

AGENDA
Licensed Paralegal Practitioner Committee

December 17, 2019
12:00 p.m.–1:30 p.m.
Scott M. Matheson Courthouse
Judicial Council Room
450 S. State Street
Salt Lake City, Utah 84111

Action —Approval of draft meeting minutes November 26, 2019	Tab 1	Justice Deno Himonas
Action —Determine parameters of data sharing for Anna Carpenter’s research project	Tab 2	Anna Carpenter, Clayson Quigley (court services)
Discussion —Update from Angela Allen on current casework and projects		Angela Allen
Discussion —Update from the Bar		Elizabeth Wright, Scotti Hill, Matthew Page
Discussion —Update on outreach efforts		Julie Emery, Monte Sleight

[Committee Webpage](#)

Meeting Schedule:

January 21, 2020
February 18, 2020
March 17, 2020
April 21, 2020
May 19, 2020
June 16, 2020
July 21, 2020
August 18, 2020
September 15, 2020
October 20, 2020
November 17, 2020
December 15, 2020

Tab 1

Licensed Paralegal Practitioner Committee

Meeting Minutes DRAFT

November 26, 2019

Scott M. Matheson Courthouse

Judicial Council Room

Administrative Office of the Courts, Suite N31

450 S. State Street

Salt Lake City, Utah 84111

12:00p.m. - 1:30p.m.

Justice Deno Himonas, Presiding

Attendees:

Justice Deno Himonas, Co-Chair

Angela Allen

Carrie Boren

Julie Emery

Heather Farnsworth

Scotti Hill

Steven Johnson

Matthew Page

Elizabeth Wright

Excused:

Judge Amber Mettler, Co-Chair

Monte Sleight

Staff:

Larissa Lee

Marina Kelaidis, Recording Secretary

Guests:

Ziv Schwartz, Law Clerk, Supreme Court

1. **Welcome, introduction of new member, Scotti Hill, and approval of minutes:**
(Justice Himonas)

Justice Deno Himonas welcomed everyone to the meeting and asked Carrie Boren to introduce the new member to the committee, Scotti Hill. Ms. Hill has replaced Carrie Boren on the LPP committee (effective November 18, 2019). Ms. Hill introduced herself to the committee and gave a brief overview of her background working for the Utah State Bar.

Elizabeth Wright moved to approve the November 5, 2019 minutes. Steven Johnson seconded the motion, and it passed unanimously.

2. **Discussion – Update from Angela Allen on current casework and projects:** (Angela Allen)

Angela Allen asked the committee about whether LPPs need to enter a limited appearance or general, because their representation as LPPs is limited in nature. Justice

Himonas recommended gathering more information and possibly considering rule changes in the future.

Ms. Allen reported that she and her fellow LPPs will be meeting next week to discuss advertising and how to assist in spreading the word of mouth about the LPP program with assistance from Scotti Hill and Matthew Page. Ms. Allen also reported on a current case she is working on that has opposing counsel, in which the opposing counsel has been very open to working with her as an LPP. Ms. Allen also informed the committee that she and one other LPP recently attended a Utah Jazz game with a representative from Channel 4 News and she will be participating in an interview with Good Things Utah on January 7th to present the LPP program.

3. **Discussion – Update from the Bar:** (Elizabeth Wright, Carrie Boren, & Matthew Page)

Elizabeth Wright reported that ALPS is continuing to work on developing a malpractice insurance policy for LPPs in Utah. ALPS is currently awaiting approval from the Utah Insurance Commission to offer the policy. Ms. Warren also informed the committee that she and Scotti Hill will now be providing the Ethics Hotline resource at the Bar, as the Office of Professional Conduct is no longer providing this service.

Carrie Boren reported that she and Scotti Hill are in need of additional Subject Matter Expert volunteers for the upcoming March 2020 LPP exam for the Landlord/Tenant, Debt Collection, and Family Law testing groups. Ms. Boren will send more information to the committee members as soon as possible detailing exactly how many more volunteers she needs for this exam.

