

UTAH SUPREME COURT AD HOC COMMITTEE



REGULATORY REFORM

Nick Stiles, Co-Chair

Maryt Fredrickson, Co-Chair

Workgroup Meeting: AI/Legal Tech

April 17, 2026

12:00 - 1:00

Virtual & In-person Meeting

In person: Education Room, Matheson

[Meeting LINK](#)

1. Welcome
2. Approval of March 20 Minutes (Tab 2)
3. Discussion of possible carveout language v. using a standing order (Tab 3)
4. Action items

Tab 1

Current AI/Legal Tech Scope

Artificial Intelligence and Legal Technology	
<ul style="list-style-type: none">● 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 our legal technology, including how they define the practice of law and deal with multijurisdictional issues.● Draft proposed rule changes, if any.	<ul style="list-style-type: none">● Develop a recommendation:<ol style="list-style-type: none">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
Friday, March 20, 2026
12:00 – 1:00
Hybrid

The group approved the minutes from the previous meeting.

The group next discussed the Committee's recent presentation to the Utah Supreme Court regarding the interim report.

- The group noted that, based on that discussion, the Court appeared interested in further exploration of possible unauthorized-practice-of-law carveouts in the AI context and also appeared open to the use of disclaimers as part of any such approach.
- The group also briefly discussed the current Rule 5.4 landscape and observed that the broader regulatory environment remains mixed and unsettled.
- Members noted recent litigation involving OpenAI and agreed that related articles should be circulated to the group.

The workgroup then heard from special guest Ransom Wydner of SixFifty.

- The discussion focused on SixFifty's experience operating outside the Sandbox and the ways organizations attempt to reduce UPL risk through disclosures and disclaimers.
- Ransom explained that many organizations offering legal-adjacent tools rely on a similar set of disclosures, including:
 - That the tool provides information, not legal advice;
 - That AI can make mistakes; and
 - That no attorney–client relationship is being formed.
- He also discussed the use of retrieval-augmented generation (RAG) systems, describing them as a way to improve reliability by limiting responses to a defined body of source material and providing users with the underlying sources.
- The discussion also addressed the difficulty organizations face in navigating current UPL rules, particularly where tools draft documents, automate forms, or apply legal principles to user-provided facts. It could be helpful to change or add definitions, such as what it

means to draft a document and what it means to apply law to facts. Those are two things that deter organizations from using (or developing) AI tools.

- Ransom noted that uncertainty in these areas may discourage some organizations from offering tools that could improve access to justice, even where the practical risk of enforcement appears low. Legal services organizations, funded by LSC or otherwise, need more tools to serve more people but are particularly risk averse, even if the risk of enforcement or ancillary litigation is low.
- The discussion suggested that the greatest concern for many organizations is not necessarily direct enforcement by regulators, but broader legal and business risk, including litigation, insurance, and reputational concerns.
- The group discussed whether users generally understand what they are receiving from AI-enabled legal tools, which suggested that consumer confusion may arise less from users believing they are speaking to an attorney, and more from users not understanding when they may need legal advice in the first place.
- The group also discussed concerns about lower-quality AI tools, public distrust of AI, and the need to compare AI-enabled tools not to ideal legal representation, but to the current alternatives available to many users, including no help at all.
- The group also discussed whether additional clarity in Utah's UPL framework could encourage more organizations to operate with confidence. Ransom suggested that clearer definitions around activities such as document drafting and applying legal principles to specific facts could be more helpful than narrow carveouts alone. The discussion further noted that any Utah-specific change might have limited immediate effect on nationally operating entities, but could still be meaningful for Utah-focused organizations and could also continue to position Utah as an influential jurisdiction in this area.

In closing, the workgroup discussed next steps for future drafting.

- The group agreed that it would be useful to begin redlining what a possible carveout might look like, while also considering an alternative approach that would identify what does not constitute the practice of law in this context. The group also discussed developing a rubric or similar guidance to help companies understand how they may safely operate without crossing into UPL. The group agreed to consider both a possible rule-based carveout and a possible standing-order approach at a future meeting.

Action Items

- Redlining what a rule could look like
- Consider creating rubric of what is not practice of law
 - Guide companies on how they can safely operate
 - The definition of AI could change in a year
- Consider what a carve-out might look like and what a standing order may look like

Tab 3

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1 **Rule 4-802. Authorization to practice law.**

2 *Effective: 1/5/2023*

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

Commented [MF1]: While the exclusions speak for themselves, it seems like we hear concerns the exclusions already cover, so directing readers to the exclusions may be useful for broad audiences.

