


Spring 2003

Clark Memorandum: Spring 2003

J. Reuben Clark Law Society

J. Reuben Clark Law School

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CLARK MEMORANDUM

J. Reuben Clark

Law School

Brigham Young

University

Spring » 2003



ESCAPE FROM THE 85TH FLOOR

Cover photo, *Tribute to the Twin Towers in Light*, ©AFP/CORBIS.

Back cover photo, *World Trade Center Towers and the Statue of Liberty*, ©Adam Woolfitt/CORBIS.

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The J. Reuben Clark Law Society draws on the philosophy and personal example of the Law School's namesake, J. Reuben Clark, Jr., in fulfilling the following mission: We affirm the strength brought to the law by a lawyer's personal religious conviction. We strive through public service and professional excellence to promote fairness and virtue founded upon the rule of law.



→ This speech was presented at a J. Reuben Clark Law Society satellite fireside on February 28, 2003. ←

I am humbled to have been invited by Dean H. Reese Hansen, dean of the J. Reuben Clark Law School, and William Atkin, chair of the J. Reuben Clark Law Society, to participate in this historic fireside. I am advised that the J. Reuben Clark Law Society, founded in 1988, has a membership of 6,000 Latter-day Saint attorneys and law students in approximately 40 chapters throughout the world. I am grateful for the generous use of the Church satellite broadcasting system, which makes it possible for all of you to participate without traveling to a central location. ✿ Both the J. Reuben Clark Law School and this society were established for a noble purpose. President Marion G. Romney, who supported the establishment of the J. Reuben Clark Law School, stated that a principal purpose was to permit the study of the “laws of man in light of the laws of God.” ✿ I would like to expand on President Romney’s statement beyond the study of the laws of men in light of the laws of God to *involvement with* the laws of men in light of the laws of God. In our own standards of personal conduct we must remember that the laws of men are the lesser law. I cite to you that the laws of many jurisdictions do not require or encourage being a Good Samaritan. As I have said before, there is a great risk in justifying what we do individually and professionally on the basis of what is “legal” rather than what is “right.” In so doing, we put our very souls at risk. The philosophy that what is legal is also right will rob us of what is highest and best in our

be healers

nature. What conduct is actually legal is, in many instances, way below the standards of a civilized society and light years below the teachings of the Christ. If you accept what is legal as your standard of personal or professional conduct, you will deny yourself of that which is truly noble in your personal dignity and worth. ✿ A lawyer’s own careful conscience and his own standard of high integrity ultimately must govern his conduct. The Doctrine and Covenants reminds us that “he that keepeth the laws of God hath no need to break the laws of the land” (D&C 58:21). ✿ Surely the higher law requires us to not only just seek justice but to eliminate injustice. The Savior taught if any person has done an injustice to another so that the injured party needs to seek redress, the offender should do more than merely pay that which is due, he should in spirit give his cloak also (see Matthew 5:40). Efforts of conciliation and reconciliation and compromise are elements of the higher law. ✿ The mission statement of the J. Reuben Clark Law Society is: “We affirm the strength brought to the law by a lawyer’s personal religious conviction. We strive through public service and professional excellence to promote fairness and virtue founded on the rule of law.” These two statements suggest that there is a higher standard of conduct expected of the graduates of the Law School and members of this Law Society. Wherever we live we may need to break with certain trends of the legal establishment as it is today. When the profession has in some ways strayed from high professional principles, perhaps we have some duty to point the way. ✿ I presume that most if not all of you have had the gift of the Holy Ghost bestowed upon you.

→ BY PRESIDENT JAMES E. FAUST ←

By this transcending gift we are told that we can learn all things and “know the truth of all things” (Moroni 10:5). Thus we can enjoy discernment of things that cannot come in any other way. This is true not only in our professional lives but also in our family, Church, and public lives. Advocates even as angels need to speak “by the power of the Holy Ghost” (Moroni 10:5). The great truths taught by King Benjamin were given to him by an angel who said unto him, “[H]ear the words which I shall tell thee” (Mosiah 3:3). This is a pretty reliable source of information. The founders and supporters of the J. Reuben Clark Law School have hoped that you could be men and women of profound legal competence without being tainted by any of the pernicious selfish influences that tend to corrupt and abuse the legal system. One can’t help wondering if in some instances the tort judicial system in the United States is being abused because of the exorbitant punitive damages that are sometimes being awarded. A few of them bear no relationship to reasonable compensation. The lawyers must bear some of the responsibility for this, because some of the cases are taken on a contingent fee basis. It is hard to change human nature, because greed is a basic human weakness. The compensation a lawyer receives ought not to be his primary interest. The interest of the client always has to be the first consideration. If you will follow that rule, you and your family will be taken care of.

The day when a young lawyer passes the bar and hangs out his shingle (as I did) and hopes some clients will come to him is probably over. My first month after paying my expenses I made three dollars, and it didn’t improve very rapidly. But my wife and I took comfort from my patriarchal blessing, which said that I would have sufficient means to take care of my wife, my family, and myself. She stayed home with the children, and looking back on it, I don’t know how we did it, but my patriarchal blessing in that regard was completely fulfilled. I could have made more money by simply charging more for my services, but that was a conscious decision on my part. The Lord’s hand is in the affairs of those who seek to do His will. Things work out in unexpected ways. When I was a 28-year-old bishop, only a few months in the practice of the law, we had a Relief Society bazaar in our ward. I was flat broke, and my wife and I wondered how we were going to support the Relief Society bazaar. The very day of the bazaar some money came in that was totally unexpected, which strengthened my faith and made it possible for the bishop to do his duty. I believe that if you conscient-



tiously render the service to your clients, and strive to be worthy, the Lord will take care of you.

To you law students who are in attendance tonight, I pass on a warning written in July 1850 by Abraham Lincoln:

There is a vague popular belief that lawyers are necessarily dishonest. I say vague, because when we consider to what extent confidence and honors are reposed in and conferred upon lawyers by the people, it appears improbable that their impression of dishonesty is very distinct and vivid. Yet the impression is common, almost universal. Let no young man choosing the law for a calling for a moment yield to the popular belief—resolve to be honest at all events; and if in your own judgment you cannot be an honest lawyer, resolve to be honest without being a lawyer.

[*The Collected Works of Abraham Lincoln*, vol. 2 (Rutgers University Press, 1953, 1990), p. 81]

When I was a young practicing lawyer, there was an older member of the bar who was considered a very skilled advocate, but as a person he was nothing more. He was a fierce opponent and knew all of the tricks of the trial advocacy. His personal life was reprehensible. He was never involved in humanitarian efforts. To my knowledge, he never served on a community committee, never ran for nor held public office. He did not evidence one scintilla of spirituality. Others with less natural talent but more character were far more successful and much happier.

To be fully successful in the law, one does not have to be brilliant or exceptionally gifted. The most effective work of the world is done by ordinary people who put forth extraordinary effort. This is true of lawyers. Our strengths are magnified with experience and inspiration. I also believe that while practicing law we can still maintain our humanity, that we ought to be patient and forgiving—although, as some witty person quipped, “To err is human; to forgive would put a lot of attorneys out of work.”

Our lawyers need to be more than successful advocates. We need to bring our sacred religious convictions and standards to the practice of law. To do otherwise would bring an inconsistency to our character. There always needs to be a connection between having an involvement in the law

The Decided Are Always Gentle

INTRODUCTION OF PRESIDENT JAMES E. FAUST PRIOR TO HIS REMARKS

by Elder Lance B. Wickman

An Apostle by calling and a lawyer by training, President James E. Faust is one of the most well-known and well-loved men in the Church. He is certainly no stranger to this vast congregation united across continents by common conviction and profession. That President Faust almost instinctively deflects praise and recognition aimed in his direction does not make the task of paying tribute to him any easier. But I have elected to proceed anyway, because I believe that this evening the man is as important as his message; in fact, the man is the message.

Born in Delta, Utah, the second son of George Augustus and Amy Finlison Faust; President Faust’s titles include missionary in Brazil; officer in the United States Army during the Second World War; law student at the University of Utah; practicing lawyer in Salt Lake City for 25 years; and Church General Authority for more than 30 years, including membership in the Quorum of the Twelve Apostles and, for the past 8 years, Second Counselor in the First Presidency. He has served at various times in the Utah State Legislature, as a member of the Utah Constitutional Revision Commission and the Legislative Study Committee, and as president of the Utah Bar Association, all the while serving variously in the Church as bishop, counselor in a stake presidency, stake president, or Regional Representative. Merely reciting those unvarnished facts discloses a life rich in capacity, diverse experience, and service.

But that is not the man I would introduce this evening. I wish to speak in a somewhat more personal way about one who I have come to love and sustain through a period of years of close association as a prophet, apostle, associate, mentor, and friend. As I have thought about these remarks tonight, my recollection has been drawn to a comment made by a professional colleague some years ago. He said that as a young lawyer he inquired of a prominent judge in his community what it takes to be a successful courtroom advocate. This wise jurist responded with five words, words that in my judgment are profound in their own right and reach far beyond the courthouse and—more to the point here this evening—that are profoundly descriptive of President James E. Faust. He said, “The decided are always gentle.” “The decided are always gentle.”

I think that judge meant that the truly great soul radiates a serenity and gentility—a rock-solid integrity mixed with a childlike humility and kindness—that only comes to one at peace with God and with himself. Such a man is President James E. Faust—a “decided” man, a gentle man.

One cannot spend much time with President Faust and not enjoy his marvelous personal warmth and sense of humor. On one occasion, he shared with me an experience he had as a very new lawyer. He had accepted a *pro bono* appointment to represent a young man in federal court who was charged with stealing a motorcycle and transporting it across the state line. The matter was pending before Judge Tillman D. Johnson, a man of bird-like frame and a high, reedy voice who was well into his nineties. When the case was called, President Faust said, he stepped forward with his client. Judge Johnson peered down from his perch behind the bench and asked the two young men standing before him, “Which one of you is the accused?”

But, notwithstanding his engaging personal warmth, President Faust is a man of unflinching principle. He is a man for all seasons. As a young soldier in the early days of World War II, he was very much in love with the beautiful Ruth Wright. He wanted to marry her, but he could not afford to do so on a private’s meager wage. So, he applied to become an officer. With much at stake, he was summoned before a panel of hard-bitten professional Army officers as part of the qualification process—men whose personal lifestyle and values were different than he had been taught. To his surprise he found himself being questioned about his religious beliefs. One officer asked him whether he prayed and whether he believed an officer *should* pray. President Faust responded frankly that he did pray and, further, that he thought prayer an appropriate activity in which an officer should be prepared to lead his men. Then came a real curve ball. He was asked whether the unusual circumstances of wartime did not justify men in departing to some degree from the code of personal morality they would otherwise follow in less challenging times. Realizing that this panel of officers likely held just such a view, and with his dream of marrying his beloved Ruth hanging in the balance, President Faust nonetheless simply said, “I do not believe there is a double standard of morality” (James E. Faust, *Stories from My Life* (Salt Lake City: Deseret Book, 2001), pp. 2–3). I cannot think of President Faust without also thinking of a statement attributed to U.S. President Harry S. Truman, “When in doubt, do what’s right.”

