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PRACTICE AREAS

- Government Defense
- Governments
- Medical Malpractice Defense
- Personal Injury Defense
- Product Liability Defense
- Sexual Misconduct Investigations & Defense
- Wrongful Death Defense

EDUCATION

- J.D., University of Utah, S.J. Quinney College of Law, 1996
- B.A., University of Utah, cum laude, 1993

ADMISSION

- Utah State Bar
- U.S. District Court, District of Utah
- Tenth Circuit Court of Appeals
- United States Supreme Court

ABOUT

Heather White leads the firm's Governmental Law Practice Group and is also a vital member of the firm's Medical Malpractice group. While she primarily focuses on the defense of Utah governments in high-profile civil rights disputes, her work in defense of healthcare organizations and providers has become a branch of her practice. She defends doctors, nursing staff, other Utah medical professionals, and Utah medical facilities from complex malpractice claims.

Heather defends Utah governmental entities and their officers against complaints asserting the deprivation of civil rights. These include all types of claims of alleged misconduct, such as excessive force, search and seizure, wrongful arrest, false imprisonment, malicious prosecution, abuse of process, and denial of medical care, to name a few. At any given time, Heather has been involved in multiple officer-involved shooting cases from inception, including investigations by the Utah Department of Justice and press inquiries, through conclusion.

Heather deeply respects her Utah police officer clients and their dedication to society at great personal expense. She listens closely to determine their individual needs — whether in out-of-court settlements or in public trials. To better understand and closely connect with her clients and the matters they are involved in, she regularly participates in police ride-alongs, is certified by the Force Science Institute, and conducts training sessions for law enforcement throughout the state, including entities who are not her clients.

Heather also represents the two primary insurers of government entities in the State of Utah — the Utah Risk Management Agency and the Utah Local Governments Trust — and a number of self-insured governmental agencies. She believes in educating her clients on legally-related elements of their complex, public careers. She regularly speaks to agencies and insurers on police training, liability, risk management, and incident-prevention issues in this effort.

Heather has tried many governmental civil rights cases to a favorable defense verdict in state and federal trial and appeals courts. In addition, she regularly defends governments against claims involving accidents with government vehicles and premises liability, such as "slip and fall" accidents that might involve sidewalks, water meters, or swimming pools, cemeteries, playgrounds, recreational centers, and others.

Outside of the office, Heather is an avid runner — with her canine running companion. She enjoys spending quality time with her husband and two teenage sons.

HONORS / AWARDS / UNIQUE RECOGNITION

- Recognized as a Utah Super Lawyer by Super Lawyers Magazine
- Recognized as Utah Legal Elite for Government Law by Utah Business Magazine
- Distinguished Faculty of Lorman Education Services
- William H. Leary Scholar
- Served a Judicial Clerkship for the Honorable Dee V. Benson in the United States District Court, District of Utah.
- Rated by Martindale-Hubbell® Peer review as AV® Preeminent™ 4.8 out of 5.0

PROFESSIONAL & CIVIC INVOLVEMENT

- Utah State Bar Technology and Innovation Committee, Co-Chair
- American Academy of Trial Attorneys, Member
- Utah Bar Association
- American Bar Association
- Salt Lake County Bar Association
- U.S. District Court, District of Utah – Local Rules Committee, 2008-2018
- Federal Bar Association – Past President, Utah Chapter, 2004-2005
- Model Utah Jury Instructions, Chair of Subcommittee on Civil Rights Instructions
- Magistrate Merit Selection Panel, 2003
- Defense Research Institute
- Utah Defense Lawyers Association
- Utah Municipal Attorneys Association

TRIALS

Government Entity

- *Barney vs. Roy City*, Second District Court. Defended city against a personal injury claim involving a water meter. After a bench trial, judge found in favor of Defendant.
- *Hamson v. Cardon*, United States District Court. Defended police officer and city against excessive force civil rights claims. Jury found in favor of Defendants.
- *Lewis v. UTA*, Third District Court. Defended UTA and train operator in a personal injury claim involving a TRAX train/car accident. Jury found in favor of the Defendants.
- *McKee v. Layton City*, Second District Court. Defended City in a personal injury claim involving a police K-9 officer. After a bench trial, judge ruled in favor of the Plaintiff.
- *Medina v. Cardon*, United States District Court. Defended police officer and city against excessive force civil rights claims. Jury found in favor of Defendants.
- *Miller v. West Jordan City Police Officer*, United States District Court. Defended police officer against excessive force civil rights claims. Jury found in favor of Plaintiff.
- *Miller v. West Jordan City*, United States District Court. Defended city against municipal liability civil rights claims. Jury found in favor of Defendant.
- *Nelson v. Ogden City*, Second District Court. Defended city in a wrongful death claim resulting from a fatal police pursuit. Jury found in favor of Defendants.
- *Petrakovitz v. Orem City*, United States District Court. Defended officers and city against excessive force civil rights claims. Jury found in favor of Defendants.
- *Prevost v. Orem City*, Fourth District Court. Defended city and its employee driver in a personal injury claim involving a car accident with injuries. After a bench trial, judge ruled in favor of the Plaintiff.
- *Shepherd v. Orem City*, Fourth District Court. Defended city in a personal injury claim involving a water meter trip and fall. Jury found in favor of the Defendant.
- *Walker v. Orem City*, United States District Court. Defended City in wrongful death excessive force civil rights claims. Jury found in favor of Defendants.