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

7 (1) "Practice of law" means representing the interests of another person by informing,
8 counseling, advising, assisting, advocating for, or drafting documents for that person
9 through applying the law and associated legal principles to that person's facts and
10 circumstances.

11 (2) "Law" means the collective body of declarations by governmental authorities that
12 establish a person's rights, duties, constraints, and freedoms and includes:

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

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

18 (3) "Person" includes the plural as well as the singular and legal entities as well as
19 natural persons.

20 (4) "Human nonlawyer" means a natural person, or human being, who is not licensed,
21 authorized, or otherwise certified to practice law in Utah.

22 (5) "Electronic nonlawyer" includes electronic services, software, platforms,
23 interfaces, chatbots, robots, or other digital-based products, including those that are
24 assisted by artificial intelligence (AI) to perform legal-related tasks without being a
25 natural person licensed to practice law in Utah, including any person or entity that
26 deploys or offers such a system to the public.

Commented [MF2]: There is probably a catchier name for this!

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

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

37 (A) establishing a contractual relationship with the client;

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

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

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

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

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

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

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

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

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(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 for human nonlawyers.** Whether or not it constitutes the practice of law, the following activity by a human nonlawyer, who is not 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.

Commented [MF3]: For discussion with OPC/RPC/other stakeholders. Some states exclude disbarred or suspended attorneys from the exclusions.

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- 79 (7) Representing a party in any mediation proceeding.
- 80 (8) Acting as a representative before administrative tribunals or agencies as
81 authorized by tribunal or agency rule or practice.
- 82 (9) Serving in a neutral capacity as a mediator, arbitrator, or conciliator.
- 83 (10) Participating in labor negotiations, arbitrations, or conciliations arising under
84 collective bargaining rights or agreements or as otherwise allowed by law.
- 85 (11) Lobbying governmental bodies as an agent or representative of others.
- 86 (12) Advising or preparing documents for others in the following described
87 circumstances and by the following described persons:
- 88 (A) A real estate agent or broker licensed in Utah may complete state-approved
89 forms including sales and associated contracts directly related to the sale of real
90 estate and personal property for their customers.
- 91 (B) An abstractor or title insurance agent licensed in Utah may issue real estate title
92 opinions and title reports and prepare deeds for customers.
- 93 (C) Financial institutions and securities brokers and dealers licensed in Utah may
94 inform customers with respect to their options for titles of securities, bank
95 accounts, annuities, and other investments.
- 96 (D) Insurance companies and agents licensed in Utah may recommend coverage,
97 inform customers with respect to their options for titling of ownership of insurance
98 and annuity contracts, the naming of beneficiaries, and the adjustment of claims
99 under the company's insurance coverage outside of litigation.
- 100 (E) Health care providers may provide clerical assistance to patients in completing
101 and executing durable powers of attorney for health care and natural death
102 declarations when no fee is charged to do so.
- 103 (F) Certified Public Accountants, enrolled IRS agents, public accountants, public
104 bookkeepers, and tax preparers may prepare tax returns.

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

111 (14) Providing legal services under Utah Supreme Court Standing Order No. 15.

112 (e) Exceptions and exclusions for electronic nonlawyers. Electronic nonlawyers are
113 permitted to engage in the following activities as long as the electronic nonlawyer does
114 not represent that it is providing personalized legal advice, exercising judgment, or
115 determining the legal sufficiency of a user's position, and conspicuous notices or
116 disclaimers are provided to the person being assisted that: (1) the electronic nonlawyer is
117 not an attorney; (2) no attorney-client privilege is created by using the electronic
118 nonlawyer's services, and (3) electronic nonlawyers, including those using AI, can make
119 mistakes and are not a substitute for legal advice from a person licensed to practice law.

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

122 (2) Generating legal forms, filling out legal forms, or drafting legal documents based
123 on information provided by the person needing assistance.

124 (3) Providing general legal information, opinions, or recommendations about possible
125 legal rights, remedies, defenses, procedures, options, or strategies, but not specific
126 legal advice-- which includes but is not limited to synthesizing a person's facts and
127 recommending a particular legal action, filing, defense, or outcome--related to
128 another person's facts or circumstances.

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

Commented [MF4]: This is copied from the section of rule 4-802 on human nonlawyers. But this is could be what some platforms do, or could aim to do. Consider for further discussion.

Commented [MF5]: This is copied from the section on human nonlawyers but might not apply here or is redundant with (3).

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

134 **Advisory Committee Notes:**

135 **Paragraph (a).**

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

139 **Paragraph (b).**

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

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

153 Similarly, an employee of a business entity is not engaged in "the representation of the
154 interest of another person" when activities involving the law are a part of the employee's
155 duties solely in connection with the internal business operations of the entity and do not
156 involve providing legal advice to another person. Further, a person acting in an official
157 capacity as an employee of a government agency that has administrative authority to

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158 determine the rights of persons under the law is also not representing the interests of
159 another person.