It is my observation that this unflinching devotion to principle is born of an unshakable confidence in the Lord. More than once as we have wrestled with a difficult situation that seemed to defy solution, he has said to me, “Lance, never forget whose work this is. It is the Lord’s work, and He will see us through.”

And so, brother and sisters, it is my great honor this evening to introduce you to our speaker and guest of honor, our very own Apostle James—President James E. Faust, Second Counselor in the First Presidency of The Church of Jesus Christ of Latter-day Saints.

Elder Lance B. Wickman, a member of the First Quorum of Seventy, is legal counsel for The Church of Jesus Christ of Latter-day Saints.

and living the gospel. In a sense we are all “able ministers of the new testament; not of the letter, but of the spirit: for the letter killeth, but the spirit giveth life” (2 Corinthians 3:6).

The kind of a lawyer you are depends in large measure upon your character. If you are going to point the way, you need to be more than skilled advocates. You need to be decent human beings trying to solve problems. You need to be teachers as well as advocates and draftsmen. You can do this best by personifying the lessons learned from being a good example. To be a good example it will be necessary for you to carefully guard your good name. As William Shakespeare said,

*Good name in man and woman, . . .
Is the immediate jewel of their souls:
Who steals my purse steals trash; 'tis something,
nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed.*
[William Shakespeare, *Othello*, Act iii, Scene 3]

Despite all of the lawyer jokes, such as Shakespeare’s quip through Dick in his play *King Henry VI Part II*, “Let’s kill all the lawyers,” as an individual you may be accorded respect and positions of honor and trust. This may be in public life as well as Church callings that may come to you. While as a group, lawyers are often criticized, as individuals most are appreciated. As Lincoln said, “They are accorded honor and confidence.” Your clients often become lifetime friends. They continue to seek counsel on nonlegal matters.

I now wish to comment briefly on some special privileges practicing lawyers enjoy. You should be different from the typical citizen. You can ask questions of people which, when asked by others, would be considered unthinkable. Some of the answers you receive are privileged and, as you know, protected by law. They contain some of your clients’ deepest feelings and confidences. Some things disclosed may be embarrassing and others sacred. These answers are to be held inviolate. I do not wish to be unfair, but I have observed that some law students and lawyers are inclined to have inflated egos. They think they have the answer to everything. Speaking for myself, however, I know I don’t. When some questions come up I find myself saying, along with Yogi Berra, “I wish I had an answer to that because I’m tired of answering that question. If you ask me anything I don’t know, I’m not going to answer.” I commend to you the words of Shakespeare, “There’s nothing so becomes a man / As modest



stillness and humility” (*King Henry V*, Act iii. Sc. 1). Even after we have gained some experience, it doesn’t do to get complacent or smug about our ability. It’s good to remember what Will Rogers once said, “Even if you’re on the right track, you’ll get run over if you just sit there!”

To those of you who are practitioners, a few simple suggestions learned the hard way over half a century at the bar might include:

Don’t get so overly involved in your client’s cause that you lose your balance, good judgment, and sense of humor.

Sublimate your own ego to the greater need of helping your client.

At all costs, keep your own integrity.

Don’t let your client establish the rules of your conduct.

Communicate: keep your client informed, and without compromising your client’s cause, keep communication open with your opponent.

Never commingle other people’s money with your own.

Protect yourself by making an adequate record.

This can all be summed up in the principle that we should never do anything to offend the spirit.

Thirty years ago when I was first called as a General Authority of the Church, I had an office full of matters, some of which had been pending for some time. It took a few months to get them resolved. The remarkable thing that happened was that I never had to go back into court again on a contested matter. It was like the waters of the Red Sea had parted. One longstanding, complex case got quickly resolved when my opposing attorney and I sat down and began to communicate. One by one the complexities got adjusted, and when it came to the settlement of the money claim, my opponent was so pleased to have the other issues settled that he offered to pay more money than had we asked. I informed him that we would stand by our previous figure, which was less than he eventually paid, because he insisted on paying more to get the whole matter settled.

The adversary system has been proven over the centuries to be the best way to get to the ultimate truth of the facts. However, my sons who are lawyers tell me the system has become far too contentious and disagreeable.

In my lifetime I have seen the majesty of the law cheapened under the theory that the end of winning justifies the means. To many the trial of the O. J. Simpson case was a soap opera. We have seen the legal system abused by having the issues tried in the newspapers before and during the trials rather than on the law and the facts. Historically the legal system developed as a means of resolving differences and preserving peace. I find much wisdom in the statement in Proverbs, “When a man’s ways please the Lord, he maketh even his enemies to be at peace with him” (Proverbs 16:7). The spiritual gifts we can enjoy by obedience to our religious convictions can work in remarkable ways in our attempts to help resolve differences. The pursuit of justice is a very noble path, but obtaining justice is often very elusive, because what is justice to one is considered injustice to another. In some ways a more noble effort is to resolve differences by being a peacemaker. I quote again from Abraham Lincoln, who advised: “Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser—in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man. There will still be enough business” (“Notes for a Law Lecture” (July 1, 1850?), *The Collected Works of Abraham Lincoln*, vol. 2 (Rutgers University Press, 1953, 1990) p. 81).

John W. Davis, senior member of the New York City law firm of Davis, Polk, spoke about promoting peace:

True, we build no bridges. We raise no towers. We construct no engines. We paint no pictures—unless as amateurs for our own amusement. There is little of all that we do which the eye of man can see. But we smooth out difficulties; we relieve stress; we correct mistakes; we take up other men’s burdens and by our efforts we make possible the peaceful life of men in a peaceful state. [John W. Davis, Address at 75th Anniversary Proceedings of the Association of the Bar of the City of New York, March 16, 1946]

Before the wounds of injustice can heal, there must first come a feeling of peace. So, in a sense, a lawyer who helps make peace becomes something of a healer. A good beginning for settling controversy is to try

to lower the tension between the real parties in interest. This may require some persuasion of your own client. A lawyer acquaintance of mine invariably became so intense in his client’s cause that as a tactic before trial he would threaten, browbeat, and insult opposing counsel. In one instance, he gratuitously but personally insulted opposing counsel in a parking lot while they were going to their cars. His opponent was older and bigger and responded by putting a headlock on him. The gossip from that event traveled fast through the bar circles. My acquaintance became the butt of unkind jokes and was unfairly branded. Unfortunately, he didn’t learn from that experience. He never apologized to his adversary or tried to make it right in any way. As a result of his personal belligerency he was rarely able to settle matters and thus did a disservice to his clients. He was always trying to make big waves instead of calming the waters.

All professionals, including lawyers, need to find a balance between the demands as servants of God, as parents, and as advocates and lawyers. As a wise person once said, “The things that matter most cannot be left to the mercy of the things that matter the least.” I think the Savior Himself established the priorities well in the book of Matthew (Joseph Smith Translation) 6:38, when he said, “Wherefore, seek not the things of this world but seek ye first to build up the kingdom of God, and to establish his righteousness; and all these things shall be added unto you.”

I bear witness of the truthfulness of the restored gospel and pray that the mercy of that gospel will bless us all, in the name of Jesus Christ, amen.

PHOTO CREDITS

Photographs by Dr. Dain Tasker. Courtesy Howard Greenberg Gallery, NYC. Page 2, *Lily*, 1930. Page 4, *Lotus—Wide Open (variant)*, 1935. Pages 1, 6; *Amazon Lily (variant #2)*; c. 1930.

In 1930 Dr. Dain L. Tasker, an amateur photographer and a successful radiologist practicing in Los Angeles, turned his attention to the exposure of flowers using X ray as his negative. The delicately translucent images were exhibited as works of art, not just scientific documents. Although published in the prestigious U.S. Camera magazine in October 1939, Tasker’s floral X rays have been largely overlooked until recently.

Segments

of the following

narrative come

from the

interview

with Victor

Guzman that

appeared

in

the feature

"A Day in

September: In Their

Own Voices,"

in the

Times

Herald-Record,

Middletown,

New York,

on September 8,

2002.

ESCAPE FROM THE 85TH FLOOR



VICTOR GUZMAN, '95, HAD JUST STARTED A NEW JOB AT ORENSTEIN AND BROWN AT 1 WORLD TRADE CENTER ON THE 85TH FLOOR IN JUNE 2001. HE ARRIVED AT HIS OFFICE AT 8:30 A.M. ON SEPTEMBER 11, 2001. HE WAS WORKING IN THE NORTH TOWER—THE FIRST TOWER HIT—WHEN THE ATTACK OCCURRED. THIS IS HIS STORY.

BY VICTOR GUZMAN

IT WAS EARLY MORNING, 5:30, AND I WAS FIGHTING TO GET UP. I WAS STILL NOT USED TO THE HOURS. I HAD STARTED A NEW JOB IN JUNE AT ORENSTEIN AND BROWN AT 1 WORLD TRADE CENTER ON THE 85TH FLOOR, AND I WAS STILL TRYING TO GET USED TO THE COMMUTER GRIND. I USUALLY GOT TO THE OFFICE AT 8:30. THAT DAY I REMEMBER GOING INTO MY OFFICE AND TURNING ON THE COMPUTER. I ENTERED MY TIME SHEET, AND AS I PRESSED "PRINT," I FELT AN **EXPLOSION.**

I was thrown forward. I felt the building actually lean forward to the point where I had to brace myself against the wall and the desk.

At that point my heart started racing and ideas were coming into my mind, but the main idea that stayed was “Get out!” I didn’t know what had happened. I knew it wasn’t good. The funny thing is, since I’d started commuting, I had everything in my knapsack—everything. You know, bills and papers and things that I used to do on the train. So I grabbed the bag and ran out of the office.

There was an acrid smell and smoke everywhere. Things had fallen from the ceiling, books had toppled over, and people were screaming. There was one secretary outside my office, and I grabbed her and ran toward the nearest exit. I opened the door to the exit but couldn’t see anything. There was nothing but smoke. Fearing what was on the other side of that smoke, we closed the door and retreated back into the office. The office took almost the entire 85th floor, and we went around to the other side, where we met up with 10 to 15 other employees.

Stepping over things that had fallen, we got through another exit door. We all made a line: one person was in front and one stayed in back to make sure that everybody got out. The black smoke made it hard to see, hard to breathe. We went down to the main level, the 70th floor, where the stairwell stopped, and we had to find another set of stairs. No single stairwell at the World Trade Center went all the way down to the ground.

The 70th floor was chaos. It looked like the elevator had blown out. There was glass everywhere and still that perplexing acrid smell that now I attribute to gasoline.

I remember asking one of the security guards, “Where’s the nearest exit?” He had no idea and said, “I’m looking for it myself.” So I looked at the elevator, where there was always a “You Are Here” sign, and somebody saw me looking. We both went to the next stairwell and shouted to everyone, “Go out that way.”

As we went down, we had to find another stairwell every few levels. I remember standing behind a blind guy with a dog, and everybody was yelling, “Hurry up! Move! Move!” I said, “Relax. There’s a guy in front of us. He’s blind.” The last thing I wanted to do was to push him down the stairwell.