4. **Discussion – Update on outreach efforts (survey, Iowa inns of court):** (Julie Emery & Monte Sleight)

Monte Sleight could not attend the meeting; however Larissa Lee read an email from Monte to the committee that provided a quick update. Mr. Sleight suggested that the committee may want to consider cross-promotion of the existing courses rather than asking other institutions to incur the expense and effort of creating their own curriculums for an LPP program. Or rather, the committee can focus on encouraging other institutions to promote the courses already offered in an online format at Utah Valley University. Mr. Sleight suggested that the committee begin by approaching institutions that already offer paralegal programs in-house, such as Salt Lake Community College, LDS Business College and Southern Utah University. From there, we can focus our efforts on other institutions that offer Bachelor programs for paralegals and/or legal professionals. The

committee agreed to follow this course of action. Larissa Lee will contact Monte Sleight to convey the committee's agreement in this proposal.

Steven Johnson offered to connect with Dean Ken White, the Vice President of Extension Services, at Utah State University to see if that institution may be interested in an online extension program through their multiple campuses across the state. In addition, Mr. Johnson will research possible funding options through the USDA for this possible extension program option. Mr. Johnson will contact Dean White before the next meeting and provide a follow up report.

Julie Emery reports that she is still contacting individuals from the survey who indicated interest in the LPP program. David Clark from the Bar has created a listserv for those who are interested in following the updates from the LPP program, with the intention of increasing the information outreach efforts about the LPP program. Ms. Emery is working on gathering write-ups from each of the current LPPs to send out in a listserv email. In addition, she is working on including a website link at the bottom of this listserv email that will allow individuals to add themselves to the listserv mailing list. This email will be sent to multiple educational programs around the state that offer LPP and paralegal programming.

Carrie Boren introduced an idea of having the current LPPs attend the upcoming Utah State Bar spring convention and inviting paralegals from rural parts of the state to attend a lunch meeting with the current LLPs on the first day of the convention. Angie Allen suggested that all of the current LPPs would likely agree to participate in the convention and this informative lunch gathering. Scotti Hill will invite the LPPs to the upcoming spring convention and possibly a separate brown bag lunch in the near future.

Matthew Page reports that he has organized a video shoot at the Bar offices on December 11, 2019. He will be interviewing all of the current LPPs, Scotti Hill, and Justice Himonas to produce two videos, one for the public and one for those interested in becoming a LPP.

5. Update on Evaluation Project (and available court reports): (Anna Carpenter & Larissa Lee)

Anna Carpenter was not able to attend the meeting, but Justice Himonas reported that Ms. Carpenter has submitted the grant application for research funding and she will know in January if her grant proposal is approved.

Larissa Lee reported that she has followed up with court services and they informed her that we have the ability to customize data reports to fit the needs of the research project. Justice

Himonas proposed for the committee to discuss the research parameters with Ms. Carpenter at the next meeting and for Ms. Lee to contact court services to draft a data sharing agreement for independent research.

6. Discussion – Utah Rules of Civil Procedure Rule 86 amendments re service on party: (Larissa Lee & Elizabeth Wright)

Ms. Lee provided suggested revisions to Rule 86, which put the onus on the LPP to inform the client of any papers filed regardless of whether the paper falls within the scope of the LPP's representation. Ms. Lee asked the committee for any suggestions for changes to the amendments to the Rule. Justice Himonas proposed including language to address the service requirements when an LPP has entered a limited appearance as opposed to a general appearance. Further, Justice Himonas recommended amending (f) to state "appearances" rather than "limited appearance." Ms. Lee will prepare the amendments to the Rule to be presented at the next committee meeting.

Angie Allen proposed including more information on the Rules and their applications to LPPs in the information video produced by Matthew Page to help spread this information amongst the Bar.

7. Adjournment and next meeting:

The meeting adjourned at 12:50 p.m. The next meeting will be held on December 17, 2019 from 12:00 p.m. – 1:30 p.m. in the Judicial Council Room at Matheson Courthouse.

