonable monthly needs amount to \$3,207 per month. The court reduced from the Husband's budget, \$400, which was listed for travel. (Findings of Fact, paragraph 13) Judge Allphin did not make any findings as to why the \$400 per month was reduced from the Husband's budget.
6. The trial court found that after deducting \$1,300 per month alimony that had been paid by the Husband under the temporary order, and the Husband's needs from his

income, the Husband had a surplus of \$621 per month. (Findings of Fact, paragraph 14)

7. The trial court found that the Wife's reasonable needs were \$2,238 per month. The Husband had been paying \$1,300 in temporary alimony, which left the Wife with a deficiency of \$938 per month. The court found that if the Husband paid an additional \$600 per month in alimony to the Wife, she would be left with a deficiency of \$338 per month. (Findings of Fact, paragraph 15)
8. Judge Allphin found that the Wife had sufficient ability to obtain a part time job to supplement her need of \$338 per month. (Findings of Fact, paragraphs 15, 16) Judge Allphin did not enter any findings as to whether or not the Wife could work full time, or the income she could make if she worked full time, or any reasons for not imputing to her a full time wage.
9. The Wife last worked in 1975, at Newgate Mall, selling pop. During their marriage, she worked for a limited time as a care giver for her sister's boy, making approximately \$300 per month. (Transcript, page 40, 41)
10. The Wife has a GED, which was acquired after the parties' separation, and approximately 1-1½ years before the trial. (Transcript, page 71)
11. The Husband requested, and the court issued a Protective Order against the Wife on April 4, 2007. The Wife was subsequently prosecuted for having violated that order and was required to serve a jail sentence. (Transcript, page 62-63)
12. The Wife was put on probation because of the violation of the 2007 protective order.

Probation required the Wife to obtain a job. The Wife obtained a job at Subway in Layton. On the second day, she was put at the front desk working with the public. She quit her job on that date because, "...I wondered if Jeff had slept with every girl that walked through the door, ok...?" (Transcript, page 65-67)

13. The Wife testified that since January 2003, she had not applied for a job except for the one at Subway. In response to the question about her not applying for a job, she stated, "Why would I when Jeff gave me all this spending money? I'm not that dumb." (Transcript, page 68-69)
14. The Wife stated that she would like to get a job, but that she had done nothing to find a job since the parties' separation and the filing for divorce, with the exception of the Subway job. (Transcript, page 70)
15. The Husband testified that the Wife had the capacity to support herself, and that there was nothing that would prevent her from contributing to her own expenses. (Transcript, page 115-116)
16. The Wife did not testify that she had any health problems that would prevent her from working.
17. Dr. Kristy Farnsworth was called by the Husband as an expert vocational specialist. Dr. Farnsworth has been analyzing employability of individuals for approximately 20 years. Dr. Farnsworth did an evaluation of the employability of the Wife. Her report is marked as Respondent's Exhibit 11. (Transcript, page 154-156)
18. Dr. Farnsworth concluded that the Wife, as of the time of the divorce trial, could

obtain employment starting at \$18,720, and up to \$20,800 per year, as a receptionist or information clerk, and up to \$21,490 per year as a bill or account collector. She concluded that the Wife could earn a higher income after completion of vocational training. (Transcript, page 160-161; Respondent's Exhibit 11)

19. The Wife's counsel, in his closing argument, conceded that the Wife could make about \$6.40-\$6.50 per hour. (Transcript, page 202)

SUMMARY OF ARGUMENTS

- POINT I: THE TRIAL COURT ABUSED ITS DISCRETION BY DETERMINING THE WIFE'S ABILITY TO EARN AN INCOME AND CONTRIBUTE TO HER OWN SUPPORT.
- POINT II: THE TRIAL COURT INAPPROPRIATELY REDUCED THE HUSBAND'S MONTHLY EXPENSES BY \$400, WHICH IS THE SUM THAT WAS LISTED FOR TRAVEL.
- POINT III: MARSHALING THE EVIDENCE.

ARGUMENT

POINT I : THE TRIAL COURT ABUSED ITS DISCRETION BY DETERMINING THE WIFE'S ABILITY TO EARN AN INCOME AND CONTRIBUTE TO HER OWN SUPPORT.

Section 30-3-5(8)(a) U.C.A. states that the court **shall** consider the factors set forth in that section in determining alimony. The term **shall** is mandatory, and not permissive. Sub paragraph (ii) states, "The recipients earning capacity or ability to produce income;"

The obligations of a trial court in determining alimony have been clearly established by the Utah courts. In the case of *Rehn v. Rehn*, 974 P.2d 306, 310 (Utah App. 1999), the

court stated,

“In determining whether to award alimony and in setting the amount, a trial court must consider the needs of the recipient spouse; the earning capacity of the recipient spouse; the ability of the obligor spouse to provide support; and, the length of the marriage. See Utah Code Ann. § 30-3-5(7)(a)(i)-(iv) (1998); Jones v. Jones, 700 P.2d 1072, 1075 (Utah 1985); see generally Childs v. Childs, 967 P.2d 942 (Utah Ct.App.1998). “Failure to consider these factors constitutes an abuse of discretion,” Stevens v. Stevens, 754 P.2d 952, 958-59 (Utah Ct.App.1988), resulting in reversal “unless pertinent facts in the record are clear, uncontroverted, and capable of supporting only a finding in favor of the judgment.” Schaumberg v. Schaumberg, 875 P.2d 598, 602 (Utah Ct.App.1994). Moreover, the trial court must make detailed findings on all material issues, i.e. the Jones factors, which “should ... include enough subsidiary facts to disclose the steps by which the ultimate conclusion on each factual issue was reached.” Stevens, 754 P.2d at 958 (citation omitted).”

In this case, Judge Allphin made no findings of facts or determination as to the Wife’s ability to earn an income and to contribute to her own support. The court’s findings were limited to a finding that the wife had sufficient ability to get a part time job to supplement her income so she could make \$338 per month. (Findings of Fact, paragraph 15, 16) The Wife, during the course of the trial, testified that she wanted to work, but had not attempted to find a job since 2005. (Transcript, page 70) The only exception was when she worked for Subway for 1½ days after the parties’ separated (Transcript, page 43). The Husband had obtained a protective order against the Wife. The Wife violated the protective order and was criminally charged. As part of probation, she was required to get a job. She only worked at the job for 1½ days before she quit. When the wife was asked why she had not applied for employment, she stated, “Why would I when Jeff gave me all of this spending money? I’m not that dumb.” (Transcript, page 69, lines 11-12)

The Wife did not present any evidence indicating that she was physically unable to work. She had suffered a thumb or wrist injury when she got mad and threw something. (Petitioner's Exhibit 11, page 4) Dr. Kristy Farnsworth, a vocational specialist, testified that the thumb injury would not impair her ability to hold the jobs identified in Dr. Farnsworth report. (Transcript, page 172-173)

Dr. Farnsworth, who is qualified as a vocational specialist, and who had 20 years of experience in analyzing the employability of individuals, testified that the Wife could make between \$18,720 and \$20,800 per year in the job market. (Transcript, page 174; 169) \$18,700 annually would amount to \$9.00 per hour for 40 hours per week, for a gross income of \$1,560 per month. \$20,800 per year would amount to \$10.00 per hour for a 40 hour work week, for a gross income of \$1,733 per month. Minimum wage in the State of Utah is currently \$6.55 per hour, or \$1,135 per month. The Wife's attorney, in his closing argument, testified that he believed the Wife could make \$6.40 or \$6.50 per hour. (Transcript, page 202)

At the time of the divorce, the Wife was 52 years of age. No evidence was produced before the court indicating that she could not work or make the income as indicated in Dr. Farnsworth's report.

Under Utah law, it is mandatory that the trial court determine the ability of the spouse to produce a sufficient income for herself, and her ability to contribute to her own support. It is an abuse of the trial court's discretion when it fails to make this finding. It is clear that Judge Allphin did not make a finding as to the Wife's ability to contribute to her own support. A finding that the Wife could work part time to supplement her needs of \$338 per

month does not satisfy the requirement of both state statute and the Appellate Court's rulings. This court, in the case of *Willey v. Willey*, 914 P.2d 1149, 1152 (Utah App. 1996), stated, "We will not overturn a trial court's alimony ruling, so long as the court supports its ruling with adequate findings, and exercises discretion according to the standards we have set." The alimony award in this case, which required the Husband to pay \$1,900 per month, is not adequately supported by the findings, since the Wife's ability to contribute to her own support was not determined. The court found that the Wife's needs were \$2,238 per month, and that the Husband had been paying \$1,300 per month alimony, and that therefore, she had a deficiency of \$938 per month. If the court had imputed to the Wife the income established by Dr. Farnsworth, she would have had adequate sums to meet her deficiency, and therefore, there would be no justification for requiring the Husband to pay more than \$1,300 per month alimony.

The Husband requests this court to determine the income capacity of the Wife, or, in the alternative, to remand this back to the District Court, and require the District Court Judge to determine the income capacity of the Wife, and adjust the award of alimony accordingly.

**POINT II:
THE TRIAL COURT INAPPROPRIATELY REDUCED THE HUSBAND'S
MONTHLY EXPENSES BY \$400, WHICH IS THE SUM THAT WAS LISTED
FOR TRAVEL.**

The Husband's budget was Exhibit 2. The exhibit was received into evidence without any objection from the Wife. (Transcript, page 92-93) The Husband testified that he was required to do extensive traveling with his employment. (Transcript, page 129, 130)

The trial court reduced the Husband's budget by \$400, which is the sum he had listed for travel. (Findings of Fact, paragraph 13) The court gave no reason for this reduction. In discussing a court's finding as to the reasonable needs of a party, the Court of Appeals, in the *Willey v. Willey* case stated:

"The sheer absence of any evidence upon which to base factual findings regarding these adjustments makes them unacceptable. To allow the trial court to impose speculation on the adjudicatory process violates the basic premise upon which our judicial system is founded. All parties are absolutely entitled to a fair and impartial hearing and adjudication of their affairs. That did not occur in this case. We cannot accept the adjustments made in the parties' monthly expenses crafted by the trial court in the apparent pursuit of round numbers. For purposes of our correction of the divorce decree, we accept the amounts the parties submitted to the trial court as reflective of their reasonable financial needs at the time of trial."

Willey v. Willey 914 P.2d 1149, 1152 (Utah App. 1996)

This court, in the case of *Rehn v. Rehn*, addressed the trial court's responsibility in determining reasonable monthly expenses, the court stated:

"The court must state that 'the calculation of monthly expenses is reasonable' and must explain how it arrived at the monthly amount, or at least from the record, allow us to make this determination ourselves. *Id.* Appellant challenges the latter of these requirements arguing that the court abused its discretion by failing to make findings specifically delineating which expenses the court used to determine Ms. Rehn's monthly needs."

Rehn v. Rehn, 974 P.2d 306, 310 (Utah App. 1999)

Judge Allphin did not make any findings as to why he adjusted the travel expenses on the Husband's budget of \$400. The failure to do so constitutes an abuse of discretion. The court's arbitrary reduction of the Husband's budget by \$400, led to the court's conclusion that the Husband had \$621 per month more than his needs. (Findings of Fact,

paragraph 13, 14) It was because of this conclusion that the court ordered the Husband to pay \$600 more per month in alimony, raising the alimony from \$1,300 to \$1,900 per month. The court's failure to justify the reduction of the Husband's monthly needs, in conjunction with the court's failure to determine the Wife's ability to provide for her own needs, constitutes a clear abuse of discretion.

The Husband requests that the court find that the Husband's needs are as indicated on his budget sheet, without the reduction of \$400, or remand this matter back to the District Court for findings as to why the Husband's budget should be reduced by \$400.

**POINT III:
MARSHALING THE EVIDENCE.**

Rule 24(a)(9) of the Utah Rules of Appellate Procedure requires that a party challenging a finding of fact, marshal all evidence that supports the challenged finding. (See also *Child v. Child*, 194 P.3d 205 (Utah App. 2008) It is the Husband's position that the court did not make findings of fact as to the Wife's ability to earn an income and contribute to her own support, and the court did not provide any reason why it reduced the Husband's budget by \$400. The court's failure to make sufficient findings of fact constitutes an abuse of discretion. The court's failure to make sufficient findings of fact would not require the Husband to marshal evidence.

In the event that this court believes that the Husband does have an obligation to marshal evidence, the Husband will attempt to fulfill that requirement.

The Wife was 52 years of age at the time of trial. (Respondent's Exhibit 11, page 2)

The last job of any significance held by the Wife was prior to the parties' marriage, in approximately 1975, when she sold pop behind the Newgate Mall. (Transcript, page 40) During the course of the marriage, she had worked for a short period of time, as a care giver, for her sister's boy. She received some minimal training, and worked about 2 hours per day, about every other day, for approximately two months. She earned \$300. (Transcript, page 41-42) The Wife was required by the probation department to complete her GED, which she did, about 1-1½ years before the divorce trial, and to obtain full time employment. She worked at the Subway job 1½ days, before voluntarily quitting. (Transcript, page 41-45, 65-66, 71) The Wife testified that from the filing of the Divorce Decree, she had not attempted to take any training, because she did not have the money to do so, and because she was trying to help her adult kids, who were strung out on heroin, and needed help desperately. (Transcript, page 72) The Wife testified that she had not applied for a job since January of 2003, but that she would like to get a job. (Transcript, page 69-70)

The Wife's reasonable monthly needs are \$2,238. The court made this finding in paragraph 15 of the Findings of Fact, and neither party challenged the court's findings in this regard. The court found that the wife had sufficient ability to get a part time job to supplement her needs. (Findings of Fact, paragraph 16)

The evidence marshaled in favor of the Wife demonstrates that she did not have a work history during the course of the marriage, that she did work for Subway for 1½ days before she voluntarily quit, and that she wants to find employment, even though she has made no efforts to do so from January 2003 through the time of the trial. The Wife also

presented evidence that she had injured her thumb when throwing an object, but no evidence was produced during the trial indicating that her injured thumb impaired her ability to obtain employment. All of these factors could have been taken into consideration by the trial judge in determining the Wife's ability to contribute to her own support. It is not known whether the court considered these factors, since the court did not discuss in its findings of fact, the Wife's ability to hold a full time job, or the income she could earn from doing so. The court did find that she could hold a part time job to supplement her income, but did not indicate why the job would have to be part time, nor indicate why she could only make \$338 per month at a part time job.

