

**Fall 2021**

October 12, 2021

---

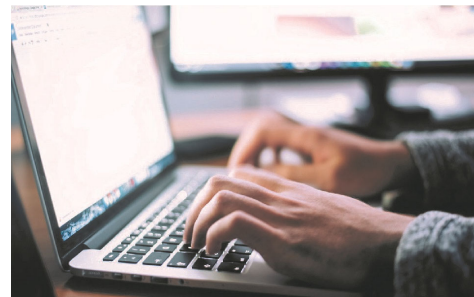
## Contents

1. Welcome to the 2021-2022 Board of Directors
2. Exciting CLE opportunities
3. Beware of the new changes to the Rules of Civil Procedure
4. Benefits of Membership
5. Member Spotlight

# Paralegal Division of the Utah State Bar

## Newsletter

We are excited to provide you with this newsletter to provide current news and happenings in the paralegal community!



We would like to invite members to provide suggestions, comments, and other feedback that they would like to see over the next year from the Paralegal Division. If you have any CLE ideas, Bar Journal article ideas, or anything you'd like to see more of, please send us an email at [utahparalegaldivision@gmail.com](mailto:utahparalegaldivision@gmail.com).

## Contact Us

---

Paralegal Division of the  
Utah State Bar

[Utahparalegaldivision@gmail.com](mailto:Utahparalegaldivision@gmail.com)

Website

[Paralegals.utahbar.org](http://Paralegals.utahbar.org)

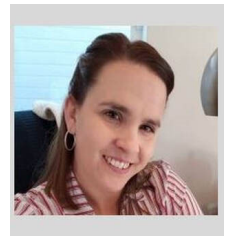
## Welcome to the 2021-2022 Board of Directors

**We would like to introduce you to your current Board of Directors.**



**Shalise McKinlay** is the current Chair. She has worked in the legal field for over twenty-five years and is currently working in the legal department for Dominion Energy. Prior to that, she was employed twenty-four years with the law firm of Richards Brandt Miller Nelson. She also serves as an Adjudication Officer for Park City Municipal. She attended Weber State University and obtained her Paralegal Certification through the University of Phoenix. She has experience in a wide variety of cases and extensive trial experience.

**Katie Lawyer** is the Chair-Elect and works in the Civil Litigation Division of the Utah Attorney General specializing in personal injury. Katie earned her Paralegal Studies degree from LDS Business College and earned a Bachelor's degree in History and Political Science from Colorado State University. Throughout her career, she has worked in various legal areas such as water law, employment, and criminal law. She currently advised the Paralegal Studies program at Ensign College.



**Rheane Swenson** is a member of the CLE Committee and has been a paralegal at Peck Hadfield Baxter & Moore since July 2015. She has worked in several different practice areas including litigation, entity law, estate law, trademark law, landlord tenant law, collections and family law. She recently became a Licensed Paralegal Practitioner and is a Certified Paralegal through the National Association of Legal Assistants. She also recently earned her Associates Degree in Legal Studies from Southern Utah University.

**Peter Vanderhooft** is the Secretary and is also a Licensed Paralegal Practitioner in the State of Utah. He is licensed in Family Law, Debt Collections, and Landlord/Tenant disputes. He is a Certified Paralegal through the National Association of Legal Assistants and is a current member of UPA. He is presently employed as a litigation paralegal for Cor Law, PLLC. He has worked in a wide variety of litigation matters including real estate, contract disputes, family law, debt collection, unlawful detainer, medical malpractice and personal injury.





**Cheri Christensen** is serving as the Membership Chair. She has worked in several areas of law including Social Security Disability, business and contract law, civil litigation, and personal injury. She has been employed as a paralegal at Sean Nobmann PC Law firm in Springville, UT since 2017. She

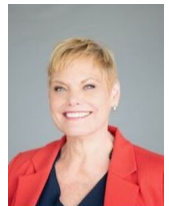
obtained her BS in Paralegal Studies from Broadview University. She performed with and served on the Board of the Timpanogos Chorale for 10 years, worked with the Timpanogos Arts Foundation and worked as assistant director to the Stadium of Fire Chorus.

**Suzanne Potts** is serving as the Ethics and Professional Service Chair. She has been a paralegal for over 30 years and is currently employed with Clarkson and Associates. Suzanne has completed basic Mediation Training through the Utah State Bar and serves as a mediator. She is very active in the community and was previously a public panel member for the Supreme Court Ethics and Discipline Committee, volunteer for the Southern Utah Community Legal Center, as well as a paralegal member of the Board of the Southern Utah Bar Association.