As we went down, the lower we got, the clearer the air became and the easier it

was to breathe. People from other floors started passing down wet paper towels to cover our mouths.

As we considered the cause of all this destruction, I thought about a small plane that I had seen day after day outside the World Trade windows. I thought maybe the pilot had had a heart attack and plowed into the side of the building. One thing I remember vividly is that we heard from no one above the 93rd floor.

As we were coming down, I was impressed by the calmness. Something I’ll always remember, as scary as it was—and it helped that we didn’t know what was going on—it was orderly. Nobody was pushing, nobody was shoving. The only time it got a little panicky was when the line descending downward stopped.

The stairwell was wide enough for only two people. If somebody was bigger than average, then two people couldn’t fit. It was difficult whenever it bottlenecked—you had people coming into the stairwell from every floor, so the people up above were being stopped until these people merged. People started shouting, “Hey! Hurry up! What are you doing? We gotta get out of here!” So others and myself would say, “Calm down. We’re going to make it.”

The last thing we wanted was a panic. For everybody to make it out, we had to do it in an orderly fashion. We started forming a single line to allow those who were hurt to come down before us. There was a man whose clothes were burned off—we allowed him to come down. I found out later that he made it out.

Everybody was trying to use their cell phones as we were going down, but they didn’t work. I think I was on the 39th floor when my cell phone rang. It was my wife. She was watching TV and freaking out. “Are you all right?” she asked. “For now we’re fine,” I shouted. “What’s going on?”

I was talking loudly because everybody wanted to know what was happening. “Two air buses,” I said. Astonished at my answer, they said, “What? Are you kidding me? Had to be way bigger than an airbus.” I said,



I REMEMBER LOOKING

INTO THE EYES OF THESE HEROES.

**I THOUGHT, “They’re going up, . . .
and they’re going
to take care of it.”**



SIDEBAR: THE AFTERMATH I WALKED TO THE BROOKLYN BRIDGE. THE BUSES STARTED GOING OVER, WHICH WAS GREAT, BECAUSE I WAS TIRED. I FINALLY GOT TO BROOKLYN, AND I WALKED ANOTHER HALF HOUR TOWARD MY MOTHER-IN-LAW'S HOUSE. I KNOCKED ON THE DOOR. SHE DIDN'T KNOW I WAS COMING—THERE WAS NO WAY OF LETTING HER KNOW. SHE GAVE ME A BIG HUG AND SAID, "YOU'VE TRULY BEEN REBORN TODAY." MY FATHER-IN-LAW DROVE ME HOME. IT TOOK TWO HOURS. WELL, YOU CAN IMAGINE, MY FAMILY DIDN'T WAIT UNTIL I GOT OUT OF THE CAR BEFORE MY KIDS WERE HUGGING ME AND MY WIFE GRABBING ME. IT WAS LIKE ONE OF THOSE SLOW-MOTION THINGS WHERE YOU LOOK INTO YOUR WIFE'S EYES AND EVERYTHING STOPS, A TIME WHEN YOU SAY I LOVE YOU, AND YOU'VE NEVER MEANT IT MORE THAN ANY OTHER TIME IN YOUR LIFE. + **THAT DAY MY ENTIRE LIFE CHANGED.** THE REASON I HAD GONE INTO THE CITY WAS FOR MORE MONEY, TO GET MORE THINGS FOR OUR HOME, AND NOW I REALIZE THAT MATERIAL THINGS ALMOST DIDN'T LET ME HAVE WHAT I REALLY NEEDED—MY FAMILY. IT'S NOT THAT I WAS NEVER AT HOME, BUT MY COMMUTE WAS TWO AND A HALF HOURS EACH WAY. I USED TO LEAVE AT 6:00 IN THE MORNING AND GET HOME BY 9:00 IN THE EVENING AND GO TO BED AND START OVER AGAIN. + SLEEPING WAS TOUGH FOR A WHILE—A COUPLE OF TIMES I HAD NIGHTMARES. + THE LAW FIRM I WAS WORKING FOR AT THE TRADE CENTER DECIDED THAT IT HAD TO GO BACK TO WORK, THAT IT WAS PROBABLY THE BEST THING TO DO. SO THEY HELD A MEETING ON A THURSDAY. AS I WAS ON THE TAPPAN ZEE BRIDGE ON THE WAY TO THE JOB, THEY CALLED MY WIFE TO HAVE HER TELL ME NOT TO COME IN. THEY HAD EVACUATED THE BUILDING WHERE THE MEETING WAS BEING HELD BECAUSE OF THREATS. + I FOUND A NEW JOB IN THE PAPER RIGHT IN MY FIELD AND SENT IN MY RÉSUMÉ. THE FIRM I'M WITH NOW IS ONLY AN HOUR COMMUTE. I'M HOME ON THE WEEKENDS AND CALL MY WIFE A FEW TIMES A DAY. I DON'T WANT TO BE COMPLACENT ANYMORE. I DON'T WANT TO GET TO THE POINT WHERE LIFE IS JUST A RIDE BACK AND FORTH ON A TRAIN. MAYBE THAT SENSE OF URGENCY IS IMPORTANT—TO LIVE EVERY DAY LIKE IT WAS YOUR LAST. THAT CLICHÉ HAS A LOT MORE MEANING NOW THAN IT DID ON SEPTEMBER 10. I DON'T EVEN REMEMBER WHAT I WAS DOING ON THAT DAY.

"Look, this is what they're telling me. I don't really know." Then we saw the grim looks on each other's faces, and it was at that point we knew the crashes must have been terrorist attacks.

I got back on the phone with my wife and told her, "Don't worry about me, I'm fine. I love you. Let me hang up before we get cut off." Getting cut off would have been worse for me than my telling her good-bye and hanging up. I don't know why, but that was the feeling I had when I got off the phone.

As we got lower, more people started getting phone calls, and we started hearing more rumors, which, I think, was probably worse than better.

That's when the Pentagon was hit, and we heard there were five or six planes. Now it was getting tense. As we were walking down, the firefighters started coming up the stairwell. People were getting asthma attacks and some couldn't breathe, so the situation was getting more dire the closer we got to the outside.

By this time my legs were rubber. From the 85th to the 30th, I was feeling it in my legs. As the emergency crew came up, everyone thanked them. They had at least 80 pounds of equipment and no way of taking an elevator. I'm thinking, well, we know the explosion happened above us, so we're on the 30th floor now, and they're going to walk up past the 85th with all that equipment—that's amazing. One thing I remember is looking into the eyes of these heroes. I thought, "They're going up, and they're going to see what this explosion is about, and they're going to take care of it."

As we got further down, the breathing became easier, but then all of a sudden there was rushing water. We didn't know where it was coming from, but there was water rushing down the staircases. We were holding on and walking slower.

We finally got to the main level, which led out to the courtyard where they had that statue—the round sphere. I saw plane parts, body parts, fire, papers flying. That was the first time we saw how bad it was. We had been sheltered, basically, inside the stairwell walls. Now reality hit us.

Everything that had been calm until that point became chaotic. We went through the revolving doors, where water was coming down, and we got a torrent of cold water drenching our bodies. People were yelling

that we should run. I became disoriented, and it got real scary.

We ran and we ran. We went up the escalator, and I still remember the line, the double line of emergency personnel making sure everybody got out in an orderly fashion. Those are the people that I remembered when the towers ultimately fell.

I got outside and turned around to see what was going on. I saw two gaping holes with flames coming out, and it hit me just how close they were to where I had been sitting. I started running. I got three blocks away and turned around again. I figured I was safe there.

At that point, World Trade No. 2 started crumbling. The noise was deafening: crunching glass, steel, a roar. I saw the tower toppling over. I started calculating: "Let me see, 110 floors. I'm only three blocks away. If it falls forward, how long will it take to get to me?" I started running.

We ran toward the Brooklyn Bridge. Pace University was off to the right, so that's where I ran. As I got to the doors, the smoke overcame me, and I got covered with soot. I looked like a ghost. I had been all in blue, but now I was all in white and gray ash.

Once the smoke started clearing, people began leaving. But I said, "I'm not going anywhere. This is the safest I've felt in the last few minutes. They're going to have to drag me out of this building to get me out."

Then, about 10 to 15 minutes later, I heard the other tower fall. That's when I had to sit down. That was the tower I had been in.

It was at that point that scenarios started going through my mind: if I'd waited 10 more minutes or rested on one of the floors, or if I hadn't run out of the building. . .

I almost died today. So, I sat, just staring at the walls.

Victor Guzman, '95, is an attorney with the Newburgh, New York, law firm of Drake Sommers Loeb Tarbis & Cantania.

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ILLUSTRATIONS BY

BRIAN KERSHISNIK

SACRED

LAW SCHOOL has a bad reputation: hard work, endless preparation, the “Socratic method,” razor-sharp competition. Why, then, would anyone want to come to law school? Because everyone that graduates from law school is a lawyer. All of you in your various stages of commitment have decided to become lawyers. » I spent the weekend reading essays on the reasons why 27 first-year law students decided

EXPERIENCE

by Jane H. Wise



to become lawyers. Some of them knew from early on that they wanted to be a lawyer. The events of September 11th figured prominently in some soul-searching of “What do I want to do with my life?” Some were kindly and unkindly nudged by a parent, teacher, or friend.

It brought back memories of how I found myself in law school: six months from an undergraduate degree in English and theatre performance and wondering what on earth I was going to do. Graduate school? Get a “real” job? My father, an attorney (and I had no real idea what that meant), said, “Why don’t you go to law school? You love to read, you love school, you love to perform—you’re a natural.” The seed was planted, and it began to swell in my heart. It began to enlarge my soul and be delicious to me.¹

I met my all-through-junior-high-and-all-through-high-school-and-all-through-the-university-departmental-English friend and announced, “I’m going to take the LSAT next week. I think I’ll go to law school.” Mind you, this was 1973, so this kind of announcement was not greatly anticipated. In 1976 I was the 100th woman admitted to the Utah State Bar. The first woman had been admitted in 1873 before the Territorial Bar, and 103 intervening years had passed before another 99 women joined her in the ranks. Today in 2002 there are more than 1,700. But in 1973 for a woman to casually announce she was going to law school was a shocking thing.

“I think I’ll go, too,” said my friend. It took about 30 seconds for her to plant the seed and for it to grow and become delicious to her. Here’s a sidelight forecast for you: when you do something very hard with a group of other people doing what you are doing so that you are all transforming yourselves together, you forge strong bonds between you. My three best friends in the world, including that junior-high/high-school/college friend, attended law school with me.

I was a theatre major. I still love passion and drama and spectacle. But what I have found and what I continue to see is that the beginnings of transforming events happen simply and quietly in the planting of a seed. That doesn’t mean that the repercussions of that seed won’t mean thunder and lightning

in the soul, but the idea usually begins in a quiet thought, the remark of a trusted friend, a new and sweet inspiration that brings light.

I’d like to share some of the stories from these first-year students telling why they decided to come to law school. You’ll find they run the gamut from the dramatic to the quiet, but all of them involve planting the seed of an idea that brings light.

