



# BYU Law School

2013 ANNUAL REPORT





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## MESSAGE FROM THE DEAN

I begin with thanks to you for your outpouring of support in response to my letter of April 19, 2013. Alumni all over the country have stepped forward to help with recruiting students and with finding them fulfilling employment opportunities. Knowing how busy all of you are, I am grateful for your help. Many of you have heard me say that the students have always been the crown jewel of this institution. That remains the case. We have an extraordinary group of graduates.

As negative news continues to reverberate around the world of legal education, with some schools cutting faculty, staff, and programs, I have been increasingly grateful for our strong and secure position. Instead of retreating, we are moving forward—remodeling and improving our physical plant, hiring great new faculty, and, despite a drop in applications, seating another exceptional class of students. I wish I could take credit, but the truth is, when I took this assignment I found myself on third base. Still I hope you won't mind if institutionally we exult in hitting a triple. Our reputation continues to grow, and prominent scholars, distinguished practitioners, and government officials from all over the country and world are eager to accept invitations to visit BYU Law School. Invariably they leave impressed with the quality of our students and the rigor and creativity of our faculty. For this reason we continue to ramp up the number of visitors and guests we invite here. I am grateful that our faithful Law School staff is willing to work so hard without much in the way of additional personnel resources to make this happen.

As I pass the four-year mark as dean, one of the facets of my job that I continue to enjoy most is traveling and meeting with alumni around the country. I take great pride in your accomplishments, which are another manifestation of our growing reputation. I am often asked, "What's new at the Law School?" I hope the pages that follow provide some answers to that question.

It has been a summer of shaking and dust outside the building, and next summer we'll complete a major renovation of the core area of the second floor. I am also eager for you to hear about all that we are doing to increase professional skills training—our new Law and Entrepreneurship Clinic, our new Negotiation and Conflict Resolution Clinic, our Community and Economic Development Clinical Alliance, our Government and Legislative Clinical Alliance, and our skills labs. Despite all that is new, I am also pleased to report that much remains the same. We retain a great spirit of camaraderie and cooperation between students, faculty, staff, and administration, and we remain an extraordinary place to study and to come to respect the rule of law. Thank you for all you do to help us build a great law school.



JAMES R. RASBAND

*Jim*  
Dean and Hugh W. Colton Professor of Law







**Kif Augustine-Adams**

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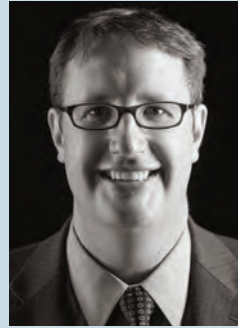
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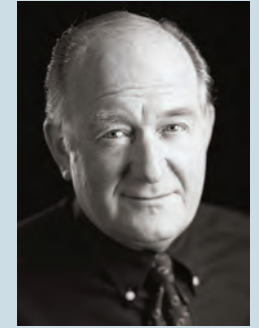
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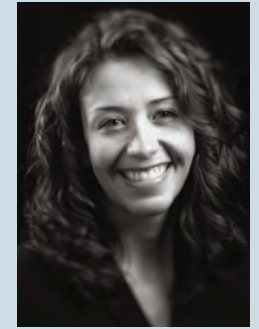
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*Cheryl B. Preston*



*James R. Rasband*



*Brett G. Scharffs*



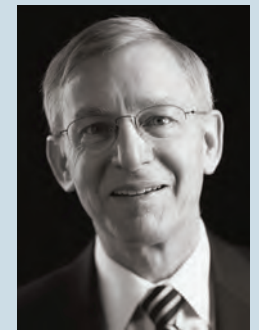
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Michalyn Steele

FELLOWSHIP PROGRAM

This was the second year of the Law School's fellowship program, which enlists aspiring faculty candidates to come for two years of teaching and research as they prepare to enter the academic market.

**Visiting Professors**

Two visiting professors, Christine Hurt and Paul Stancil, taught students and conducted research at the Law School during the 2012-13 academic year.



Professor Christine Hurt visited from the University

of Illinois College of Law. She teaches and writes in the areas of business associations, securities regulation, microfinance, torts, and business ethics. Her articles have appeared in the *Iowa Law Review*, *Ohio State*

*Law Journal*, *Boston University Law Review*, and *Cardozo Law Review*. She is also a regular contributor to *The Conglomerate*, an online blog she co-created with Professor Gordon Smith.