The Wife did not claim that she did not want to work, or could not work. The Wife's attorney stated in his closing argument that the Wife's earning capacity was approximately \$6.40 or \$6.50 per hour. \$6.50 per hour would result in the Wife making a gross income of \$13,520 per year, or \$1,126 per month, which would be less than the current minimum wage of \$6.55 per hour, which would result in a gross income of \$1,135 per month. (Transcript, page 202)

No evidence was produced by the Wife to challenge the budget submitted by the Husband. The Wife's attorney made no objection when that budget was introduced, and did not question the Husband as to the reasonableness of that budget. It is difficult to marshal evidence for the Wife when no evidence was presented contrary to the Husband's testimony of his monthly needs.

If the court were to accept all of the evidence in favor of the Wife, as set forth herein,

that evidence does not justify Judge Allphin's failure to determine the Wife's ability to earn an income and contribute to her needs. In addition, it does not justify Judge Allphin's failure to create findings justifying why he would reduce the Husband's budget by \$400 per month for travel.

CONCLUSION

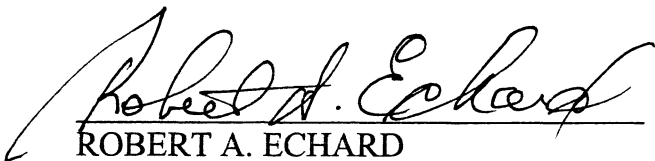
Utah statutory and case law requires a judge to determine a recipient's earning capacity and ability to produce income. A trial judge cannot set alimony without making this finding. The trial court did not fulfill this mandatory requirement. The court received testimony from Dr. Kristy Farnsworth, PhD, who performed an analysis of employability of the Wife. She stated that the Wife could make between \$18,720 to \$21,490 per year. The court made reference to Dr. Farnsworth's report, but only found that the Wife could supplement her income by part time employment. No findings were made by the court to indicate why the Wife, who was 52 years of age, and had no physical impairment prohibiting her from working, could not work full time, or what income she would make if she worked full time. Failure to make that finding constitutes an abuse of discretion, and resulted in the Husband paying alimony significantly higher than was required for the Wife's support.

The trial court reduced the Husband's budget by \$400. Any reduction in the needs of either party, must be supported by the findings of the court. The court made no findings of why it reduced the Husband's budget by \$400. The Husband's budget was entered into evidence without objection from the Wife's counsel. The Wife's counsel did not ask any questions of the Husband concerning the reasonableness of his budget. The court's reduction

of the Husband's monthly needs resulted in the court concluding that the Husband had money for which he could pay alimony to the Wife. The court's failure to make findings as to the reason it reduced the Husband's budget constitutes an abuse of discretion.

The evidence is clear and uncontroverted relating to the Wife's ability to earn an income and contribute to her own support. Likewise, it is uncontroverted that the Husband's monthly needs include the \$400 for travel. The Husband requests that this court make a finding as to the Wife's earning capacity, and the Husband's need for the \$400 travel, and reduce the alimony awarded by the trial court accordingly. In the alternative thereto, the Husband requests that this matter be remanded back to the district court to determine the Wife's ability to earn an income and contribute to her own needs and the Husband's monthly needs, and to reduce the alimony the Husband is required to pay the Wife based upon the amended findings.

DATED this 19 day of November, 2008.

A handwritten signature in cursive script, reading "Robert A. Echard", written over a horizontal line.

ROBERT A. ECHARD
Attorney for Defendant/Appellant

IN THE UTAH COURT OF APPEALS

JENNIFER HAWKS,

Plaintiff/Appellee,

vs.

JEFF HAWKS,

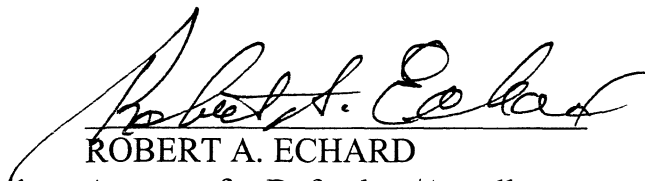
Defendant/Appellant.

Appellate Court No. 20080649

CERTIFICATE OF SERVICE

I, Robert Echard, certify that on Nov. 20, 2008, I served two copies of the Brief of the Defendant/Appellant upon Keith Backman, counsel for Plaintiff/Appellee, Jennifer Hawks, by personally delivering two copies of the Brief of Defendants/Appellants to the following address: Centennial Bank Building, 4605 Harrison Blvd., Third Floor, Ogden, Utah 84403.

DATED this 19 day of November, 2008.


ROBERT A. ECHARD
Attorney for Defendant/Appellant

Tab 1

ROBERT A. ECHARD, 953
Attorney for Respondent
2491 Washington Boulevard, Suite 200
Ogden, UT 84401
Telephone: 801-393-2300
Facsimile: 801-393-2340

IN THE SECOND JUDICIAL DISTRICT COURT OF DAVIS COUNTY
FARMINGTON DEPARTMENT, STATE OF UTAH

JENIFER HAWKS,)	
)	
Petitioner,)	FINDINGS OF FACT AND
)	CONCLUSIONS OF LAW
vs.)	
)	
JEFF HAWKS,)	
)	Civil No. 074700043
Respondent.)	Judge: Michael Allphin
)	Commissioner: David S. Dillon

This matter came on for trial on May 15, 2008. The Petitioner was present and represented by her attorney Keith Backman. The Respondent was present and represented by his attorney Robert Echard. The Court having heard testimony and received exhibits and evidence before the Honorable Michael Allphin. The Court finds the following:

1. The parties were residents of Davis County for more than three months before filing the Divorce Complaint.
2. The parties have suffered irreconcilable differences so the marriage can no longer continue. Each party should be awarded a divorce from the other to become final upon signing by the Court and filing with the Clerk of the Court.
3. The parties were married on January 9, 1976. The parties separated for the last time in January, 2007.

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*Michael
15-08*

4. The parties have two children from the marriage, both of whom are adults.
5. A Temporary Orders required the Respondent to pay alimony to the Petitioner in the sum of \$1,300 per month to begin on February 1, 2007. Said alimony was paid on a regular basis and was current through the date of trial.
6. During the course of the marriage, the parties acquired two homes. One of these homes is located at 2820 Skyview Drive, Layton, Utah and is valued at \$267,000 with no indebtedness owed thereon. The other home is located at 2532 West 1675 North, Clinton, Utah, valued at \$198,000, with no indebtedness owed thereon.
7. The Petitioner should be awarded the property located at 2820 Skyview Drive, Layton, Utah. The Respondent should be awarded the property located at 2532 West 1675 North, Clinton, Utah. Each party shall execute any documents necessary to transfer ownership to the appropriate party.
8. There is a difference in value between the two properties in the sum of \$69,000. The Petitioner should be obligated to pay to the Respondent \$34,500 to equate the difference in the property values. The parties stipulated that the Petitioner could pay the Respondent the said sums by adjusting it from the Respondent's 401(k) account.
9. The equity the Petitioner is receiving from the home being awarded to her will not result in a tax obligation or consequence to the Petitioner. The amount of the Respondent's 401(k) needed to offset the equity owed by the Petitioner is pre-tax and therefore will have a taxable consequence to the Respondent. The Court finds

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that the taxable consequence is \$18,577. Therefore, the Respondent is awarded \$53,077 of his 401(k) account to satisfy the Petitioner's obligation to the Respondent of \$34,500.

10. Each party should be awarded one-half of the 401(k), E-Trade and similar accounts acquired by the parties during the course of the marriage, provided however, that \$53,077 should be deducted from the Respondent's 401(k) funds held with Principal Financial Group, before said funds are divided in accordance with the Woodward Formula. Each party shall provide the other party with the full amount of the balances held in their various 401(k), security, IRA and other similar accounts as of the date of the trial.
11. The Petitioner's counsel should be responsible for preparing a Qualified Domestic Relations Order to divide those accounts in accordance with this Order.
12. The Court finds that the Respondent's gross income is \$82,055 per year. The Respondent's net after taxes is 75% of that sum or \$5,121.43 per month.
13. The Court finds that the Respondent's reasonable monthly needs amount to \$3,207 per month. The Court reduces the Respondent's budget by \$400, which is the sum listed for travel.
14. The Respondent has been paying \$1,300 per month alimony. Deducting this amount from the Respondent's net income after taxes leaves the Respondent \$3,828 per month. Subtracting the Respondent's monthly needs of \$3,207, this leaves the Respondent with \$621 per month.

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15. The Court finds that the Petitioner's reasonable monthly needs are \$2,238 per month. The Respondent has been receiving alimony in the sum of \$1,300, leaving her with a deficiency of \$938 per month. If the Petitioner is awarded an additional \$600 in alimony, that would leave her with a net need of \$338 per month.
16. The Court received testimony from Dr. Kristy Farnsworth, PhD, as to the Petitioner's ability to earn an income. The Court finds that the Petitioner has sufficient ability to get a part-time job to supplement that income to make her whole.
17. The Respondent should pay alimony to the Petitioner in the sum of \$1,900 per month, beginning on the 15th of May, 2008.
18. Alimony duration shall not continue longer than thirty years from the date of this Divorce Decree and shall terminate upon the Petitioner's remarriage, cohabitation or the death of either party.
19. The Petitioner should be awarded the possession of the following vehicles on which she shall assume and pay any indebtedness owed thereon, holding the Respondent harmless:
 - a. 1973 Fiberfoam 19-foot boat;
 - b. 1990 Ford F-250;
 - c. 1976 Ford Granada;
 - d. 2005 Dodge Neon.

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20. The Respondent should be awarded the following vehicles on which he shall assume and pay any indebtedness owed thereon, holding the Petitioner harmless:
- a. Camper;
 - b. 2001 Buick Century;
 - c. 2000 Ford F-350.
21. Each party should be awarded any and all other personal property currently in their possession free of the claim of the other party.
22. Both parties should be restrained from bothering or harassing the other or from having any contact verbally or otherwise.
23. Each party should assume and pay the indebtedness held in that parties name or incurred by that party, holding the other party harmless thereon.

CONCLUSIONS OF LAW

1. The parties should be awarded a Decree of Divorce from each other, which divorce should become final and absolute upon signing by the Judge and filing with the Davis County Clerk's Office.
2. The terms, provisions, and conditions contained in the parties Findings of Fact should be included as part of the court's Decree of Divorce.

Dated this 2nd day of July, 2008.

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ATTORNEY AT LAW

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Michael S. Allphin
MICHAEL ALLPHIN

NOTICE TO COUNSEL

TO PETITIONER AND HER COUNSEL:

You will please take notice that the undersigned attorney for the Respondent will submit the foregoing Findings of Fact and Conclusions of Law to the Judge for his signature upon the expiration of five (5) days from the date this notice is mailed to you, allowing three (3) days for mailing, unless written objection is filed prior to that time, pursuant to Rule 7 of the Rules of Civil Procedures. Kindly govern yourself accordingly.

DATED this 17 day of June, 2008.



ROBERT A. ECHARD
Attorney for Petitioner

CERTIFICATE OF MAILING & FAX

I HEREBY CERTIFY that I mailed and faxed a true and correct copy of the foregoing document(s),

postage prepaid, to the following individual(s):

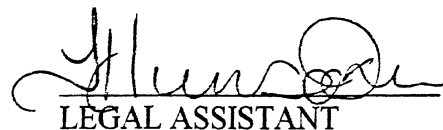
Keith M. Backman
Centennial Bank Building
4605 Harrison Blvd., Third Floor
Ogden, UT 84403
Fax: 479-4804

DATED this 17th day of June, 2008.

ROBERT A. ECHARD
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LEGAL ASSISTANT

Tab 2

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Attorney for Respondent
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IN THE SECOND JUDICIAL DISTRICT COURT OF DAVIS COUNTY
FARMINGTON DEPARTMENT, STATE OF UTAH

JENIFER HAWKS,)	
)	
Petitioner,)	DIVORCE DECREE
)	
vs.)	
)	
JEFF HAWKS,)	
)	Civil No. 074700043
Respondent.)	Judge: Michael Allphin
)	Commissioner: David S. Dillon

This matter came on for trial on May 15, 2008. The Petitioner was present and represented by her attorney Keith Backman. The Respondent was present and represented by his attorney Robert Echard. The Court having heard testimony and received exhibits and evidence before the Honorable Michael Allphin.

NOW THEREFORE, the Court issues the following Decree of Divorce:

1. The parties are awarded a divorce from the other to become final upon signing by the Court and filing with the Clerk of the Court.
2. The Petitioner shall be awarded the property located at 2820 Skyview Drive, Layton, Utah. The Respondent shall be awarded the property located at 2532 West 1675 North, Clinton, Utah. Each party shall execute any documents necessary to transfer ownership to the appropriate party.

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cc client
7-15-08
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3. There is a difference in value between the two properties in the sum of \$69,000. The Petitioner is obligated to pay to the Respondent \$34,500 to equate the difference in the property values. The parties stipulated that the Petitioner could pay the Respondent the said sums by adjusting it from the Respondent's 401(k) account.
4. The equity the Petitioner is receiving from the home being awarded to her will not result in a tax obligation or consequence to the Petitioner. The amount of the Respondent's 401(k) needed to offset the equity owed by the Petitioner is pre-tax and therefore will have a taxable consequence to the Respondent. The Court finds that the taxable consequence is \$18,577. Therefore, the Respondent is awarded \$53,077 of his 401(k) account to satisfy the Petitioner's obligation to the Respondent of \$34,500.
5. Each party shall be awarded one-half of the 401(k), E-Trade and similar accounts acquired by the parties during the course of the marriage, provided however, that \$53,077 should be deducted from the Respondent's 401(k) funds held with Principal Financial Group, before said funds are divided in accordance with the Woodward Formula. Each party shall provide the other party with the full amount of the balances held in their various 401(k), security, IRA and other similar accounts as of the date of the trial.
6. The Petitioner's counsel shall be responsible for preparing a Qualified Domestic Relations Order to divide those accounts in accordance with this Order.