**Tally Burke** is the Finance Officer and is currently employed at Merit Medical Systems, Inc. Tally received her Legal Assistant Certificate in 1996, Associate of Applied Science with Major in Paralegal Studies in 1997, and her Associate of Science in 2005 from Salt Lake Community College, where she has also worked as an adjunct professor. In 2006, she received her Bachelor's Degree in Criminal Justice with a minor in Criminal Law and emphasis in Paralegal Studies from Weber State University. Tally is the past Chair of the Utah State Bar Paralegal Division (2004-2005) and has held other roles in the Division throughout the years.

**Julie Eriksson** is a Co-Chair for the Education Committee. She has been a long-standing member of the Paralegal Division of the Utah State Bar. She has worked as a litigation paralegal for the majority of her twenty-seven years in the legal field and nineteen of those were spent with the law firm of Christensen & Jensen. She recently joined the Salt Lake City Attorney's office as a paralegal.





**Kathryn Shelton** is a Co-Chair for the Education Committee. She is currently a senior paralegal for Dorsey & Whitney LLP in their Corporate Governance & Compliance, Mergers & Acquisitions, Investment Funds, Investment Management, Private Equity, Securitization and Capital Markets group. With over 25 years of experience as a paralegal, she has extensive experience in all kinds of commercial transactions, private and public financings, corporate governance and compliance matters, fund investment and management, securities and blue sky, as well as real estate matters. Kathryn has held various roles for the Paralegal Division. At the conclusion of her tenure as Chair of the Paralegal Division, the Paralegal Division was awarded the “Distinguished Section of the Year” by the Board of Bar Commissioners. She is also a member of NALA and obtained an Associate Degree in Arts and Sciences from Ricks College (now BYU-Idaho).

**Shari Dirksen** is the Marketing Chair. Shari is currently employed as a Paralegal at Parr Brown Gee & Loveless where she works on matters involving real estate acquisitions, development and financing, land use and zoning issues, and partnership and corporate formation. She graduated from the University of Utah with a Bachelor of Science degree in Sociology and Political Science, and has been a litigation and transactional paralegal for over twenty-five years. She has experience in a wide variety of cases including employment claims, securities, contract disputes, real estate, business organization, product liability, and bankruptcy issues.



**Jennifer Hunter** is the Community Service Chair. She has nearly twenty years of experience working as a paralegal and has worked at Workman Nydegger since September 2017. She received her bachelor’s degree in sociology and criminology from the University of Utah in 2011, and earned a master’s degree in professional and paralegal studies from the George Washington University in 2015. She has volunteered as a mentor and life coach at People Helping People helping low-income women and single mothers earn a living wage and realize their full potential. She has also volunteered at the Sundance Film Festival and is currently serving as president of the Wilshire Condominium Homeowner’s Association. Jennifer was also awarded Paralegal of the Year in 2021.

**Lexi Balling** is the Parliamentarian. She began her paralegal career in 2012 working in insurance defense and construction defect litigation. She transitioned in-house as a corporate paralegal and is presently working for eXp Realty, LLC as their Legal Operations Manager, where she leads a team of eight paralegals and currently works in legal project management, mergers and acquisitions, domestic and international entity incorporation, employment law, and litigation. She graduated with her paralegal certificate from LDS Business College and obtained her Certified Paralegal and ACP from NALA. Her career came full circle when she was asked to teach the Paralegal Procedures course at LDSBC three years ago and loves being able to teach and mentor paralegals in the classroom.



**Tonya Wright** is serving as the Immediate Past Chair and Communications Chair. She has been a litigation paralegal at Peck Hadfield Baxter & Moore since March 2011. She works on a wide variety of litigation matters, including personal injury, insurance disputes, contract disputes, collections disputes, sexual abuse claims, employment claims, family law, estate disputes and malpractice claims. She is one of the first Licensed Paralegal Practitioners in the State of Utah and received licensure in Family Law, Debt Collection, and Landlord/Tenant disputes. Prior to serving as a paralegal, Tonya worked as a Deputy Court Clerk at the First District and Juvenile Courts in Logan where she gained experience working in the civil, criminal, domestic, and juvenile in-court desks. She is an Advanced Certified Paralegal through NALA and has held several positions in the Paralegal Division.