Before joining the faculty at the University of Illinois, Professor Hurt taught at Marquette University. She also practiced corporate law at Baker Botts LLP and Skadden, Arps, Slate, Meagher & Flom LLP in Houston, Texas.

"My current research focuses on social entrepreneurship, particularly microfinance, which attempts to combine the skills and efficiencies of business with the passion of philanthropy," Professor Hurt said. "My goal in teaching law students is to help them apply

their education and abilities to their passions and interests."



Professor Paul Stancil is currently an associate professor and

the Richard W. and Marie L. Corman Scholar at the University of Illinois College of Law. Professor Stancil teaches antitrust and civil procedure. His research interests include law and economics, civil procedure, regulatory market failures, antitrust law and economics, competition in regulatory systems, and energy law and economics.

Prior to teaching, Professor Stancil practiced antitrust

and intellectual property law as a shareholder of Godfrey & Kahn in Milwaukee and as an associate at Baker Botts in Houston and at Crenshaw, Dupree & Milam in Lubbock, Texas. In his private practice Professor Stancil represented both corporate and individual clients in connection with a variety of antitrust and patent infringement matters. He also taught antitrust law as an adjunct professor at the University of Houston.

"The students and faculty at BYU Law School are fantastic, and I've particularly enjoyed my conversations outside of class with both groups," Professor Stancil said. "It's great to be part of an institution that unabashedly takes on the challenge of reconciling

serious religious faith with both the practice and theory of law."

**Visiting Jurist**



This year marked the third year the Law School has invited judges

to visit the Law School as jurists in residence. Judge Scott M. Mathe-son from the United States Court of Appeals for the 10th Circuit came to the Law School on March 13, 2013. He met with students interested in applying for clerkships, spoke to classes, and addressed the Law School community at large in the moot court room.



**STUDENTS** In 2013 another group of remarkable women and men were admitted to the Law School. They are among the strongest in the nation in terms of their undergraduate achievements, credentials, and capacity for service.

**2012 STUDENT DEMOGRAPHICS**

NUMBER OF APPLICANTS IN 2012	<b>753</b>
ENTERING STUDENTS	<b>140</b>
FEMALE	<b>39%</b>
MINORITY	<b>26%</b>
MARRIED	<b>50%</b>
RETURNED MISSIONARIES	<b>64%</b>
BILINGUAL	<b>76%</b>
STATES REPRESENTED	<b>21</b>
UNDERGRADUATE UNIVERSITIES	<b>35</b>
AVERAGE AGE	<b>27</b>
MEDIAN LSAT SCORE	<b>162</b>
MEDIAN ENTERING GPA	<b>3.75</b>





**MEET THREE STUDENTS**

**Jedediah Bigelow**, 2L, won second place at the 2013 Graduate Student Expo at BYU. He presented a strategy on judicial reform using examples from Idaho's Retained Jurisdiction program, showing how other jurisdictions could lower recidivism rates and address overcrowded prisons and high expenses.

In the proposed program, judges suspend sentences while sending offenders to participate in assigned treatment programs. While the offenders are still considered incarcerated, they undergo intensive drug therapy or cognitive behavior therapy that can last between six months to one year. After their time in the program the

offender returns to the judge, who then decides whether or not to alter their sentence based on their reactions to treatment.

"This program is mutually beneficial because it allows the judge to make more informed decisions and it allows the offender to develop the tools needed to break the cycle of crime," Bigelow said.

Idaho's program has had positive results, including lower recidivism rates. In addition the program favors shorter treatment options compared to those available within prisons, which translates into less expense.

Bigelow hopes to work as a prosecutor in Boise, Idaho, where he previously worked in the Idaho



*Stefanie Franc*

attorney general's office. Stefanie Franc and Crystal Wong, 3Ls, both received the Public Interest Service Award for outstanding service during their law school experience.

The Public Interest Service Award is given to those who generously sacrifice their time to help others with legal matters. The award requires a minimum of 100 hours of public service. While serving, students gain valuable experience by implementing the legal knowledge and skills they learn in their classes.

**Stefanie Franc** learned the importance of service early in law school by participating with the Public Interest Law Foundation (PILF) as a first-year law student. Now, as the PILF president, Franc has grown to love serving the community.



