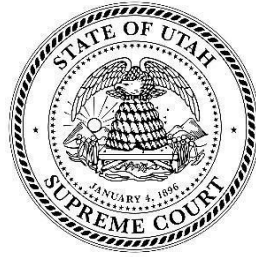


# UTAH SUPREME COURT AD HOC COMMITTEE



## REGULATORY REFORM

Nick Stiles, Co-Chair; Maryt Fredrickson, Co-Chair

CJA Workgroup Meeting: March 26, 2026

12:00pm - 1:00pm

Online Meeting

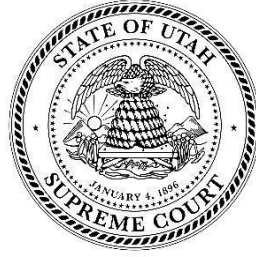
Public Meeting [Link](#) by WebEx

1. Welcome
2. Review of Meeting Minutes (Tab 1)
3. Court Feedback Discussion (Tab 2)
4. D.C. CJW Program: [Press Release](#) & [Order](#). The rules begin on page 7 of the Order.
5. Continue Discussion of Front-End, Intermediate, and Back-end Controls
  - A. Code of conduct and disciplinary action and processes, e.g., duty to report versus client confidentiality and privilege.
6. Closing
  - A. Timeline for Remaining Work
  - B. Who to meet with next & other collaboration

**References:** National Justice Worker Program Index Relunched: [link](#)

TAB 1

# UTAH SUPREME COURT AD HOC COMMITTEE



**Meeting Minutes**  
**Utah Supreme Court's Ad Hoc Committee on Regulatory Reform**  
**Community Justice Advocates Work Group**  
**Thursday, January 22, 2025**  
**12:00 - 1:00**  
**Online via WebEx**

Attendance by WebEx: Maryt Fredrickson, Nick Stiles, Bre Hickerson, Judge Richard Mrazik, Dr. Jayme Walters, Andrea Donahue, Stacy Haacke, Hayley Cousin, Lakshmi Vanderwerf, Megan Connelly, Tanya Rosado

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1. Welcome
2. Review of Meeting Minutes (Tab 1)
  - Approved as amended.
3. Preliminary summary for interim report – Continuing to compile and refine the list of CJA characteristics (Tab 2)
  - Megan suggested the interim report be more explicit about regulation and collaboration with regulatory partners, such as where that is housed for ongoing implementation of the program. It might be helpful to get input from the court and the current entities on this, and to consider available resources.
  - Judge Mrazik noted the tripartite approach to developing, supervising, and implementing the CJA programs. He noted that reference to “sponsoring entities” is ambiguous and no one really knows that that means yet. If there are concerns about who should be trusted to develop and deploy a CJA curriculum, we should discuss that to clarify.
  - CJAU and USU currently develop and offer their respective CJA programs. Discussed how to set this up to allow other programs to do that, i.e., how

- would we want to monitor and supervise those various programs; what standards would be appropriate or minimum requirements. Other states have mandated that there has to be ethics training and substantive/procedural legal training as part of CJA programs. Alaska did something similar by providing minimum requirements for their program, including ethics. USU created a committee to help identify the goals for the training and then worked backwards. Lawyers, debt professionals, and other stakeholders served on that committee and like CJAU's program, it has evolved over time.
- Judge Mrazik suggested the two current entities were successful in building out their programs because they knew what they were doing before they started. We could consider a requirement that a licensed attorney and a licensed social worker/professor be involved in development of a program. We could also require that an accredited institution be the one to implement these programs. Jayme suggested adopting one approach for now but adding a second approach for non-legal nonprofits later in the program.
  - Lakshmi noted that there are organizations that have lawyers but don't practice in the same areas of law that we would want CJAs at that organization to work in. For example, if a social worker at a hospital is helping with a patient with debt, domestic violence, or housing issues, any lawyer that works at the hospital likely wouldn't have experience in those areas. These are the types of orgs we want to have CJAs, so the question then becomes whether the attorneys at those orgs have enough experience to develop an effective CJA program to address legal issues/practice areas they don't frequently work in. Judge Mrazik noted it may be more more likely that they would utilize existing CJA programs, rather than develop their own, and then just place a CJA in the hospital. He also cautioned that we not to impose stricter requirements than we already apply to attorneys representing the people we want CJAs to be able to help. The current system does not require specialized training or certifications once an attorney passes the bar exam, which is general in nature. Maryt noted there are some areas that require special training, like capital cases and GALs, although those are required for appointed attorneys, not private ones. There was some discussion of the appellate roster and mediation roster and the requirements for those.
  - Jayme noted that developing the curriculum comes with more responsibility than just developing the training, because it includes supervision and continuing education after a CJA is licensed.

