

# Fabian VanCott



## Joan Andrews

Email: [jandrews@fabianvancott.com](mailto:jandrews@fabianvancott.com)

Direct Line: 801.323.2263

Fax: 801.596.2814

215 South State Street  
Suite 1200  
Salt Lake City, Utah 84111-2323

## Practice Areas:



Litigation, Trials & Appeals



Education Law



Employment & Labor

## Biography

Joan Andrews focuses her practice on employment and education law, assisting her clients with both litigation and litigation prevention. She regularly helps clients draft employee handbooks, conducts anti-harassment training, directs internal investigations of allegations of discrimination or harassment and advises employers on critical employment law issues. As a litigator, Joan has tried cases involving the Fair Labor Standards Act, non-competition agreements and Title VII. She was part of a team of Fabian VanCott attorneys with expertise in a number of core competency areas that worked together on a widely reported case involving the False Claims Act. In the area of education law, Joan represents school districts, with an expertise in special education, as well as employment, student discipline, First Amendment and Title IX issues. She has successfully defended school districts in court and administrative hearings. In the community, Joan was a volunteer mentor for Big Brothers/Big Sisters of Utah for nine years. She is admitted to practice in Utah state and federal courts as well as the 10th U.S. Circuit Court of Appeals. Joan obtained a bachelor's degree from Dartmouth College and received her law degree at the University of Utah where she was a member of the Utah Law Review and a William H. Leary Scholar.

## Professional

Admitted to Utah State Bar, 1997; U.S. District Court, District of Utah, 1998; United States Court of Appeals for the Tenth Circuit, 1999

Judicial Clerkship, Chief Justice Michael Zimmerman, Utah Supreme Court, 1997-1998

## Professional (cont.)

Recognized as "Rising Star", Mountain States Super Lawyers, 2008, 2010 & 2011

Member, Utah State Bar; Education, Labor and Employment, Litigation, Non-Profit/Charitable Law sections

Member, American Bar Association

Member, Women Lawyers of Utah

## Representative Projects

**EMPLOYMENT LAW** - Joan regularly assists employers by providing proactive legal advice that keeps minor employment issues from developing into big problems. For example, she drafts employee handbooks, conducts anti-harassment training, advises employers on termination issues, assists with wage and hour issues including Department of Labor investigations, and conducts internal investigations of allegations of discrimination or harassment.

**EDUCATION LAW** - Joan exclusively represents school districts. She is one of the few attorneys in Utah with expertise in the Individuals with Disabilities Education Act, and has assisted school districts throughout the state with IDEA compliance issues as well as mediations and due process hearings. Joan is also well-versed in the employment issues specific to school districts, student discipline, student free expression law, and Title IX.

**LITIGATION** - Joan is a litigator with a proven record of success. She has tried several cases in state and federal court, as well as before administrative tribunals. She has also tried employment cases involving the Fair Labor Standard Act, non-competition/non-solicitation agreements, and Title VII. She has tried several breach of contract actions and was also a key team member on a widely reported case involving the False Claims Act.

**NONPROFIT LAW** - Joan assists nonprofit clients with issues involving charitable fund-raising, cause marketing, and other regulatory issues.

## Education

J.D., University of Utah College of Law, 1997; Junior Staff Member, Utah Law Review; William H. Leary Scholar

A.B., History, Dartmouth College, 1993

## Publications & Presentations

Speaker, "Sheltering Liability: Legal Issues Surrounding Directors, Officers, Staff and Animals," ABA Annual Convention, Tort Trial & Insurance Practice Section, 2012

## Publications & Presentations (cont.)

Speaker, "Lawfully Managing Student Records, Discipline and Interactions," National Business Institute, 2012

Speaker, "FLSA Update," Annual Meeting of the Utah State Bar's Labor & Employment Section, 2008

Speaker, "Olympic Torch Parade Protests, MySpace, and T-Shirts: High School Students and the First Amendment in 2007," Annual Convention of the Utah State Bar, 2007

Speaker, "Employment Law Year in Review," Annual Meeting of the Utah State Bar's Labor & Employment Section, 2007

Speaker, "IDEA 2004," Utah Special Educators Conference, 2006

Speaker, "Update on Student Expression Rights," Brigham Young University's Utah Education Law Institute, 2005

Speaker, "Liability Issues in School in Utah," Lorman Education Services, 2005

Speaker, "School Law Issues in Utah," National Business Institute, 2005

Speaker, "A Guide to the No Child Left Behind Act of 2001 in Utah," Lorman Education Services, 2004

Speaker, "Student Athletic Programs and the Law: A Primer on the Legal Issues Associated with Student Athletics in Utah," Lorman Education Services, 2003

## Community Service

Member, Utah Democratic Lawyers Council

Member, Leadership Committee, "and Justice for all", 2004-2010

Volunteer Mentor, Big Brothers and Big Sisters of Utah, 2002-2011

Past President, Dartmouth Alumni Club of Utah

Member, Alumni Board of Trustees, University of Utah S. J. Quinney College of Law, 2005-2008

Alumni Councilor, Dartmouth College, 2002-2005