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The Council announced its leaving at City Council meeting. After some discussion, the Council decided to wait for three new council members before hiring a new city manager.

working with film companies. These included:

- Basic information on location use; i.e. will there be smoke, fire, gunshots or any other effects?
- Number of days required to shoot, plus any preparation or

kitchen, food, laundry, trash, where meals will be eaten, floor coverings, etc.

- Clean-up requirements, including areas of responsibility and when cleanup will be completed.
- A possible special location

should not be filming on private property without proper contracts with the owners.

Toone said she also has the resources to check on film companies and their track records.

Brigham Young University
a walk across
first visit to B'

Judges soliciting business?

It is never wise or proper for a sitting judge to offer a public advisory opinion in a fashion certain to suborn litigation. Attorneys may continue the disreputable practice of advertising on television, effectively creating business for themselves, but this provides no justification for similar conduct from judges.

Yet this is essentially what state Supreme Court Justice Christine Durham did last Thursday during a panel discussion at a meeting of the Women's State Legislative Council of Utah.

Durham bemoaned the "dearth" of Civil Rights lawsuits filed under provisions of the Utah Constitution. The judge implied that many of the suits arising over church-and-state controversies and feminist concerns would be successful at the state level.

Durham clearly has activist ambitions: apparently she desires to take part in the familiar malcontent minuet.

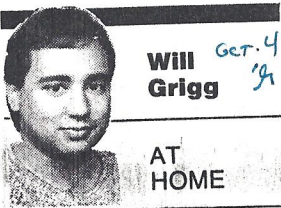
Just prior to Durham's remarks, the State Supreme Court "discovered" a new right, that of renters to withhold rent in order to compel landlords to repair or improve rented property. Durham contributed an opinion to the majority decision, insisting that "Although we seek to protect parties' freedom to contract as they see fit, we must also recognize the undesirability of permitting landlords to lease uninhabitable dwellings;" this is because "Modern tenants, like consumers of goods ... frequently have no choice but to rely on the landlord to provide a habitable dwelling."

This observation may be true. It certainly has no constitutional relevance.

The decision arose from two cases involving poor single mothers who had moved into unlivable apartments and been confronted with uncooperative landlords. It is difficult to conceive of a more sympathetic figure than a besieged single mother, or a less sympathetic character than a slumlord.

But the state Supreme Court was not established to apportion public sympathy. This decision may be taken as a signal that the Utah Supreme Court is inclined to take an activist approach to the state Constitution similar to that which has produced a surfeit of judicial legislation at the federal level.

The ruling and Durham's "come hither" remarks will probably inspire Utah's activist Left to re-direct its attentions from the federal to the state level. Bruce Plenk, the Utah Legal Services attorney who represented the renters in the slumlord case, is a career Leftist: as a member of the Central Ameri-



Will Grigg

AT HOME

can Solidarity Coalition during the late 1980s, Plenk was a reliable supporter of the Nicaraguan Sandinista government, and heavily involved in the predictable cluster of cause.

The fact that such an activist could obtain an improbable victory at the state level in Utah testifies of a remarkable political evolution in the state's judiciary.

The day that Durham made her remarks a suit was filed by Salt Lake "civil rights" ambulance chaser Brian Barnard on behalf of the Society of Separationists. The suit is a challenge to the Salt Lake City Council's practice of opening meetings with a prayer.

Barnard, whose activism has produced the graduation prayer imbroglio, allows that ceremonial prayer at public functions "may" be protected by the U.S. Constitution (does that mean he will re-think the matter of graduation prayers? Of course not; such a gesture is the product of intellectual honesty); he insists that Utah's state Constitution forbids such observances.

The Society of Separationists, described by KTVX News (10 p.m. edition, Sept. 28) as a "citizen action group," is an organization of about the same size as a typical LDS ward. It is a "project committee" of the American Atheists, a group whose founder (Madalyn O'Hair) recently returned from the Soviet Union to profess frustration that the totalitarian Communist government had failed in its effort to pound religion out of the Russian people.

Barnard has filed a suit on the Society's behalf against the Alpine District for the district's decision to file an amicus brief in the Rhode Island graduation prayer case. Barnard — a hyperkinetic litigant — has also filed yet another lawsuit against Salt Lake County, this one on behalf of a leftist organization called Community Shares.