- Andrea brought up the complaint process for CJAs and noted that this ties into the back-end qualification for entities implementing programs as well. She noted that we should be mindful of the interplay between organizations developing these programs and who might deal with complaints.
- Maryt mentioned the idea that we want the CJA license to follow the person instead of the entity and how this ties into the discussion of the complaint procedures. She asked what the current process is for CJAs when a complaint is received. Hayley explained that CJAUI is responsible for dealing with complaints for individual CJAs, and then CJAUI can be sanctioned but not individuals. Andrea noted that the current scheme is set up this way to require entity-level regulation.
- CJAs are currently portable among other programs with CJAs (such as moving to USU from CJAUI). However, they have to be attached to some organization and can't just operate in an individual capacity. At least that is how the program is functioning right now in Utah. Maryt asked if a CJA left one of those entities and then wanted to provide advice and guidance to someone at church who was experiencing family violence, if they were allowed to do so. Hayley noted that we haven't tested that model and no state really has yet, so we don't have much to go on there. Maryt asked Judge Mrazik if he thought CJAs should be able to operate outside of their association with one of the entities. He reiterated that anchoring CJAs to entities may not provide any benefit or protection. Professionals like lawyers and accountants aren't required to practice at an entity, so it may not make sense to require CJAs to do so.
- Nick asked about re-certification for training organizations and how to structure some form of ongoing supervision for these programs.
- Stacy noted that for mediation training, you have to be qualified to be a trainer. To be a trainer, you have to have attended a training program and then have ongoing requirements to fulfill. She noted that providing standards for CJA programs in an analogous way could help limit the amount of training programs available for CJAs to ones that we believe adhere to those standards. Judge Mrazik asked if the mediation training program is required or if any attorney can be hired as a mediator without that training. It is only required for the court-approved roster of mediators. Retired judges and senior attorneys serve as mediators and aren't necessarily on the court-approved roster.

- Drafting CJA rules may take longer than the Sandbox sunset deadline. A set of standing orders to protect and perpetuate the status quo while these rules are being worked on would be helpful.
- Jayme noted that her sabbatical project for next Fall could be a good time to make data-informed decisions about the CJA program, so buying time would facilitate that as well. She noted that it would be easier to make some of these decisions with more data.
- Nick noted that we hope to have a good structural start for the CJA program even as we continue collecting data. Maryt noted that figuring out the central entity for oversight may take more time as well.
- Megan noted that it would be helpful to figure out a funding mechanism for the people that are helping build out this program in the future. Andrea emphasized that point and talked about how the AI committee has 5 staff members overseeing 3 entities right now. Making sure that we have resources to manage these programs well is critical. Andrea reminded us to be realistic about a budget for this because the sandbox budget was originally much higher than it ended up being.

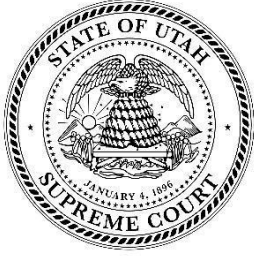
#### In discussion for 2026

- Maryt noted that it would be very beneficial to invite I4J to come and talk at one of our meetings.
- Hayley noted that inviting Mark McCall would be really helpful as well, because he oversees AZ's programs and could offer insight into their training programs and oversight, etc.
- Maryt noted that Hayley and Jayme had previously mentioned that inviting individual CJAs would be helpful. She asked if that would be comfortable for the two entities and whether that would be a good idea. They agreed.
- There was some discussion of other Sandbox entities to hear from, who do not currently fit in a set working group subject matter area.