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

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

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

172 **Paragraph (c).**

173 The exceptions for Licensed Paralegal Practitioners arise from the November 18, 2015
174 Report and Recommendation of the Utah Supreme Court Task Force to Examine Limited
175 Legal Licensing. The Task Force was created to make recommendations to address the
176 large number of litigants who are unrepresented or forgo access to the Utah judicial
177 system because of the high cost of retaining a lawyer. The Task Force recommended that
178 the Utah Supreme Court exercise its constitutional authority to govern the practice of law
179 to create a subset of discreet legal services in the practice areas of: (1) temporary
180 separation, divorce, parentage, cohabitant abuse, civil stalking, and custody and support;
181 (2) unlawful detainer and forcible entry and detainer; and (3) debt collection matters in
182 which the dollar amount in issue does not exceed the statutory limit for small claims
183 cases. The Task Force determined that these three practice areas have the highest number
184 of unrepresented litigants in need of low-cost legal assistance. Based on the Task Force’s

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185 recommendations, the Utah Supreme Court authorized Licensed Paralegal Practitioners
186 to provide limited legal services as prescribed in this rule and in accordance with the
187 Supreme Court Rules of Professional Practice. In the future, the Court may add additional
188 practice areas for Licensed Paralegal Practitioners to assist otherwise unrepresented
189 persons in obtaining legal representation.

190 **Paragraph (c)(1).**

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

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

202 **Paragraph (d).**

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

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

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

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212 Paragraph (e).

213 [Add an advisory note for electronic nonlawyer exclusions and exceptions]

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IN THE SUPREME COURT OF THE STATE OF UTAH

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Standing Order No. __

(Conditional Authorization for Electronic Nonlawyers)

Effective _____

[Insert a section on why this needed.]

“Electronic nonlawyer” includes electronic services, software, platforms, interfaces, chatbots, robots, or other digital-based products, including those that are assisted by artificial intelligence (AI) to perform legal-related tasks without being a natural person licensed to practice law in Utah, including any person or entity that deploys or offers such a system to the public.

Commented [MF1]: There is probably a catchier name for this!

Disclaimers have been used for medical information for many years. A similar disclaimer process can be applied to the practice of law as long as those disclaimers are conspicuous and easy to understand for the general public.

Electronic nonlawyers are permitted to engage in the following activities as long as the electronic nonlawyer does not represent that it is providing personalized legal advice, exercising judgment, or determining the legal sufficiency of a user’s position; and conspicuous notices or disclaimers are provided to the person being assisted that: (1) the electronic nonlawyer is not an attorney; (2) no attorney-client privilege is created by using the electronic nonlawyer’s services; and (3) electronic nonlawyers, including those using AI, can make mistakes and are not a substitute for legal advice from a person licensed to practice law:

Commented [12]: Do we want to include anything that discusses confidentiality, such as that the information shared with an electronic nonlawyer is not protected by attorney-client privilege or any confidentiality rules unless otherwise stipulated between a user and the electronic nonlawyer.

- (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) Generating legal forms, filling out legal forms, or drafting legal documents based on information provided by the person needing assistance.
- (3) Providing general legal information, opinions, or recommendations about possible legal rights, remedies, defenses, procedures, options, or strategies, but not specific legal advice – which includes but is not limited to synthesizing a person’s facts and recommending a particular legal action, filing, defense, or outcome—related to any person’s facts or

Commented [3]: This is copied from the section of rule 4-802 on human nonlawyers. But this is could be what some platforms do, or could aim to do. Consider for further discussion.

circumstances.

(4) 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.

Commented [14]: Do we want to include anything about communications in that an electronic nonlawyer may not hold itself out as providing legal services or as a substitute for a licensed attorney?

Unless permitted by other law or authorization of the Utah Supreme Court, electronic nonlawyers are not authorized to: represent any person in any court, arbitration, administrative agency proceeding, or other tribunal; serve in a neutral capacity as a mediator, arbitrator, or conciliator; or represent any person in any mediation proceeding. Compliance with this Order shall be determined based on the substance of the conduct, not solely on the presence of disclaimers.

Commented [5]: This is copied from the section of rule 4-802 on human nonlawyers but might not apply here or is redundant with (3).

Nothing in this Order shall relieve any person or entity that deploys or offers an electronic nonlawyer from liability under Utah law for misrepresentation, negligence, consumer fraud, or other unlawful conduct.

IT IS SO ORDERED.

DATED this ___ day of _____, 202__

/s/

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