*[additional information available at [paralegals.utahbar.org/leadership-2021-2022.html](https://paralegals.utahbar.org/leadership-2021-2022.html)]*

## Exciting CLE Opportunities

The Paralegal Division intends to continue the tradition of offering free Brown Bag CLE opportunities throughout the year. The past year has taught us that remote learning is a great benefit to our members, and we plan to continue to offer a Zoom option for attendance going forward. This will expand our ability to reach members throughout the entire state of Utah and hopefully encourage paralegals outside of the Wasatch Front to become more actively involved with the Division.

Join us on **November 10, 2021 at 12:00 p.m.** for a Brown Bag CLE where Lena Daggs of Eisenberg Cutt Kendell & Olsen will be presenting on the topic, “2021 Rule 26 Changes – Utah Rules of Civil Procedure.”



## Save the Dates:

We have a lot of exciting CLE opportunities coming up this year. For now, please save the following dates for CLE sponsored by the Paralegal Division and we will provide more details as each of these dates come closer.

Free Brown Bag CLE Events:

- **Wednesday, November 10, 2021 (description above) and**
- **Wednesday, January 12, 2022.**

Paralegal Day is currently scheduled for **Friday, May 20, 2022** at the Marriott City Center.

The Annual Paralegal Division CLE is scheduled for **Friday, June 10, 2022.**

## Beware of New Changes to the Rules of Civil Procedure

As of November 1, 2021, there are several changes taking effect to Rule 26 of the Utah Rules of Civil Procedure that every paralegal should be aware of. Below is a summary of the changes:

- The wording for the exchange of disclosures has been changed from **“shall”** to **“must”**;
- The timing for defendant to provide disclosures has been changed to **“within 42 days after the filing of that Defendant’s first answer to the complaint”** – removing **“or withing 28 days after that defendant’s appearance”**;
- With regard to limits on expert discovery, the language has been changed to state that a deposition **“must”** not exceed four hours and the party taking the deposition **“must”** pay the expert’s reasonable hourly fees for attendance at the deposition, rather than **“shall”** not. A report **“must”** be signed by the expert and **“must”** contain a complete statement of all opinions the expert will offered at trial and the basis and reasons for them. The party offering the expert **“must”** pay the costs for the report.
- Timing of expert discovery has changed. The party who bears the burden of proof on the issue for which expert testimony is offered **“must”** serve on the other parties the information required by paragraphs (a)(4)(A) within **“fourteen (14)”** days after the close of fact discovery. Within **“fourteen (14)”** days thereafter, the party opposing the expert may serve notice electing a deposition or written report. The timing for the deposition or report to be provided has changed from **28 days**

**to 42 days.** If no election is served on the other parties, the rule has been changed to state that no further discovery of the expert **“must”** be permitted, rather than **“shall”**. Likewise, the party who bears the burden of proof on the issue for which expert testimony is offered **“must”** serve on the other parties the information required by paragraph (a)(4)(A) within **14 days (rather than 7 days)** after the later of (A) the date on which the **disclosure (instead of election)** is due, or **“service of” (rather than receipt)** the written report or taking of the expert’s deposition. Within **14 days (instead of 7)**, the party opposing the expert may serve notice electing either a deposition or written report. The deposition **“must”** instead of **“shall”** be served on the other parties, within **“42 days” (instead of 28 days)** after the election is served. If no election is served on the other parties, then no further discovery of the expert **“must” (instead of shall)** be permitted.

- Rule 26 now states **“The court may preclude an expert disclosed only as a rebuttal expert from testifying in the case in chief.”**
- With regard to summary of non-retained expert testimony, Rule 26 now specifies that **“such a witness cannot be required to provide a report pursuant to paragraph (a)(4)(B). A deposition of such witness may not exceed four hours”** and, unless manifest injustice would result, the party taking the deposition **must** pay the expert’s reasonable hourly fees for attendance at the deposition.”
- With regard to Pre-Trial Disclosures, it is now required that you provide designations of the proposed deposition testimony, rather than providing a copy of the transcript with the proposed testimony designated.
- It is now required that Pre-Trial Disclosures **“must”** be served on the other parties at least 28 days before trial. It is also required that “Disclosures required by paragraph (a)(5)(A)(i) and (a)(5)(A)(ii) must be **filed** on the date that they are served.”
- The Form of Disclosure and Discovery Production is governed by Rule 34.
- Tier 4 has been created for Domestic Relations actions and permitted standard discovery limits have been placed, including 90 days to complete fact discovery, a limit of 10 Interrogatories, 10 Requests for Production, and 10 Requests for Admission.
- For Extraordinary discovery, you are now required to **“file”** a stipulated statement that extraordinary discovery is necessary and proportional, and **“for each party represented by an attorney, a statement that the attorney consulted with the client about the request for extraordinary discovery.** This stipulated statement needs to be filed before the close of