#### 4. Closing and Action Items

- The interim summary will be updated and circulated to the group for redlines before our large group meeting. Jayme and Hayley will pull together some draft requirements to add to that summary.
- The full ad hoc committee, with all four working groups, will meet February 4.

TAB 2



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**To:** Ad Hoc Committee on Regulatory Reform  
**From:** Connor Dela-Cruz & Breanna Hickerson, Regulatory Reform Fellows  
**Date:** Tuesday, March 10, 2026  
**Subject:** Summary of the Committee’s Interim Report to the Utah Supreme Court

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### Introduction

On February 18, 2026, Nick Stiles, Maryt Fredrickson, Breanna Hickerson, and Connor Dela-Cruz presented an interim update to the Utah Supreme Court regarding the work of the Committee’s four workgroups: Licensed Paralegal Practitioners (LPPs), Community Justice Advocates (CJAs), Rule 5.4, and AI/Legal Technology. The purpose of this presentation was to update the Court on the work the Committee has done thus far and receive feedback on whether the workgroups are moving in directions the Court is interested in pursuing before proposals are further refined.

This memorandum recaps the presentation of each workgroup and directional feedback from the Court.

### Licensed Paralegal Practitioner Workgroup

First, no objections from the Court on rebranding the LPP program as “LPs” to be more consistent with analogous programs around the country.

Second, one member of the court expressed great support in moving LPP practice away from the forms-based practice originally contemplated, and there were no objections to this change from other justices. The Court is also open to a change in the scope of LPP practice, and we explained Colorado’s success in limiting its LP practice to family law while expanding what LPs can do in those cases. It would be helpful for the committee to continue thinking through how to capture the kinds of family law cases that are normally assigned to commissioners in SLC to include the same kinds of cases in state districts without commissioners, as we look to clarify these changes in LPPs’ scope. There was mention of pushback from family law attorneys against the LPP program and the need to clearly communicate LPP’s scope to help offset those concerns and show attorneys how LPPs can add value to this area.

In discussing LPPs’ education requirements, the Court noted that the University of Utah is offering a Bachelor’s of Law degree now, and it could be worthwhile to consider if

those graduates should be able to take the LPP exam if desired, to create an additional LPP pipeline.

Finally, we informed the Court of our intent to confer with the existing LPP committee to review any proposed rule amendments and proposed changes to the program before submitting our final report to the Court, and the Court raised no objections.

The Court appreciated the distinctions being drawn between LPPs and CJAs, primarily: (1) that LPPs can act on behalf of clients, whereas CJAs cannot and instead assist self-represented litigants to represent themselves better, and (2) LPPs can charge clients to provide limited legal services, whereas CJAs cannot, though they may be paid more by an employer for the services they provide as a CJA. LPPs are viewed as alternative legal service providers, whereas CJAs are generally people already in support roles, such as social workers and victim advocates, who would primarily provide legal resources instead of advice.

### **Community Justice Advocate Workgroup**

The Court agreed that CJAs should not be housed at legal services organizations, as we want this program to be widely accessible to anyone interested without the limitations that LSOs can present. The group shared the current regulatory burden on the CJA host organizations. The Court also agreed that either the bar or the Court is the most logical home for CJA regulation and recognized the need for resources for whichever entity ultimately manages the program.

We informed the Court that an extension may be necessary, either for the workgroup or the entities under their current authorizations/standing orders, to allow the group to finalize any recommended rule changes for the CJA program.

### **Rule 5.4 Workgroup**

The presentation on Rule 5.4 indicated that some amendment to Rule 5.4 appears warranted, but the likely path forward is not a wholesale adoption of any of the three existing reform models in Arizona, the District of Columbia, or Puerto Rico. The workgroup's research to date suggests Utah may wish to consider a more limited amendment tailored to Utah's own regulatory experience rather than importing another jurisdiction's framework.

