

# JENNIFER E. DECKER

Attorney / Of Counsel | Salt Lake City

Licensure: UT

## Biography

Jennifer E. Decker has over 20 years of experience in elder law, estate planning, and probate. She is an experienced problem-solver whose passion is helping families and individuals protect their assets and plan their legacies. She has assisted hundreds of clients with their last wills, trusts, powers of attorney, health directives, guardianships and conservatorships, special needs trusts, and Medicaid nursing home and long-term care protection strategies. She represents personal representatives and trustees in estate and trust administration. She also routinely assists title companies and realtors with complex probate, estate, and trust related title issues. Ultimately, the best part of practicing law for Jennie, is helping those she serves by relieving their burdens and providing them peace of mind.

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 in Price, Utah. She also assisted in the probate issues stemming from the notorious Joshua and Susan Cox Powell case. In the community, Jennie served on the Woods Cross City Council and Centerville City UTOPIA fiber committee. She was also recently recognized by Utah Business Magazine as one of their "30 Women to Watch" and also as one of their "Forty Under 40" business professionals, and is consistently recognized as one of Utah's "Super Lawyers" and "Legal Elite" by various legal publications. Jennie received her law degree from Brigham Young University's J. Reuben Clark Law School, where she was the staff editor of the law review. She earned her bachelor's degree in Political Science from Utah State University, graduating magna cum laude. Jennie is licensed to practice in Utah's state and federal courts as well as the Tenth U.S. Circuit Court of Appeals.

## Practice Areas

TAX & ESTATE PLANNING

ESTATE PLANNING

MEDICAID & SPECIAL  
NEEDS PLANNING

PROBATE GUARDIANSHIP  
& CONSERVATORSHIP

TRUST & ESTATE ADMINISTRATION

TRUST & ESTATE LITIGATION

## Professional History

- Attorney and Of Counsel, Fabian VanCott, 2000-Present
- Chair, Fabian VanCott Women's Group of Lawyers, January 2012-2016



## FABIAN VANCOTT

### CONTACT

#### DIRECT LINE

801.323.2288

#### ADDRESS

95 South State St., Suite 2300  
Salt Lake City, UT 84111

#### EMAIL

[jdecker@fabianvancott.com](mailto:jdecker@fabianvancott.com)

## Education

J.D., Brigham Young University's J.  
Reuben Clark Law School, 2000

B.S., Magna Cum Laude, Utah  
State University, 1997

A.A.S., Magna Cum Laude, Ricks  
College, 1995

## Professional History (con't)

- 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 2020 "30 Women to Watch" leading the way in business in Utah.
- 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

## Professional Expertise

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.

## Professional History (con't)

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.

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.

## Publications and 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

## Publications and Presentations (con't)

- 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  
2010 - 2016



Utah Legal Elite  
2010 - 2016

## Educational Highlights

- 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