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7. The Respondent shall pay alimony to the Petitioner in the sum of \$1,900 per month on the 15th day of May, 2008.
8. Alimony duration shall not continue longer than thirty years from the date of this Divorce Decree and shall terminate upon the Petitioner's remarriage, cohabitation or the death of either party.
9. The Petitioner shall be awarded the possession of the following vehicles on which she shall assume and pay any indebtedness owed thereon, holding the Respondent harmless:
 - a. 1973 Fiberfoam 19-foot boat;
 - b. 1990 Ford F-250;
 - c. 1976 Ford Granada;
 - d. 2005 Dodge Neon.
10. The Respondent shall be awarded the following vehicles on which he shall assume and pay any indebtedness owed thereon, holding the Petitioner harmless:
 - a. Camper;
 - b. 2001 Buick Century;
 - c. 2000 Ford F-350.
11. Each party shall be awarded any and all other personal property currently in their possession free of the claim of the other party.
12. Both parties shall be restrained from bothering or harassing the other or from having any contact verbally or otherwise.

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13. Each party shall assume and pay the indebtedness held in that parties name or incurred by that party, holding the other party harmless thereon.

Dated this 2nd day of July, 2008.

/s/ Michael D. Allphin

MICHAEL ALLPHIN

NOTICE TO COUNSEL

TO PETITIONER AND HER COUNSEL:

You will please take notice that the undersigned attorney for the Respondent will submit the foregoing Findings of Fact and Conclusions of Law to the Judge for his signature upon the expiration of five (5) days from the date this notice is mailed to you, allowing three (3) days for mailing, unless written objection is filed prior to that time, pursuant to Rule 7 of the Rules of Civil Procedures. Kindly govern yourself accordingly.

DATED this 17 day of June, 2008.

Robert A. Echard

ROBERT A. ECHARD

Attorney for Petitioner

ROBERT A. ECHARD
ATTORNEY AT LAW

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FAX: (801) 393-2340

CERTIFICATE OF MAILING & FAX

I HEREBY CERTIFY that I mailed and faxed a true and correct copy of the foregoing document(s),

postage prepaid, to the following individual(s):

Keith M. Backman
Centennial Bank Building
4605 Harrison Blvd., Third Floor
Ogden, UT 84403
Fax: 479-4804

DATED this 17 day of June, 2008.


LEGAL ASSISTANT

ROBERT A. ECHARD
ATTORNEY AT LAW

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Tab 3



ANALYSIS OF EMPLOYABILITY

CLIENT: Jennifer Hawks

REFERRED BY: Robert Echard, Esq.

EVALUATED BY: Kristy Farnsworth, Ph.D.
Vocational Specialist

DATE: May 13, 2008

I have had an opportunity to complete a labor market survey and analysis of employability based on information provided by Ms. Hawks during the interview of May 13, 2008.

Based on the current labor market, Ms. Hawks' immediate starting salary would be expected to range between \$18,720 and \$20,800 as a Receptionist/Information Clerk up to \$21,490 as Bill and Account Collector. She could enhance her employability and lifetime earnings by attending a vocational training program.

CURRENT VOCATIONAL OPTIONS

1. Obtain employment as Receptionist/Information Clerk at a starting wage of \$18,720-\$20,800 with potential to earn an average wage of \$22,170.
2. Obtain employment as a Bill and Account Collector at a starting wage of \$21,490 with the potential to earn an average wage of \$29,510.
3. To maximize her lifetime earning capacity, completion of a vocational program would result in an expected entry-level salary of \$20,060 as a Secretary. The mid range of wages is \$22,160 - \$32,350. The entry salary for a Customer Service Representative is \$19,500 the mid range of wages is \$21,630 - \$30,630.

METHODOLOGY

The following steps were completed to determine Ms. Hawks' employability:

1. Interview with Ms. Hawks to obtain background information
2. Identification of entry level jobs
3. Identification of the frequency of job openings
4. Identification of current openings listed with the Department of Workforce Services
5. Identification of current job openings advertised in the recent Salt Lake Tribune
6. Review of short-term training programs
7. Identification of potential barriers to employment
8. Establishment of capacity to produce income based on current job opportunities
9. Estimation of annual earnings

REFERRAL INFORMATION

Ms. Jennifer Hawks was referred for an evaluation of employability to identify vocational options available to her in the local labor force. Information for this analysis was obtained during a brief telephone interview held on May 13, 2008, an analysis of her skills and abilities and research of the local labor market.

Ms. Hawks had agreed to meet with me the afternoon of May 13, 2008 to complete vocational testing however I was delayed in Salt Lake City and not able to drive to Layton. If she would like to complete the vocational testing at a later time, I would be available to assist her or to refer her to a local resource.

IDENTIFYING INFORMATION

Ms. Jennifer Hawks is a 52-year-old woman who currently resides in Layton Utah. There are no dependent children in her care

ACADEMICS

Ms. Hawks reported she attended high school until she was a sophomore, and then dropped out. In 2008, she attended Davis Area Technical School and completed the requirements for her GED. She has not completed any formal academic program or vocational training.

LICENSES/CERTIFICATIONS

Ms. Hawks possesses a valid drivers' license but no other professional license or certification.

VOCATIONAL HISTORY

Ms. Hawks stated she is not currently employed nor is she seeking employment.

In the past, she worked as a Cashier at the Pop Shop for approximately *eight months*. *In the early 1990's she worked for several months as a Care Provider for her nephew.* This consisted of caring for him two to three hours per day several days each week.

MEDICAL HISTORY

Ms. Hawks reported she does not have any medical condition that would interfere with her ability to work.

SKILLS AND ABILITIES

Occupation specific tasks and the most important generalized work activities are listed for Cashiers.

Occupation Specific Tasks:

- Answer customers' questions, and provide information on procedures or policies.
- Calculate total payments received during a time period, and reconcile this with total sales.
- Compile and maintain non-monetary reports and records.
- Compute and record totals of transactions.
- Count money in cash drawers at the beginning of shifts to ensure that amounts are correct and that there is adequate change.
- Greet customers entering establishments.
- Issue receipts, refunds, credits, or change due to customers.
- Maintain clean and orderly checkout areas.
- Receive payment by cash, check, credit cards, vouchers, or automatic debits.
- Resolve customer complaints.
- Stock shelves, and mark prices on shelves and items.

Occupation specific tasks and the most important generalized work activities for Personal Care Assistants are:

- Perform health care related tasks.
- Perform housekeeping duties, such as cooking, cleaning, washing clothes and dishes, and running errands.
- Instruct and advise clients on issues such as household cleanliness, utilities, hygiene, nutrition and infant care.
- Transport clients to locations outside the home, such as to physicians' offices or on outings, using a motor vehicle.

EMPLOYMENT OPPORTUNITIES

Based on Ms. Hawks' experience, entry-level jobs were identified using the Utah Metro Occupational Projections publication of the Utah Department of Workforce Services. This publication presents the official State of Utah projections of industry and occupational employment and provides labor market information in the form of labor demand, labor supply and occupational characteristics. The following are examples of jobs that can be learned by short-term on the job training.

JOB	Annual Openings	Entry Wages ¹	Median Wage
Receptionist/Info Clerk	509	\$16,640	\$21,960
Office Clerk	978	\$16,470	\$22,540
Order Clerk	101	\$17,850	\$25,490
Account/Bill Collector	273	\$21,490	\$28,150

The number of annual openings reported in the statistics are only jobs listed with the Department of Workforce Services. Jobs filled by the employer with applicants obtained from other resources including current employees, applicants whose resumes or applications were on file, referrals from current employees, applicants referred from recruiters or applicants known to the employer are not included.

The current wage data provided by the Bureau of Labor Statistics, Office of Employment Projections and Utah Department of Workforce Services labor market information is based on wages paid in 2006². The wage ranges for these positions in the Salt Lake City/Ogden areas are next.

¹ Salt Lake/Ogden Utah Occupational Wages – Published May 2007

² <http://jobs.utah.gov/jsp/wi/utalmis/occwagetitles.do>

Salt Lake/Ogden Metro Area

Occupation Title	Entry Wage	Average	Median	Middle Range	Training
Bill and Account Collectors	\$21,490	\$29,510	\$28,150	23640 to 33290	Short-term on-the-job training
Office Clerks, General	\$16,470	\$23,530	\$22,540	18440 to 27480	Short-term on-the-job training
Order Clerks	\$17,850	\$30,850	\$25,490	19450 to 38990	Short-term on-the-job training
Receptionists and Information Clerks	\$16,640	\$22,170	\$21,960	18590 to 25750	Short-term on-the-job training

Copies of the Utah Occupational Reports are provided in Section One.

CURRENT EMPLOYMENT OPPORTUNITIES

Jobs listed with the Department of Workforce Services were reviewed to identify opportunities Ms. Hawks could consider based on her demonstrated skills and abilities. Samples of job openings follow.

Department of Workforce Services Jobs

JOB TITLE	WAGE OFFERED	ANNUAL WAGE
Scanner/Receptionist	Not provided	
Receptionist	\$9.50 - \$10.00	\$19,760 - \$20,800
Receptionist	\$11.50	\$23,920
Receptionist	\$8.00	\$16,640
Receptionist	Not provided	
Receptionist	\$7.00 - \$8.00	\$14,560-\$16,640
Receptionist	\$9.00 - \$9.50	\$18,720-\$19,760
Office Assistant	Not provided	
Receptionist	\$9.00 - \$10.00	\$18,720 - \$20,800
Receptionist	\$10.00 - \$11.00	
Receptionist	\$9.00 - 10.00	\$18,720 - \$20,800
Receptionist	\$9.00 - 10.00	\$18,720 - \$20,800
Receptionist	Not provided	
Receptionist	\$9.00 - 10.00	\$18,720 - \$20,800
Receptionist	\$8.00 - 10.00	\$16,640-\$20,800
Receptionist	\$10.50	\$21,840
Receptionist/General Office	\$8.00 - \$10.00	\$16,640-\$20,800
Seasonal File Clerk	Not provided	
Receptionist	\$10.50	\$21,840
Customer Service	\$9.00	\$18,720
Inbound Customer Service	\$9.00	\$18,720
Inbound Customer Service	\$9.00	\$18,720
Inbound Customer Service	\$9.00	\$18,720

Inbound Customer Service	\$9.00	\$18,720
Food Service Worker	\$8.02 - \$9.34	\$16,640 - \$19,427
Teller	\$8.75	\$18,200
Office Clerk	Not provided	
Office Assistant	Not provided	

As indicated earlier, these job openings are only a representation of the current job openings in the labor market and do not take into account job openings in the "hidden job market". The hidden market consists of openings the employer may have that gives first consideration to a current employee. If this effort is unsuccessful at filling the job, referrals from current employees or colleagues are considered, then resumes and applications on file are reviewed. If no suitable applicant is located, the employer then places an ad in a trade journal or newspaper, attends a job fair then as a last resort lists the opening with the Department of Workforce Services.

Copies of these job orders are attached in Section Two.

ADVERTISED JOB OPENINGS

Current Salt Lake Tribune Classified ads were reviewed to identify entry level, unskilled jobs and jobs that are learned through short term on the job training. Examples of the opportunities follow.

Salt Lake Tribune Classified Ads

JOB TITLE	HOURLY
Receptionist/Optician	Not provided
Receptionist/Office Assistant	Not provided
Receptionist	Not provided
Receptionist	Not provided
Receptionist	Not provided
Receptionist	Not provided
Receptionist	Not provided
Receptionist	Not provided
Receptionist	Not provided
Receptionist	Not provided
General Office	Not provided

Copies of these ads are provided in Section Three of this report.

CURRENT LABOR MARKET

Utah continues to enjoy a very low employment rate at 3.1%. Because there are more job openings than applicants, it is a job seekers market. In this type of market, employers offer higher starting wages than usual to attract applicants. There are numerous Receptionist job openings offering a starting wage of \$9.00 to \$10.00 that do not require previous experience or training. In this type of market, employers are more likely to provide on the job training to employees who have no previous experience or specific vocational skill. Given this market, I believe Ms. Hawks can expect to obtain employment as a Receptionist or Information Clerk with a starting wage of at least \$9.00 up to \$10.00 per hour.

MARKETABILITY

Given the current labor market, Ms. Hawks can expect to obtain work in an unskilled position that can be learned on the job in a short period of time. The most valuable skills an employer desires for entry-level employees are the ability to communicate effectively and dependability.

Given the current demand for unskilled workers and the low level of unemployment, with a focused effort, Ms. Hawks should probably be able to locate a full-time position within sixty days.

Ms. Hawks' ability to become employed in a job at a higher rate of pay would be enhanced by completion of a short-term training program. Short-term programs are available at the Salt Lake Skills Center or local area technical colleges. An example of a short-term program offered at the Skills Center is the Customer Service/Receptionist Training. This program can be completed in three or four months and provides an individual with basic computer skills and knowledge of business programs. Tuition is approximately \$700.00. Individuals completing this program can easily obtain employment as a Customer Service Representative, Desk Clerk Order Clerk as well as Receptionist and Information Clerk.

The Office Clerk program is longer, up to eight months, with tuition and books around \$1700.00. Individuals completing this program can easily obtain employment as a Secretary or Office Clerk.

Copies of the Skills Center curricula, the Occupational Reports for Customer Service Representative and Secretary and wage ranges are provided in Section Four.