*Crystal Wong*

"I have found that trying to focus on serving people a little bit each week is a very effective way to remember how blessed I am and how lucky I am to be at law school," Franc said.

Last summer Franc had the opportunity to serve as an attorney with the Cook County Public Guardian Office in Chicago. She helped with the legal proceedings of child victims of neglect and rape. This experience helped solidify Franc's future in child advocacy and juvenile law. Her greatest desire is to use her legal degree to make bigger changes in the world.

"Unfortunately the law can't solve all problems, and that is sometimes frustrating," Franc said. "When people who don't have a knowledge of the law gain access to someone who does, it can be a game changer."

**Crystal Wong** worked in the Jail Outreach and Law Help programs during her three years at BYU Law. In her last year she also served as the SBA service coordinator, consistently promoting a service-oriented Law School community. Wong gained a great appreciation for service and learned how to utilize her degree while assisting community members in legal matters.

"I think what helped me the most was researching and helping people understand how the law can help them," she said. "At first we tend to focus on ourselves in law school, but Law Help encourages us to think outside of ourselves and to see how law can assist people with their struggles."

Wong encourages others to become involved in service opportunities while in law school to enhance their experience and to help those who do not have legal resources.

"I made it a priority," said Wong. "Life gets so busy, and the things that aren't priorities fall by the wayside. So schedule time if you have to, but make time to serve and make sure you are living a well-rounded life."





**ENDOWED STUDENT  
SCHOLARSHIPS**

Gregg I. Alvord

Carl A. and Rose Jenkins Badger

Robert and Amy Barker

Ralph Brown

J. Robert and Ethel Bullock

Joseph E. Rawlinson/Fritz B. Burns

Glen L. Farr

Stewart L. Grow

Bruce C. Hafen

Charles E. Jones

William R. McConkie

R. Verne and Irene McCullough

Monroe G. McKay

Mulloy Family

Francis J. Rasmussen

Stephen L. Richards

Edwin M. Thomas

Lonny E. and Lori Townsend

Clyde F. Worthen



**THE GREGG I. ALVORD STUDENT SCHOLARSHIP**

Gregg Irwin Alvord, '78, was killed August 14, 1988, in an automobile accident near Kanab, Utah. He graduated from Brigham Young University with a bachelor's degree in English in 1975 and with a law degree in 1978, having served as Note and Comment editor of the *BYU Law Review*.

Mr. Alvord practiced law for 10 years at Jones, Waldo, Holbrook & McDonough in Salt Lake City and was chairman of the firm's International Law Practice Committee. He assisted in writing and compiling *Utah Civil Procedure*, a four-volume work on the subject of Utah courts and judicial procedure. His practice focused on litigation and administrative law, including healthcare regulation, environmental law, and natural resources.

Mr. Alvord's parents, Ray and Bonnie Lou Alvord, established a student scholarship in his memory. Called the Gregg I. Alvord Student Scholarship, it has funded BYU Law School students for over 20 years.



### Timpanogos Legal Center

Two years ago BYU Law School was a partner in the formation of the Timpanogos Legal Center (TLC)—now in its second year of delivering pro bono legal services to low-income clients throughout Utah County. TLC’s mission statement is “Lifting Lives Through the Law.” The center is open every Tuesday evening at the Health and Justice Building in downtown Provo with a special document clinic held once a month. Almost 50 BYU Law students have assisted approximately 100 attorneys at TLC with initial client interviews, drafting documents, and preparing for hearings and trials. Third-year law students can help argue in court under the Utah third-year practice rule.



### The International Center for Law and Religion Studies

Elder Dallin H. Oaks spoke at the 2012 J. Reuben Clark Law School Founders Day dinner and looked back to his remarks to the first class 40 years ago: “The special mission of this law school and its graduates will unfold in time” (Oaks, *Addresses at the Ceremony*, 4-5). He pointed to the work of the International Center for Law and Religion Studies in promoting and protecting religious liberty as part of that unfolding special mission. The Center’s outreach into countries where religious liberty is restricted is remarkable, and the participation of BYU Law School students in its global conferences, scholarly publications, websites, consultations on laws and legislation, and summer fellowship programs has been remarkable. More than 1,000 law students have participated in the Center’s work since its founding in 2000, and 120 students have spent their summers as fellows.

