

**PARALEGAL PRACTITIONER
STEERING COMMITTEE
MEETING**

**Minutes
August 30, 2017
Executive Dining Room
Matheson Courthouse
450 S. State St.
Salt Lake City, Utah 84111**

Justice Deno Himonas, Presiding

ATTENDEES:

Justice Deno Himonas
Dean Robert Adler
John Baldwin
Terry Conaway
Dean Benson Dastrup
James Deans
Julie Emery
Dixie Jackson
Steven Johnson
Comm. Kim Luhn
Ellen Maycock
Daniel O'Bannon
Rob Rice
Monte Sleight
Judge Kate Toomey
Elizabeth Wright

STAFF:

James Ishida
Jeni Wood

EXCUSED:

Adam Caldwell
Dr. Thomas Clarke
Sue Crimson
Judge Royal Hansen
Jim Jardine
Scott Jensen
Rick Schwermer
Senator Stephen Urquhart

GUESTS:

Miles

1. WELCOME AND APPROVAL OF MINUTES: (Justice Deno Himonas)

Justice Himonas welcomed everyone to the meeting.

Motion: Judge Kate Toomey moved to approve the June 15, 2017 and the July 6, 2017 committee minutes. The motion was seconded, and it passed unanimously.

Justice Himonas reported that the Supreme Court approved the LPP rules, including the Rules Governing LPP's; LPP Rules of Professional Conduct; and Rule 14-802 of the Rules of Professional Practice, for publication.

Julie Emery said she will work with James Ishida in getting the survey out to the public.

Justice Himonas mentioned he attended the Forms Committee. One of the questions presented was how LPP's will identify whether they are either completing forms only or whether they are representing clients, in turn, accepting service. Justice Himonas noted the client will have complete control as to whether they will allow the LPP to accept service. The committee discussed whether this was an educational matter or a rule issue as to how the acceptance of service of pleadings will be handled. Mr. Rice believes it should be an educational matter. It was noted attorneys have a rule in place already that they have an ethical obligation to inform clients. Judge Toomey said there could be a committee note in a rule that clarifies this. The committee discussed that opposing counsel might get confused as to whom to serve, but if the CORIS issue is accepted then that would clarify that issue.

Motion: Rob Rice moved to approve LPP's accept service within the definition of the law and their practice. Judge Toomey seconded the motion, and it passed unanimously.

2. SUBCOMMITTEE UPDATES:

Admissions and Administration Subcommittee:

Elizabeth Wright said the licensing rules are ready to go. She is looking at going to a September meeting with the Supreme Court. Mr. Ishida confirmed Ms. Wright will appear for discussion with the Supreme Court on September 27. Ms. Wright briefly mentioned a new employee that will assist with the LPP program.

Education Subcommittee:

Dean Robert Adler addressed the educational paralegal programs. Utah Valley University's continuing education program has identified potential funding, therefore they are looking into adding to their curriculum. Dean Adler is working with the Salt Lake Community College as well. SLCC will look at holding their courses at the Thanksgiving Point location. Dean Adler said there is discussion about testing in the fall of 2018 for initial testing. Dean Adler noted SLCC will not develop their own program, they will assist in creating the curriculum. SLCC will not be holding LPP courses, they will only continue to hold the current classes they offer. Dean Adler said they've heard from Southern Utah University, but their program is largely online and not approved. Justice Himonas confirmed if the institution but not the program is approved then they will be accepted.

Dean Adler said the curriculum will begin with the ethics classes, then most likely move to debt collection and landlord/tenant. It was noted even if the material is ready then they still need to market and have the students take the prep test. Judge Toomey has agreed to head the ethics test. Judge Toomey noted her subcommittee is already in place to be able to handle this. Dean Adler said he doesn't need anything from this committee at this time. Monte Sleight agreed that he as well does not need anything from the committee. Mr. Sleight said there will be costs eventually and they will seek funding initially from grant money.

Ethics and Discipline Subcommittee:

There was nothing to report at this time.

Executive Subcommittee:

There was nothing to report at this time.

MLCE Subcommittee:

This was not addressed.

Testing Subcommittee:

Mr. Sleight noted some of the committee members will be sought for assistance in creating the program questions. Judge Toomey said many of her subcommittee members have volunteered to help. Judge Toomey noted most of the work will be completed by email. Miles said he will help. Judge Toomey expects their work to be complete by November. Mr. Sleight said with the ethics testing, they would like to create a bank of questions therefore having each test be unique. Mr. Sleight said they would like to see the testing done at a testing center, which will help with the smaller, more rural communities.

3. OTHER BUSINESS

The next meeting will be November 29, 2017.

4. ADJOURN

The meeting was adjourned.