One student had the idea of law school grow up with him. “I always knew that I wanted to go to law school, but from a young age people told me I should think about something else.” What is it those people knew that he didn’t know? The now first-year law student continues, “I welcome a challenge and realize that without it we cannot grow.” Another student wrote, “I can’t remember when I first formulated the idea of going to law school. It must have been formed long before concrete, cognizant thinking began, for I grew up knowing it and living it as if it was the most natural thing in the world.”

Some students thought they’d go to law school because a parent was a lawyer. One student remembers a second-grade back-to-school night when he unveiled an art project to his parents: “It was a stiff sheet of white paper that began, ‘When I grow up I want to be a lawyer.’ (The word *lawyer* was spelled out in pennies—some kind of foreshadowing?) ‘See, Dad—when I grow up, I am going to be just like you!’”

Other students had experiences that highlighted the importance of legal skills—in particular, drafting laws to protect certain segments of the population. One student wrote of working with a graduate student who was surveying migrant workers:

The surveys were designed to see if the farmers were following safety regulations. We asked about things like notification of pesticide treatments, the availability of proper equipment, sanitary living conditions, and other safety related issues. While spending time with these workers and bearing some of their stories, I became extremely grateful for the laws that were designed to protect them. I began to see that being a lawyer had a lot of possibilities that would fit into the life I wanted to live.

Another student was a volunteer for a Head Start program:

♦ ♦ ♦
This address,

sponsored

by the Women’s

Law Forum,

was presented

on September 1,

2002.

♦ ♦ ♦

I began to think about my dreams as a child and all the dreams, inspiration, and hope that education brought to me in my early years. I kept remembering an experience I had in high school where I interned at the Utah state capitol and had the chance to read over bills that were being proposed. I fell in love with the atmosphere of many men and women working together to create laws for the good of the citizens of the country, realizing that the law could be used to bring to pass good purposes and protect good people and programs. I came to the realization that good lawyers were needed to promote these causes.

Then there were the stories of frustration with systems where rules were not obeyed that made the idea of acquiring legal skills attractive. A trip to China was the seminal event that led one student to law school. She wrote of that country's lack of adherence to rules and regulations:

Cars did not yield the right-of-way to ambulances. Bicyclists, mopeds, and pedestrians fought to be on the sidewalk. I was pushed, shoved, and stepped on as others moved in front of me to get on a bus, to get into the subway, to pay for groceries, or to conduct banking transactions. My students at the university cheated on exams, submitted blatantly plagiarized work, and disregarded the ground rules I established and reiterated throughout the semester.

Another student wrote of his experience as a collection agent for a rent-to-own company:

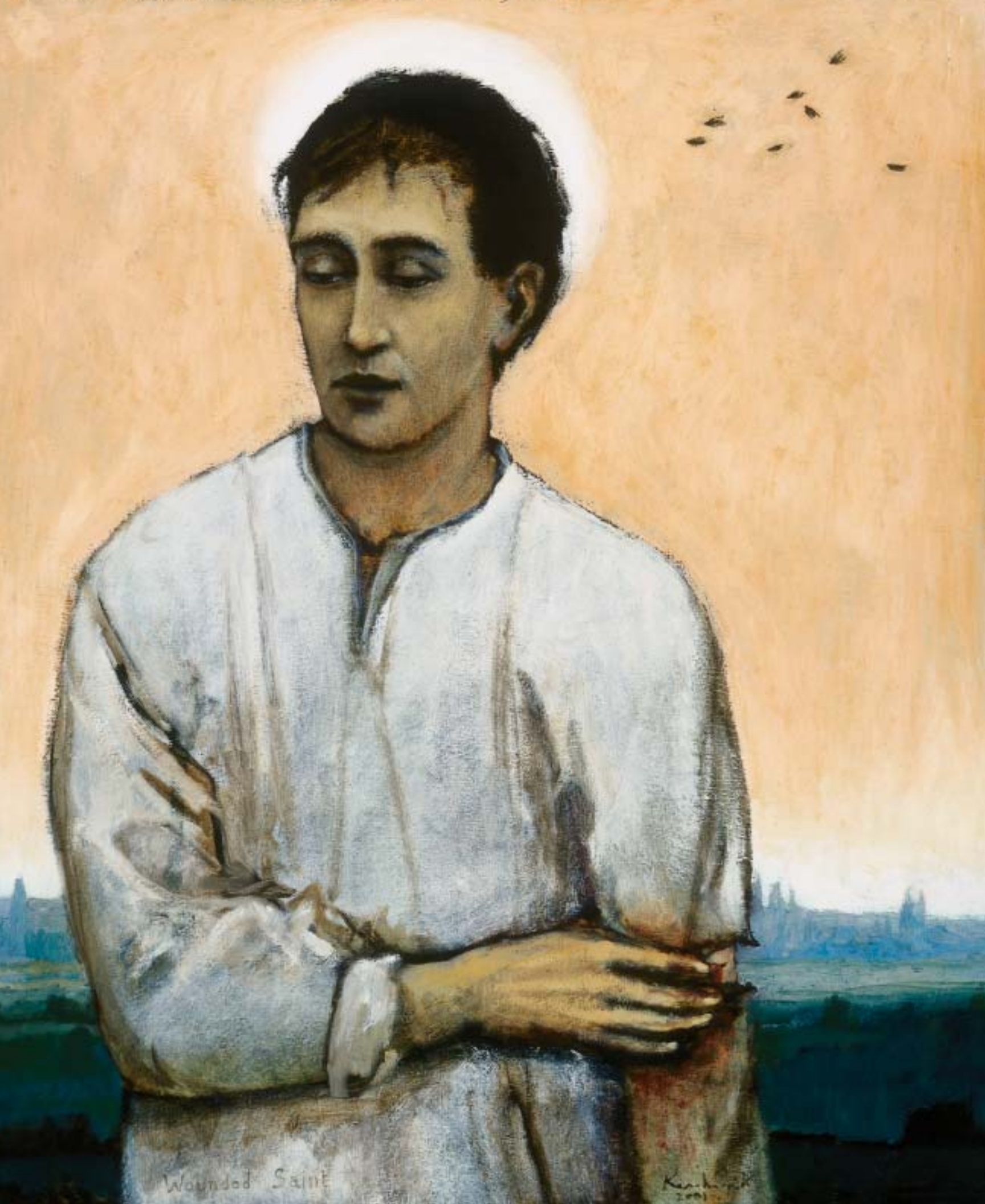
I was looking at going into management soon; however, the merits of the rent-to-own industry were wearing thin. The majority of our customers were people who could not manage money. Many lived in trailers that were rented by the week and that did not require a deposit; however, the cumulative monthly payment was more than the rent on a nice apartment or house payment. Many individuals were in a constant cycle of drug abuse, eviction, and then temporary cleanup. Or, if a customer did stay with us, the individual would end up paying \$10,000 for a houseful of basic furniture. I asked myself, "What do I really want to do? What is important to me?" As I pondered on this, the word justice came to mind. I made up my mind to go to college and become a lawyer.

The events of September 11th figured in some of the essays as a call to self-examination and reevaluation of future plans:

THE SEED
WAS PLANTED,
AND IT
BEGAN TO
SWELL
IN MY HEART.



IT BEGAN
TO ENLARGE
MY SOUL
AND BE
DELICIOUS
TO ME.



Wounded Saint

Kirby
2001

September 11, 2001, was a bad day for me. I would in no way wish to make light of how devastating that day was for others in saying that for me it was particularly bad. It bit close to home. It jarred the sense of civility that I held for my life, specifically and for my country at large, and it prompted me to scrutinize my purpose on the earth. That disastrous Tuesday was the beginning of a serious self-reflection period.

Another student recounted a life-threatening health problem suffered by his wife coupled with the events of that day:

The morning of September 11, 2001, I was on my way to another sales call in Crystal City, Virginia—just across an interstate highway from the Pentagon. My appointment was for 10:00 a.m., but I never made it close to the area. I was able to get turned around and make it home several hours later, where I watched the rest of the day's events unfold on television. After that, my wife and I sat down and asked ourselves what we really wanted to do with the rest of our lives. Selling software wasn't anywhere on the list, but lots of other things were, including living where we wanted to live and doing what we wanted to do.

Many students expressed the notion that a law school education would further a life of service. One wrote, "I've always wanted to help others, and through my public education experience, I met many people who felt trapped and taken advantage of. Regardless of the type of law I eventually practice, I want to assist those who feel helpless." Another student expressed her love of children and a desire to help them: "At an early age I decided that I wanted to enter into a field where I could help protect children from the harshness sometimes found in the world." One student comes to law school because of "a desire to help people find justice, equality, and a better life" and because "the desire to be of service to others is at the core."

Finally, several students wrote about the "small and simple things" in their lives, the quiet things that were revelatory about pursuing an education in law. One student summed it up by saying, "I am in law school because of the teachings of the Church regarding personal revelation and regarding my relationship with a loving Father who

gives direction to His children concerning his will for them. Such teachings have given me the knowledge, the opportunity, and the faith to know that law school is the place where I should be."

The most extraordinary and sacred experiences in the history of the world began quietly: the birth of a baby in a stable before only a handful of witnesses although the town was packed with travelers; silent agony in a garden where the closest witnesses were asleep on the ground; crosses outside the city gate where the ordinary gruesomeness of a Roman execution brought only curious stares.

Our most sacred experiences are bound to us in quiet ways. We enter the temple to make covenants and receive promises that God will reveal Himself to us in the sanctifying of our ordinary lives: our obedience, our actions in day-to-day situations, our quiet contributions to His kingdom.

I want to emphasize that it will be the same in your law school education. In the small and simple things of your law school experience, great things will come to pass, and those things will be sacred. There was much that had to be set in motion for you to enter the doors of this school. In reading these essays I see that the motivation to attend law school came out of desires to serve, desires to live life more fully, desires for justice, and desires to make a difference in the world. That is reflected in many schools across the nation. One friend described her class at Catholic University's Law School, where many of her colleagues are former priests and nuns. These people had come face-to-face with injustice as they served humanity. They left their orders in the name of "justice" to pick up new tools on behalf of the downtrodden.

Justice is certainly one of those "great" things that will swell and grow from the small and simple things we undertake. But seeking for justice won't make the study of law sacred—and for a disciple of Christ, it should be sacred.

Section 88 of the Doctrine and Covenants was designated the "olive leaf" by Joseph Smith, "plucked from the Tree of Paradise, the Lord's message of peace to us." From verses 34 to 50, there is a discussion of law, but in verses 119 and 120, there is the sugges-

tion that in establishing a "house of learning," disciples of Christ will make the experience of learning sacred and holy because it will be done in His holy name. "That your incomings may be in the name of the Lord; that your outgoings may be in the name of the Lord; that all your salutations may be in the name of the Lord, with uplifted hands unto the Most High."²

The implications of this are enormous. To make your education sacred because it is in the name of the Lord connotes learning to be an almost priestly function. What might at first appear challenging, difficult, and an ordinary day-to-day grind is in reality sacred work.