standard discovery and after reaching the limits of standard discovery imposed by these rules, **“file”** a request for extraordinary discovery and **“obtain an expanded discovery schedule under Rule 100A.”**

- It is recommended that you read and become familiar with the information provided in the Advisory Committee Notes.

**We highly recommend that you read the rule changes in their entirety on the Court’s website.**

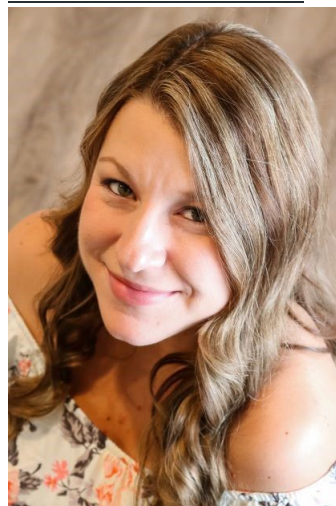
## Benefits of Membership

As a member of the Paralegal to the Utah State Bar, you have access to the valuable tools and resources offered through the Practice Portal. These resources include CLE information and requirements, information regarding annual conventions, search tools for attorneys and other colleagues, ethics information, Fastcase research, and subscription to the Utah Bar Journal. You also have access to exclusive savings and discount benefits through the Utah State Bar Group Benefits. The Utah State Bar also has various options to help with your mental well-being, including free EAP services through BlomquistHale. For a full list of benefits, please visit [utahbar.org/member-services/](http://utahbar.org/member-services/)

## Member Spotlight

The Utah legal community is abundant with exceptional paralegals who have, by their ethical and personal conduct, commitment, and activities, rendered extraordinary contributions and service to the paralegal profession. The Paralegal Division thought it would be fun to recognize a prominent member of the division each quarter to spotlight individuals who exemplify our vocation. With no further ado, The Paralegal Division is pleased to announce that the Member Spotlight for this Quarter is:

### **JULIE DONAHOE**



Julie Donahoe is currently a Certified Paralegal and Mitigation Investigator at the *Salt Lake Legal Defender Association*. As a paralegal in the Legal Defender’s office, Julie has worked extensively on multiple capital homicide cases that requires both a high caliber of professionalism and legal analysis. According to her colleagues, she excels in both. Julie’s colleagues also noted that she demonstrates the most appropriate balance in working delicately with sometimes difficult clients that are scared and uncertain of their future. Julie has the ability



to remain calm and positive through difficult situations and works tirelessly to help get clients the best outcome in their cases. Julie's coworkers and supervisors also mentioned that Julie is a team player and often a mentor and example to less experienced paralegals in their office. Julie exhibits a calming, caring, humble and professional demeanor. Julie is as tenacious and tireless as she is insightful and brilliant, and her work and dedication has significantly enhanced the representation of clients in the Salt Lake Legal Defender's office. Julie received her Paralegal associate degree from Salt Lake Community College in 2016 and is a NALA Certified Paralegal.

Julie and her husband have one son, and are about to welcome their second child, a daughter. Julie enjoys spending time with her family and friends, singing, live theatre, and of course her job. She feels very lucky to be able to do something she loves and to provide for her family. The Paralegal Division would like to congratulate Julie Donahoe for being recognized and nominated by her colleagues and supervisors as a truly deserving candidate for the 2021 Utah Distinguished Paralegal of the Year Award.

*(\*\*\*If you know of anyone that you or a colleague would like to nominate to be spotlighted in the Quarterly Newsletter, please send your nominations to Shari Dirksen at [sdirksen@parrbrown.com](mailto:sdirksen@parrbrown.com)).*

---

*A myriad of opportunities awaits you as a member of the Paralegal Division. If you are interested in participating on a committee or perhaps assisting on a specific project, please submit a committee volunteer form or contact a member of the Board of Directors. We welcome and encourage your participation.*

---