Tab 2

Utah Administrative Office of the Courts

DATA DISSEMINATION AGREEMENT FOR ACADEMIC RESEARCHERS/AGENCIES

[Name of Data Request]

This Agreement is between the Utah Administrative Office of the Court (“Court”), located at 450 South State St. Salt Lake City, Utah 84114-0241 and **[insert name of person or entity]**, (“Data Recipient”), located at [insert address for data recipient].

1. **Use of Data:** The Utah Code of Judicial Administration Rule 4-202 governs the creation and release of indexed court records. The data requested in **[Name of Data Request]** includes public and non-public information as defined in U.C.J.A. 4-202.02. Upon signature of this agreement, the data requested will be released by the approval of the State Court Administrator for the purpose(s) described below.

The Utah Administrative Office of the Courts grants Data Recipient use of the data described in section 2. Data Description (referred to as “data” or “court data”) for the purpose of **[purpose of study or project.]**

The Data Recipient agrees:

- 1.1 to maintain the integrity, confidentiality and security of the records;
- 1.2 to return or destroy records from which a person can be identified as soon as the research has been completed;
- 1.3 to not disclose the records, except for the purpose of auditing or evaluating the research and the auditor or evaluator agrees not to disclose the record;
- 1.4 to use the record only for the described research;
- 1.5 to ensure that staff working with this data will comply with the conditions detailed in this agreement;
- 1.6 to comply with all state and federal laws governing the research, the data, and all activities of Data Recipient;
- 1.7 to not include personal identifiers in any publications resulting from this research.

2. Data Description

[describe the data being provided to Data Recipient]

3. **Release Schedule.** Court will deliver to the Data Recipient [describe how/when/how frequently the data will be provided].

4. **Payment.** Data Recipient shall pay Court \$[insert payment terms].

5. **Disclaimer.** The Administrative Office of the Court and any court from which data originated make no warranties as to the accuracy or completeness of the information contained in the data provided. The Administrative Office of the Court shall not be liable for any claim, regardless of form of action, for any damages resulting from the use by Data Recipient of any data provide under this Agreement. Court shall not be liable for any claim, regardless of form of action, for any damages arising from incorrect or incomplete data provided under this Agreement. Court shall not be liable to Data Recipient or any other party for any loss, including revenue, profits, time, goodwill, computer time, destruction, damage or loss of data, or any other indirect, special or consequential damage which may arise from the use, operation, or modification of data provided under this Agreement.

6. **Indemnification.** Data Recipient agrees to defend, indemnify, and hold harmless the Utah Administrative Office of the Courts, any courts from which the data originated, and the State of Utah and their officers, agents and employees from all risk of loss and damages incurred as a result of any claims, judgments, or executions arising out of any use made of the court data obtained under this Agreement.

7. Termination

a. For cause. If, in the Court’s sole discretion, it determines that court data has been used improperly or that Data Recipient has failed to comply with any of the terms or conditions required by this Agreement, Data Recipient understands and agrees that the Court will immediately discontinue provision of any future data updates.

b. Without cause. Upon thirty (30) days written notice, either party may discontinue the provision of future data updates.

c. Data purge obligation upon termination. Regardless of whether termination is for cause or without cause, within ten days of the effective date of termination of this Agreement, Data Recipient shall purge any and all copies of court data, cease any further distribution of the data to any third parties, and notify third parties that they must purge their data and cease its distribution. Data Recipient shall certify in writing to Court that it has destroyed the data and that Data Recipient has provided its customers with the notice described in this paragraph. The provisions in Sections 1 and 6 shall continue to apply to Data Recipients research to the extent that it is based on data received under this Agreement.

8. Violation of Agreement

Any violation of this agreement may also be grounds for criminal prosecution under Utah Code Section 63G-2-801.

[DATA RECIPIENT]

By: _____

Title: _____

Utah Administrative Office of the Courts

By: _____

Title: _____

Date: _____