

**Utah Judicial Council's Standing Committee on
Resources for Self-Represented Parties Summary Minutes**

Via Webex
September 11, 2020
12:00 PM – 1 PM

Members	In attendance	Excused	Via phone conference
Judge Suchada Bazzelle	X		
Sue Crismon	X		
Monica Fjeldsted	X		
Leslie Francis		X	
Nicole Gray	X		
Susan Griffith	X		
Carl Hernandez	X		
Judge Catherine Hoskins	X		
Jacob Kent		X	
Judge Richard Mrazik - Chair		X	
Shawn Newell	X		
Judge Katherine Peters		X	
Nathanael Player	X		
Charles Stormont	X		
Peter Strand	X		
Virginia Sudbury	X		
Janet Thorpe		X	
Jessica Van Buren		X	
Guests	In attendance	Excused	Via phone conference
Amy Hernandez (Domestic Violence Program Coordinator)		X	
Kara Mann (Language Access Program Coordinator)		X	
Justice Christine Durham (Access to Justice Commission)		X	
Rob Jepson (Access to Justice Commission)	X		
Amy Sorenson (Access to Justice Commission)		X	
Staff	In attendance	Excused	Via phone conference
Nancy Sylvester			X

(1) Welcome and approval of minutes

Judge Mrazik was unable to attend so Nancy Sylvester and Nathanael Player welcomed members to the meeting. Charles Stormont moved to approve the July minutes, with Shawn Newell seconding. The minutes were unanimously approved.

(2) Employment law cases

Mr. Player said he had a conversation in which it was observed that federal funding through VOCA may be available for helping with wage claims since it's a crime not to pay. ULS may also be able to take on wage claims using an Americorps student.

Mr. Stormont noted that failure to pay wages is a Class B misdemeanor

Ms. Griffith said VOCA has a lot of money until June 30. But as of July 1, everything gets cut by 25%. Short term projects may be okay. Employment law is not typically what's funded by VOCA but she said she can connect the committee with the grantors.

Wage claims brainstorming:

- 1) Can we use VOCA funding?
- 2) Where would we house this? At least possible 3 places: Bar, law schools, Lauren Scholnik's firm. Start with both law schools.
- 3) Can we use Americorps? Long application.
- 4) Talk with the outreach groups; would you like to have a VOA volunteer?
- 5) Susan will connect with VOCA grant folks.
- 6) One lawyer to supervise. Can use non-lawyer volunteers/ paralegals.
- 7) Need faculty member at law schools to run clinic.
- 8) Bar Foundation: no bandwidth for new projects due to cuts to interest rates.
- 9) Need to understand the scope of what's involved. Charles noted that these cases are not hard, they just need attention.

Professor Hernandez offered to meet with Lauren, Charles, U of U and BYU Employment law professors. He said BYU has good outreach with the Spanish-speaking community because of its immigration law clinic.

Sue Crismon said she would circulate an email to that group to get the conversation started again.

Rob Jepsen said the Bar is getting a lot of requests for help with wage claims. He said that he and Lauren Scholnik are putting these in the PBI bucket, street law clinic. Rob has an idea he'd like to explore about having in-house subject matter experts on all of the areas identified in the A2J report. The Bar is in a place of transition, though (several executive level retirements), so this will be at least one year out. He said Anna Carpenter (U of U clinical director)--would be happy to house a new clinical professor if there is money. He also mentioned that People's Legal Aid is getting off the ground and will be interested in expanding its scope.

(3) Technology:

Ms. Sylvester said she will follow up on hearing notices with the Clerks of Court. Ms. Crismon expressed concerns about the ability of parties and the court to play videos so that all can see and hear them. She also expressed concerns about the backlog of criminal cases and the need to have in-person hearings. She also said there are areas in the state, including the Matheson Courthouse, where courtrooms are big enough to allow social distancing.

Mr. Stormont and Judge Hoskins noted that tech is providing tremendous and easy access to civil court hearings. They expressed concerns about not throwing out the baby with the bath water, so to speak, when concerns are being expressed about remote hearings. There are a lot of benefits to them.

Ms. Sudbury said she likes Webex for divorce trials because she can see everyone's expressions. Judge Bazzelle said she also likes them better in juvenile court. Non-appearances have dropped to almost nothing.

The committee discussed sending a resolution to the Judicial Council requesting that divorce and criminal trials be allowed to resume in-person as soon as possible. Nancy noted that the Civil Rules Committee has been working on rules already about remote hearings and those rules are going up to the Supreme Court.

(4) Outreach:

The Judicial Council approved sending a request to the Legislature for funding the outreach coordinator. It was ranked #2 behind technology requests. If prioritized for funding, the position will be in place July 2021.

Judge Mrazik, Judge Hruby-Mills and Ms. Sylvester also had a conversation with Mr. Newell about setting up an initial Zoom call with his contacts, which he provided (under seal).

ICE talking points are now in the process of being created.

Judge Mrazik has initiated a discussion about case initiating docs being filed by email with the Third District

Judge Mrazik also initiated a discussion about a call center model using judicial assistants to help extend the Self-help Center's reach.

(5) Evictions:

Ms. Sylvester and Mr. Player updated the committee on efforts taken to update the district court judges on the intersection of the three new laws addressing evictions. The CDC evictions moratorium now in effect is expansive and covers a lot of people, but tenants have to be proactive to be covered by it. There is \$20 million in rental assistance available, of which only \$1.2 million has been used. People shouldn't be evicted right now for failure to pay rent.

Mr. Newell observed that this is where outreach is so critical. We need to initiate these opportunities to learn. The committee discussed plugging Mr. Newell's list of contacts into the housing group. He cautioned that using plain language is the best way to get the word out. Mr. Newell offered to circulate the following information (from Nathanael) to his contacts:

Here is the link to information on how folks can get help paying their rent or other bills:

<https://rentrelief.utah.gov/>

Here is a flyer that explains how people are protected from being evicted for not paying rent right now:

https://nlihc.org/sites/default/files/National-Eviction-Moratorium_FAQ-for-Renters.pdf

This group should continue to follow up on this because it's a great opportunity to start building bridges.

(6) Other projects:

Nathanael updated the group on Project Homeless Connect, which has to be remote this year, but allows people to, for example, clear up warrants, etc. Third District is involved this year. Only justice courts were involved last year.

(7) Fifth District projects:

Janet Thorpe emailed Ms. Sylvester an update on her work in the Fifth District. Jeff Daybell's letter regarding eviction legal help was sent to Fifth District Court. She received word back from the court that the judges there denied the request for a pro se calendar. She is not sure where to take it from there (Judge Mrazik and Ms. Sylvester may need to follow up on this).

(8) Adjournment:

The meeting adjourned at approximately 1:30 p.m. The next meeting will be held on November 13, 2020 at noon via Webex.