### National and International Student Impact: Portrait of an LLM Student, Jordanian Judge Rana Arn’out



Arn’out joined the LLM program in fall 2012. She graduated from law school in Jordan in 1999 and worked as legal counsel to a Jordanian bank and then started her own law firm. In 2008 she received a diploma in judicial studies and became a magistrate judge in Jordan. She will work with a Salt Lake City law firm for the next year before returning to Jordan.

### Fostering Student Employment in a Tough Economic Climate

The Law School established the Bridge to Practice Fellowship in 2010. Graduates can receive a stipend for three months of work, 20 hours a week, in public service settings. The program has been very successful.

Lornalei Meredith, ’12, started her fellowship with the attorney general’s office in America Samoa three weeks after taking the Utah State Bar. She worked on legal research for both the criminal and civil divisions. When she received her bar results in September, the attorney general and her immediate supervisor offered her a job as an assistant attorney general with the option to work in either the criminal or civil division. She chose to work as a

prosecutor and is now in court almost every day. Since starting full-time in December she has had two jury trials and six bench trials.

Heath Becker, ’12, spent his fellowship working for the immigration department at Holy Cross Ministries (photograph below). His department consisted of two attorneys and six representatives authorized to represent immigration clients in a nonprofit setting. He sat in on client consultations and prepared immigration forms with the other attorneys. Becker received a full-time offer after he passed the bar and is now an immigration attorney who helps victims of violent crime apply for benefits.





Elder Dallin H. Oaks of the Quorum of the Twelve Apostles addressed alumni, students, and professors at this year's Founders Day Dinner on August 23, 2012.

In his presentation Elder Oaks discussed the founding of the Law School and how much it has achieved in its relatively short existence.





**INTELLECTUAL ATMOSPHERE** Last year the Law School hosted approximately 400 judges, government officials, distinguished practitioners, and visiting academics. The students also held a variety of traditional fun events, such as the spring music recital, the talent show, Stump the Professor, Halloween parties, the Rex Lee Run, and intramural football and basketball games. Students also continued to mentor sixth-grade students from a local elementary school. Following are a few other highlights.




**CLOCKWISE, FROM THE TOP.** The Utah Supreme Court held two sessions at the Law School in the moot court room on November 7, 2012. » Judge Thomas B. Griffith visited members of the Federalist Society on February 25, 2013, to discuss his presentation “The Separation of Powers and Watergate.” » Elder Larry Echo Hawk of the First Quorum of the Seventy spoke at the 11th annual JRCLS Fireside on January 25, 2013. » As BYU Law School’s 2012 honored alumni, Keith N. Hamilton presented a lecture titled “Go and Sin No More: Applying the Lord’s Model in Man’s Criminal Justice Decision Making” on October 16, 2012. » Dean Nell Jessup Newton from Notre Dame Law School gave this year’s Bruce C. Hafen Annual Distinguished Lecture on January 31, 2013, titled “The Indian Trust: The Theory That Led to a \$3.4 Billion Settlement.” » Hosted by the Government and Politics Legal Society on February 13, 2013, Provo City mayor John Curtis held an open dialogue with BYU Law students to encourage discussion and awareness of local issues. » Professor Daniel Hopkins presented “The Hidden American Immigration Consensus” at the BYU Law Review Symposium on January 25, 2013. Hiroshi Motomura also spoke. » Utah Supreme Court Justice Jill N. Parrish addressed the class of 2013 at convocation, reminding graduates of the importance of life lessons learned in grade school.



J. Reuben Clark Law School  
 Bruce C. Hafen Annual Distinguished Lecture  
 Thursday January 31, 2013  
 11:00 a.m. ~ Room 205  
 Lunch Provided

**THE INDIAN TRUST: THE THEORY THAT LED TO A \$3.4 BILLION SETTLEMENT**



**Dean Nell Jessup Newton**  
*Joseph A. Matson Dean and Professor of Law*  
 Notre Dame Law School









**BUILDING PROJECTS** Big changes are happening to the exterior of the Law School this year. The bridge from the third floor to the Wilkinson Center and the third-floor patio were demolished, and the second-floor patio is being remodeled in conjunction with the closing of East Campus Drive for a campus greenbelt and pedestrian walkway. The east parking lot entrance is also being restructured.





