



**UTAH SUPREME COURT AD HOC COMMITTEE
REGULATORY REFORM**

Nick Stiles, Co-Chair

Maryt Fredrickson, Co-Chair

Workgroup Meeting: AI/Legal Tech

September 24, 2026

3:00 – 4:00

Virtual Meeting

[Public Link](#)

1. Welcome
2. Approval of September 2 Minutes (Tab 2)
3. Discussion of draft redline rule (Tab 3)
4. Conclusion & Action Items

Tab 1

Current AI/Legal Tech Scope

Artificial Intelligence and Legal Technology	
• Identify current and emerging trends in legal technology. • Research recommendations from legal regulatory reform experts on how to adapt to advancing technology. • Examine other states' approaches to regulating or carving out legal technology, including how they define the practice of law and deal with multijurisdictional issues. • Draft proposed rule changes, if any.	• Develop a recommendation: 1. Delineating between legal technology that should and should not be regulated as the practice of law, 2. Identifying any additional rules or enforcement mechanisms needed to properly regulate technology-aided legal practice. • Identify whether collaboration with other branches of government or other stakeholders will be needed to implement recommendations.

Tab 2

Meeting Minutes

Utah Supreme Court's Ad Hoc Committee on Regulatory Reform

AI/Legal Tech Meeting Minutes

September 2 - **DRAFT**

2:00 - 3:00

Virtual

The group approved the minutes from the May 15 meeting.

- The group reviewed the initial draft of a report and rule recommendation. In the report, corrections were requested to clarify that the Texas statute is not new. There was discussion of the history of that statute.
- There was also a request to clarify that the Texas approach has been suggested by advocates but is not yet a “model,” and it is untested.
- References to nonlawyers were changed to person.
- The group discussed whether disbarred lawyers could launch tech-based services, or out-of-state lawyers. There have been some bad actors who build tools, launch to the public, but cause consumer harm not discovered for many years (e.g., wills).
- There was some discussion on tort remedies for bad actors to remedy consumer harm and administrative remedies via state consumer protection agencies.
- The term “software” may not be the most precise language for the rule.
- The draft rule will be updated to include a lawyer-supervision option instead; include provisions on delicensed lawyers as discussed; and use a different term than “software.”
- A next meeting will be set, with the date determined by scheduling poll.

Tab 3

Appendix ____

Rule 4-802. Authorization to practice law.

Effective: 1/5/2023

(a) **Application.** Except as set forth in paragraphs (c) for Licensed Paralegal Practitioners, and the exclusions and exceptions in paragraphs and (d) and (e), only persons who are active, licensed Bar members in good standing may engage in the practice of law in Utah.

(b) **Definitions.** For purposes of this rule:

(1) “Practice of law” means representing the interests of another person by informing, counseling, advising, assisting, advocating for, or drafting documents for that person through applying the law and associated legal principles to that person’s facts and circumstances.

(2) “Law” means the collective body of declarations by governmental authorities that establish a person’s rights, duties, constraints, and freedoms and includes:

(A) constitutional provisions, treaties, statutes, ordinances, rules, regulations, and similarly enacted declarations; and

(B) decisions, orders, and deliberations of adjudicative, legislative, and executive bodies of government that have authority to interpret, prescribe, and determine a person’s rights, duties, constraints, and freedoms.

(3) “Person” includes the plural as well as the singular and legal entities as well as natural persons.

(4) “Tech-Powered Legal Tool means any legal help tool that is powered by technology, including AI. The tool could be used by a legal consumer to obtain legal information and/or legal advice and services. The tool might be offered for free or for a fee.

Commented [MF1]: This is copied from IAALS non-prosecution policy toolkit, to see if this addresses the discussion at the last meeting of what language to use instead of “software” and post-meeting email traffic. Also consider if this is inclusive enough to cover AI smart glasses or robots, also discussed in post-meeting email traffic.

(c) **Licensed Paralegal Practitioners.** A person may be licensed to engage in the limited practice of law in the area or areas of (1) temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, name or gender change, and petitions to recognize a relationship as a marriage; (2) forcible entry and detainer; and (3) debt collection matters in which the dollar amount in issue does not exceed the statutory limit for small claims cases.

(1) Within a practice area or areas in which a Licensed Paralegal Practitioner is licensed, a Licensed Paralegal Practitioner who is in good standing may represent the interests of a natural person who is not represented by a lawyer unaffiliated with the Licensed Paralegal Practitioner by:

(A) establishing a contractual relationship with the client;

(B) interviewing the client to understand the client's objectives and obtaining facts relevant to achieving that objective;

(C) completing forms approved by the Judicial Council or preparing documents that are consistent with the relevant portions of the Judicial Council-approved forms;

(D) informing, counseling, advising, and assisting in determining which form to use and giving advice on how to complete the form;

(E) signing, filing, and completing service of the form;

(F) obtaining, explaining, preparing, and filing any document needed to support the form;

(G) reviewing documents of another party and explaining them;

(H) informing, counseling, assisting, negotiating, and advocating for a client for purposes of settlement;

(I) filling in, signing, filing, and completing service of a written settlement agreement form in conformity with the negotiated agreement;

(J) communicating with another party or the party's representative regarding the relevant form and matters reasonably related thereto; and

(K) explaining a court order that affects the client's rights and obligations.

