

Jennifer E. Decker






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Practice Areas

-  Litigation, Trials & Appeals
-  Business Transactions & Corporate Law
-  Tax & Estate Planning
-  Real Estate
-  Women Lawyers Group

Biography

Jennifer E. Decker has nearly two decades of experience in estate planning and probate. She has represented hundreds of clients in all aspects of estate planning, including wills, trusts and asset protection strategies. She represents personal representatives and trustees in all aspects of probate estate and trust administration. She routinely assists title companies and realtors with probate issues. Jennie oversaw all probate, guardianship, conservatorship and minor settlement court approvals in the highly publicized case resulting from the multiple deaths and injuries at the Crandall Canyon Mine. She also assisted in the probate issues stemming from the notorious Joshua and Susan Cox Powell case. Jennie is also an experienced real estate attorney, handling transactions from letter of intent through closing in many types of sophisticated real estate deal structures. In the community, Jennie was elected to serve on the city council for Woods Cross, Utah. She was also recently recognized by Utah Business Magazine as one of their “Forty Under 40” business professionals. Jennie received her law degree from Brigham Young University’s J. Reuben Clark Law School where she was on law review. She earned her bachelor’s degree from Utah State University, graduating magna cum laude. Jennie is licensed to practice in Utah’s state and federal courts as well as the 10th U.S. Circuit Court of Appeals.

Professional

Attorney and Of Counsel, Fabian VanCott, 2000-Present

Chair, Fabian VanCott Women's Group of Lawyers, January 2012-2016

Admitted to the Utah State Bar, 2000; United States District Court for the District of Utah, 2000; and the U.S. Court of Appeals, Tenth Circuit, 2002

Recognized by Utah Business Magazine as one of their 2015 "Forty Under 40" business professional leaders to watch who are putting a fresh foot forward in the business world

Recognized by Utah CCIM as a top commercial real estate attorney in its annual excellence awards for 2016

Consistently recognized as a Rising Star by Mountain States Super Lawyers magazine in Estate Planning and Probate (one of the top 2.5 percent of lawyers for Nevada, Utah, Montana, Idaho, and Wyoming)

Consistently recognized as one of Utah's Legal Elite by Utah Business magazine

"Distinguished" BV rating by Martindale & Hubbell Top-Rated Lawyers Network

Member, Centerville City UTOPIA Advisory Committee, 2014 to present

Volunteer for Utah Wills for Heroes program, 2009

Elected Councilperson for City of Woods Cross, Utah, 2005-2007

Member, Brigham Young University, J. Reuben Clark Law School, Alumni Board, 2003-2004

Volunteer for Senior Citizen Estate Planning Initiative, Senior Community Center of Spanish Fork, Utah, 2000

Judicial Law Clerk, Honorable W. Brent West, Second District Court, State of Utah, 1998

Law Clerk, City of Ogden, Utah, Attorney's Office Civil Department, 1996-1998

Congressional Assistant, U.S. House of Representatives, Office of James V. Hansen, 1996

Certified CE Instructor for the Utah Departments of Real Estate and Insurance

Member, Salt Lake Chamber – Leadership Utah Committee, 2011-2012

Member, American Bar Association

Member, Estate Planning Section of the Utah State Bar

Member, Elder Law Section of the Utah State Bar

Member, Real Property Section of the Utah State Bar

Member, National Academy of Elder Law Attorneys (NAELA)

Member, Salt Lake Homebuilder's Association, Education Committee

Member, The Utah Land Title Association, Education Committee

Member, Salt Lake Board of Realtors

Member, Phi Kappa Phi National Scholastic Honorary Society and Golden Key National Honor Society

Representative Projects

Jennie's primary practice consists of assisting clients in drafting, executing, and implementing appropriate estate planning documents and strategies, including Wills, Trusts, Advanced Health Care Directives, Living Wills, Financial & Medical Powers of Attorney, Life Insurance Trusts, Pre and Post Marital Agreements, Elder Law issues, and other wealth preservation and asset protection planning strategies. She has successfully represented hundreds of clients with their personal estate planning needs. She represents modest estates up to multi-million dollar estates.

Jennie also represents Personal Representatives and Trustees in all aspects of Probate Estate & Trust Administration, including Small Estate Affidavits, Informal and Formal Probates, Personal Representative's Deeds, asserting and defending Creditor Claims filed against Probate Estates, Determination of Heirs proceedings, Affidavits of Heirship, Affidavits of Domiciliary Foreign Personal Representatives, and Real Property Quiet Title proceedings related to a deceased person's real property. She administers modest estates up to multi-million dollar estates.

Jennie specializes in obtaining Guardianships & Conservatorships, including for incapacitated adults and minor children, and she is a leading expert in Minor Settlements, including obtaining approval for settlement amounts negotiated on behalf of minor or disabled children, assisting with Settlement Trusts, Special Needs Trusts and Medicaid/SSI planning, and obtaining conservator appointments for minor children when needed.

Of particular interest, Jennie assisted in representing the co-owner, operator and parent company of the Crandall Canyon Mine, in relation to the multiple deaths and injuries arising out of the collapse of the mine and failed rescue in August of 2007. Jennie oversaw all of the Probate, Guardianship, Conservatorship and Minor Settlement court approvals stemming from the highly publicized global settlement of all claims against all defendants in less than two years following the accidents.