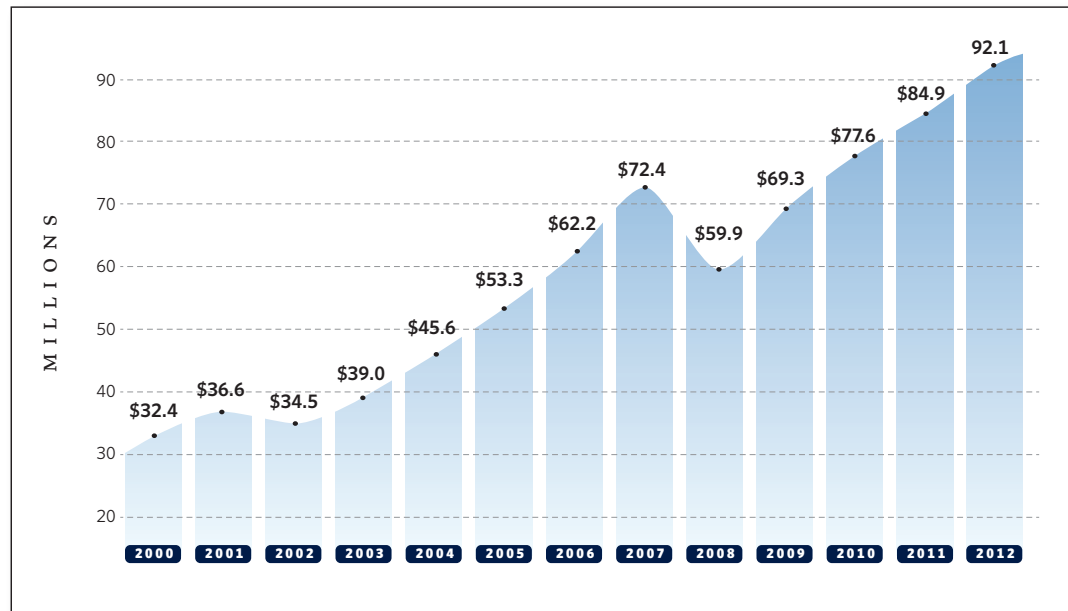






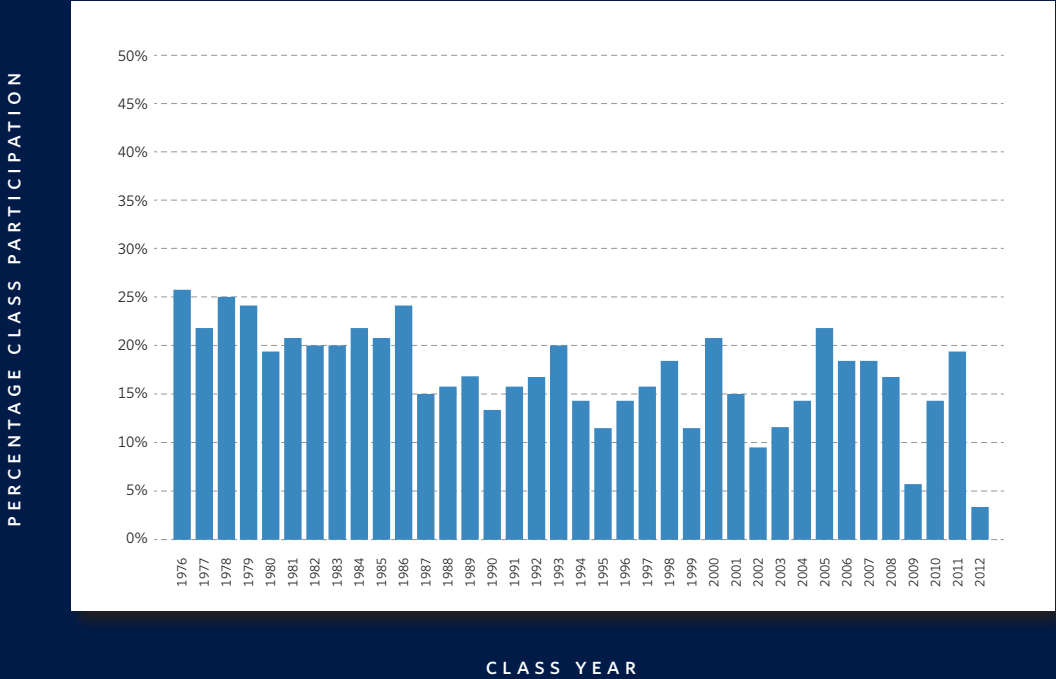


## Law School Endowment Growth



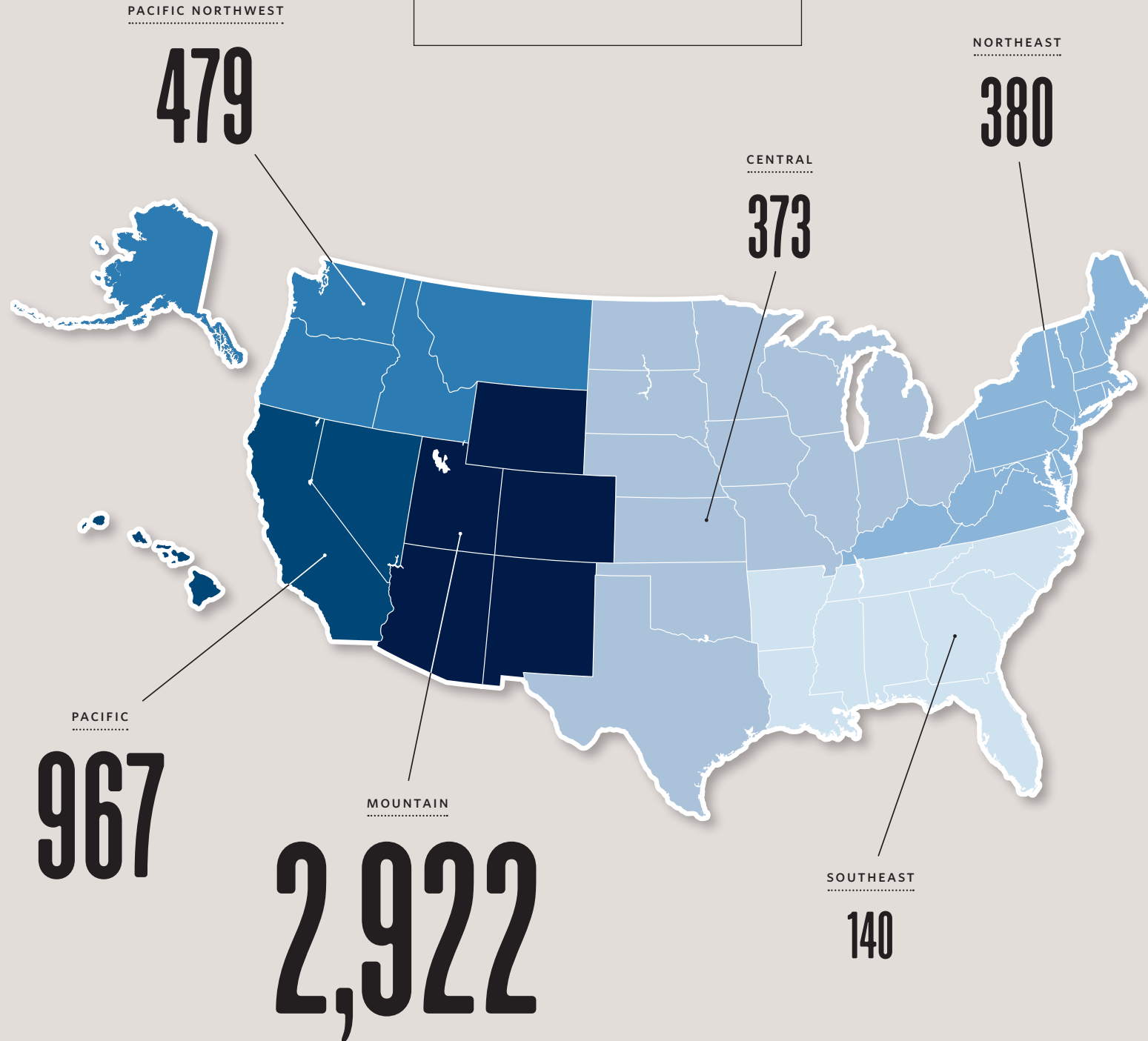


# Annual Giving Class Participation (2012)





ALUMNI DEMOGRAPHICS





TWO ALUMNI PROFILES

**David R. Brinley**, '91, was appointed general counsel for Shell Oil Company in Houston in 2013. He attended the United States Air Force Academy and spent much of his life overseas, particularly in Asia, where he was intrigued by the different societal and legal rules people lived by. That led to an interest in law, so while living in Japan teaching for the Ministry of Education, Brinley applied to BYU Law School.