In addition to developing specific vocational skills, Ms. Hawks could also benefit from job seeking skills training, assistance with resume writing,

interview skills and job keeping skills. Classes are available free of charge through the Department of Workforce Services, private career counselors, the Women's Resource Center at the University of Utah, or at times through Community Education programs. Job seeking skills are part of the curricula at the Skills Center.

Of course, the ability to market ones self successfully depends on a variety of factors, including job seeking skills, interview skills, motivation and the availability of jobs or demand for workers.

OUTLOOK

Job data available from the Department of Work Force Services details the outlook for employment in various occupations throughout the state. The outlook is based on employment, the demand for workers and wages paid. Each occupation is assigned a star rank based on the projected number of Utah job openings, how fast the occupation is expected to grow over that time period and the median annual wages. Examples of unskilled entry-level jobs Ms. Hawks' could consider are ranked as follows:

- **Receptionists and Information Clerks** is rated three stars indicating moderate to strong employment outlook and low to moderate wages.
- **Office Clerks, General** is rated three stars indicating moderate to strong employment outlook and low to moderate wages.
- **Bill and Account Collectors** is rated four stars indicating good employment outlook and relatively high wages.
- **Order Clerk** is rated three stars indicating moderate to strong employment outlook and low to moderate wages.

POTENTIAL BARRIERS TO EMPLOYMENT

Current unemployed status, absence from the work force and lack of a return to work plan are potential barriers to employment.

I would encourage Ms. Hawks to enroll in a short-term training program to learn basic office skills including knowledge of MS Office computer software. There are numerous options available including online courses, competency based programs and classroom studies. Most of these options could be completed within thirty to sixty days however up to six months may be required to complete a more comprehensive program.

At age 52, Ms. Hawks has at least fifteen years available for active participation in the labor market until reaching retirement age. Many employers consider maturity an asset and often prefer individuals with life experience over younger individuals as these individuals are seen as more stable, more reliable and unlikely to job hop.

RECOMMENDATIONS

1. Register for work with temporary employment agencies for immediate assignment. This work experience would provide her with current business references and give her an opportunity to try a variety of jobs, which would assist her in choosing a career goal.
2. To maximize her earning capacity, Ms. Hawks should complete a short-term training program (six to eight months maximum) which would provide her with marketable skills for immediate employment at a higher wage.
3. Ms. Hawks would benefit from participating in a vocational assessment to identify her areas of interest, aptitudes and abilities. Assessment services are available through the local area technical colleges and the Salt Lake Skills Center. Following completion of the assessment, a career goal can be identified and steps to achieving the goal outlined.

An efficient job search/effort would include the following:

- Register for work with Department of Work Force Services
- Register for work with temporary employment agencies for immediate assignment while searching for full-time employment.
- Attend free workshops sponsored by the Department of Work Force Services to refresh job seeking, resume writing and interview skills.
- Attend job fairs sponsored through the Department of Work Force Services to meet with potential employers.
- Network with acquaintances
- Informational interview contact with employers
- Contact employment agencies and recruiters

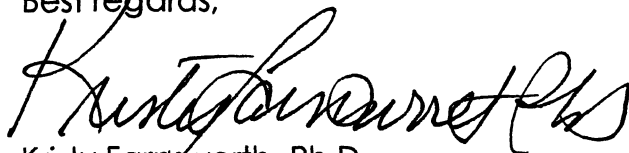
SUMMARY AND CONCLUSIONS

Based on the current labor market, Ms. Hawks' immediate starting salary could be expected to range from \$18,720-\$20,800 as a Receptionist/Information Clerk up to \$21,490 as a Bill and Account Collector.

Following successful completion of a six to eight month vocational training program, she could expect an entry level salary of at least \$19,500 as a Customer Service Representative or \$20,060 as a Secretary with the potential to earn a average wage of \$27,020 as a Customer Service Representative or \$27,450 as a Secretary.

If you have any question regarding this analysis, please let me know.

Best regards,

A handwritten signature in black ink, appearing to read 'Kristy Farnsworth', with a stylized flourish at the end.

Kristy Farnsworth, Ph.D.
Diplomate, ABVE
CRC, CVE, CDMS

KF:me

Attachments:

Section One – Utah Occupational Reports

Section Two - Workforce Services Job Orders

Section Three - Tribune Ads

Section Four – Skills Center curricula and Occupational Reports

Section Five - Current Resume and List of Cases

SECTION ONE

UTAH OCCUPATIONAL REPORTS

Utah Occupational Report for Bill and Account Collectors Occupational Code: 43-3011

Occupational Description for Bill and Account Collectors

Locate and notify customers of delinquent accounts by mail, telephone, or personal visit to solicit payment. Duties include receiving payment and posting amount to customer's account; preparing statements to credit department if customer fails to respond; initiating repossession proceedings or service disconnection; keeping records of collection and status of accounts.

Employment Outlook for Bill and Account Collectors

Bill and Account Collectors have been selected as one of Utah's Four Star occupations. Looking forward, business growth -- as opposed to the need for replacements -- will make up the majority of new job openings. With a projected 40.6 percent increase over the decade, this occupation will grow much faster than average.

Employment Projections 2004 - 2014 for Bill and Account Collectors

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	
Utah	4,880	6,860	4.04382	290	4
Utah Metro	4,569	6,436	4.08623	273	4
Utah Nonmetro	305	427	4	18	4
United States	456,000	554,000	2.14	18,000	

Occupational Wages-Published May 2007 (data from May 2006) for Bill and Account Collectors

Area Name	Hourly Inexperienced	Hourly Median	Annual Inexperienced	Annual Median	Training
Salt Lake City MSA	\$10.33	\$13.53	\$21,490	\$28,150	Short-term on-the- job training
Utah	\$9.98	\$13.19	\$20,750	\$27,440	Short-term on-the- job training

Utah Occupational Report for Office Clerks, General Occupational Code: 43-9061

Occupational Description for Office Clerks, General

Perform duties too varied and diverse to be classified in any specific office clerical occupation, requiring limited knowledge of office management systems and procedures. Clerical duties may be assigned in accordance with the office procedures of individual establishments and may include a combination of answering telephones, bookkeeping, typing or word processing, stenography, office machine operation, and filing.

Employment Outlook for Office Clerks, General

General Office Clerks have been selected as one of Utah's Three Star occupations. Looking forward, business growth -- as opposed to the need for replacements -- will make up the majority of new job openings. With a projected 24.1 percent increase over the decade, this occupation will grow faster than average.

Employment Projections 2004 - 2014 for Office Clerks, General

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	<u>Star Rating</u>
Utah	25,710	31,900	2.40666	1,190	3
Utah Metro	20,675	25,870	2.5127	978	3
Utah Nonmetro	4,692	5,685	2.11637	203	3
United States	3,138,000	3,401,000	0.84	96,000	

Occupational Wages-Published May 2007 (data from May 2006) for Office Clerks, General

Area Name	<u>Hourly Inexperienced</u>	<u>Hourly Median</u>	<u>Annual Inexperienced</u>	<u>Annual Median</u>	<u>Training</u>
Salt Lake City MSA	\$7.92	\$10.84	\$16,470	\$22,540	Short-term on-the- job training
Utah	\$7.49	\$10.36	\$15,580	\$21,540	Short-term on-the- job training

Utah Occupational Report for Office Clerks, General Occupational Code: 43-9061

Occupational Description for Office Clerks, General

Perform duties too varied and diverse to be classified in any specific office clerical occupation, requiring limited knowledge of office management systems and procedures. Clerical duties may be assigned in accordance with the office procedures of individual establishments and may include a combination of answering telephones, bookkeeping, typing or word processing, stenography, office machine operation, and filing.

Employment Outlook for Office Clerks, General

General Office Clerks have been selected as one of Utah's Three Star occupations. Looking forward, business growth -- as opposed to the need for replacements -- will make up the majority of new job openings. With a projected 24.1 percent increase over the decade, this occupation will grow faster than average.

Employment Projections 2004 - 2014 for Office Clerks, General

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	<u>Star Rating</u>
Utah	25,710	31,900	2.40666	1,190	3
Utah Metro	20,675	25,870	2.5127	978	3
Utah Nonmetro	4,692	5,685	2.11637	203	3
United States	3,138,000	3,401,000	0.84	96,000	

Occupational Wages-Published May 2007 (data from May 2006) for Office Clerks, General

Area Name	<u>Hourly Inexperienced</u>	<u>Hourly Median</u>	<u>Annual Inexperienced</u>	<u>Annual Median</u>	<u>Training</u>
Salt Lake City MSA	\$7.92	\$10.84	\$16,470	\$22,540	Short-term on-the- job training
Utah	\$7.49	\$10.36	\$15,580	\$21,540	Short-term on-the- job training

Utah Occupational Report for Order Clerks Occupational Code: 43-4151

Occupational Description for Order Clerks

Receive and process incoming orders for materials, merchandise, classified ads, or services such as repairs, installations, or rental of facilities. Duties include informing customers of receipt, prices, shipping dates, and delays; preparing contracts; and handling complaints. Exclude "Dispatchers, Except Police, Fire, and Ambulance" (43-5032) who both dispatch and take orders for services.

Employment Outlook for Order Clerks

Order Clerks have been selected as one of Utah's Three Star occupations. Looking forward, the need for replacements -- rather than business growth -- will make up the majority of new job openings. This occupation is projected to decline over the decade.

Employment Projections 2004 - 2014 for Order Clerks

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	Star Rating
Utah	5,230	4,840	-0.75703	120	3
Utah Metro	4,505	4,166	-0.7525	101	3

Occupational Wages-Published May 2007 (data from May 2006) for Order Clerks

Area Name	Hourly Inexperienced	Hourly Median	Annual Inexperienced	Annual Median	Training
Central	\$6.55	\$8.43	\$13,630	\$17,540	Short-term on-the-job training
Eastern	\$8.07	\$9.52	\$16,780	\$19,800	Short-term on-the-job training
Logan MSA	\$8.51	\$11.05	\$17,710	\$22,980	Short-term on-the-job training
Ogden-Clearfield MSA	\$6.54	\$8.68	\$13,600	\$18,050	Short-term on-the-job training
Salt Lake City MSA	\$8.58	\$12.26	\$17,850	\$25,490	Short-term on-the-job training
Southwest	\$6.21	\$8.35	\$12,920	\$17,380	Short-term on-the-job training
St. George MSA	\$8.59	\$11.35	\$17,870	\$23,600	Short-term on-the-job training
Utah	\$7.95	\$10.74	\$16,540	\$22,340	Short-term on-the-job training

**Utah Occupational Report for
Receptionists and Information Clerks Occupational Code: 43-4171
Occupational Description for Receptionists and Information Clerks**

Answer inquiries and obtain information for general public, customers, visitors, and other interested parties. Provide information regarding activities conducted at establishment; location of departments, offices, and employees within organization. Exclude "Switchboard Operators, Including Answering Service" (43-2011).

Employment Outlook for Receptionists and Information Clerks

Receptionists and Information Clerks have been selected as one of Utah's Three Star occupations. Looking forward, business growth -- as opposed to the need for replacements -- will make up the majority of new job openings. With a projected 36.1 percent increase over the decade, this occupation will grow much faster than average.

Employment Projections 2004 - 2014 for Receptionists and Information Clerks

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	Star Rating
Utah	10,310	14,030	3.6	620	3
Utah Metro	8,352	11,391	3.6	509	3
Utah Nonmetro	1,944	2,630	3.5	117	3

**Occupational Wages-Published May 2007 (data from May 2006) for
Receptionists and Information Clerks**

Area Name	Hourly Inexperienced	Hourly Median	Annual Inexperienced	Annual Median	Training
Box Elder and Rich	\$6.28	\$8.47	\$13,060	\$17,620	Short-term on-the-job training
Central	\$8.15	\$10.62	\$16,960	\$22,090	Short-term on-the-job training
Eastern	\$6.29	\$8.76	\$13,080	\$18,220	Short-term on-the-job training
Logan MSA	\$7.18	\$8.98	\$14,930	\$18,670	Short-term on-the-job training
Ogden-Clearfield MSA	\$7.24	\$9.14	\$15,050	\$19,000	Short-term on-the-job training
Provo-Orem MSA	\$7.15	\$9.68	\$14,860	\$20,140	Short-term on-the-job training
Salt Lake City MSA	\$8.00	\$10.56	\$16,640	\$21,960	Short-term on-the-job training
St. George MSA	\$7.52	\$10.02	\$15,640	\$20,830	Short-term on-the-job training
Utah	\$7.48	\$10.04	\$15,570	\$20,870	Short-term on-the-job training

SECTION TWO

WORKFORCE SERVICES JOB ORDERS

DWFS Openings

DWS Job #: 8642282 Job Title: **Scanner/Receptionist** Salary: Location: SALT LAKE CITY, UT, 84119-1211 Description: Greeting and assisting visitors to the office, scanning invoices and other materials into computer and, answering phones. Open Date: 04/16/2008 Close Date: 06/16/2008 Education: GED

DWS Job #: 8642614 Job Title: **Receptionist** Salary: **\$9.50 - \$10.00** Hourly Location: SALT LAKE CITY, UT, 84118-9021 Description: Front desk associate with good customer service skills needed for a fast-paced company. Good multi-tasking, work ethic, attendance, phone, and people skills a must. Open Date: 04/17/2008 Close Date: 07/17/2008 Education: High School Diploma

DWS Job #: 8643999 Job Title: **Receptionist** Salary: **\$11.50 - \$11.50** Hourly Location: SALT LAKE CITY, UT, 84107 Description: Receptionist is needed for a Salt Lake City employer. Will meet and welcome visitors and direct them to the proper destination, answer phones, take messages or route caller, receive and distribute mail, order office supplies and perform other office related duties as assigned. etc. Must be computer literate and have a high school diploma or GED. This is a full time position, working 8:00 am to 4:00 pm, Monday through Friday. Hourly wage \$11.50. Open Date: 04/21/2008 Close Date: 05/21/2008 Education: GED

