

*Robert Couch represents companies of all sizes. His practice focuses on adding value to the businesses he represents by drafting workable contracts, maintaining prudent corporate governance practices and finding practical solutions to legal issues.*



## Robert J. Couch

Office Managing Shareholder | Idaho Falls

### Biography

Robert J. Couch practices in the areas of business and corporate law, including business transactions and commercial litigation. Mr. Couch has represented companies in a variety of corporate, financial and real estate matters, including issues related to corporate governance, entity formation and organization, mergers and acquisitions, regulatory compliance and commercial contracts.

Mr. Couch began his career at a large international law firm in Chicago, Illinois working on complex corporate matters. Mr. Couch subsequently clerked for Judge N. Randy Smith of the United States Court of Appeals for the Ninth Circuit before joining Parsons Behle & Latimer.

Mr. Couch graduated magna cum laude from the University of Michigan Law School, where he was a contributing editor on the Michigan Law Review. He graduated cum laude from Utah State University with a Bachelor of Science Degree in Economics and a Bachelor of Science Degree in Law and Constitutional Studies.

### Experience

#### **Idaho Supreme Court - Successful Establishment of Prescriptive Easement**

Successfully established a prescriptive easement across multiple properties. Initially losing at trial, the Idaho Supreme Court reversed and remanded the case to the district court which granted roadway access to an 80-acre parcel via a prescriptive easement. This important decision clarified that one of the key elements of a prescriptive easement - “adverse and under a claim of right,” is a legal element, not a practical one. Because the owners of the two properties had been

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### Capabilities

Corporate

Real Estate

Middle Market & Family Businesses

Healthcare

Mergers & Acquisitions

Mining

### Licensed/Admitted

Idaho

U.S. Court of Appeals, 9th Circuit

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friends for generations, the trial court initially held that permission was implied. However, plaintiff was able to show that the use was legally adverse, albeit friendly. The Supreme Court decision also clarifies and discusses the various circumstances in which the parties bear the burden of proof of the necessary elements of prescriptive easements.

## Accomplishments

### Professional

Best Lawyers in America "Ones to Watch," Commercial Litigation, Corporate Law – since 2021

### Academic

University of Michigan (J.D., 2013)

*Magna Cum Laude*

Contributing Editor, Law Review

President, J. Reuben Clark Law Society

Utah State University (B.S. Economics; B.S. Law and Constitutional Studies, 2010)

*Cum Laude*

## Associations

### Community

Chairman of the Board – Greater Idaho Falls Chamber of Commerce (2022 – Present)

Advocacy Committee Vice Chair – Greater Idaho Falls Chamber of Commerce (2018 – 2022)

Director – Greater Idaho Falls Chamber of Commerce (2017 – Present)

Director – Research & Business Development Center (2021 – Present)

Committee Member – American Indian Services (2016 – 2018)

## Articles

"Contracts: Are You Reading the Fine Print?" Oct. 12, 2021

## Presentations

"Healthcare Fraud and Abuse," Fundamentals in Healthcare Law Webinar Series, Nov. 17, 2021 (co-presented with Lee Radford and Brandon J. Mark)

\*To view additional insights and related news items, visit [parsonsbehle.com/people/robert-j-couch#insights](https://parsonsbehle.com/people/robert-j-couch#insights)

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