Jennie also handles real estate transactions from letter of intent through closing, and has handled several difficult real property sales and acquisitions.

Jennie has also successfully litigated cases through trial, including acting as lead counsel in a dispute between a national for-profit college and a commercial landlord. Jennie defended the college through a three-day trial relating to the interpretation of the underlying contract lease provisions and alleged damages to the leased premises. At the conclusion of the trial, the court ruled in favor of the college on its counterclaim and awarded attorney's fees and costs incurred through trial.

Jennie acted as lead counsel in a dispute relating to wrongful liens recorded against the property owner's land. Jennie successfully defended the property owner through a two-day trial relating to the interpretation of Utah's wrongful lien statute and other related lien issues. At the conclusion of the trial, the court awarded her client of a one-third million dollar judgment and attorney's fees and costs.

Jennie successfully represented a well-known real estate developer in a multimillion dollar dispute over a large residential real estate development project located in Utah County, Utah. The parties ultimately settled on the eve of trial in an amount favorable to Jennie's client.

Jennie successfully negotiated a favorable multimillion dollar settlement between a large warehousing landlord and construction company over landlord liens filed against the landlord's real property. Jennie successfully negotiated and closed a multimillion dollar real estate transaction paving the way for the Park City/Jeremy Ranch transportation hub.

Education

J.D., Brigham Young University's J. Reuben Clark Law School, 2000; Law Review, 1999-2000; Moot Court Team, 1998-1999; Trial Advocacy Team, 1998-2000; Vice-President, Government, Politics and Legal Society, 1999-2000; Chairperson, Continuing Legal Education State and Local Government Conference, 2000; Board Member, Women's Law Forum, 1999-2000

B.S., Magna Cum Laude, Utah State University, 1997; GPA 3.9, Top five percent of class; Political Science major, Philosophy and Social Work minors; 1997 Most Outstanding Political Science Graduate of the Year; Recipient, ASA Bullen Law and Academic Honors scholarships, 1995-1997; Academic All-American, National Dean's List

A.A.S., Magna Cum Laude, Ricks College, 1995; GPA 3.9, Top five percent of class; 1995 Most Outstanding Political Science Student of the Year; 1994 Most Outstanding Political Science Student of the Year; Campus Woman of the Year Semifinalist, 1995; Recipient, Academic Honors scholarship, 1993-1995

Publications & Presentations

Presenter, "Real Estate Women and Wealth Management," sponsored by the Women Council of Realtors (WCR), January 2016

Presenter, "Pre-Licensing Seminar for Escrow and Title Agents," sponsored by the Utah Land Title Association, April 2014

Presenter, "Closing the Deal: Understanding the Title and Escrow Officers' Duties, Avoiding Common Pitfalls, and Curing Title Defects," sponsored by the Real Property Group of Fabian, Attorneys at Law, November 2013

Presenter, "Estate Planning for Terminally Ill Patients," sponsored by the University of Utah Clinical Neurosciences Center, May 2013

Quoted in Article, "Road to Recovering Legal Damages Long and Difficult," Salt Lake Enterprise Newspaper, April 2013

Presenter, "Real Property and Probate Issues related to Title Insurance," sponsored by the Utah Land Title Association, April 2013

Presenter, "Top Title Defects - Cured," sponsored by the National Business Institute, June 2012

Presenter, "Ask the Lawyers: What if the Unexpected Happens?" sponsored by the Society of Industrial and Office Realtors, April 2012

Presenter, "Wealth Management and Asset Protection for the Business Owner," sponsored by the Salt Lake Home Builder's Association, February 2012

Presenter, "Probate 101," sponsored by the Salt Lake Board of Realtors, September 2011

Presenter, "Women and Wealth Management: Face Your Financial Future with Confidence!" sponsored by EDCUtah, May 2011

Author, "Avoid Storms Ahead, Asset Protection and Estate Planning in any Economic Environment," Utah Business magazine, May 2011

Author, "Asset Protection and Estate Planning Strategies for the Business Owner: Lessons Learned from the Recent Economic Slowdown," Utah Focus section of Salt Lake Enterprise newspaper, April 2011

Author, "Settling A Case Involving a Minor Child – Issues Every Plaintiff's Lawyer Should Examine," Utah Trial Journal, April 2011

Author, "A Few Things Every Real Estate Agent Should Know About Probate," Utah Focus section of Salt Lake Enterprise newspaper, April 2011

Presenter, "The Intersection of Real Property and Probate: What Every Title Agent, Escrow Officer and Realtor Should Know About Probate," sponsored by The Utah Land Title Association, midwinter Convention, January 2011

Presenter, "Estate Planning for Terminally Ill Patients," August 2010

Quoted in Article, "Cover Your Assets: Protecting your personal property isn't just a good idea—it's critical in an uncertain economy," Utah CEO Magazine, August 2010

Presenter, "Estate Planning: Methods to Dispose of a Decedent's Assets and How Each Disposition Relates to Real Property," March 2009

Author, "A Closer Look at the Pros and Cons of Curbside Recycling," May 2007

Presenter, "Estate Planning 101," sponsored by Woods Cross City, Utah, September 2005

Author, "Innovative Government—Contracting Services: A Guidebook for Utah Cities and Towns," June 1997

Peer Recognition

Super Lawyers, Rising Stars 2016, 2010-2016

Utah Legal Elite, 2010-2016