DWS Job #: 8644893 Job Title: **Receptionist** Salary: **\$8.00 - \$8.00** Hourly Location: SALT LAKE CITY, UT, 84106-2029 Description: Receptionist Full-Time needed for Salt Lake nursery. Answer inquiries and obtain information for general public, customers, visitors, and other interested parties. Provide information regarding activities conducted at establishment location of departments, offices, and employees within organization. Days and hours will be arranged by the employer. Wage is \$8.00 per hour. Open Date: 04/22/2008 Close Date: 05/22/2008 Education: None

DWS Job #: 8646505 Job Title: **Receptionist** Salary: Location: SALT LAKE CITY, UT, 84104 Description: A Salt Lake employer is hiring a Receptionist. Will operate PBX or multi-line telephone system to answer incoming calls, determine purpose of caller and direct call to appropriate person or department, takes and delivers messages or transfers calls to voicemail when appropriate personnel are not available, welcome onsite visitors, determines nature of business, and announces visitors to appropriate personnel, monitor visitors access, receives, sores and routes mail. Must be able to communicate both verbally and in writing, must be able to listen, and handle matters in a tactful way. This job is busy and will require working under pressure. Open Date: 04/24/2008 Close Date: 05/24/2008 Education: High School Diploma

DWS Job #: 8647108 Job Title: **Receptionist** Salary: **\$7.00 - \$8.00** Hourly Location: SALT LAKE CITY, UT, 84115-4413 Description: Answer office phones and greet clients. Open Date: 04/25/2008 Close Date: 05/25/2008 Education: None

DWS Job #: 8649005 Job Title: **Receptionist** Salary: **\$9.00 - \$9.50** Hourly Location: SALT LAKE CITY, UT, 84118-9021 Description: Front desk associate with good customer service skills needed for a fast-paced company. Good multi-tasking, work ethic, attendance, phone, and people skills a must. Open Date: 04/30/2008 Close Date: 07/30/2008 Education: High School Diploma

DWS Job #: 8654379 Job Title: **Receptionist** Salary: Location: SALT LAKE CITY, UT, 84102 Description: RECEPTIONIST / OFFICE ASSISTANT Immediate opening available. Open Date: 05/12/2008

DWS Job #: 8655294 Job Title: **Receptionist** Salary: **\$9.00 - \$10.00** Hourly Location: SALT LAKE CITY, UT, 84118-9021 Description: Front desk associate with good customer service skills needed. Good multi-tasking, work ethic, attendance, phone, and people skills a must. Open Date: 05/13/2008 Close Date: 08/13/2008 Education: High School Diploma

DWS Job #: 8649379 Job Title: **Receptionist** Salary: **\$10.00 - \$11.00** Hourly Location: SALT LAKE CTY, UT, 84104-4553 Description: Receptionist needed for Salt Lake (84104) employer. Will perform light office duties which include answering phones and scheduling loads for trucking companies. Must be organized and detail oriented. Position requires customer service skills. Wage is \$10.00 - \$11.00 and up depending on experience. Hours are 8:00 a.m. - 5:00 p.m., Monday - Friday.

DWS Job #: 8646582 Job Title: **Receptionist** Salary: **\$9.00 - \$10.00** Hourly Location: SALT LAKE CTY, UT, 84121-6946 Description: Local car dealership is looking for a part-time receptionist to join their team. The schedule will be Monday's, Thursday's and Saturday's 3:00-9:00pm and Wednesday's 8:00-6:00pm. Responsibilities include: answering phones, filing, interacting with the public and cross training at the Hogi Yogi store located inside. Individual must be upbeat, friendly, able to multitask and looking for a great company to grow with.

DWS Job #: 8632604 Job Title: **Receptionist** Salary: **\$9.00 - \$10.00** Hourly Location: SALT LAKE CTY, UT, 84107-6135 Description: Answer main telephone lines, route calls to the appropriate parties, greet customers, assist sales staff with down payments, maintain vehicle key inventory, light filing. Experience answering a multi-line telephone preferred, but not required. Ability to interact with customers, managers, and co-workers in a professional, courteous manner. A positive, friendly attitude! Open Date: 03/27/2008 Close Date: 06/27/2008 Education: None

DWS Job #: 8652595 Job Title: **Receptionist** Salary: Location: SALT LAKE CTY, UT, 84123-5320 Description: ANswering phones, dealing with reception clients, making copies, making calls, scheduling appointments, etc. Open Date: 05/08/2008 Close Date: 06/08/2008

DWS Job #: 8652186 Job Title: **Receptionist** Salary: **\$9.00 - \$10.00** Hourly Location: SALT LAKE CTY, UT, 84121-6946 Description: A South Salt Lake insurance company is looking for an upbeat and friendly receptionist. This person must have the ability to understand work priorities without sacrificing accuracy and quality. Duties include greeting clients, phones, mail, faxes and special projects. This is a great opportunity to become a part of a large and successful business. Open Date: 05/07/2008 Close Date: 06/07/2008 Education: None

DWS Job #: 8654659 Job Title: **Receptionist / General Office** Salary: **\$8.00 - \$10.00** Hourly Location: CENTERVILLE, UT, 84014 Description: Duties include answering phones, filing, data entry, assisting with job scheduling, and other duties as needed. Outgoing personality, willingness to learn, good phone skills, punctuality, reliability, and ability to work independantly a must. Will train right person. Typical schedule is mon-fri 8am - 5pm, Some occassional weekend work required. Wage negotiable. We are looking for full time, and not just a summer worker between school. Open Date: 05/13/2008 Close Date: 06/13/2008 Education: GED

DWS Job #: 8651887 Job Title: **Receptionist** Salary: **\$10.50** Hourly Location: NORTH SALT LAKE, UT, 84054-2768 Description: NSL branch of large Int'l Sales/Leasing company has immediate full time opening for Receptionist. Must be dependable, good with numbers and detail oriented. Weekdays 8AM-5PM. Full benefits. Must pass drug screen. Equal opportunity employer. Open Date: 05/07/2008 Close Date: 06/07/2008 Education: None

DWS Job #: 8654659 Job Title: **Receptionist / General Office** Salary: \$8.00 - \$10.00 Hourly Location: CENTERVILLE, UT, 84014 Description: Duties include answering phones, filing, data entry, assisting with job scheduling, and other duties as needed. Outgoing personality, willingness to learn, good phone skills, punctuality, reliability, and ability to work independently a must. Will train right person. Typical schedule is mon-fri 8am - 5pm, Some occasional weekend work required. Wage negotiable. We are looking for full time, and not just a summer worker between school. Open Date: 05/13/2008 Close Date: 06/13/2008 Education: GED

DWS Job #: 8635588 Job Title: **Office Clerk** Salary: Location: SALT LAKE CITY, UT, 84133 Description: Large Downtown Law Firm seeks P/T Office Clerk. Duties include calendar maintenance, filing, answering multi-line phone, greeting clients, coordinating couriers and some data entry. Excl. communication skills req'd. Flexible shifts, benefits package, salary DOE.

DWS Job #: 8643651 Job Title: **Office Assistant** Salary: Location: SALT LAKE CTY, UT, 84104-4570 Description: Office Assistants We are a fast growing kitchen cabinet company with 100,000 sq feet showroom & warehouse in Salt Lake City. We are looking for recent college graduate students with good communication & computer skill to fill the positions. No experience required. Employer will train the qualified individuals to be successful in these positions. Open Date: 04/19/2008 Close Date: 05/19/2008 Education: None

DWS Job #: 8620929 Job Title: **Seasonal File Clerk - IRS Contract** Salary: \$9.35 Hourly Location: CLEARFIELD, UT, 84016 Description: A global leader in the government contracting industry is now interviewing applicants for seasonal file clerks at the IRS Files Activity in Clearfield, Utah. Potential to work into full-time with eligibility for benefits, including: Medical, dental, vision, PTO, paid vacation, 401k, various life options, etc. Minimum requirements: Must be 18 yrs. or older. High School graduate (Diploma/GED). US Citizenship required. Must be able to stay on feet for long periods, lift/carry 25 lbs. consistently, while bending, stooping, reaching, etc. Will be required to take pre-employment drug screen if position is offered/accepted. Basic criminal history check will be performed prior to document submittal for security clearance. Must provide detailed information going back 7 years to obtain security clearance (federal clearance could take 12-16 weeks). 40 hrs/week schedule (day shift only): 6am-230pm, 7am-330pm, 8am-430pm (Mon-Fri) Must be able to work OT when necessary. Basic Description: Filing paper documents using numeric DLN coding system. (Will train.) Other general requirements: Must be able to complete documentation within a specified time frame for submittal to IRS for security clearance. (Clearance can take up to 90+ days!) Must be able to commit to job once offered/accepted!

DWS Job #: 8651887 Job Title: **Receptionist** Salary: \$10.50 Hourly Location: NORTH SALT LAKE, UT, 84054-2768 Description: NSL branch of large Int'l Sales/Leasing company has immediate full time opening for Receptionist. Must be dependable, good with numbers and detail oriented. Weekdays 8AM-5PM. Full benefits. Must pass drug screen. Equal opportunity employer. Open Date: 05/07/2008 Close Date: 06/07/2008 Education: None

DWS Job #: 8646598 Job Title: **Customer Service Associate** Salary: \$6.50 - \$7.50 Hourly Location: CENTERVILLE, UT, 84014 Description: Greeting customers with friendly, courteous service. Must be able to communicate well with the public, along with perform basic cash register functions. Will need to perform job duties while maintaining a positive, upbeat attitude and must have a genuine desire to help people. Open Date: 04/24/2008 Close Date: 05/24/2008 Education: None Shifts: Day, Swing

DWS Job #: 8649258 Job Title: **Inbound Customer Service** Salary: \$9.00 Hourly Location: CLEARFIELD, UT, 84015 Description: Inbound Customer Service Project \$8.00hr through training \$9.00hr After with flexible schedules. Hours of operation: M-S 7:00AM-7:00PM Sun 9:00AM-5:00PM. *M-F shifts available. PRIMARY DUTIES, RESPONSIBILITIES AND REQUIREMENTS: • Responsible for all customer inquiries and questions • Provides new operational performance ideas and suggestions on a daily basis • Provides excellent customer service at all times • Works with confidential customer information • Enters data of prospective customers into various software programs • Appropriately deals with irate and/or upset customers • Participates in additional training courses when needed • Thrives as a team player in a fast-paced, high-energy, change-oriented environment • Performs other related duties and assignments as required and as assigned by supervisor or manager Open Date: 05/01/2008 Close Date: 06/01/2008 Education: High School Diploma

DWS Job #: 8649265 Job Title: **Inbound Customer Service** Salary: \$9.00 Hourly Location: CLEARFIELD, UT, 84015 Description: New Inbound Customer Service Project!! \$8.00hr through training \$9.00hr After with flexible schedules. Hours of operation: M-S 7:00AM-7:00PM Sun 9:00AM-5:00PM. *M-F shifts available. PRIMARY DUTIES, RESPONSIBILITIES AND REQUIREMENTS: • Responsible for all customer inquiries and questions • Provides new operational performance ideas and suggestions on a daily basis • Provides excellent customer service at all times • Works with confidential customer information • Enters data of prospective customers into various software programs • Appropriately deals with irate and/or upset customers • Participates in additional training courses when needed • Thrives as a team player in a fast-paced, high-energy, change-oriented environment • Performs other related duties and assignments as required and as assigned by supervisor or manager Open Date: 05/01/2008 Close Date: 06/01/2008 Education: High School Diploma

DWS Job #: 8649264 Job Title: **Inbound Customer Service** Salary: \$9.00 Hourly Location: CLEARFIELD, UT, 84015 Description: New Inbound Customer Service Project!! \$8.00hr through training \$9.00hr After with flexible schedules. Hours of operation: M-S 7:00AM-7:00PM Sun 9:00AM-5:00PM. *M-F shifts available. PRIMARY DUTIES, RESPONSIBILITIES AND REQUIREMENTS: • Responsible for all customer inquiries and questions • Provides new operational performance ideas and suggestions on a daily basis • Provides excellent customer service at all times • Works with confidential customer information • Enters data of prospective customers into various software programs • Appropriately deals with irate and/or upset customers • Participates in additional training courses when needed • Thrives as a team player in a fast-paced, high-energy, change-oriented environment • Performs other related duties and assignments as required and as assigned by supervisor or manager Open Date: 05/01/2008 Close Date: 06/01/2008 Education: High School Diploma

DWS Job #: 8649260 Job Title: **Inbound Customer Service** Salary: \$9.00 Hourly Location: CLEARFIELD, UT, 84015 Description: New Inbound Customer Service Project!! \$8.00hr through training \$9.00hr After with flexible schedules. Hours of operation: M-S 7:00AM-7:00PM Sun 9:00AM-5:00PM. *M-F shifts available. PRIMARY DUTIES, RESPONSIBILITIES AND REQUIREMENTS: • Responsible for all customer inquiries and questions • Provides new operational performance ideas and suggestions on a daily basis • Provides excellent customer service at all times • Works with confidential customer information • Enters data of prospective customers into various software programs • Appropriately deals with irate and/or upset customers • Participates in additional training courses when needed • Thrives as a team player in a fast-paced, high-energy, change-oriented environment • Performs other related duties and assignments as required and as assigned by supervisor or manager Open Date: 05/01/2008 Close Date: 06/01/2008 Education: High School Diploma

DWS Job #: 8644772 Job Title: **Food Service Worker** Salary: \$8.02 - \$9.34 Hourly Location: HILL AFB, UT, 84056 Description: THESE POSITIONS ARE LOCATED AT THE HILL AIR FORCE BASE POPEYE'S CHICKEN. POSITIONS ARE ALL ENTRY LEVEL WITH OPPORTUNITY FOR ADVANCEMENT. UNDER DESIGNATED SUPERVISION, PREPARES AND SERVES SIMPLE FOODS AND BEVERAGES. MAY OPERATE AN OVEN, DEEP-FAT FRYER, OR OTHER KITCHEN EQUIPMENT IN A SITUATION WHERE SFT

