

**SAN JUAN COUNTY, UTAH  
RESOLUTION NO. 2022 - 07**

**FILLING THE VACANCY OF THE SAN JUAN COUNTY ATTORNEY IN A COUNTY  
WITH FEWER THAN 15 ATTORNEYS**

**WHEREAS**, San Juan County appreciates and acknowledges the significance and importance of the Office of County Attorney.

**WHEREAS**, Kendall Laws, the San Juan County Attorney resigned effective March 28, 2022.

**WHEREAS**, the San Juan County Clerk, pursuant to UCA 20A-1-509.2(1) and (2), sent a letter to each licensed, active member in good standing with the Utah State Bar residing in San Juan County informing them of the vacancy and inviting them to submit applications to be considered for appointment as County Attorney.

**WHEREAS**, the Clerk received four expressions of interest for the vacancy but did not receive more than three actual applications.

**WHEREAS**, the Clerk sent a letter to the San Juan County Democratic Party (hereafter "Party") with the four names of the attorneys who had sent an expression of interest pursuant to UCA 20A-1-509.2(3), but did not forward more than three actual applications.

**WHEREAS**, upon request by the Party, the Clerk forwarded the four attorneys' expressions of interest to the Party.

**WHEREAS**, the Party, immediately contacted each of the four attorneys who had expressed an interest in the vacancy requesting that they submit actual applications by close of business Monday, April 4, 2022, including a letter of interest explaining why they were qualified for, and why they wanted to be appointed to fill, the County Attorney vacancy, as well as a current curriculum vitae or resume.

**WHEREAS**, the Party received letters of interest and associated curricula vitae from two of the attorneys, and a 2019 application for a judge position at the Grand County Justice Court from a third attorney.

**WHEREAS**, pursuant to UCA 20A-1-509.2(3) and (4), the Party notified the County Commission on April 7, 2022, that due to not receiving the statutory number of applications required by UCA 20A-1-509.2(3) ("more than three"), the Party has no authority to act, and therefore the Commission is required to move forward pursuant to the options set forth in UCA 20A-1-509.2(4); the Party has forwarded to the Commission the applications the Party received from the attorneys.

**WHEREAS**, the Commission has reviewed the letters and applications forwarded by the Party to the Commission.

**WHEREAS**, pursuant to UCA 20A-1-509.2(4)(b)(i) "[i]f three or fewer attorneys who are licensed members in good standing of the Utah State Bar and are registered voters in the county or district submit applications, the county legislative body may publicly solicit and accept additional applications from licensed, active members in good standing of the Utah State Bar who are not residents of the county or prosecution district."

**WHEREAS**, it is in the best interests of the residents of San Juan County to solicit additional applications for the County Attorney vacancy.

**WHEREAS**, due to the importance of the position of County Attorney and the statutory deadline imposed by UCA 20A-1-509.2, time is of the essence in filling the County Attorney vacancy with the most qualified applicant.

**NOW, THEREFORE, BE IT RESOLVED:**

**Section 1:** The Board of San Juan County Commissioners finds that three or fewer licensed, active members in good standing with the Utah State Bar submitted applications for the San Juan County Attorney vacancy, and as such, finds it in the best interest of all San Juan County residents to exercise its option pursuant to UCA 20A-1-509.2(4)(b)(i) to solicit and accept additional applications for consideration along with the applications received from the three attorneys who are residents of San Juan County.

**Section 2:** The Board of San Juan County Commissioners hereby directs the County Administrator to immediately notify the licensed, active members in good standing with the Utah State Bar of the vacancy in the office of San Juan County Attorney by no later than Friday, April 22, 2022.

**Section 4:** The San Juan County Commission directs the County Administrator to request that full applications by any attorney who is interested in applying be submitted by not later than Wednesday, May 4, 2022.

**Section 5:** The San Juan County Commission directs the County Administrator to provide a copy of the letter sent to the active licensed members in good standing with the Utah Bar Association and all applications received therefrom, to the Commission by Thursday, May 5, 2022.

**PASSED, ADOPTED AND APPROVED** by the Board of San Juan County Commissioners this 19 day of April 2022.

Those voting aye: Grayeyes, Maryboy

Those voting nay: Adams

Those abstaining:


Absent:

**Commissioners**

**Board of San Juan County**

  
\_\_\_\_\_  
Willie Grayeyes, Chairman

**ATTEST:**

  
\_\_\_\_\_  
Lyman Duncan, County Clerk/Auditor

*Attest to Signature only*