The fact that we do this work in His holy name means that His mission becomes ours. Christ announced that mission when He read a passage of Isaiah to His fellow Nazarenes in the synagogue at the beginning of His ministry:

The Spirit of the Lord is upon me, because he hath anointed me to preach the gospel to the poor; he hath sent me to heal the brokenhearted, to preach deliverance to the captives, and recovering of sight to the blind, to set at liberty them that are bruised,

To preach the acceptable year of the Lord.

And he closed the book, and he gave it again to the minister, and sat down. And the eyes of all them that were in the synagogue were fastened on him.

And he began to say unto them, This day is this scripture fulfilled in your ears.³

His mission was and is to serve all mankind: to heal, to deliver, to set free, and to bring comfort. Ours is the same.

I pray that this law school experience will become sacred as you go about it in His holy name, and I ask for His blessings to be upon you in that same sacred name of Jesus Christ, amen.

NOTES

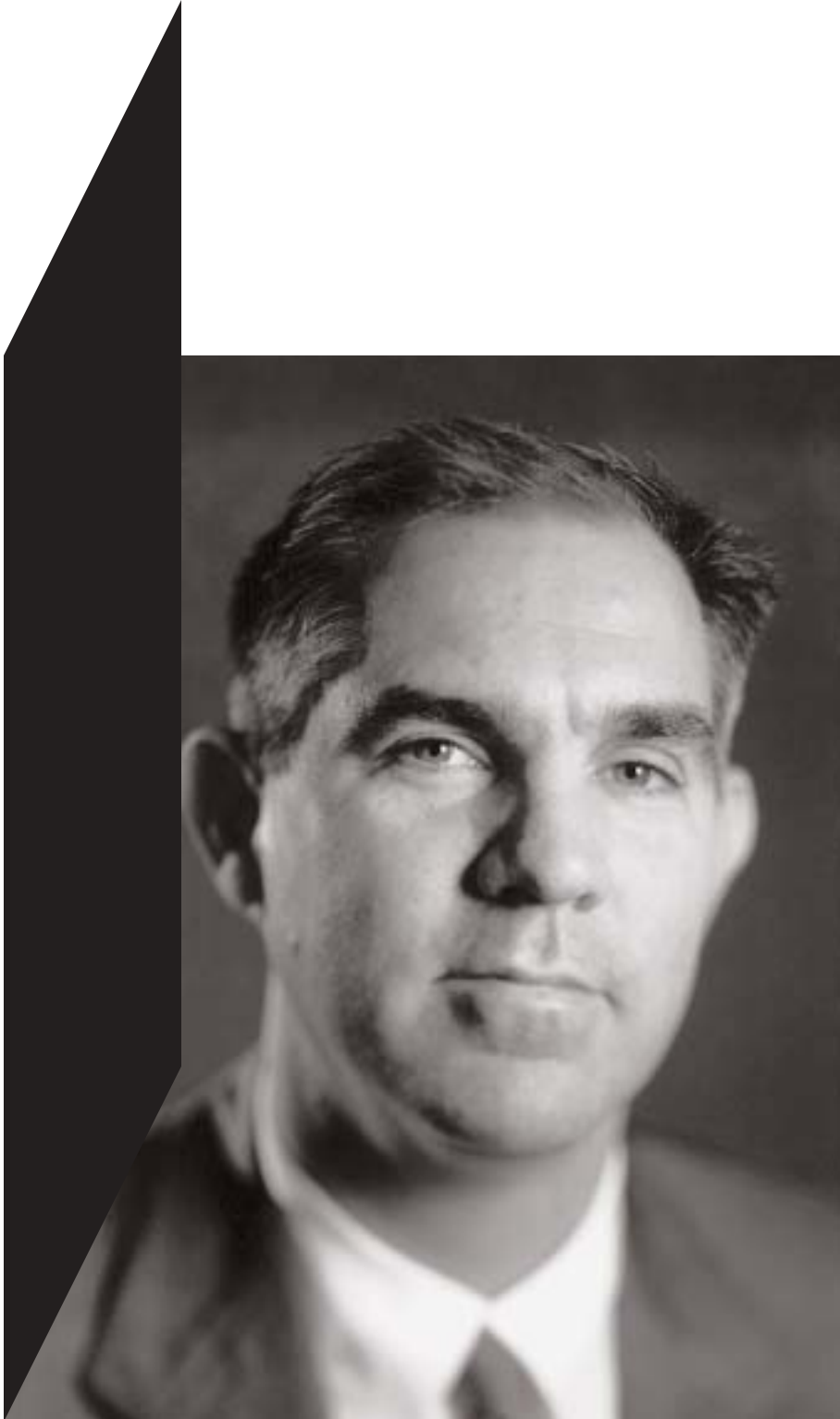
1 See Alma 32:28.

2 Doctrine and Covenants 88:120.

3 Luke 4:18–21.

Jane H. Wise is the editor of the Clark Memorandum and an instructor of legal writing in the Rex E. Lee Advocacy Program.

O P E N I N G



by Edward L. Carter

PHOTO BY BRADLEY SLADE

JESSE L. RIDDLE understands the power of education. For Riddle, a 1988 graduate of the J. Reuben Clark Law School who now runs a multimillion-dollar debt recovery law firm in Sandy, Utah, the value of education is no different for a student at a prestigious university such as Oxford than it is for a student at a tiny high school started by a community of farmers in rural Mississippi.

Riddle has unique insights into such seemingly divergent schools: At the same time he serves on the board of regents at Oxford University's Harris Manchester College, Riddle also occupies a position on the school board of Centreville Academy in Centreville, Mississippi.

"Serving on the Mississippi school board is no less important than serving on the Manchester college board at Oxford," says Riddle. "Somebody has to step up and make a difference."

At age 13 Riddle was forced to move from his mother's home in Texas to his grandmother's modest trailer house in

D O O R S

J E S S E L . R I D D L E

Centreville, where he eventually graduated from Centreville Academy in a class of 25. He attended Louisiana State University before serving a Church mission in Hawaii.

Upon his return to the mainland, Riddle enrolled at BYU and studied speech, rhetoric, and English. He engrossed himself in the speeches of famous and infamous leaders such as Winston Churchill, Hitler, Franklin D. Roosevelt, Martin Luther King, George Washington, and Abraham Lincoln.

“I was impressed that people could take words and motivate other people to do certain things,” Riddle says.

After earning a law degree, Riddle practiced at a firm in Oregon before taking time off to write a travel guidebook. In 1994 he founded Riddle & Associates, which has grown quickly to 60 employees and represents on a nationwide basis clients such as DIRECTV, Kroger, AutoZone, and Eddie Bauer.

Riddle & Associates processes an incredible volume of work: the firm places two million telephone calls per month and regularly handles hundreds of thousands of debt collection accounts simultaneously. Riddle himself has become an expert on the federal Debt Collection Practices Act, a topic about which he speaks regularly to industry groups.

Riddle remains heavily involved in devising firm strategy and maintaining client relations, but he also devotes significant resources to various educational causes. Riddle and his wife, Lisa, fund two full-tuition scholarships for Polynesian students to attend the J. Reuben Clark Law School.

Riddle has traveled to BYU—Hawaii to propose establishing a prelaw program, and he took several employees of Riddle & Associates with him to Mississippi to install computer and telephone systems that he donated to Centreville Academy.

“Jesse and Lisa’s contributions to our school have been unparalleled,” said Bill Hurst, headmaster of Centreville Academy, located 60 miles north of Baton Rouge. “Jesse and Lisa represent the Christlike attitude of giving freely unto others, especially those less fortunate.”

Riddle’s involvement with Oxford originated at a conference he attended there in December 2001. While at Oxford he met Lady Mary Soames, Churchill’s daughter (“Here’s a kid from Mississippi meeting Churchill’s daughter—think about that!” Riddle marvels), former British prime minister Sir Edward Heath, and Manchester College principal Dr. Ralph Waller.

Riddle and Waller hit it off famously, holding an impromptu but in-depth discussion about British philosopher and religious leader John Wesley. In the spring of 2002 Waller visited Jesse and Lisa Riddle and their five children in Sandy. Riddle had by that time accepted a position on the board of regents of Manchester College, and Waller brought a copy of the *London Times* announcing Riddle’s appointment.

“My name was in the *London Times*, and it wasn’t in the crime section,” Riddle jokes. On a more serious note, he says, “It’s great to be around people who care about education.”

In addition to attending regular board of regents meetings at Oxford, Riddle has committed to attend as many monthly meetings as possible of the Centreville Academy board. Although the two schools are worlds apart in terms of scope and reputation, Riddle finds many similarities.

“They both have financial constraints,” he says. “They both worry about the curriculum.”

When it comes to the worries of a school administrator, Riddle may be just learning. But when it comes to the potential of education to lift and inspire, Riddle has mastered the lesson. Now he’s sharing that lesson with students in rural Mississippi, at Oxford, and at the J. Reuben Clark Law School.

“Who will be the leaders?” Riddle asks. “The leaders will be the ones with education.”



Never Again

FOUNDATION

AS A YOUNG ASSOCIATE at a Phoenix-area law firm, J. Reuben Clark Law School graduate Keith Perkins figured his Japanese language skills and his interest in business law had positioned him well for a career as a transactional lawyer. He had little interest in litigation and no plans to get involved in emotionally draining cases with clients who had been physically and sexually abused. That's when a senior partner handed Perkins a file that changed his life—and the lives of untold victims of abuse like the children in that case who could not afford justice.

"They couldn't get representation," said Perkins, a 1993 graduate of the Law School. "I thought that if there was anybody the law should protect, they were the ones. Although the law was there to protect them, the system did not give them access to the law."

Perkins soon realized that abuse victims face a variety of obstacles that go beyond the challenging task of recovering from their physical and emotional injuries. The high standard of proof required for conviction in criminal cases and the heavy workload of many prosecutors lead to plea bargains, which often leave victims feeling frustrated. Perkins realized that because prosecutors must seek the good of the entire community, victims lack an advocate to pursue their interests not only in the criminal context but also in the civil system.

In the civil context, victims face the additional complication that criminal abusers can rarely afford to compensate victims for their injuries. That means most civil lawsuits by abuse victims are brought not against abusers but against the deep-pocketed employers, schools, or churches who are alleged to have had a duty to stop the abuse.

"That really bothered me," Perkins said. "You couldn't go after the person who did it. You could only go after the fringe people."

After his first two cases representing abuse victims, Perkins was frustrated by the lack of available resources for victims to pursue legal remedies. Perkins made a resolution: Never again.

• BY EDWARD L. CARTER •

Those two words, "never again," set Perkins on a crusade. Eventually he abandoned his plans to practice transactional law and started a private, nonprofit foundation that represents abuse victims for free. He named it the Never Again Foundation and set about soliciting charitable contributions so he could do nothing less than change the relationship between abuse victims and the law. "Our whole purpose is to provide access to the civil justice system, not only for the good of the victim but also for a message of deterrence," Perkins said.

In July 2001 Perkins achieved a \$1.25 million state court civil jury verdict on behalf of a Show Low, Arizona, woman who had been beaten, nearly drowned, and threatened with a loaded pistol by her husband of three years. The man was convicted of aggravated assault and sentenced to 12 years in prison, but the civil lawsuit was necessary to ensure that the woman's property would not be subject to division in the couple's divorce.