PROCEDURES ARE FOLLOWED AND WHERE COOKING SKILLS ARE NOT INVOLVED. MAY PREPARE AND WRAP SANDWICHES. MAY WASH, PARE, AND CUT VEGETABLES AND FRUITS. MAY PREPARE PIZZA TO ORDER BY ADDING SAUCE, CHEESES, MEATS, ETC., TO A PURCHASED CRUST OR SELECT A FROZEN PIZZA AND COOK IN AN OVEN, E.G., PIZZA, MICROWAVE, OR CONVENTIONAL. MAY PLACE PREPARED FOODS, I.E., FRENCH FRIES, ONION RINGS, ETC., IN A DEEP-FAT FRYER. INSURES THAT FOOD AND BEVERAGE ITEMS ARE PROPERLY HEATED OR COOLED, AS APPROPRIATE. COLLECTS MONEY, RINGS SALES ON CASH REGISTER, AND MAKES CHANGE. MAINTAINS REQUIRED LEVEL OF SANITATION AND CLEANLINESS OF WORK AREA. PERFORMS OTHER RELATED DUTIES AS ASSIGNED. PHYSICAL EFFORT: FREQUENTLY LIFTS OBJECTS WEIGHING UP TO 45 POUNDS; CONSTANT STANDING AND WALKING; OCCASIONALLY LIFTS OVER 50 POUNDS. MAY BE REQUIRED TO PUSH CART TO DIFFERENT LOCATIONS. YOU DO NOT HAVE TO BE A BASE ID CARD HOLDER TO APPLY! Open Date: 04/22/2008 Close Date: 07/01/2008

DWS Job #: 8652574 Job Title: **Teller** Salary: \$8.75 Hourly Location: LAYTON, UT, 84041 Description: Handles cash, balance teller drawer, help customers with transactions. Good customer service skills. Must be at least 18 years of age and pass a credit and background check. Open Date: 05/08/2008 Close Date: 05/15/2008 Education: None

SECTION THREE

TRIBUNE ADS

Featured Job Results

View: **Brief** | Detailed

Sorted By: **Top Results**

1-30 out of

<u>Job Title</u>	<u>Company Name</u>	<u>Location</u>	<u>Date</u>
<u>Receptionist</u> save - hide company - email	<u>SLC Commuter Rail Constructors</u>	Salt Lake City, UT	Apr 15
<u>RECEPTIONIST</u> save - hide company - email	<u>HEALTHSOUTH OF UTAH</u>	Sandy, UT	May 1'
<u>Receptionist / Office Assistant</u> save - hide company - email	<u>GARNER FUNERAL HOME</u>	Salt Lake City, UT	May 1'
<u>RECEPTIONIST</u> save - hide company - email	<u>MARK MILLER TOYOTA</u>	Salt Lake City, UT	May 1'
<u>Receptionist</u> save - hide company - email	<u>Hospice for Utah</u>	Draper, UT	May 04
<u>RECEPTIONIST</u> save - hide company - email	<u>SURETY UTAH</u>	Midvale, UT	May 05
<u>RECEPTIONIST Full Time</u> save - hide company - email	<u>INTEGRATED TITLE INSURANCE SER</u>	Midvale, UT	Apr 19
<u>RECEPTIONIST</u> save - hide company - email	<u>COOK & LAWRENCE, L L C</u>	Salt Lake City, UT	Apr 15
<u>RECEPTIONIST</u> save - hide company - email	<u>DECKER LAKE CHIROPRACTIC</u>	West Valley City, UT	Apr 26
<u>RECEPTIONIST</u> save - hide company - email	<u>HEALTHSOUTH OF UTAH</u>	Sandy, UT	Apr 23
<u>RECEPTIONIST</u> save - hide company - email	<u>SULLIVAN</u>	Draper, UT	Apr 19
<u>RECEPTIONIST</u> save - hide company - email	<u>ABOVE AND BEYOND CUSTOM CABINE</u>	Murray, UT	Apr 15
<u>RECEPTIONIST</u> save - hide company - email	<u>NELSON LABORATORIES</u>	Salt Lake City, UT	Apr 27
<u>RECEPTIONIST</u> save - hide company - email	<u>APPLE CONTACT</u>	Taylorsville, UT	Apr 15
<u>Receptionist</u> save - hide company - email	<u>EISENBERG & GILCHRIST</u>	Salt Lake City, UT	Apr 16
<u>RECEPTIONIST</u>	<u>BRIDGE PROPERTY</u>	Murray, UT	Apr 26

<u>RECEPTIONIST</u>	<u>BRIDGE PROPERTY MANAGEMENT</u>	Murray, UT	Apr 20
save - hide company - email			
<u>RECEPTIONIST</u>	<u>ALLSTATES LAWN AND LANDSCAPING</u>	Draper, UT	Apr 22
save - hide company - email			
<u>RECEPTIONIST</u>	<u>WESTWOOD PHYSICAL THERAPY</u>	Taylorsville, UT	Apr 22
save - hide company - email			
<u>RECEPTIONIST</u>	<u>WYNDHAM VACATION OWNERSHIP</u>	Draper, UT	Apr 27
save - hide company - email			
<u>RECEPTIONIST</u>	<u>FIRE ENGINEERING CO. INC</u>	Salt Lake City, UT	Apr 26
save - hide company - email			
<u>Accounts Payable Clerk/Receptionist</u>	<u>DAIRY FARMERS OF AMERICA</u>	Salt Lake City, UT	Apr 30
save - hide company - email			
<u>Receptionist</u>	<u>METAL SUPERMARKETS</u>	Salt Lake City, UT	Apr 27
save - hide company - email			
<u>RECEPTIONIST</u>	<u>EXTRA SPACE MANAGEMENT</u>	Salt Lake City, UT	Apr 27
save - hide company - email			
<u>RECEPTIONIST</u>	<u>COLLECTION CENTER INC</u>	Midvale, UT	Apr 22
save - hide company - email			
<u>Receptionist</u>	<u>Not Available</u>	Midvale, UT	Apr 23
save - hide company - email			
<u>RECEPTIONIST</u>	<u>QUICK LOAN</u>	Taylorsville, UT	May 07

RECEPTIONIST: APPLE CONTACT

[Back to Results](#)

Job ID 0000271885-01
Company Name APPLE CONTACT
Job Category Clerical/Administrative
Location Taylorsville, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted April 15, 2008 [View APPLE CONTACT profile and job listings](#)
RECEPTIONIST / Optician PT. Will Train. Flex hrs. call 302-0800, 561-5124



Receptionist / Office Assistant: GARNER FUNERAL HOME

[Back to Results](#) | [View more jobs like this](#)

Job ID 0000289269-01
Company Name GARNER FUNERAL HOME
Job Category Clerical/Administrative
Location Salt Lake City, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted May 11, 2008 [View GARNER FUNERAL HOME profile and job listings](#)
RECEPTIONIST / OFFICE ASSISTANT Immediate opening available. SLC801-364-0297



Receptionist: Hospice for Utah

[Back to Results](#)

Job ID 0000287100-01
Company Name Hospice for Utah
Job Category Clerical/Administrative
Location Draper, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted May 4, 2008 [View Hospice for Utah profile and job listings](#)

Receptionist Hospice For Utah is seeking a compassionate individual with very strong phone & computer skills. Applicants must have good communication & problem solving skills. Medical experience a plus. F/T position with competitive wages & benefits. Fax/email resume to 576-1455 or alethea@hospice4utah.com.



RECEPTIONIST: DECKER LAKE CHIROPRACTIC

[Back to Results](#) | [View more jobs like this](#)

Job ID 0000282309-01
Company Name DECKER LAKE CHIROPRACTIC
Job Category Clerical/Administrative
Location West Valley City, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted April 26, 2008 [View DECKER LAKE CHIROPRACTIC profile and job listings](#)
RECEPTIONIST FT M-F Competitive salary 801-580-2681



RECEPTIONIST: NELSON LABORATORIES

[Back to Results](#) | [View more jobs like this](#)

Job ID 0000282567-01
Company Name NELSON LABORATORIES
Job Category Clerical/Administrative
Location Salt Lake City, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted April 27, 2008



[View NELSON LABORATORIES profile and job listings](#)



RECEPTIONIST Are you looking for a part time position at a progressive company? This may be the position for you. Hours are M-F 12:00-5:00PM. Rate of pay \$11.00. Please check out our web site for more details. Apply online at www.nelsonlabs.com or in person at 6280 S Redwood Road. EOE

RECEPTIONIST: BRIDGE PROPERTY MANAGEMENT

[Back to Results](#)

Job ID 0000281101-01
Company Name BRIDGE PROPERTY MANAGEMENT
Job Category Clerical/Administrative
Location Murray, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted April 26, 2008



[View BRIDGE PROPERTY MANAGEMENT profile and job listings](#)

RECEPTIONIST Receptionist position for dynamic property investment firm. Needs to be dependable and able to interact well. Great phone skills a must. Minimal exp. okay. Competitive compensation. Please fax resumes to 801-284-5970

RECEPTIONIST: ALLSTATES LAWN AND LANDSCAPING

[Back to Results](#) | [View more jobs like this](#)

Job ID 0000278491-01
Company Name ALLSTATES LAWN AND LANDSCAPING
Job Category Clerical/Administrative
Location Draper, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted April 22, 2008



[View ALLSTATES LAWN AND LANDSCAPING profile and job listings](#)

RECEPTIONIST Draper PT, flex hrs. Fax resume 523-8962

RECEPTIONIST: WESTWOOD PHYSICAL THERAPY

[Back to Results](#) | [View more jobs like this](#)

Job ID 0000278027-01
Company Name WESTWOOD PHYSICAL THERAPY
Job Category Clerical/Administrative
Location Taylorsville, UT
Position Type Full-Time, Employee
Experience 0-1 Years Experience
Date Posted April 22, 2008



[View WESTWOOD PHYSICAL THERAPY profile and job listings](#)

RECEPTIONIST Wanted FT Receptionist for upbeat physical therapy office. Looking for someone with great communication skills and who is outgoing. Experience a plus. Fax 801-967-6934.

RECEPTIONIST: FIRE ENGINEERING CO., INC

[Back to Results](#) | [View more jobs like this](#)

Job ID 0000282090-01

Company Name FIRE ENGINEERING CO., INC

Job Category Clerical/Administrative

Location Salt Lake City, UT

Position Type Full-Time, Employee

Experience 0-1 Years Experience

Date Posted April 26, 2008



[View FIRE ENGINEERING CO., INC profile and job listings](#)

RECEPTIONIST Secretary/Receptionist: Fire Engineering Co., Inc. 4717 So 500 West, SLC. Please apply in person. Experience helpful. Excl. benefits.

GENERAL OFFICE: SKY LIMIT MANAGEMENT

[Back to Results](#)

Job ID 0000278059-01

Company Name SKY LIMIT MANAGEMENT

Job Category Clerical/Administrative

Location Salt Lake City, UT

Position Type Full-Time, Employee

Experience 0-1 Years Experience

Date Posted April 22, 2008



[View SKY LIMIT MANAGEMENT profile and job listings](#)

GENERAL OFFICE Office seeks Mgrs. & office personnel. Immed. No exp. will train 685-2704

SECTION FOUR

SKILLS CENTER CURRICULA

And

OCCUPATIONAL REPORTS

Customer Service/Receptionist

Program Facts

Location:	South City and Tooele Center
Program Hours:	300
Average Length:	Day or evening classes, 3-4 months
Application Fee:	\$35.00
Tuition:	\$675.00¹
Lab Fee:	\$20.00¹
Books/Supplies:	\$225.00²

¹ Costs of programs depend on resident status and are subject to change. Extended program hours are available at an additional cost.
² Subject to change.

General Information

This program provides basic training in keyboarding skill building, data entry, ten-key calculator, computer concepts, Windows, Internet, and e-mail. The course also teaches telephone etiquette, professionalism, business communication skills, and introduction to word processing (MS Word). Special emphasis is given to customer service and life skills training. Students learn to use assertive skills and problem solving to provide quality customer service.

To receive a Skills Center Certificate, the overall average score of all classes combined must be 80% or better.

Students must complete any OIS program they are currently enrolled in before they will be considered as a candidate for the Customer Service/Receptionist Program. Students are encouraged to take new classes as specific interest classes once they have completed the program in which they are currently enrolled.

Prerequisites

Success in the program depends upon each individual. To help ensure success, students are asked to demonstrate their basic skills required for the program. These skills may be measured by taking the Comprehensive Adult Student Assessment System Test (CASAS), Tests of Adult Basic Education (TABE), RAVENS, Choices Ability Profiler, Learning Styles, and/or as determined by an admissions advisor. See an admission advisor for more information.

COURSES

CLOCK HOURS

KCSR 0110 Beginning Keyboarding	12
KCSR 0120 Data Entry	15
KCSR 0130 Ten-Key	30
KCSR 0140 Computer Concepts/Windows	35
KCSR 0150 Customer Service/Life Skills	60
KCSR 0160 Keyboard Skill Building	68
KCSR 0170 Introduction to Word Processing (MS Word)	30
KCSR 0180 Business Communications	35
KCSR 0290 Employment Workshop	15

Total Program Hours

300

Occupations in this Area

For state and national occupation information, visit <http://online.onetcenter.org/find/> and enter the following O*Net code(s):

- 43-4051.00 Customer Service Representative
- 43-4081.00 Hotel, Motel, and Resort Desk Clerks
- 43-4151.00 Order Clerk
- 43-4171.00 Receptionist and Information Clerks

High School Completion

Upon completion of this program, students may be awarded the following high school completion credits:

Career Technology	1.00
Information Technology	.50
English	.50
Career Preparation and/or Electives	3.00

For more information, see the Horizonte adult high school completion teacher or call 957-3312.

