

## **Dan McDonald**

Dan McDonald is an attorney based in Alpine, Utah, with more than 17 years of experience handling Fair Housing Act, ADA, Rehabilitation Act, and 42 U.S.C. § 1983 cases throughout the western United States. He recently represented the City of St. George, Utah, in a \$7 million group home/residential treatment facility case before the 10<sup>th</sup> Circuit, defeating the group home operator's claim that the city violated the Fair Housing Act when it denied the developer's request for a residential treatment facility. See *Cinnamon Hills Youth Crisis Center, Inc. v. Saint George City*, 685 F.3d 917 (10<sup>th</sup> Cir. 2012). He was also land use counsel for the developer that sued Boise County, Idaho, for discrimination against a proposed youth treatment facility and obtained a \$5.4 million judgment, causing the county to file bankruptcy and garnering national media coverage. *Alamar Ranch, LLC v. County of Boise*, Civil No. 1:09-cv-004-BLW (U.S. Dist. Idaho).

He routinely gives training presentations to various groups of attorneys, cities, counties and governmental organizations throughout the western United States with regard to the FHA. He has represented local governments, developers and private parties with regard to reasonable accommodation issues. He is the Utah Counties Indemnity Pool's hotline attorney for group home and residential treatment facility issues for the entire state of Utah.

### **Recent Speaking Engagements/Publications:**

*Group Homes & the Fair Housing Act: You Don't Always Have to Say "Yes"*, 2013 Annual Seminar on Municipal Law, Colorado Municipal League, Steamboat Springs, Colorado, October 11, 2013

*Group Homes & the Fair Housing Act: You Don't Always Have to Say "Yes"*, Wyoming Association of Local Government Attorneys (WALGA), Riverton, Wyoming, June 13, 2013

*Fair Housing Act Landmines*, Utah Association of Counties Annual Convention, November, 2012

*Model Ordinances – Group Homes*, Utah Prosecution Council Annual Civil Training Conference, October 2012

*Group Homes: The Feds, The State and Your Zoning Ordinance*, Utah Prosecution Council Annual Civil Training Conference, October, 2011

*Group Homes and the Fair Housing Act*, Utah Land Use Institute Fall Conference, 2011

*Fair Housing Act*, Utah Counties Indemnity Pool Risk Management Conference, 2011

*Documented Disclosure*, Utah Association of Realtors Annual Conference, 2010

*Regulating Sexually-Oriented Businesses: The Regulatory Uncertainties of a Regime of Prohibition by Indirection and the Obscenity Doctrine's Communal Solution*,  
1997 B.Y.U. L. Rev. 339

*A Primer on 42 U.S.C. § 1983*, 12 Utah Bar. J. 29 (May 1999)

**Education:**

Juris Doctor, J. Reuben Clark Law School, Brigham Young University, *cum laude*

B.S., University of Utah, *cum laude*

**Honors, Awards and Distinctions:**

- "Legal Elite" - *Utah Business Magazine* – 2005, 2008, 2009, 2010, 2011, 2012, 2013 & 2014
- President, Constitutional Law Section of the Utah State Bar Association, 2011- 2012
- ABA National Trial Academy Certificate of Achievement, 2004
- Douglas H. Parker Award for Outstanding Performance in Jurisprudence
- Foundation Press Award for Excellence in Constitutional Law
- Code-Co Publishing Co. Award for Outstanding Accomplishments in Legal Research and Writing
- Scholarly Writing Award, Brigham Young University
- Lead Articles Editor, BYU Law Review

**Personal:**

Dan is happily married to his lifelong love and high-school sweetheart. Together they have five amazing children. He loves the outdoors and is enthusiastic about fishing, backpacking, skiing and golfing. Despite the fact that he lives in Utah County, he is a devoted Crimson Club member.