Personal Injury

- *Ballif v. Cardon*, Fourth District Court. Defended driver involved in accident in negligence claim. Jury found Defendant not negligent.
- *Odegaard v. Snowbird*, Third District Court. Represented plaintiff in a personal injury claim involving a ski fall. Jury found in favor of the Defendant.

- Clara Lewis v. UTA – Obtained a no cause of action against defendant in a collision of a commuter rail train with a van.
- Barney v. Roy City – Obtained a no cause of action against defendant in a fall into a meter hole.

Appeals

- Ellis v. Ogden City, 10th Circuit Court of Appeals. Oral Argument defending city in Plaintiff's appeal of civil rights claims related to fatal police pursuit. Court affirmed district court ruling dismissing all claims against city.
- Garza v. Troy Burnett, 10th Circuit Court of Appeals. Defended police officer against unlawful arrest civil rights claims. Court reversed district court's entry of summary judgment in favor of officer.
- Papadakos v. Norton (Vernal), 10th Circuit Court of Appeals. Defended officer and city in appeal of unlawful arrest and unlawful search civil rights claims. Court affirmed state court ruling in favor of officer and city.
- Puttuck v. Gendron, Utah Court of Appeals. Defended Defendant in Plaintiff's Appeal. Court affirmed district court ruling dismissing claims in favor of Defendant.
- Russell v. Carson, Utah Supreme Court. Represented Plaintiff in case dismissed by district court due to statute of limitations. Prevailed for Plaintiff on decision addressing tolling of the statute of limitations.
- Turnbow v. Ogden City, 10th Circuit Court of Appeals. Oral Argument defending officers and city against wrongful death excessive force civil rights claims. Court affirmed state court summary judgment ruling in favor of officers and city.

Miscellaneous

- Linnell v. Linnell, District Court. Bench trial on divorce and property distribution.

PRESENTATIONS & PUBLICATIONS

- Co-Author, Discretionary Immunity – White Paper, Utah Local Government Trust, March 2022
- Author, Government Entities, Case Law Update – Law Enforcement, SCM blog, January 2021
- Author, Government Entities, Case Law Update, October 2020, SCM blog, October 2020
- Author, Government Entities, Case Law Update – Law Enforcement, SCM blog, October 2020
- Speaker, The First Amendment in the Pandemic and Protest Era, Utah Local Governments Trust, September 2020
- Author, Government Entities, Case Law Update – Law Enforcement, SCM blog, May/June 2020
- Author, Government Entities – Case Law Update, Firm blog, April 2020
- Author, Protecting and Serving Those Who Protect and Serve, The Utah Peace Officer, Winter 2020
- Author, Government Entities – Case Law Update – Government, Firm blog, October 2019
- Author, Government Entities, Case Law Update – Law Enforcement, Firm blog, October 2019
- Author, Government Entities – Case Law Update, Firm blog, July 2019
- Speaker, Governmental Immunity Statutory Revisions, Government and Administrative Law Section of the Utah State Bar Seminar, May 2019
- Speaker, Debriefing of Officer Involved Critical Incidents, Utah Municipal Attorneys Association Annual Conference, May 2019
- Speaker, Law Enforcement: Common Mistakes, Utah Local Governments Trust, May 2019
- Speaker, Legislative Updates for Law Enforcement, FBI National Academy Associates Spring Conference, Moab, Utah, April 2019
- Author, Government Entities – Case Law Update, (2nd Update), Firm blog, April 2019
- Author, H.B. 311 Governmental Immunity Revisions, Firm blog, April 2019
- Author, Legislative Updates – Law Enforcement, Firm blog, April 2019
- Author, Government Entities – Case Law Update, Firm blog, April 2019
- Author, Government Entities – Approved Amendments, Heather White, Firm blog,
- Author, Government Entities – Case Law Update, Firm blog, January 2018
- Speaker, Tech Ethics – New Rules? New Guidance!, Utah State Bar Fall Forum – Little America Hotel, November 2017
- Author, Government Entities – Case Law Update, Firm blog, August 2017
- Author, Government Entities – Case Law Update, Firm blog, June 2017
- Speaker, Writing Police Reports – Webinar, Utah Local Governments Trust, April 2017
- Speaker, Case Law/Legislative Update Webinar, September 2016
- Speaker, Transgender Restroom and Locker Room Issues, Utah Risk Management Mutual Association, August 2016
- Speaker, Public Accommodations as They Relate to Transgender Individuals, Utah Municipal Attorneys Association, May 2016
- Heather is a frequent lecturer on police training, liability and risk management, and prevention issues.