Office Clerk

Program Facts

Location:	South City
Program Hours:	610
Average Length:	Day or evening classes, 7-8 months
Application Fee:	\$35.00
Tuition:	\$1,372.50¹
Lab Fee:	\$20.00¹
Books/Supplies:	\$350.00²

¹ Costs of programs depend on resident status and are subject to change. Extended program hours are available at an additional cost.
² Subject to change.

General Information

The Office Clerk Program enables students to develop entry-level skills in the computer/office occupations area. The most up-to-date tools necessary for securing and maintaining employment are emphasized throughout the program. Emphasis is placed on keyboarding skill building, ten-key calculator skills, computer concepts, Windows, Internet, and e-mail. Further emphasis is placed on Microsoft Office subjects including spreadsheets (MS Excel), word processing (MS Word), and presentations (PowerPoint). Students learn business communications skills, QuickBooks, and business office procedures. A special emphasis is given to customer service and life skills training.

To receive a Skills Center Certificate of Completion, the overall average score of all classes combined must be 80% or better.

Students must complete any OIS program they are currently enrolled in before they will be considered as a candidate for the Office Clerk Program. Students are encouraged to take new classes as specific interest classes once they have completed the program in which they are currently enrolled.

Students who wish to transfer from other OIS programs to Office Clerk, must meet the higher admission testing requirements before enrolling.

Prior hours from the other OIS programs will not be applied to the Office Clerk Program.

Students transferring from the General Clerk Program will be required to retake competency tests if more than three months have lapsed since the student left the program.

Students who have completed 150 hours or more of the Office Clerk Program cannot transfer to smaller programs that are not PELL eligible such as the Customer Service/Receptionist Program.

Prerequisites

Success in the program depends upon each individual. To help ensure success, students are asked to demonstrate their basic skills required for the program. These skills may be measured by taking the Comprehensive Adult Student Assessment System Test (CASAS), Tests of Adult Basic Education (TABE), RAVENS, Choices Ability Profiler, Learning Styles, and/or as determined by an admissions advisor. See an admission advisor for more information.

COURSES

CLOCK HOURS

KOFC 0110 Beginning Keyboarding	12
KOFC 0130 Ten-Key	40
KOFC 0140 Computer Concepts/Windows	45
KOFC 0150 Customer Service/Life Skills	60
KOFC 0160 Keyboard Skill Building	108
KOFC 0170 Word Processing (MS Word Core)	35
KOFC 0175 Word Processing (Word Expert)	35
KOFC 0180 Business Communications	80
KOFC 0190 Presentations (PowerPoint Core)	30
KOFC 0200 Spreadsheets (MS Excel Core)	35
KOFC 0210 Spreadsheets (Excel and Expert)	35
KOFC 0220 QuickBooks	65
KOFC 0230 Office Procedures	15
KOFC 0290 Employment Workshop	15

Total Program Hours

610

Occupations in this Area

For state and national occupation information, visit <http://online.onetcenter.org/find/> and enter the following O*Net code(s):

- 43-6014.00 Secretaries
- 43-9061.00 Office Clerk

High School Completion

Upon completion of this program, students may be awarded the following high school completion credits.

Career Technology	1.00
English	1.00
Information Technology	.50
Technology Track and/or Electives	3.50

For more information, see the Horizon adult high school completion teacher or call 957-3312

Office Specialist

Program Facts

Location:	Tooele Center
Program Hours:	790
Average Length:	Day classes, 9-10 months
	Evening classes, 19-20 months
Application Fee:	\$35.00
Tuition:	\$1,777.50¹
Lab Fee:	\$20.00¹
Books/Supplies:	\$200.00-\$400.00²

¹ Costs of programs depend on resident status and are subject to change. Extended program hours are available at an additional cost.
² Subject to change.

General Information

The Office Specialist Program enables students to develop entry-level skills in the computer/office occupations area. The most up-to-date tools necessary for securing and maintaining employment are emphasized throughout the program. Several courses in this program will help students prepare for tests leading to Microsoft Office Specialist certification. Classes include: keyboard/skill building, computer concepts, Windows, Internet, e-mail, ten-key calculator, business English, word processing (MS Word), spreadsheets (MS Excel), customer service, employment workshop, and electives: database (MS Access), presentations (MS PowerPoint), accounting, computer-assisted accounting (QuickBooks), and medical terminology.

Prerequisites

Success in the program depends upon each individual. To help ensure success, students are asked to demonstrate their basic skills required for the program. These skills may be measured by taking the Comprehensive Adult Student Assessment System Test (CASAS), Tests of Adult Basic Education (TABE), RAVENS, Choices Ability Profiler, Learning Styles, and/or as determined by an admissions advisor. See an admission advisor for more information.

COURSES

CLOCK HOURS

KOIS 0130 Ten-Key Calculator	40
KOIS 0140 Computer Concepts/Windows	60
KOIS 0155 Customer Service	20
KOIS 0160 Keyboard Skill Building	160
KOIS 0170 Word Processing (MS Word)	125
KOIS 0185 Business English	85
KOIS 0215 Spreadsheets (MS Excel)	125
KOIS 0290 Employment Workshop	15
Electives to Total 160:	160
KOIS 0225 Accounting (50-160)	
KOIS 0240 Presentations (MS PowerPoint) (35)	
KOIS 0255 Database (MS Access) (50-100)	
KOIS 0270 Medical Terminology (30)	
KOIS 0280 Computer-Assisted Accounting (70)	

Total Program Hours

790

Occupations in this Area

For state and national occupation information, visit <http://online.onetcenter.org/find/> and enter the following O*Net code(s):

- 43-6014.00 Secretaries
- 43-9061.00 Office Clerk

High School Completion

Upon completion of this program, students may be awarded the following high school completion credits:

Career Technology	1.00
Information Technology	.50
English	1.00
Technology Track and/or Electives	3.50

For more information, see the Horizonte adult high school completion teacher or call 957-3312.

Utah Occupational Report for Customer Service Representatives Occupational Code: 43-4051

Occupational Description for Customer Service Representatives

Interact with customers to provide information in response to inquiries about products and services and to handle and resolve complaints. Exclude individuals whose duties are primarily sales or repair.

Employment Outlook for Customer Service Representatives

Customer Service Representatives have been selected as one of Utah's Four Star occupations. Looking forward, business growth -- as opposed to the need for replacements -- will make up the majority of new job openings. With a projected 44.4 percent increase over the decade, this occupation will grow much faster than average. Prospects for obtaining a job in this field are expected to be excellent, with more job openings than jobseekers. Bilingual jobseekers, in particular, may enjoy favorable job prospects. In addition to many new openings occurring as businesses and organizations expand, numerous job openings will result from the need to replace experienced customer service representatives who transfer to other occupations or leave the labor force.

Employment Projections 2004 - 2014 for Customer Service Representatives

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	Star Rating
Utah	23,420	33,830	4.44554	1,390	4
Utah Metro	20,973	30,195	4.39708	1,234	4
Utah Nonmetro	2,377	3,459	4.55196	143	3

Occupational Wages-Published May 2007 (data from May 2006) for Customer Service Representatives

Area Name	Hourly Inexperienced	Hourly Median	Annual Inexperienced	Annual Median	Training
Salt Lake City MSA	\$9.37	\$12.54	\$19,500	\$26,080	Moderate-term OJT (1-12 months)
Utah	\$8.89	\$11.89	\$18,500	\$24,720	Moderate-term OJT (1-12 months)

**Utah Occupational Report for
Secretaries, Except Legal, Medical, and Executive Occupational Code: 43-6014**

Occupational Description for Secretaries, Except Legal, Medical, and Executive

Perform routine clerical and administrative functions such as drafting correspondence, scheduling appointments, organizing and maintaining paper and electronic files, or providing information to callers. Exclude legal, medical, or executive secretaries and administrative assistants (43-6011 through 43-6013).

Employment Outlook for Secretaries, Except Legal, Medical, and Executive

Secretaries (Except Legal, Medical, and Executive) have been selected as one of Utah's Four Star occupations. Looking forward, the need for replacements -- rather than business growth -- will make up the majority of new job openings. With a projected 11.4 percent increase over the decade, this occupation will grow as fast as average.

Employment Projections 2004 - 2014 for Secretaries, Except Legal, Medical, and Executive

Area Name	Current Employment	Projected Employment	Annual %Change	Total Annual Openings	Star Rating
Utah	12,140	13,530	1.1	370	4
Utah Metro	7,969	8,976	1.3	254	4
Utah Nonmetro	3,920	4,299	1	113	4

**Occupational Wages-Published May 2007 (data from May 2006) for
Secretaries, Except Legal, Medical, and Executive**

Area Name	Hourly Inexperienced	Hourly Median	Annual Inexperienced	Annual Median	Training
Box Elder and Rich	\$7.92	\$12.62	\$16,480	\$26,260	Moderate-term OJT (1-12 months)
Central	\$8.36	\$12.00	\$17,380	\$24,950	Moderate-term OJT (1-12 months)
Eastern	\$8.11	\$11.36	\$16,870	\$23,620	Moderate-term OJT (1-12 months)
Logan MSA	\$8.93	\$10.89	\$18,570	\$22,650	Moderate-term OJT (1-12 months)
Ogden-Clearfield MSA	\$8.89	\$12.23	\$18,500	\$25,440	Moderate-term OJT (1-12 months)
Provo-Orem MSA	\$9.09	\$13.32	\$18,900	\$27,700	Moderate-term OJT (1-12 months)
Salt Lake City MSA	\$9.65	\$13.01	\$20,060	\$27,060	Moderate-term OJT (1-12 months)
Southwest	\$8.63	\$10.83	\$17,960	\$22,520	Moderate-term OJT (1-12 months)
St. George MSA	\$8.77	\$11.61	\$18,250	\$24,140	Moderate-term OJT (1-12 months)
Utah	\$9.13	\$12.49	\$19,000	\$25,970	Moderate-term OJT (1-12 months)

Selected Area: Salt Lake City MSA

Occupational Wages-Published May 2007 (data from May 2006) - Annual

Occupation Title	Inexperienced Wage	Average	Median	Middle Range	Training
Bill and Account Collectors	\$21,490	\$29,510	\$28,150	23640 to 33290	Short-term on-the-job training
Office Clerks, General	\$16,470	\$23,530	\$22,540	18440 to 27480	Short-term on-the-job training
Order Clerks	\$17,850	\$30,850	\$25,490	19450 to 38990	Short-term on-the-job training
Receptionists and Information Clerks	\$16,640	\$22,170	\$21,960	18590 to 25750	Short-term on-the-job training

Selected Area: Salt Lake City MSA

Occupational Wages-Published May 2007 (data from May 2006) - Annual

Occupation Title	Inexperienced Wage	Average	Median	Middle Range	Training
Customer Service Representatives	\$19,500	\$27,020	\$26,080	21630 to 30630	Moderate-term OJT (1-12 months)
Secretaries, Except Legal, Medical, and Executive	\$20,060	\$27,450	\$27,060	22160 to 32350	Moderate-term OJT (1-12 months)

SECTION FIVE

CURRENT RESUME

And

LIST OF CASES

KRISTY FARNSWORTH, PH.D.
9557 South 700 East, Suite 100
Sandy, UT 84070
(801) 572-5633

Summary of Work Experience and Qualifications

Vocational Expert, since 1983. Provide an analysis of vocational implications of disability to attorneys, insurance companies and employers. Under contract with the Office of Hearings and Appeals, Social Security Administration, Salt Lake City, UT, to provide expert testimony on vocational issues of disability. Conduct labor market surveys to determine employability. Analyze medical information to determine vocational/functional limitations. Perform vocational disability evaluations for insurance companies and attorneys.

Licensed Psychologist, since 2001. Private practice in Idaho. Assessment of children, adults and seniors, including development of individual plans for cognitive rehabilitation, vocational rehabilitation, education and return to work. Subspecialty: Vocational issues and employability.

Medical Expert, Office of Disability Adjudication, since 2001. Provide impartial expert opinion at the hearing level following assessment of medical information. Determine the degree of severity of a mental impairment, the residual mental functioning and work related limitations of mental illness.

Vocational Rehabilitation Specialist, since 1988. Farnsworth and Associates, Salt Lake City, Utah. Provide case management services with industrially injured clients to plan and coordinate rehabilitation services. Evaluate potential for successful rehabilitation. Assist clients with placement and conduct job and market analysis. Provide expert testimony and prepare Life Care Plans in legal cases. Administer, score and interpret vocational tests to determine vocational potential.

Rehabilitation Coordinator, 1987 - 1988. Intermountain Rehabilitation, Salt Lake City, Utah. Case management with industrially injured clients. Planned and coordinated rehabilitation services. Assessed transferable skills, provided labor market information. Assisted with job placement.

Program Coordinator, 1983 - 1987. Career Guidance Center, Salt Lake City, UT. Managed JET training program and budget of 1.6 million dollars. Developed training plans for economically disadvantaged individuals. Monitored and documented progress during training and assisted with placement upon completion.

Vocational Evaluation Supervisor, 1982 - 1983. Career Guidance Center, Salt Lake City, UT. Supervised vocational evaluation staff. Assessed work and training potential of clients. Performed disability evaluations.

Psychology Intern, 1981 - 1982. University Hospital, Drug and Alcohol Abuse Clinic. Administered, scored and interpreted psychological tests. Compiled information for treatment and rehabilitation programs.

PROFESSIONAL LICENSE

Psychologist (Idaho)

CERTIFICATIONS

Certified Rehabilitation Counselor #18058
Certified Disability Management Specialist #03189
Certified Vocational Evaluator #00623
Contractor, Department of Disability Adjudication
Diplomate, American Board of Vocational Experts

EDUCATION

Ph.D. Human Development,
Fielding Graduate University, 1996

Dissertation: Using Suggestive-Accelerative Learning and Teaching with survivors
of traumatic brain injury to stimulate higher mental functions.