(L) standing or sitting with the client during a proceeding to provide emotional support, answering factual questions as needed that are addressed to the client by the court or opposing counsel, taking notes, and assisting the client to understand the proceeding and relevant orders.

(d) **Exceptions and Exclusions.** Whether or not it constitutes the practice of law, the following activity by a ~~nonlawyer person~~, who is not ~~falsely otherwise~~ claiming to be a lawyer or to be able to practice law, is permitted:

(1) Making legal forms available to the general public, whether by sale or otherwise, or publishing legal self-help information by print or electronic media.

(2) Providing general legal information, opinions, or recommendations about possible legal rights, remedies, defenses, procedures, options, or strategies, but not specific advice related to another person's facts or circumstances.

(3) Providing clerical assistance to another to complete a form provided by a municipal, state, or federal court located in Utah when no fee is charged to do so.

(4) When expressly permitted by the court after having found it clearly to be in the best interests of the child or ward, assisting one's minor child or ward in a juvenile court proceeding.

(5) Representing a party in small claims court as permitted by Rule of Small Claims Procedure 13.

(6) Representing without compensation a natural person or representing a legal entity as an employee representative of that entity in an arbitration proceeding, where the amount in controversy does not exceed the jurisdictional limit of the small claims court set by the Utah Legislature.

(7) Representing a party in any mediation proceeding.

(8) Acting as a representative before administrative tribunals or agencies as authorized by tribunal or agency rule or practice.

(9) Serving in a neutral capacity as a mediator, arbitrator, or conciliator.

(10) Participating in labor negotiations, arbitrations, or conciliations arising under collective bargaining rights or agreements or as otherwise allowed by law.

(11) Lobbying governmental bodies as an agent or representative of others.

(12) Advising or preparing documents for others in the following described circumstances and by the following described persons:

(A) A real estate agent or broker licensed in Utah may complete state-approved forms including sales and associated contracts directly related to the sale of real estate and personal property for their customers.

(B) An abstractor or title insurance agent licensed in Utah may issue real estate title opinions and title reports and prepare deeds for customers.

(C) Financial institutions and securities brokers and dealers licensed in Utah may inform customers with respect to their options for titles of securities, bank accounts, annuities, and other investments.

(D) Insurance companies and agents licensed in Utah may recommend coverage, inform customers with respect to their options for titling of ownership of insurance and annuity contracts, the naming of beneficiaries, and the adjustment of claims under the company's insurance coverage outside of litigation.

(E) Health care providers may provide clerical assistance to patients in completing and executing durable powers of attorney for health care and natural death declarations when no fee is charged to do so.

(F) Certified Public Accountants, enrolled IRS agents, public accountants, public bookkeepers, and tax preparers may prepare tax returns.

(13) Representing an Indian tribe that has formally intervened in a proceeding subject to the Indian Child Welfare Act of 1978, 25 U.S.C. sections 1901–63. Before a nonlawyer may represent a tribe, the tribe must designate the nonlawyer representative by filing a written authorization. If the tribe changes its designated representative or if the representative withdraws, the tribe must file a written substitution of representation or withdrawal.

(14) Providing legal services through a tech-powered legal tool as long as:

(A) the tech-powered legal tool is provided by an organization in which a licensed lawyer is supervising the legal advice and legal services, or a licensed lawyer serves as the compliance officer or comparable role for the organization and enforces established quality assurance policies and procedures as to the legal advice and legal services being provided; and

(B) a clear and understandable notice or disclaimer is provided to the person being assisted that:

(i) the tech-powered legal tool or service is not an attorney, law firm, or person licensed to practice law;

(ii) the tech-powered legal tool or service can make mistakes and is not providing the same legal advice or service a person licensed to practice law could provide;

(iii) includes a disclosure of the privacy and confidentiality policies that address information provided to the nonlawyer, including whether and to what extent any such information is stored or accessible by others; and

(iv) depending on the policies disclosed through paragraph (d)(14)(B)(iii), a disclosure that no attorney-client privilege is created by using the tech-powered legal tool or service, which means information shared between the consumer and the tool or service might not be confidential, might be required to be disclosed to other parties, and might be able to be used in litigation.

Commented [MF2]: The last meeting discussed delicensed lawyers and out-of-state lawyers. This revision limits the rule to licensed lawyers to address that discussion area. Consider if this adequately addresses the concerns of UPL frequent flyers/bad actors who might build an app and launch it for public use.

This paragraph applies to the unauthorized practice of law only and does not affect any regulatory or civil remedies a person may have to remedy consumer harm.

(e) Exclusive list. The exceptions and exclusions for nonlawyers in this rule are exclusive lists of activities unless the unauthorized practice of law is authorized by other means.

Commented [MF3]: Discussion topics: does the rule need to address the human intermediary who uses AI and interprets the results for the human consumer. And do AI-powered robot lawyers in a courtroom, or in-courtroom devices like smart glasses, need to be addressed.