Barnard was merely rising to the bait offered by Judge Durham, and we can expect a similar reaction from other bottom-dwelling denizens. If Durham's docket is so light that she feels the need to drum up business, she could have made a more useful contribution to the public weal by taking up a time-consuming hobby — knitting, for example.

Cannon: Parents should be

By PATRICK CHRISTIAN
Herald Staff Writer

When Johnny can't read, it's not always teachers who should be blamed.

Many so-called failures that are blamed on schools and the education system actually start at home, said Joe Cannon Thursday at Brigham Young University.

The Provo Republican who is running for the U.S. Senate spoke to about 20 members of the Central Utah Reading Council, comprised mainly of area teachers.

The council members who are allied with the International Reading Association, were conducting their seasonal meetings and Cannon was invited to speak before he had announced his candidacy.

Cannon said he doesn't agree with Gov. Norm Bangerter that Utah's parents get an F grade for their role in the education of their

children. But he said maybe they do deserve a D grade.

"I think parents should bear the responsibility of teaching children to read," he said.

But he said he disagreed with programs that tried to teach infants to read.

Cannon said his parents taught him how to read, and said parents — especially fathers — teaching their children how to read has the side benefits of demonstrating to the children that their parents love them and place a high value on reading.

He shared ideas from the book "On Character" by James Q. Wilson that Cannon said he's been reading. He said the book blames much of the crimes and other woes of society on the fact that members of society are not being taught "civility, orderliness and to think into the future."

Cannon, who is board of Geneva "When schools a vation great things

He said when Geneva Elementary to company to adopt things did happen.

The Orem elementary school at Alpine School D been neglected as stepchild of the state.

Test scores at among the lowest there was much school and school in the school yard Geneva did admit at first started with giving the students other mementos

Orton learns challenges of

WASHINGTON (AP) — The crowd at a reception here to promote Utah skiing buzzed that a skiing accident must have put Rep. Bill Orton in a wheelchair with his leg elevated waist-high.

After all, the Utah Democrat lives near the ski resort Sundance, but he says being confined to a wheelchair isn't the result of trying to maneuver on icy moguls.

"Actually, my horse kicked

me," he said. "But the ski accident story is better. Maybe I should use it instead."

Orton told a gathering promoting Utah skiing that his horse kicked him two weeks ago. His doctor told him to keep off his feet and keep his leg elevated. But he continued his regular pace in Congress, landing him temporarily in the wheelchair.

"It's been a real eye-opener

about how hard back here in a said. "Every n spend a week like

He and other s Mrs. Field's co beer and ale an about Utah ski r for by resorts an Utah delegation the crowd that t

Cities in south part of county set

By LEANN MOODY
Herald Correspondent

SPRINGVILLE — Citizens in several area communities have set the field for upcoming city elections, including Springville, where residents nominated candidates for three city council seats with only one incumbent running for reelection.

Jurors feel mistrial a defense ploy

SALT LAKE CITY (AP) — At least three of the seven jurors picked to hear the negligent homicide trial for Challenger founder Stephen Cartisano were leaning toward conviction when a mistrial was declared.

A fourth said he thought the trial, which was brought up short last month by a defense motion, was "going well" for the defense and he was inclined to acquit Cartisano on the most serious charge of negligent homicide.

And at least two of the jurors felt the defense intentionally derailed the trial after getting a look at the prosecution's case.

Four of the seven jurors picked to hear the case agreed to talk about their impression of the six-day mistrial, with the understanding that they had not heard any of Cartisano's defense. Three others were either out of town or other-

wise unreachable. Loren Phillips, the incumbent will run again on the Progressive Party ticket, along with Chris Sorenson and Bud Schardine.

The Citizen Party candidates are Grant Palfryman, Leon Lewis and Orville Roylance.

Current councilmen Matt Packard and Wilford Clyde will not be

seeking reelection.

Salem also dates for its c party system, incumbent Jerry election. Councilson and Stephen another term.

Lake will run ticket along with Mary Klug, nominated Paul councilman, Tom Casalino. Three this race.

In other c closed for W Ridge and Sant

In Santaqu open, with th Holman seeki Also filing for A. Hortt Carte and Randy Smi

Elk Ridge year seats ope ams, Eldon L. E. 'Jay' Proth Stephen W. W one two-year t and Dennis L.

Three filed Woodland Hill pointed council will filing for ta and Tom P two which hav

Prosecutors have vowed to retry the case. The defense is seeking a change of venue due to publicity.