Certificate in Advanced Case Management for Life Care Planning
University of Florida, May, 1995.

M.S. Educational Psychology, with emphasis in Rehabilitation Counseling,
University of Utah, 1984

B.S. Independent Studies. Brigham Young University, 1978

POST-DOCTORAL EDUCATION AND TRAINING

Neuropsychology
The Fielding Institute, 2001

MEMBERSHIPS

National Academy of Neuropsychology
Brain Injury Association of Utah, Board Member 2000, 1999, 1998
International Association of Rehabilitation Professionals, Member,
past Board Member, and past Forensic Section Chair
American Board of Vocational Experts, Diplomate
International Academy of Life Care Planners

RECOGNITION

Appointee to Intra Organizational O*NET Task Force 2002
Peer Reviewer, American Board of Vocational Experts 1999, 2000, 2001, 2002
Editorial Board, IARP Journal, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004
Commission for Counselor Certification, Item Writing Appointee, 1997
National Distinguished Registry: Medical and Rehabilitation, 1989
The National Rehabilitation Association, 1986-1987
Utah Rehabilitation Association, 1986
Great Plains Region, National Rehabilitation Association, 1986
Utah Rehabilitation Counseling Association, 1985

PUBLICATIONS

CDMS Study Guide, Fifth Edition. (2008). Athens, GA: Elliott & Fitzpatrick, Inc. (Contributor).

The Quick Desk Reference for Forensic Rehabilitation Consultants. (2005). Athens, GA: Elliott & Fitzpatrick, Inc. (Contributor).

Vocational concepts in personal injury. Intermountain Commercial Record & Salt Lake Times.
May 1, 1998, pp. A-17.

Returning to work after brain injury. Making Headway, Brain Injury Association of Utah, Inc.
Winter 1998.

CDMS. Study Guide for the Certified Disability Management Specialist Exam, revised edition. Member of the Revision Study Group. 1998. Athens, GA: E & F, Inc. (Contributor).

Forensic Section Newsletter. (1996). Forensic Section of the National Association of Rehabilitation Professionals in the Private Sector bi-monthly newsletter. Salt Lake City, UT: Farnsworth & Associates.

Forensic Section News. (1996). The Rehabilitation Professional, Newton, MA: National Association of Rehabilitation Professionals in the Private Sector.

St. Thomas Study Group. (1993) Resource on Certification, Ethics and Training for Private Sector Rehabilitation. Athens, GA: E & F Inc. (Contributor).

Cancun Study Group. (1992). The Cancun Study Guide for the CIRS Exam, Athens, GA: E & F Inc. (Contributor).

Challenging the Vocational Expert. Expert Witness Guide, Lawyers Weekly Publication, May 21, 1990.

Implications of Expert Vocational Testimony. Utah Lawyer Alert, 1988, Volume 7, p. 4.

List of sworn cases for Kristy Farnsworth, Ph.D.

As of 3-24-08

NAME OF CASE	YEAR	NAME OF CASE	YEAR
Mathews v Anniversary Inn	3/2008	Sommer v Gange (trial)	2006
Wardell v Clyde	3/2008	Bodell v Bodell	2006
Wheatley v Tabler and Enterprise	2/2008	Chatwin v IHC	2006
Morgan v Morgan	2/2008	Cutler v Cutler	2006
Sualeviai v Apex	2/2008	Isom v Isom	2006
Harmes-Bowser v Guide One	2/2008	Barber v Barber	2006
Guss v Cheryl Inc	1/2008	Granieri v Burnham, et al.	2006
LeBegue v LeBegue	12/2007	Smith v Merit Distribution	2005
Melchoir v Melchoir	12/2007	Sommer v Gange (D)	2005
Bruce v Tanner Clinic	11/2007	Voitanik v Voitanik	2005
Ohl v Ohl	11/2007	Mushrush v Martel	2005
Gleason v. Tran	11/2007	Knight v Knight	2005
Hansen v. IHC, etal	9/2007	Brochinsky v Brochinsky	2005
Campbell v Kuhn	8/2007	Schoeck v Brown	5/2005
Ritchie v Ritchie	7/2007	Anderson v Headd (trial)	2005
Leary v Leary	6/2007	Schild v UWCF	2005
Campbell v. Kuhn (D)	5/2007	Pascoe v Pascoe	2005
Gullickson v Gullickson	5/2007	Steve Wood v Zeluff (trial)	2005
Wilson v Wilson	5/2007	Lyon v Lyon	2005
Jacob v Jacob	4/2007	Anderson v Headd	2004
Smith v Buchanan	4/2007	Lyon v Lyon	2004
Davis v Davis	4/2007	Hale v Israelson	10/2004
Moon v Moon	3/2007	Mott v McManama	6/2004
Casey v Casey	2/2007	McGee v Jones, Lang Lasalle	2004
Peck v Peck	2/2007	Steve Wood v Zeluff	5/2004
Froehlich v.	1/2007	Brown v Gus Palos	2004
Graineri v Burnham et al. (trial)	1/2007	Andersen v Dee Warner	2004
Werner v Werner	1/2007	Chivers v Moon Lake Electric	2004

In addition to the cases listed above, I provide testimony in administrative hearings throughout the Denver Region for the Office of Disability and Adjudication as a Medical Expert from 10-20 times each month.

Tab 4

PATIENT: Jenifer Hawks
DATE OF BIRTH: 02/25/1956 (51 Years old)
GENDER: Female
DATE: 06/19/2007 2:21 PM
DEPARTMENT: Orthopedics
VISIT TYPE: Follow-up OV
PROVIDER: Michael Hall MD
STATUS: Established patient

Dr. Report

Chief Complaints/ History of Present Illness

1. wrist pain Pain location: Left, Wrist: , Diagnostic results significant to today's problem: -CT

Chronic Conditions

1. Depressive Disorder Nec. Status: Well Controlled.
2. Allergic Rhinitis.
3. Sinusitis, Chronic.

Medications (started before today):

<u>Brand</u>	<u>Dose</u>	<u>Sig Code</u>	<u>Start Date</u>	<u>Quantity</u>	<u>Samples</u>
Naprosyn	500mg	1T PO BID	07/17/2007	60	N
Geodon	60mg		05/30/2007	0	N
Zoloft	100mg	2T PO QD	12/09/2004	60	N

No known allergies

Review of Systems

Constitutional: No weakness. No changes in activity.

Musculoskeletal:

See History of Present Illness (Musculoskeletal).

Physical exam

General/Constitutional: Well nourished well developed and in no apparent distress.

Neurological: Alert, age-appropriate exam; reflexes normal for age.

Musculoskeletal:

Constitutional: no acute distress

Patient presents alone.

Wrist Evaluation

Inspection

	Right Wrist	Left Wrist
Deformities:	Absent	Absent
Skin Scars:	Normal	Normal
Crepitus:	Absent	Positive
Ecchymosis:	Negative	Negative
Edema:	Absent	Present
Atrophy:	Absent	Absent

Palpation

Max Tenderness: Non-tender Thumb CMC

Stability

Neurovascular

Phalen's:	Negative	Negative
Tinel's:	Negative	Negative
Median Nerve Comp.	Negative	Negative

Other Tests

Basal Joint Grind	Negative	Negative
Finkelstein's	Negative	Negative

Range of Motion

Range of Motion

<u>Wrist</u>	<u>Right active</u>	<u>Right passive</u>	<u>Left Active</u>	<u>Left passive</u>
Flexion	80 degees		30 degees	
Extension Active:	70 degees		30 degees	
Radial Active:	20 degees		20 degees	
Ulnar Active:	30 degees		30 degees	
Factors Active:	Normal pain free ROM		Normal pain free ROM	

Coding Assessments

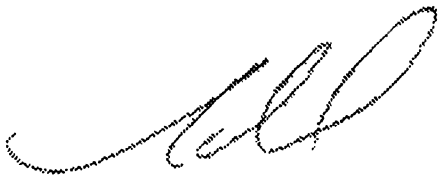
"Coder To Assign Code"; -Established Problem: stable - Thumb CMC Ost

Clinical Assessments

The patient is a 51 Years old, Female, who presents with Thumb CMC Ost.

Plan

Anti-inflammatories as needed. May inject in future.



Michael Hall MD

Primary Care Provider Physician None

Person NBR: 001000098944

Patient Name: Hawks, Jenifer

Date of Birth: 02/25/1956

Date: 06/11/07

Category: X-Ray CT

Description: Left Wrist CT

Provider ID: 88B49680-11E2-4F5A-9AEE-75C27154B47B

Referring: Michael Hall, MD

LEFT WRIST CT: HISTORY: Possible scaphoid fracture. Pain in left wrist for three to four weeks. No known injury. Scaphoid waist abnormality on plain films.

COMPARISON: None.

PROCEDURE - Helical 1.3 mm noncontrast images were obtained through the wrist, stored in PACs and reviewed at the monitor. Additional coronal and sagittal reformatted images were performed.

FINDINGS: The left thumb carpometacarpal joint is narrowed and sclerotic with moderate marginal osteophytes. The bone cortex of the scaphoid is unremarkable. No fracture or dislocation is demonstrated. Specifically, no CT findings correlate with the plain film findings. The remaining articular surfaces are preserved.

IMPRESSION: 1) Thumb carpometacarpal degenerative joint disease. No fractures.

C. Mark Alder, MD

Michael Hall, MD

D: 06/12/07 T: 06/13/07 TMT:018

PATIENT: Jenifer Hawks
DATE OF BIRTH: 02/25/1956 (51 Years old)
GENDER: Female
DATE: 06/08/2007 8:27 AM
DEPARTMENT: Orthopedics
VISIT TYPE: Acute Office Visit
PROVIDER: Michael Hall MD
STATUS: New patient

Chief Complaints/ History of Present Illness

1. **wrist pain** The Patient/Historian describes it as Piercing; Sharp; Severity level is Moderate (5). Pain location: Left, Wrist; , There is radiation. elbow Onset: 1 Week(s) ago. Symptom is aggravated by -Movement. Relieving factors include -Rest. She is also experiencing -Swelling. Additional information:.. Pt. states she is going through a divorce and sometimes she gets mad and throws things, she thinks this may be how she injured it.

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Past Medical/Surgical History

<u>Condition</u>	<u>Year</u>	<u>Procedure</u>	<u>Year</u>
Depression			
Allergic rhinitis			
Chronic Sinusitis			
Herniated cervicle disc			
		hysterectomy	
		Herniated cervicle disc surgery	
		Breast implants	1988
		Surgical menopausal	
		Caesarean section	

Family History

* <u>Condition</u>	<u>Family Mbr</u>	<u>Age</u>	<u>Comment</u>
Cancer	Father		
Cancer	Cousin		
Diabetes	Paternal grandmother		
Hypertension	Maternal grandmother		

Social History

General Information: Occupation: homemaker.

Marital status is married.

Tobacco: Tobacco user. Type of tobacco used: cigarette. Smokes 1.00 pack(s) per day.

Alcohol: Patient consumes alcohol; Drinks rarely.

Caffeine: Consumes caffeine. Drinks approximately 1 cup per day of coffee

Lifestyle: Exercises 2-3 times/week. Type of exercise includes walking,

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Geodon	60mg		05/30/2007	0	N
Naprosyn	500mg	1T PO BID	05/30/2007	60	N
Robomol-750	750mg	*1T PO TID	12/09/2004	90	N
Zolof	100mg	2T PO QD	12/09/2004	60	N
Naprosyn	500mg	1T PO BID	12/09/2004	60	N

No known allergies

Review of Systems

Constitutional: No weakness. No changes in activity.

ENT: Negative for hearing loss.

EYES: Negative for vision loss.

Respiratory: No SOB.

Cardiovascular: No edema.

Vascular: No redness, extremity coolness, ulcers, varicosities or thrombosis.

Gastrointestinal: No vomiting, diarrhea, nausea, or constipation. No abdominal pain.

Genitourinary: No dysuria or hematuria.

Metabolic/Endocrine: No cold/ heat intolerance. No generalized weakness.

Neuro: No numbness or walking (gait) disturbance.

Psychiatric: Negative for psychiatric or emotional upset.

Dermatologic: No rash or itching.

Musculoskeletal:

See History of Present Illness (Musculoskeletal).

Physical exam

General/Constitutional: Well nourished well developed and in no apparent distress.

Neurological: Alert, age-appropriate exam; reflexes normal for age.

Musculoskeletal:

Constitutional: no acute distress

Patient presents alone.

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Ecchymosis:	Negative	Negative
Edema:	Absent	Present
Atrophy:	Absent	Absent

Palpation

Max Tenderness:	Non-tender	Scaphoid, thumb CMC
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Stability

Neurovascular

Phalen's:	Negative	Negative
Tinel's:	Negative	Negative
Median Nerve Comp.	Negative	Negative

Other Tests

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Factors Active:	Normal pain free ROM		Normal pain free ROM	

Radiology Studies Ordered This Visit:

<u>CPT CodeName</u>	<u>Pre-Interpretation</u>	<u>Interpretation</u>	<u>Film sent interp</u>
73200P CT Upper Extremity WO Con Lt			

Coding Assessments

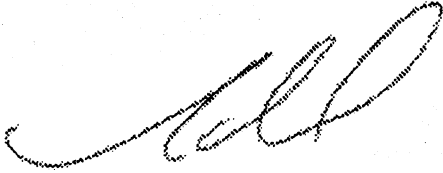
"Coder To Assign Code"; -New Problem WITH work up moderate risk - Thumb CMC osteoarthritis.

Clinical Assessments

The patient is a 51 Years old, Female, who presents with Thumb CMC osteoarthritis., Onset was 1 Week(s) ago. Possible scaphoid fx, but no history of trauma or a fall.

Plan

CT scan to eval. Will consider surgical options if needed.

A handwritten signature in black ink, appearing to read 'MH', is written over a faint, dotted grid background.

Michael Hall MD

Primary Care Provider: Physician None