"I think those results can be repeated with the same kind of facts," said Perkins, who hopes to endow the Never Again Foundation and expand the organization's operations from its Gilbert, Arizona, base into Utah and other states.

Although the \$1.25 million verdict made headlines, money is not the motivating factor for either the Never Again Foundation or its clients, said Jordan Carpenter, a second-year BYU law student who worked with Perkins during the summer of 2002. "From the outset they are told they may never get a dime, and they don't care," said Carpenter. "They just want vindication."

Now Perkins is setting out to expand the influence of the Never Again Foundation.



He has drafted legislation on victims' rights, filed an appellate brief on the question of whether a convicted criminal can deny liability in a subsequent civil lawsuit, and worked to extend Arizona's statute of limitations for civil lawsuits by abuse victims against their abusers.

He finds that most victims are unaware of the statute of limitations for civil lawsuits, which he believes should be as long as the seven-year statute of limitations for filing criminal charges. Although criminal prosecutors sometimes frown on victims' civil lawsuits against abusers because criminal jurors may look on abuse victims as gold diggers, Perkins believes the civil and criminal justice systems can work together.

Perkins' enthusiasm for providing free legal representation for victims of physical and sexual abuse makes it hard to believe that he ever considered doing anything else. He attests, "This message is very unique and very powerful."

PHOTO BY BRADLEY SLADE

Rex E. Lee

SOLICITORS GENERAL CONFERENCE



The two-day conference consisted of seven panel sessions, each discussing issues of a specific presidency—pre-Reagan, Reagan, Bush, and Clinton. Session leaders directed discussion among panel members and also asked for questions from the audience.

Waxman, solicitor general from 1997 to 2001, explained that the responsibility of the office of the solicitor general is to represent the United States in the Supreme Court. The solicitor general decides when the United States should appeal cases it has lost in the lower federal and state courts, or when the United States should intervene to defend the constitutionality of an act of Congress. The office ensures that the United States speaks with one voice in court. Days, solicitor general from 1993 to 1996, defined his role as solicitor general by saying, “My responsibility was to continue continuity in the law.”

Olson, current solicitor general and keynote speaker at the September 12 banquet, said regarding Lee, “I soon came to marvel at Rex’s extraordinary combination of legal talent and human goodness.”

Rex E. Lee served as solicitor general of the United States from 1981 to 1985. During his term he argued 30 cases before the Supreme Court, winning 23. Over the course of his career, Lee argued 59 cases before the high court.

TWO YEARS AGO Thomas B. Griffith, assistant to the president and general counsel for Brigham Young University, had an idea: a conference to honor Rex E. Lee, an event that would link the public mind with Lee and BYU.

This year the Rex E. Lee Conference on the Office of Solicitor General of the United States became an historic occasion for the university and legal community. During September 12–13, 2002, five of the seven living solicitors general along with former deputies and assistant solicitors general met together at BYU to remember Rex E. Lee and to discuss the uniqueness of their office. Among those in attendance were the Honorable Theodore B. Olson, Seth P. Waxman, Drew S. Days III, Kenneth W. Starr, and Charles Fried.

“The people gathered here have been involved in the most significant landmark decisions in the last 30 years of our nation’s history,” Griffith said. “It’s very satisfying to see the clout of such prominent legal minds on campus.”

JUSTICE

Sandra Day O'Connor

VISITS BYU

DURING HER VISIT to Brigham Young University on September 26, 2002, U.S. Supreme Court Justice Sandra Day O'Connor shared her insights on the importance of values, work, and a desire to do good.

Justice O'Connor's day began with a visit to the J. Reuben Clark Law School, where she gave law students an overview of the Supreme Court's caseload, the process of granting certiorari, and Supreme Court written and oral advocacy.

In response to a question about balancing a legal career with other aspects of life, the Justice emphasized that students should find a law firm that encourages community involvement. She described the volun-



teer work she performed during the five-year sabbatical taken after the birth of her second child. During that time, Justice O'Connor participated in several community assignments such as being a juvenile court referee, serving on the county planning and zoning commission, being involved in the local chapter of Junior League, and working with the Heard Museum in Phoenix.

Further, Justice O'Connor encouraged community service during all stages of life. She explained that as a newly appointed Supreme Court Justice, she thought she would have no time for volunteer work. However, she found great fulfill-



ment in accepting Justice Lewis F. Powell Jr.'s invitation to sit on the board of the Colonial Williamsburg Foundation.

Later during her visit, Justice O'Connor spoke at a university forum for all BYU students and faculty. Her message began with a collection of lessons she learned growing up on the Lazy B Ranch near the Arizona–New Mexico border. She emphasized the hard-work ethic she gained by learning to

do “whatever was required to keep the ranch system in good working order,” as well as the values of honesty, dependability, competence, and good humor.
—Melanie Reed and Jason Jardine

MORE THAN 70 government leaders, scholars, and other participants from 39 countries attended the Ninth Annual International Law and Religion Symposium, held October 6–9, 2002, at the J. Reuben Clark Law School. The largest annual international conference dedicated to international religious liberty issues, the event is the most extensive project undertaken by the BYU International Center for Law and Religion Studies.



Over the past decade, through the work of Professor W. Cole Durham Jr. and other faculty members, BYU has emerged as a recognized leader in the field of religious rights, both at the national and international levels. The conference has been built on the extensive efforts and contacts of law school faculty to create a forum



for the discussion of religious rights and a broader array of issues at the intersection of law and religion.

Conference participants come from a vast range of countries and religious traditions. This year the conference included delegates from coun-

tries including Albania, Brazil, Cambodia, Ethiopia, France, India, Mongolia, Pakistan, Russia, Turkey, and Vietnam. Al-Haaj Ghazi Y. Khankan, executive director of the Council on American Islamic Relations, expressed his amazement, stating, “I can’t believe the scope of the conference you have here. It adds so much depth and diversity to the discussion [to have so many] delegates from so many countries.”

This year’s opening session began with addresses by Professor Jacques Robert, retired justice of the Constitutional Council of France and vice president of the European Commission for Democracy Through Law, along with Dean Michael K. Young, vice chair of the United States Commission on International Religious Freedom and dean of the George Washington Law School. Professor Robert addressed the need to respect religious difference and uphold the basic right of freedom of conscience. Following his remarks, he commented, “I find it extremely enlightening and refreshing to come here, where people talk about religion and tolerance confidently, openly, and comfortably with each other.”

—Kimberly A. Mantz, Class of 2000



Law

AND Religion

SYMPOSIUM

Carolyn Stewart Retires

A history of the J. Reuben Clark Law School would not be complete without a chapter on Carolyn Stewart's contributions. Thirty years ago when the newly established Law School opened its doors for its first class



of eager, young law students, Carolyn Stewart was there.

Carolyn had been hired by Rex E. Lee soon after his appointment as dean of the yet-to-be-opened Law School at BYU. She came with eight years of experience serving as secretary to the dean at the University of Utah's College of Law. Soon a key figure at the new BYU Law School, she eventually served four of its deans: Rex Lee, Carl Hawkins, Bruce Hafén, and H. Reese Hansen.

Not only did her duties involve managing administrative details of the Law School—the operating budget, staffing and faculty employment, and building scheduling; she also oversaw student advisement, registration, records, and certification for graduation and bar exams.

As she steps into retirement from the Law School three decades and 4,000 graduates later, Carolyn can know that she is revered by the entire law school community. It is the end of an epoch.

Lisa Cope in the Spotlight

Upon Carolyn Stewart's retirement, Dean H. Reese Hansen appointed Lisa Cope as his administrative assistant. Though Lisa is new to Carolyn's duties, she is not new to the Law School. Her work as



fourth-floor secretary "broke her into" the Law School community in 1993. Four years later she became Dean Hansen's secretary. As administrative assistant she retains many of her duties as the dean's secretary, including final exam scheduling, security, proctoring, and *Soft Test*. In addition, she assumes most of Carolyn's responsibilities: including human resources, hiring, and personnel; Law School Class Schedule and book ordering; donor correspondence; and special events planning, such as the board of visitors.

Lisa's more than nine years of service to the Law School are her principal preparation for her new duties, though her past experience and education neatly dovetail into her current responsibilities. She worked for six years as a customer service representative at Zions Bank, followed by a stint as Marie Osmond's secretary. During this period she obtained and developed her computer and customer relations skills. About her

computer skills she says, "I like to figure out how they can work to make my job more efficient." She learns each new upgrade thoroughly.

Lisa's time at BYU has also been a time to obtain additional work-related education. Her studies led to desktop publishing, and though she is giving up some of her duties with the *Clark Memorandum* and the online newsletter, she suspects that plenty of publishing opportunities will remain.

Whatever she does, she hopes she can keep out of the spotlight. The best way to achieve a degree of anonymity, she feels, is to plan so carefully that events and activities appear seamless. Lisa has exhibited this skill over and over during the past nine years. She concludes, "I can't replace Carolyn, but I take comfort in the fact that Carolyn hired and trained me." That gives her confidence in her ability to succeed "without too many bumps along the way."

Lisa and her husband, Vernon, are the parents of a blended family of four children.

Anita Montañó—A New Global Focus for Admissions

Anita Montañó, '02, is the new director of admissions at the Law School. During law school, she never considered that she might accept a job at the school. However, when the admissions position became available upon Lola Wilcock's retirement last fall, Anita couldn't get the job out of her mind. It seemed more a calling than a mere job. Anita faces her new position and duties with optimism and with innovative—even daring—plans for enhancing the job.

Her immediate goal is to build upon the Law School's

present success by attracting and admitting to the school men and women with high aptitude and strong qualifications for the study of law. To facilitate this she plans to use the Law School's Web site to make online application easier. She wants to communi-



cate the school's excellent reputation to students who might not otherwise consider BYU. She also hopes to encourage more international participation. Anita's ultimate goal is to help the Law School fulfill the Church's objectives during the school's second 30 years. As she commits to help shoulder the work through her own service and Christian ideals, she hopes that future law graduates will share this dedication to the Law School.

Previously, Anita worked for BYU Men's Intercollegiate Athletics while completing her undergraduate degree. After graduation she participated in BYU Travel Study. In fact, traveling has become her favorite pastime, and she now considers Italy her second home. Some people work to live; Anita admits she works to travel. One place near the top of her list of places to visit is Peru, her father's country of birth.



Law Society Leadership Training brought friends and former classmates together at Aspen Grove on September 5 and 6, 2002.



THE LAW SCHOOL
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OCTOBER 17-19, 2002



LAW SOCIETY CHAPTERS SELECT HONOREES FOR 2002

The following J. Reuben Clark Law Society members have been recognized by their chapters for outstanding contributions to their profession and their communities.

Christopher P. Bisgaard *Los Angeles Chapter*

Christopher Bisgaard is a founder and former managing partner of Lewis, Brisbois, Bisgaard & Smith, a 380-lawyer firm with offices throughout California and New York. One of the outstanding environmental litigators in the state, Bisgaard has been involved as lead trial counsel in some of the most significant toxic tort and environmental matters in southern California in the last two decades. He has represented the City of Los Angeles, Orange County, Stanford University, and other parties, both plaintiff and defendant, in cost recovery and toxic tort cases.

