

Licensed Paralegal Practitioner Committee

Meeting Minutes

April 20, 2021

Zoom Meeting

12:00 p.m. – 1:30 p.m.

Justice Deno Himonas, presiding

Attendees:

Justice Deno Himonas, Co-Chair
Steve Johnson
Matthew Page
Jackie Morrison
Elizabeth Wright
Monte Sleight
Angela Allen

Staff:

Scotti Hill, Utah State Bar
Marina Kelaidis, Recording Secretary

Excused:

Judge Amber Mettler, Co-Chair
Julie Emery
Heather Farnsworth

Guests:

Carolynn Clark, S.J. Quinney College of Law

1. Action—Welcome and approval of the draft meeting minutes: (Judge Mettler)

Justice Himonas welcomed everyone to the meeting and asked for approval of the minutes.

Elizabeth Wright moved to approve the March 16, 2021 minutes. Scotti Hill seconded the motion, and it passed unanimously.

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

Ms. Allen reported the LPPs are communicating well via email and often refer clients to one another as needed. Ms. Allen also reported the LPPs are continuing to struggle with the formatting restrictions of the OCAP forms. Ms. Hill will follow up with Nathaniel Player for an update on his proposal to the Court Forms Committee for addressing these issues. Ms. Hill reminded the Committee that the Court Forms Committee is continuing to expedite LPP forms requests as needed.

Ms. Allen reported the LPPs have been reading through the comments on the proposed changes to Rule 14-802 allowing LPPs to cross the Bar. Justice Himonas encouraged the Committee members as well as the LPPs to submit their comments on the proposed changes to the rule. Ms. Wright reported the comment period will close on May 14, 2021. Ms. Allen also reported the LPPs are working on compiling a referral list of attorneys who are willing to take on cases once the case progresses beyond the abilities of the LPP.

3. Discussion—Update from LPP Innovation Subcommittee: (Judge Mettler, Jackie Morrison, Scotti Hill, Carolynn Clark)

Ms. Hill reported Professor Anna Carpenter and Dr. Alyx Mark have ongoing scheduling conflicts with this meeting and are unable to present updates to the Committee. However, they will contact Ms. Hill with updates and were invited to attend the most recent Subcommittee meeting. Ms. Hill reported Professor Carpenter and Dr. Marx are preparing to launch four separate sets of surveys regarding LPPs. The target demographics for these survey sets are lawyers, paralegals, current LPPs, and clients. The Subcommittee was asked to weigh in on the types of questions to include as well as the overall metrics of study. Some of the questions the Subcommittee proposed included: asking paralegals about their career paths, which paralegals may be incentivized to choose the LPP designation, determine relevant characteristics of paralegal applicants, as well as barriers to entry. Ms. Hill reported Professor Carpenter and Dr. Mark would like to extend the invitation to weigh in on these matters to the Committee. They project solidifying the survey questions by early Summer 2021.

Ms. Hill reported the Subcommittee discussed amending the applicable rule to allow LPP candidates to take the licensing exam prior to completing the experience hours. Ms. Hill reported this amendment would conceivably benefit applicants who are not already paralegals. However, a potential negative outcome would be less practical familiarity with the forms portion of the exam. Ms. Hill reported the Subcommittee is overall favorable to this approach and will continue pursuing the idea.

Ms. Hill reported the Subcommittee will be meeting next week to discuss a proposal for making certain legal studies credits applicable for experience hours. Ms. Hill also reported the Subcommittee informed Barbri that they will not be signing a Memorandum of Understanding relating to their proposal.

Justice Himonas reported the Court has approved the Licensed Legal Practitioner name change.

4. Discussion—Update from the Bar: (Elizabeth Wright, Scotti Hill, Matthew Page).

Matthew Page reported he has been tracking the data from Licensed Lawyer on searches related to LPPs. Last month there were 3,868 searches in which LPPs appeared. In addition, 1,448 of those searches resulted in clicks to LPP profiles. Mr. Page reported this

data shows a 60% increase over the last couple of months. Mr. Page does not have access to the data on how many of those searches resulted in referrals, however he is working with the provider for Licensed Lawyer to obtain this data. Mr. Page is also working with Justice Himonas to compile some bullet points for a media release on the name change to Licensed Legal Practitioner.

Ms. Hill reported three of the four new test takers passed the March 2021 exam. Those who retook the exam passed all of their sections. The three new LPPs have each opted to take the National Certification exam within one year, so they will not be licensed until that requirement has been met. Once completed, they can file a motion for admission for licensure. Ms. Hill reported the amendment allowing applicants to take the National Certification exam within one year has been utilized by almost all applicants for this exam cycle as well as the next exam cycle in August. Ms. Hill reported the application deadline for the August 2021 iteration of the exam is May 1, 2021. Ms. Hill anticipates there will be six applicants for that exam.

5. Discussion—Update on rural outreach: (Steve Johnson)

Steve Johnson reported he has not received any updates from Professor Stacey McIff, his contact at Snow College. Mr. Johnson will continue to follow up with Ms. McIff to hopefully receive an update.

6. Discussion—Update on outreach efforts: (Julie Emery, Monte Sleight)

Nothing new to report.

7. Discussion—Old business/new business:

Ms. Hill reported it has been brought to her attention by an LPP that there is not an LPP approved form for issuing subpoenas. This implicates Rule 45 of the Utah Rules of Civil Procedure. Ms. Hill asked the Committee if we should consider pursuing this request. Justice Himonas proposed providing such a form for the LPPs. Ms. Wright reported Rule 46 allows LPPs to issue a subpoena.

Justice Himonas moved to approve the creation of an LPP form for issuing subpoenas. Steve Johnson seconded the motion, and it passed unanimously.

8. Adjournment and next meeting:

The meeting adjourned at 12:30 p.m. The next meeting will be held on May 18, 2021 from 12:00p.m.–1:30p.m. via Zoom.