Advisory Committee Notes:

Paragraph (a).

“Active” in this paragraph refers to the formal status of a lawyer, as determined by the Bar. Among other things, an active lawyer must comply with the Bar’s requirements for continuing legal education.

Paragraph (b).

The practice of law defined in paragraph (b)(1) includes: giving advice or counsel to another person as to that person’s legal rights or responsibilities with respect to that person’s facts and circumstances; selecting, drafting, or completing legal documents that affect the legal rights or responsibilities of another person; representing another person before an adjudicative, legislative, or executive body, including preparing or filing documents and conducting discovery; and negotiating legal rights or responsibilities on behalf of another person.

Because representing oneself does not involve another person, it is not technically the “practice of law.” Thus, any natural person may represent oneself as an individual in any legal context. To the same effect is Article 1, Rule 14-111 Integration and Management: “Nothing in this article shall prohibit a person who is unlicensed as an attorney at law or a foreign legal consultant from personally representing that person’s own interests in a cause to which the person is a party in his or her own right and not as assignee.”

Similarly, an employee of a business entity is not engaged in “the representation of the interest of another person” when activities involving the law are a part of the employee’s duties solely in connection with the internal business operations of the entity and do not involve providing legal advice to another person. Further, a person acting in an official capacity as an employee of a government agency that has administrative authority to determine the rights of persons under the law is also not representing the interests of another person.

As defined in paragraph (b)(2), “the law” is a comprehensive term that includes not only the black-letter law set forth in constitutions, treaties, statutes, ordinances, administrative and court rules and regulations, and similar enactments of governmental authorities, but the entire fabric of its development, enforcement, application, and interpretation.

Laws duly enacted by the electorate by initiative and referendum under constitutional authority are included under paragraph (b)(2)(A).

Paragraph (b)(2)(B) is intended to incorporate the breadth of decisional law, as well as the background, such as committee hearings, floor discussions, and other legislative history, that often accompanies the written law of legislatures and other law- and rule-making bodies. Reference to adjudicative bodies in this paragraph includes courts and similar tribunals, arbitrators, administrative agencies, and other bodies that render judgments or opinions involving a person’s interests.

Paragraph (c).

The exceptions for Licensed Paralegal Practitioners arise from the November 18, 2015 Report and Recommendation of the Utah Supreme Court Task Force to Examine Limited Legal Licensing. The Task Force was created to make recommendations to address the large number of litigants who are unrepresented or forgo access to the Utah judicial system because of the high cost of retaining a lawyer. The Task Force recommended that the Utah Supreme Court exercise its constitutional authority to govern the practice of law to create a subset of discreet legal services in the practice areas of: (1) temporary

separation, divorce, parentage, cohabitant abuse, civil stalking, and custody and support; (2) unlawful detainer and forcible entry and detainer; and (3) debt collection matters in which the dollar amount in issue does not exceed the statutory limit for small claims cases. The Task Force determined that these three practice areas have the highest number of unrepresented litigants in need of low-cost legal assistance. Based on the Task Force's recommendations, the Utah Supreme Court authorized Licensed Paralegal Practitioners to provide limited legal services as prescribed in this rule and in accordance with the Supreme Court Rules of Professional Practice. In the future, the Court may add additional practice areas for Licensed Paralegal Practitioners to assist otherwise unrepresented persons in obtaining legal representation.

Paragraph (c)(1).

A Licensed Paralegal Practitioner may complete forms that are approved by the Judicial Council and that are related to the limited scope of practice of law described in paragraph (c). The Judicial Council approves forms for the Online Consumer Assistance Program and for use by the public. The forms approved by the Judicial Council may be found at <https://www.utcourts.gov/ocap/> and <https://www.utcourts.gov/selfhelp/>.

A Licensed Paralegal Practitioner may also prepare documents that are consistent with the relevant portions of the Judicial Council approved forms but that eliminate any unnecessary information or tailor the information to a client's specific needs. Such documents may be filed with the court by a Licensed Paralegal Practitioner in the same manner as forms approved by the Judicial Council. This paragraph is not intended to expand the scope of Licensed Paralegal Practitioners' limited scope of practice.

Paragraph (d).

To the extent not already addressed by the requirement that the practice of law involves the representation of others, paragraph (d)(2) permits the direct and indirect dissemination of legal information in an educational context, such as legal teaching and lectures.

Paragraph (d)(3) permits assistance provided by employees of the courts and legal-aid and similar organizations that do not charge for providing these services.

Paragraph (d)(7) applies only to the procedures directly related to parties' involvement before a neutral third-party mediator; it does not extend to any related judicial proceedings unless otherwise provided for under this rule (e.g., under paragraph (d)(5)).

Paragraph (d)(14) balances unauthorized practice of law restrictions with consumer protection. With the increase in legal technology and AI tools, consumers are using AI and legal technology for legal advice and legal services in increasing amounts, without any assurance that the consumer is aware of the risks associated with those services. This rule creates a safe harbor for legal technology providing legal services as long as the required disclosures are provided to the consumer.