

# **ETHICS FOR THE IDAHO PERSONAL INJURY LAWYER**



**November 13, 2009**



**Oxford Suites, Boise**

**Jarom A. Whitehead  
Seminar Chair**

## **Seminar Agenda**

**8:30 a.m. - 9:00 a.m.      Registration, Continental  
Breakfast and Welcome Message**

**9:00 a.m. - 9:30 a.m.      Introductory Remarks**

**A Few Words About Lawyer Discipline**

Julia Crossland, Idaho State Bar Deputy Counsel

**Trial Lawyering: More Than Advocacy**

Dean Donald L. Burnett, U of I College of Law

**The Supreme Court's View of Lawyer Misconduct**

Justice Warren E. Jones, Idaho Supreme Court

**9:30 a.m.                      Break**

**9:45 a.m. - 11:45 a.m.      ETHICS PROGRAM**

**Moderator: Tim Gresback, ITLA President**

**The heart of this program will address practical ethical challenges the personal injury attorney faces in representing injured clients. Hypothetical ethics questions with realistic factual backdrops will be presented to the Panelists for discussion.**

**Topics include:**

- **Advertising**
- **Attorney Fees: Referrals and Splits**
- **Conflicts of Interest**
- **Client Confidentiality**
- **Third Party Financial Obligations**
- **Attorney Liens**
- **Representing Minors and the Catastrophically Injured**
- **Retention and Control of Client File**

**11:45 a.m.                      SEMINAR CONCLUDES**

## Esteemed Faculty



**Donald L. Burnett Jr.,** became Dean of the University of Idaho College of Law in 2002. Dean Burnett received his undergraduate degree in economics from Harvard, his JD from the University of Chicago, an LL.M from the University of Virginia, and also graduated on the “Commandant’s List” from the Command & General Staff College of the United States Army. He served as a law clerk to the Chief Justice of the Idaho Supreme Court and as an assistant Idaho AG before entering private practice in Pocatello, where he also contracted as a judge of the Shoshone-Bannock Tribal Court. In 1982, he was appointed to the Idaho Court of Appeals, where he was retained by statewide election (unopposed) in 1986. In 1990 Dean Burnett accepted the University of Louisville’s appointment as dean of law, serving twelve years on the faculty, including ten years in the deanship. In addition to his current administrative duties as Dean of the law faculty, Dean Burnett currently teaches the Professional Responsibility course.



**Julia A. Crossland,** Deputy Bar Counsel, Idaho State Bar, has been with Bar Counsel’s Office since 1999. Her primary responsibilities are attorney discipline, Client Assistance Fund and Fee Arbitration. Ms. Crossland received her BA from the University of California at Berkeley in 1982 and her JD from George Washington University in 1986. Prior to her service as Deputy Bar Counsel, Ms. Crossland served as a law clerk to former Idaho Supreme Court Justice Cathy R. Silak from 1993 to 1999. From 1986 to 1989, Ms. Crossland was in private practice in Virginia, and from 1989 to 1993 she practiced with Hawley Troxell Ennis & Hawley in Boise.



**Warren E. Jones** was appointed as the 55th Justice of the Idaho Supreme Court by Governor C. L. “Butch” Otter In July, 2007. Justice Jones is an Idaho native, graduating as valedictorian at Butte County High School in Arco in 1961. He earned a BA in political science from the College of Idaho before attending the University of Chicago Law School. His law career began as a law clerk for Idaho Supreme Court Chief Justice McFadden until he left for private practice in 1970. He joined the Boise firm of Eberle Berlin Kading Turnbow McKlveen & Jones, eventually becoming the firm’s senior litigator, specializing in negligence, products liability, professional malpractice and commercial litigation. During his 37 years with the Eberle Berlin firm, Justice Jones tried over 122 jury cases to verdict in 38 of the Idaho’s 44 counties.



**Tim Gresback,** who will serve as moderator, is from Moscow and loves car crash cases. After he graduated from law school in Washington, D.C., Tim clerked for Idaho Supreme Court Justice Stephen Bistline. He is a Past President of the Idaho Association of Criminal Defense Lawyers and is an ITLA Certified Criminal Trial Specialist. Tim taught trial advocacy at the University of Idaho College of Law for six years. He is an ice hockey referee and serves on the Moscow Human Rights Commission. He enjoys traveling around Idaho in his refurbished 1963 Dodge camper with his wife Sarah and son Luke. Tim is currently ITLA President.