

## The First 50 Women in Idaho Law

### BEVERLY J. STIBUREK ELDER

September 27, 1968



**Beverly J. Stiburek Elder** was born on October 16, 1932 in Nampa, Idaho, to Mary Irene (Yorgason) and Charles Stiburek. A few years later, the Stiburek family moved to Cascade and opened the first bakery in the area and operated it until the late 1960s. Elder went to grade school and high school in Cascade. She recalls that she first decided to pursue a career in law after taking a class her sophomore year in high school entitled “Occupations.” The class required students to explore different career opportunities, and Elder was most excited about the legal profession.

Elder studied political science at BYU, graduating with Bachelor of Science degree in 1955. While at BYU, one of her political science professors made sure that Elder knew what type of graduate school options were open to her. Specifically, Elder was told that George Washington University had a law school program which allowed students to work during the day and attend classes at night. Elder followed this advice, and went to law school at George Washington University at night from 1956-1961 while working at the Department of Interior in the appeals unit doing research and paralegal work.

Immediately after graduating from law school in the fall of 1961, Elder married Frank Elder, a ranger with the U.S. Forest Service. Instead of going to work as a lawyer, Elder went to work for Senator Henry Dworshak for approximately four years as one of his “front office girls.” Her duties included acting as a receptionist, answering invitations to events, and public relations for visitors to Washington.

In the late 1960s, the Forest Service transferred Frank Elder to Idaho. He was stationed mostly at outstations, and the family would “live in the woods” during the summer and in town during the winter. While living in Council, Elder took and passed the Idaho Bar and was admitted to practice law in Idaho on September 27, 1968.

While in Council, she was asked to run for Adams County Prosecuting Attorney. Elder ran as a write-in candidate against Carl H. Swanstrom. As Carl’s son, Roger, later described it, Swanstrom “had a „forty-some year streak’ going as Prosecutor” starting in 1924 as Prosecuting Attorney of Adams County. Elder’s campaign employed an ingenious method of mailing self-sticking slips of paper bearing her name to all Adams County voters. “This helped a great deal,” she said, “because the voters didn’t have to write my name on the ballot, they could simply place the sticker on it.” In the end, the campaign strategy worked and Elder won the election by 270 votes, making her the only woman prosecutor in Idaho at the time, a feat noted in the March 20, 1969, edition of *The Idaho Daily Statesman*. Elder held the prosecutor’s position for four years, until her husband was transferred to Salmon. When they moved to Salmon, Elder did not practice for six years.

In 1978, the Elder family moved to Ogden, Utah, where Elder worked for recovery services (a child support collection agency) for three years. They were then transferred back to Salmon where she practiced law with James C. Herndon (now Seventh Judicial District Court Judge). Elder explains that it was kind of an unusual set up at the time because there were about 4-5 attorneys in town and they all “took turns” being prosecuting attorney. She said that during one election, the gentleman elected as prosecuting attorney wanted to be magistrate judge, and the magistrate judge was retiring, so the county commissioners appointed him as magistrate and asked Herndon if he wanted to be appointed prosecutor. Herndon agreed, but only if Elder would be appointed as his deputy. The commissioners agreed to the arrangement, and Elder’s area of practice was juvenile cases and child support for four years. As Elder explains things, Herndon did all the trial work and she did all the research because she “really didn’t enjoy courtroom work.”

In 1988, Elder’s husband was transferred back to Ogden, Utah and Elder allowed her Idaho license to go inactive. At the time she looked into working for a law firm, but was told that firms could hire students for minimal salary given the close proximity of two law schools. Elder went to work, instead, for the Internal Revenue Service for four years, a job she was not particularly fond of. It was around this time that her husband was nearing retirement age so she decided to “drop out” of the legal profession. She went to work, instead, for Utah Tailoring for eight years in their retail department. Elder says her “first love” is sewing.

Elder resides in Ogden, Utah and is the proud mother of two daughters (one is an artist and one is a schoolteacher) and one granddaughter. Elder is a long time member of the Church of Jesus Christ of Latter-Day Saints.