Bisgaard has been active in bar and community service. Among other duties, he currently serves on the LA County Bar Association Judicial Evaluation Committee and has been president of the board of trustees of Flintridge Preparatory School, where his children were students.

A graduate of the University of Southern California, Bisgaard earned his law degree at UCLA Law School (1972), where he was an editor of the *UCLA Law Review*.

Richard K. Circuit *San Diego Chapter*

The first president of the San Diego BYU Cougar Club, Circuit helped establish the BYU sideband radio network, which brought BYU football games to fans outside Utah and eventually led to BYU football on satellite television and ESPN Gameplan.

As a member of the board of the Americans for Nonsmokers Rights Foundation, Circuit presented a brief before the San Diego Stadium Authority that led to a ban on smoking in San Diego's Qualcomm Stadium as well as the John Huntsman Arena in Salt Lake City. He has also served on the boards of such organizations as the Southern California Arthritis Foundation, the Greater San Diego Sports Association, and the San Diego Holiday Bowl. In addition, Circuit has been vice chair of the Torrey Pines Council of the Boy Scouts of America and has coached baseball in the La Jolla Youth Baseball Association.

A graduate of BYU (1967), Circuit earned a law degree at the University of Utah (1970) and a master of law degree in taxation from New York University (1971).

Gordon G. Conger *Seattle Chapter*

Gordon Conger retired following a legal career at Preston, Gates & Ellis. Toward the end of his career, he served for a few years as vice president and editorial director of KIRO-TV and Radio, appearing as the television station's

commentator on the evening news. A graduate of BYU (1959), he earned his juris doctorate at the University of Washington.

Currently president of the Seattle Temple, he has filled Church callings ranging from Scoutmaster to Area Authority Seventy. After being released as an Area Authority Seventy, by assignment from the Area Presidency, Elder Conger led the charge on behalf of the Seattle-area churches against King County executive Ron Sims' order that church buildings in outlying areas could be no larger than 10,000 square feet. Elder



Conger was able to bring together a coalition of religious leaders from Catholic and Protestant denominations to successfully defeat the order by vote of the King County Council. In doing so he created significant goodwill among those church leaders.

Ronald N. Inouye *New York Chapter*

A grandson of Japanese immigrants, Ronald Inouye decided after serving a Church mission to Japan and South Korea that

he wanted to pursue a profession that would enable him to keep in touch with his ancestral country. Consequently, he built a corporate law career representing Japanese and Japanese-related companies and individuals.

After earning BA (1965) and MA (1971) degrees from BYU, Inouye received a law degree from George Washington University School of Law (1970). He was then hired in New York City by Whitman & Ransom's senior partner, who had developed a substantial practice involving Japanese



clients. Inouye focused on the interests of this clientele and in 1978 was elected a partner of the firm (now the New York office of the Chicago-based law firm Winston & Strawn).

When Whitman & Ransom moved its offices to Park Avenue, Inouye and a partner decided to found their own law firm, Inouye & Ogden, opening its doors just down the street in April 1986. He continues to practice with the firm, centering on Japanese clients.

Brett London, '79
Orange County Chapter

Brett London currently sits as a judge on the Orange County Superior Court, Harbor District, where he has presided over numerous complex civil, felony criminal, and general civil trials since 1998. Prior to that, he sat on the West Orange County Municipal Court from 1989 to 1998 and then served as supervising judge of the West Justice Center. He holds an English degree from Cal State University, Fullerton, and a juris doctor degree from BYU.

Judge London began his professional career in Orange County with the Orange County District Attorney's office, where he was a deputy district attorney for 10 years. His teaching experience includes his position as adjunct professor of law at both Western State University College of Law and Chapman University School of Law, and as an associate professor of law at the Southern California School of Law.

Recipient of the J. Reuben Clark Outstanding Lawyer Award and the Award for Exemplary Service for 2002, Judge London has published a book entitled *Religion and the Law: Cases and Materials*.

Ralph W. Mabey
Salt Lake City Chapter

The founding chair of the Law Society's largest chapter, Ralph Mabey served as international chair of the Law Society from 1997 to 1999. Mabey is managing partner of the Salt Lake City Office of LeBoeuf Lamb Greene & MacRae. Prior to joining LeBoeuf in 1983, he was a United States bankruptcy judge for the District of Utah.

Mabey is president of the American College of Bankruptcy. From 1987 to 1993 he served as an appointee of the chief justice of the United States to the U.S. Judicial Conference's advisory committee on bankruptcy rules. Currently a contributing author to *Collier on Bankruptcy* and to the *Collier Bankruptcy Manual*, he has also served as managing editor of the *Norton Bankruptcy Law Adviser* and on the editorial advisory board of the *American Bankruptcy Law Journal*.

A 1972 graduate of Columbia University Law School, he is currently a senior lecturer at the J. Reuben Clark Law School.

Bruce M. MacKay, '94
Washington, D.C., Chapter

During the summer of 2002, Bruce MacKay began a three-year appointment in the Office



of the Prosecutor for the Special Court of Sierra Leone, currently serving as acting chief of operations. The Special Court of Sierra Leone was established in August 2000 by the United Nations and the government of Sierra Leone to investigate and prosecute war crimes committed in that country since 1996. MacKay supervises various functions of the Office of the Prosecutor, including logistics, witness protection, transportation, and budget. He also

serves as a member of the Special Court's Senior Management Board.

MacKay holds a BA degree from the University of Maryland and a JD from BYU. He previously provided legal advice to the U.S. Department of Defense as counsel in the Defense Intelligence Agency. He also worked for the firm Ropers, Majeski, Kohn & Bentley in Redwood City, California, and as a foreign affairs specialist in the U.S. Army.

Dan G. McKinney
Inland Empire Chapter

Since he began his law career in 1981 with Reid & Hellyer, where he is currently managing partner, Dan McKinney has been active the provision of legal services to the poor. From 1982 to



the present he has been a member of the Public Service Law Corporation, serving as president from 1997 to 2000.

In addition to giving pro bono service, McKinney has served actively on the Riverside Superior Court arbitration panel and the Fourth District Court of Appeal mediation panel. He is a founding member of the Riverside County Dispute Resolution Service.

McKinney graduated from George Mason University with degrees in chemistry and gov-

ernment and received a JD from McGeorge School of Law. He has been president of the local barristers association (1985) and of the Riverside County Bar Association (1994). He received an AV rating by Martindale-Hubbell and was recently admitted to the American Board of Trial Advocates (ABOTA).

Shawn Mitchell
Denver Chapter

An attorney in private practice in the Denver area, Shawn Mitchell was elected to House District 33 in the Colorado General Assembly in November 1998 and was reelected in 2002. Previously, he served as special counsel to the Colorado attorney general, where he was a legal policy advisor and one of the top aides to former Colorado Attorney General Gale Norton. In that post, Mitchell worked on significant constitutional litigation, including First Amendment litigation on issues of church and state.

As a senior fellow at the Independence Institute—a conservative and free-market think tank in Golden, Colorado—Mitchell writes and speaks often on legal and public policy issues. A former president of the Colorado Chapter of the Federalist Society, he also has served on the Denver Rocky Mountain News Board of Editorial Contributors.

Mitchell received a BS from Brigham Young University (1987) and graduated from law school at the University of California, Berkeley.

Boyd P. Mossman
Hawaii Chapter

Born and raised in Hawaii, Judge Boyd Mossman has resided on the Island of Maui

for over 31 years. Recently retired after 15 years of service as Hawaii Circuit judge, he currently works with Alternative Dispute Resolution as a mediator and arbitrator. Last November Judge Mossman was elected as the Maui Trustee for the nine-member board of trustees of the Office of Hawaiian Affairs.

Judge Mossman graduated from the Kamehameha School for Boys in 1961 and has a BS degree from the United States Air Force Academy (1965) and a law degree from George Washington University School of Law (1971).

He continues to serve as president of the Kamehameha Schools Alumni Association (Maui), director of the Boy Scouts Council on Maui, and director of the Oluwalu Cultural Reserve. He is also vice chair of the board of directors of the Polynesian Cultural Center and first counselor in the Honolulu Hawaii Mission presidency.

Robert B. White
Edmonton Alberta Chapter

A trial and appellate lawyer, Robert B. White is head of the litigation group in the Edmonton office of Davis & Company. A member of the Alberta, Saskatchewan, and Northwest Bars, he was appointed Queen's Counsel in 1985. White has appeared in a number of high-profile cases, including a judicial inquiry into the failure of a major financial institution and the "Surreptitious Entry" Reference before the Alberta Court of Appeals and the Supreme Court of Canada. He is the author of several books, including *A Lawyer's Guide to the Computer*, *The Art of Discovery*, and *The Art of Trial*.

White received a bachelor of commerce degree (1968) and a bachelor of laws degree (1971) from the University of Alberta. He currently serves as an Area Authority Seventy in The Church of Jesus Christ of Latter-day Saints.

Dale A. Whitman
Kansas City Chapter

Dale A. Whitman, the James E. Campbell Professor of Law at the University of Missouri-Columbia, is recognized for his service to legal education.



During 2002 he served as president of the Association of American Law Schools, a non-profit association of 164 law schools dedicated to "the improvement of the legal profession through legal education." The AALS serves as the learned society for law teachers and is legal education's principal representative to the federal government and to other national higher education organizations and learned societies. Whitman received his BES degree from BYU (1963) and his LLB degree from Duke University (1966).

Whitman has taught at North Carolina, UCLA, BYU, Washington, and Missouri, where he served as dean from 1982 to 1988. A fellow of the American Bar Foundation and a member of the American Law Institute, he has written numer-

ous law review articles and books in the area of real estate and property law.

J. D. Williams
Boise Idaho Chapter

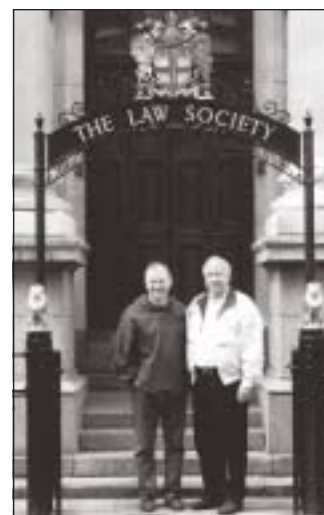
J. D. Williams recently retired from a career in public service to accept a position as a vice president of governmental affairs for PeopleSoft Corporation, a worldwide accounting/payroll software provider. In 1989, after serving as deputy attorney general, prosecuting attorney, and mayor, Williams was appointed Idaho State auditor (state controller), serving until November 2002.

Williams studied business and agricultural economics at Utah State University before earning a bachelor's degree in political science (1966) and a master's degree in public administration (1967) at Brigham Young University. He received a juris doctorate from American University (1970).

