



SpencerFane®

Brian Miller

Partner

Contact

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Overview

Brian Miller has defended health care providers for over 25 years against the full range of medical malpractice claims, including high-damage claims involving catastrophic injuries, life care plans, and childbirth injury claims, which are considered the most difficult and potentially the most expensive claims.

Brian has helped establish and defend laws that protect the interests of health care providers in Utah, including the landmark Utah Supreme Court decision upholding the statutory cap on general damages awardable against health care providers. His primary focus is on medical malpractice prevention as well as defense, and he often conducts in-service programs for his clients as well as grand rounds programs for hospital physicians.

Brian devotes a good portion of his practice to defense of Utah hospitals, hospital systems, and university medical facilities and providers. He assists these clients with a range of medical malpractice matters and issues relating to quality improvement and risk management.

In addition, Brian represents medical doctors and other health care providers who are insured by medical malpractice insurance providers. His clients in this area include the University of Utah, Podiatry Insurance Company of America, and Mutual Insurance Company of Arizona. As a variation in his practice, Brian also represents Utah's largest amusement park.

After being mentored by some of the most highly regarded and respected litigation and trial attorneys Utah, Brian seeks to pass on what he knows to younger partners and associates. He frequently participates as a judge in mock trials and advocacy events for local law schools. Brian also serves as a Master of the Bench in the American Inns of Court program and regularly lectures to pre-law and law students on legal careers.

Education

- Brigham Young University – J. Reuben Clark School of Law, 1994 (J.D.), *cum laude*
- Brigham Young University, 1991 (B.S.)

Bar Admissions

- Utah

Court Admissions

- U.S. District Court for the District of Utah

Distinctions

- *Best Lawyers in America*, Lawyer of the Year, Salt Lake City, Medical Malpractice Law – Defendants, 2022, 2025
- *Mountain States Super Lawyers*, 2012–2017; 2019–2024
- *Best Lawyers in America*
 - Health Care Law, 2026
 - Litigation – Health Care, 2026
 - Medical Malpractice Law – Defendants, 2015–2026
- *Utah Business Magazine*, Utah Legal Elite
- Martindale–Hubbell, AV Preeminent

Memberships

- Sherman Christensen American Inns of Court
- Defense Research Institute, Health Care
- Utah Defense Lawyers Association
- Salt Lake County Bar Association

Presentations and Publications

- “Statutory Post-Judgment Interest: The Effect of Legislative Changes After Judgment and Suggestions for Construction,” *BYU Law Review*, 1994
- “Ground Rounds,” various presentations to physicians, including the Utah Podiatric Medical Association