During law school he had a summer clerkship split between clerking in-house for Shell and clerking for Nixon Hargrave Devans & Doyle LLP, now Nixon Peabody LLP, a large New York

law firm. He clerked for the firm to see if he was interested in large-scale law firm work. He wasn't. "I always felt that in-house was where I wanted to go, and that summer confirmed things for me." Brinley liked working with a single client and being involved in business decisions from day one, as opposed to generating clients and billable hours.

Brinley was hired by Shell right out of school. He started in a satellite office in Bakersfield, California, with hopes of one day doing international work. At that time Shell kept its U.S. operations separate from global operations. One day, as a joke, he sent a settlement

request form written in Japanese to his boss's boss in Houston. A few months later Shell was looking for a Japanese speaker, and Brinley was transferred to London to get some international experience and then went on to Japan. "I had an unusual spring out of the U.S. that you certainly wouldn't normally have had three years into Shell. I've worked mostly international ever since."

**Hannah C. Smith**, '01, is senior legal counsel for the Becket Fund for Religious Liberty, a nonprofit, public-interest legal and educational institute that protects the free expression of all faiths. She



David R. Brinley



Hannah C. Smith

joined the Becket Fund in 2007 following two clerkships at the U.S. Supreme Court for Justices Clarence Thomas and Samuel A. Alito Jr. In her advocacy of religious liberty cases at the trial, appellate, and U.S. Supreme Court levels, Hannah has been featured on Fox News, *The O'Reilly Factor*, *The Sean Hannity Show*, C-Span, the *Wall Street Journal*, the *Washington Post*, the *Los Angeles Times*, *U.S. News and World Report*, the *Associated Press*, *National Review Online*, the *Laura Ingraham Show*, the *Rush Limbaugh Show*, National Public Radio, and many other publications and radio shows.

Hannah received her BA from Princeton University, concentrating in the Woodrow Wilson School of Public and International Affairs. She graduated from BYU Law School with honors and served as executive editor of the *BYU Law Review*. During law school she also served as a research assistant for the BYU International Center for Law and Religion Studies and as president of the BYU Federalist Society. Following law school and between clerkships she was an associate in private practice at national law firms in Washington, D.C., representing clients before state and federal courts.







**CHAIRS AND PROFESSORSHIPS** The Law School's endowed chairs and professorships have been funded by generous donations from alumni and friends. They recognize faculty who have produced a record of high-quality teaching and scholarship and create an incentive for continuing accomplishments.

**CHAIRS**

Ernest L. Wilkinson Chair  
 Guy Anderson Chair  
 Rex E. Lee Chair

**OCCUPANT (FORMER OCCUPANTS)**

J. Clifton Fleming (Edward L. Kimball)  
 Frederick Mark Gedicks (Robert E. Riggs, Carl S. Hawkins)  
 (David A. Thomas, Thomas D. Morgan)

**PROFESSORSHIPS**

Robert W. Barker Professorship  
 Hugh W. Colton Professorship  
 Terry L. Crapo Professorship  
 Woodruff J. Deem Professorship  
 Marion B. and Rulon A. Earl Professorship  
 Glen L. Farr Professorship  
 Bruce C. Hafen Professorship  
 Howard W. Hunter Professorship  
 Charles E. Jones Professorship  
 Francis R. Kirkham Professorship  
 Rex J. and Maureen E. Rawlinson Professorship  
 Stephen L. Richards Professorship  
 Marion G. Romney Professorship  
 Edwin M. Thomas Professorship

**OCCUPANTS (FORMER OCCUPANT)**

(Richard G. Wilkins)  
 Kevin J. Worthen, James R. Rasband  
 (Stanley D. Neeleman)  
 (Michael Goldsmith)  
 James D. Gordon  
 D. Gordon Smith (Larry C. Farmer)  
 Lynn D. Wardle  
 (H. Reese Hansen)  
 Kif Augustine-Adams  
 Brett G. Scharffs (C. Douglas Floyd)  
 (Thomas R. Lee)  
 James H. Backman  
 Larry C. Farmer (Gerald R. Williams)  
 Cheryl B. Preston