He has held leadership positions in the National Association of State Auditors, Comptrollers and Treasurers (NASACT); the National Electronic Commerce Coordinating Council (NECCC); and the National Association of State Controllers (NASC). During Williams' tenure as state controller, his office received several national awards for best practices in electronic government and financial management.

Correction

The art credit for Pablo Picasso's *Mandolin and Guitar* on page 41 of the fall 2002 issue of the *Clark Memorandum* included the wording "Collection of the McNay Art Museum, Bequest of Marion Koogler McNay." The credit should have read "Solomon R. Guggenheim Museum, New York." We apologize for the error.



♦ ♦ ♦
In

England last May
to set up the
London Chapter of
the J. Reuben Clark
Law Society, Bill
Atkins, interna-
tional chair of the
Law Society, and
Dean Reese
Hansen of the Law
School thought
the entrance to the
London Law
Society a good
place for a souvenir
snapshot.

♦ ♦ ♦

class notes

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CLASS OF 1976

Jeff Boswell has been called as stake president of the Fresno California West Stake. He served as first counselor in the stake presidency for nine years.

CLASS OF 1977

Ralph L. Dewsnup (Salt Lake City), president of Dewsnup King & Olsen, was promoted to brigadier general in the Utah Air National Guard.

Brian H. Kelley was appointed as president, chief executive officer, and director of Professional Business Bank.

CLASS OF 1979

Brett London currently sits as a judge on the Orange County Superior Court, Harbor District, where he has presided over numerous civil, felony criminal, and general civil trials since 1998. He received the J. Reuben Clark Outstanding Lawyer Award and the Award for Exemplary Service for 2002.

Ryan Thomas is completing his first year as president of the College of Eastern Utah, after serving nine years as vice president for Utah Valley State College.

CLASS OF 1980

Jay S. Bybee was confirmed by the U.S. Senate on his nomination for a judgeship on the U.S. Ninth Circuit Court of Appeals on March 13, 2003.

CLASS OF 1981

Thomas G. Bennett (Salt Lake City) was named a partner of Ballard Spahr Andrews & Ingersoll LLP, where he works in the real estate development and resort law group.

CLASS OF 1982

Jordan Clements (Salt Lake City), managing partner of Peterson Capital, a private equity investment firm, has led the school-choice movement in Utah. He is the founder of Children First Utah and Education Excellence Utah.

Robin L. Riggs (Salt Lake City) was named president of Qwest Communications for Utah in October 2002.

Glade Ross is now operating a software business, Rossware Computing, in Shelton, WA.

Stephen E. Thompson (Naples, FL) was recently appointed as managing partner at the Florida offices of Roetzel & Andress.

CLASS OF 1984

Bryan B. Todd (Salt Lake City) was named a shareholder of Parsons, Behle & Latimer, where he works in the firm's real estate and finance department.

CLASS OF 1985

Kurt C. Swainston joined Dechert's Newport Beach, CA, office as a partner, working in the firm's tax practice.

CLASS OF 1986

Sterling Brennan was named managing partner of Morrison & Foerster's Irvine, CA, office. He handles a variety of business litigation matters involving real estate, contracts, and intellectual property rights.

Jeff Clark was recently named general counsel of RGS Energy and called to serve as bishop of the Pittsford Ward of the Palmyra New York Stake.

Barbara Christensen Marshall (Phoenix, AZ) is the division chief of the Juvenile Crimes Division of the Maricopa County Attorney's Office.

Kirtlan G. Naylor (Boise, ID), partner in the law firm of Naylor Hales & McCreedy, PC, is serving as a counselor in his stake presidency. He is also chair of the Governor's Task Force on Children at Risk and has volunteered for guardians ad litem in child protection cases.

John Quinlan set up his own real estate development company that owns apartment complexes in Houston and office buildings in Arizona. He is currently serving as Young Men president in Sugar Land First Ward near Houston, TX.

Jeffrey A. Siebach is international counsel for Intel Corporation. He relocated from Hong Kong to California in 2000, after spending 13 years in Hong Kong.

Kevin Stolworthy (Las Vegas, NV) was recently called to serve as a bishop. He is a shareholder at Jones Vargase.

Carolyn White (Arlington, VA) is serving as Restoration Branch chief for the judge advocate side of the Air Force, where she is the primary attorney for property cleanup issues at operating Air Force facilities.

Timothy Zinnecker (Houston, TX) was granted tenure and promoted to full professor by the board of directors of South Texas College of Law. He joined the faculty in 1994 and teaches banking law, bankruptcy, secured transactions, and payment systems.

CLASS OF 1987

Rob Johnson (Payson, UT) was recently appointed chief executive officer of Young Living Essential Oils.

Tadiana W. Jones (Salt Lake City) was named a shareholder with Durham Jones & Pinegar, PC, in January 2002. Her practice focuses on software licensing and intellectual property transactions.

Brad Wright (Grand Junction, CO) left private practice in 1998 to join Wastren, Inc., where in March 2002 he became chief executive officer. The firm provides facility management, environmental, and other specialty services to the federal government. He and his wife, Sheri, have five children.

CLASS OF 1989

Jini Roby, an instructor of social work law and policy at the School of Social Work at BYU, has received the 2002–2004 John A. Widstoe Fellowship to help establish a central adoption authority in the Republic of Marshall Islands.

CLASS OF 1990

Brett L. Foster (Salt Lake City) was named a partner in the law firm of Holland & Hart LLP.

CLASS OF 1992

David Berndt (Providence, RI) was appointed director of the Mobile Solutions Group at Watch Hill Partners, Inc., a strategic technology and business process consultancy.

Kevin B. Laurence joined the law firm of Stoel Rives LLP as a principal in the firm's intellectual property group.

Lohra Miller is the Taylorsville City prosecutor at Miller & Miller Law Offices. She has also served on the West Jordan Planning Commission.

Grant M. Sumsion joined the Provo office of Ray Quinney & Nebeker,

where his practice includes employment law and litigation.

CLASS OF 1993

Aimee Alfonso is human resources manager for Hartwell-Dzus, Placentia, CA.

David R. Williams (Salt Lake City) is partner at Woodbury Kesler. The father of five children, he serves as second counselor in the bishopric.

CLASS OF 1994

Essie Fischer (Corona, CA) has been teaching language arts at Wells Intermediate School in CA for three years, after practicing law for about four years. She is coordinator of the school's Gifted and Talented Education Program, and earlier in 2002 she helped the Alvord Unified School District revise its language arts curriculum to match state standards.

Evan Nelson (San Francisco, CA) joined Carroll Burdick & McDonough LLP, specializing in product liability, intellectual property, toxic torts, and commercial litigation.

CLASS OF 1995

David W. Tufts (Salt Lake City) was named a shareholder with Durham Jones & Pinegar in January 2002. He continues his practice in the area of civil litigation.

CLASS OF 1996

Jeanne Campbell is a solo practitioner specializing in criminal defense. She has also established her own title and escrow company.

Paul Johnson (San Diego, CA) is a senior associate at Gray Cary Ware & Freidenrich LLP, where he practices in the corporate and securities area.

Jared Leung (Phoenix, AZ) is practicing business immigration law with Litterer Mendelson PC. He is the proud father of two children, Joseph and Janelle, and in his spare time he participates as the assistant coach of Joseph's soccer team.

James E. Merrell (Salt Lake City) joined the law firm of Callister Nebeker & McCullough as an associate. His practice focuses on real estate and commercial loan transactions.

Larry J. Webster (Cedar Park, TX) formed his own firm, Webster & Associates, work-

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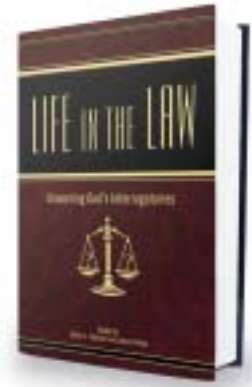
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ing with new small- to medium-sized technology companies.

Todd Weiler (Salt Lake City) was recently named a shareholder with Parry Anderson & Gardiner. He and his wife, Elizabeth, have three sons, with a fourth child due in March 2003. Todd is currently serving on the Woods Cross City Council, on the Board of Directors of the Davis County Chamber of Commerce, and as bishop of the Woods Cross Fourth Ward.

CLASS OF 1998

Pattie S. Christensen (Salt Lake City) left the law firm of Holme Roberts & Owen in October 2000 to start her own practice and to work as an executive in an Internet-based company.

K. Paul MacArthur was recently elected as officer and hired as legal counsel for a nonprofit public charity called "Help for Orphaned Children Abroad" in Provo. This organization builds orphanages in developing countries where children's aid is inadequate, and then seeks to place orphaned children for adoption in the United States.

His primary areas of practice are estate planning, business formation, nonprofit, taxation, and adoption.

M. Sean Sullivan (St. George, UT) joined the law firm of Jones Waldo Holbrook & McDonough, where his practice includes the areas of trusts, wills, business succession planning, probate, charitable giving, and tax law.

Dane H. Watkins (Idaho Falls, ID) became county prosecutor of Bonneville County in November 2001.

CLASS OF 1999

David M. Carter joined the law firm of Snell & Wilmer as an associate at its Salt Lake City office, where he focuses on business and finance law.

CLASS OF 2000

Reed R. Braithwaite joined the St. George office of Jones Waldo Holbrook & McDonough, focusing his practice on personal injury and defense, family law, and general litigation.

R. Chad Hales joined the Walnut Creek, CA, office of Morrison & Foerster LLP, where he works in litigation.

CLASS OF 2001

Angela Atkin (Salt Lake City) joined the law firm of Jones Waldo Holbrook & McDonough, focusing on taxation, estate planning, trust and probate, and general corporate law.

David A. Bargatze is working at Shaw Air Force Base in Sumter, SC, as chief of preventative law and legal assistance. He won the Curtis E. LeMay Award as the top graduate in his Officer Training School class.

Gabriel S. Clark (Salt Lake City) joined the law firm of Durham Jones & Pinegar, focusing on corporate and securities law and commercial litigation.

J. Colby Clark joined the law firm of Ballard Spahr Andrews & Ingersoll in the litigation department. His practice focuses on contract and business tort disputes, intellectual property disputes, and securities litigation.

Matthew C. Fleming (Salt Lake City) is a new associate at the law firm of Stael Rives LLP.

Rachelle R. Fleming (Salt Lake City) is a new associate at the law firm of Stael Rives LLP.

Chad J. Pomeroy (Salt Lake City) joined the firm Durham Jones & Pinegar, focusing on estate and business planning and corporate law.

CLASS OF 2002

Matthew D. Bullock (Albuquerque, NM) is a new associate at Modrall Sperling Roehl Harris & Sisk, PA, in the natural resources department.

Jed K. Burton (Salt Lake City) is a new associate at Parsons Behle & Latimer, where he practices real property law.

Ian Douglas (Phoenix, AZ) joined the law firm of Lewis & Roca LLP as an associate who practices bankruptcy law.

Ryan L. Marshall (Salt Lake City) is a new associate at Parsons Behle & Latimer, where he works in the corporate, tax, and technology department, focusing on intellectual property.

Clark Memorandum

J. Reuben Clark Law Society

J. Reuben Clark Law School

Brigham Young University