As part of the Rule 5.4 presentation, Connor summarized the Committee's research on those three jurisdictions. As the broadest and most sweeping example of reform, Arizona represents the resource intensive nature of Rule 5.4 reforms. D.C. is the oldest and narrowest case study, but it does not maintain a registration system for non-lawyer owned entities, which makes data monitoring challenging. Puerto Rico is the newest and least developed case study, but it is explicitly tied to access to justice with its pro bono requirements and nonlawyer ownership capped at 49%.

In response, a member of the court pressed directly on the central question as to whether there is an actual, demonstrable consumer benefit to Rule 5.4 reform. A member of the court expressed skepticism that Utah presently has sufficient evidence linking Rule 5.4 reform to improved access to justice, lower costs, or greater availability of legal services. She also noted that one early premise of the Sandbox was that outside investment and alternative ownership might lead to innovation and lower prices, but that the Sandbox experience did not clearly bear that out. It remains unclear whether Utah currently has sufficient reason to believe Rule 5.4 would materially benefit consumers.

Although skeptical, the Court did not dismiss Rule 5.4 reform. However, the comments strongly suggest that any recommendation supporting reform might want to consider more than possibilities, theories, or analogies.

That being said, a few narrower potential justifications may warrant further development. For example, one-stop-shop firms that allow some nonlawyer ownership in narrow circumstances (i.e., long-time employees or succession planning) may allow flexibility while preserving lawyer control. We also noted that any change to Rule 5.4 may be accompanied by a separate implementing rule, potentially a new Rule 5.9, to govern the mechanics of nonlawyer ownership and fee sharing in greater detail.

Another key theme was the overlap between the Rule 5.4 and AI/Legal Tech workgroups. Future AI/Legal Tech entities may require some form of Rule 5.4 carve-out if they involve capital or ownership structures that do not fit cleanly within the current rules. Although this did not resolve the court's concern, it highlighted that Rule 5.4 may not be a stand-alone topic. Rather, its strongest justification may emerge only when considered together with legal tech models that do not fit neatly within traditional law firm structures.

### **AI/Legal Tech Workgroup**

The AI/Legal Tech discussion is the most complex of the four workgroups. At least in the interim stage, the group is not leaning toward broad Rule 5.4 reform as the primary solution. Rather, the Committee is considering some form of carve-out or safe harbor under Utah's Unauthorized Practice of Law (UPL) rules.

The Sandbox is ahead of its time, and it has yet to produce strong examples of truly autonomous AI legal service providers. This is likely due to the fact that large-language-model technology did not reach its current capability until the later end of the Sandbox. In that respect, the Sandbox appears to have anticipated a future market that only recently began to materialize. There has also been a sharp rise in AI-generated filings over the last few months, suggesting that the regulatory question is no longer hypothetical.

The key question here is what exactly Utah would want to regulate. At one end of the spectrum are general tools, such as ChatGPT, which can be useful for obtaining legal-sounding answers or drafting assistance. At the other end of the spectrum, narrower tools with specific purposes may be considered for safe-harbor treatment. With this comes the

potential practical issue that if Utah continues to define legal-tech as UPL without clarification, it may create an inconsistency between the law on the books and the reality of widespread public use.

The Court was receptive to a potential carve-out. At the same time, the Court is interested in requiring some form of disclaimer or notice similar to those used by medical-information websites. The disclaimer would ideally clarify that AI-generated information is not a substitute for legal advice and that consumers ordinarily should consult a lawyer when appropriate. A broad prohibition model is likely unrealistic, while a disclosure-based carve-out or safe harbor may be a more workable path.

### **Conclusion**

The Court's feedback indicated that the Committee's work is moving in a positive direction, while also underscoring the need for further refinement before final recommendations are presented. Across all four workgroups, the Court appeared interested in practical reforms grounded in Utah's own experience and needs. The Court's feedback also made clear that future recommendations should demonstrate a clear connection to closing the justice gap.

The Court's comments provided helpful direction on questions of scope, consumer benefit, and regulatory feasibility. This guidance should assist the Committee as it continues developing recommendations for the final report to the Court.