**UNIVERSITY PROFESSORSHIPS**

Susa Young Gates Professorship  
 Robert K. Thomas Professorship

**OCCUPANT**

W. Cole Durham  
 John W. Welch



**NEW ALUMNI MENTORING** Spurred by the energy and ideas of Jon Hafen, '91, who has been serving on the BYU Alumni Board, the Alumni Advisory Board has designed a new mentoring program for students. Replacing the prior program, which matched entering 1Ls with a mentor, the new program focuses on 2L and 3L students, allowing them to select a mentor based on practice area and geographic location. Paired with the extraordinary externship program, this Alumni Mentor Program will help students find employment within their target legal community and also begin a process of lifelong apprenticeship and mentoring. Among the alumni and friends in the Law Society there are leaders in the public and private sectors throughout the world whose support and mentoring of BYU Law School students will make a real difference in their lives and careers.

**Alumni Board  
Class Presidents**

- 1976 LEW CRAMER
- 1977 PHIL BROADBENT
- 1978 MIKE JENSEN
- 1979 RICHARD BROWN
- 1980 RICHARD PARRY
- 1981 CRAIG LUNDELL
- 1982 KEVIN SUTTERFIELD
- 1983 DOUG GRIFFITH
- 1984 JEFF DUNCAN
- 1985 DAN DITTO
- 1986 J. MICHAEL BAILEY
- 1987 SCOTT WILSON
- 1988 GARY CHRISTENSEN
- 1989 ELAINE MONSON
- 1990 KOREY RASMUSSEN
- 1991 FRED PENNEY
- 1992 JACK PATE
- 1993 ALAN HOWARTH
- 1994 SARA HALLOCK
- 1995 ANN BARRINGER MURRAY
- 1996 OMAR MELO
- 1997 MATT JENSEN
- 1998 CHAD MITCHELL
- 1999 ISAAC PAXMAN
- 2000 ROD ANDREASON
- 2001 AMY SMEDLEY
- 2002 JENNIFER BROWN
- 2003 DOUG LARSON



Dean James R. Rasband presents the Honored Alum Award to Keith Hamilton, '86.



R. Gary Winger, '92, president of the BYU Law Alumni Association, presents the Alumni Honored Faculty Award to Professor RonNell Andersen Jones.

- |                        |                                |
|------------------------|--------------------------------|
| 2004 SIMON CANTARERO   | 2009 NASEEM NIXON              |
| 2005 LAYNE SMITH       | 2010 DOUGLAS FARR              |
| 2006 CORTNEY KOICHEVAR | 2011 ANNETTE THACKER BARTLETT  |
| 2007 RANDALL ROWBERRY  | 2012 CATHRYNE HARRISON HUNDLEY |
| 2008 JERMAINE CARROLL  | 2013 RYAN FISHER               |

**ALUMNI BOARD EXECUTIVE COMMITTEE AND  
COMMITTEE CHAIRS, 2012-13**

- |                      |                          |
|----------------------|--------------------------|
| Jami R. Brackin, '92 | President                |
| Dave Mortensen, '98  | President Elect          |
| R. Gary Winger, '92  | Immediate Past President |
| Tom Christensen, '82 | Giving Chair             |
| Rod Andreason, '00   | Events Chair             |
| Mark Wright, '96     | Outreach Chair           |
| Sara Becker, '04     | Liaisons Chair           |
| Eileen Crane, '07    | Jobs Chair               |
| R. Gary Winger, '92  | Advisory Board Chair     |

**ALUMNI ADVISORY BOARD (PAST BOARD PRESIDENTS)**

- |                        |           |
|------------------------|-----------|
| Ted Lewis, '76         | 1990-91   |
| Mike Hutchings, '79    | 1991-92   |
| Morris Linton, '78     | 1992-94   |
| Mitzi Collins, '87     | 1994-96   |
| Mark Morris, '85       | 1996-98   |
| Doug Monson, '81       | 1998-99   |
| Rob Clark, '80         | 1999-2000 |
| David Crapo, '87       | 2001-3    |
| Berne Broadbent, '82   | 2004      |
| Mark Webber, '86       | 2005      |
| Wendy Archibald, '93   | 2006      |
| Charles Roberts, '87   | 2006-7    |
| Steve Hill, '77        | 2007-8    |
| Jonathan Hafen, '91    | 2008-9    |
| Mark Linderman, '89    | 2009-10   |
| Tani Pack Downing, '91 | 2010-11   |
| R. Gary Winger, '92    | 2011-13   |





J. REUBEN CLARK LAW SCHOOL