UTAH SUPREME COURT AD HOC COMMITTEE

REGULATORY REFORM
Nick Stiles, Co-Chair
Maryt Fredrickson, Co-Chair
Full Committee Meeting
February 5, 2026
12:00–2:00
Virtual & In-person Meeting
In person: Education Room, Matheson
Meeting LINK

1. Welcome and Introductions

2. Approval of Previous Meeting Minutes from May 2025 (Tab 2)

3. Discuss Draft Summary Reports (Tab 3)

4. Discuss 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 our 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 property regulate technology-aided legal practice. • Identify whether collaboration with other branches of government or other stakeholders will be needed to implement recommendations.

Current LPP Scope

Licensed Paralegal Practitioners	
• Research other states' successful LPPP programs and identify best practices. • Identify barriers to entry (time and cost, dearth of available training, absence of alternative paths to qualify for exam, lack of awareness of the program, etc.) • Identify barriers to practice (rule limitations on the scope of practice, challenges establishing or running a practice, public mistrust, competition in the Sandbox, etc.)	• Develop a recommendation for: 1. Increasing the number of LPPS who have the training and skills to provide competent representation, and regulated as the practice of law, 2. Expanding the number of consumers served by LPP's. • Draft proposed rule changes, if any.

Current 5.4 Scope

Rule 5.4 Workgroup	
• Research pros and cons of allowing lawyers to partner or share fees with nonlawyers, including any multijurisdictional implications. • Analyze lessons learned from Sandbox ABS entities as well as Arizona's ABS program. • Consider recommendations from experts on legal regulation.	• Examine rule 5.4 language from other states. • Develop a recommendation on whether rule 5.4 should be amended. • Draft proposed rule changes, if any.

Current CJA Scope

CJA Workgroup

1. Research other states' LPP programs and identify best practices.
2. Identify barriers to entry (time and cost, dearth of available training, absence of alternative pathways to qualify for exam, lack of awareness of the program, etc.).
3. Identify barriers to practice (rule limitations on scope of practice, challenges establishing or running a practice, competition in the Sandbox, etc.)
4. Develop a recommendation for:
   Increasing the number of LPPs who have the training and skills to provide competent representation, and
   Expanding the number of consumers served by LPPs.
5. Draft proposed rule changes, if any.

Tab 2

Meeting Minutes

Utah Supreme Court's Ad Hoc Committee on Regulatory Reform

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

Kick Off Meeting Minutes

May 23, 2025, 12:00 – 1:00

Virtual & In-person

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1. Welcome and Introductions

Nick Stiles opened the meeting with welcome remarks. Both co-chairs introduced themselves followed by introductions from all committee members.

2. Innovation Office and Sandbox Refresher

The group went over a brief historical review of the Legal Services Innovation (LSI) Office and Sandbox. Andrea discussed Phase 2 of the Sandbox, what the LSI committee has been busy working on, and the current state of the sandbox.

3. Ad Hoc Committee on Regulatory Reform Charge

The cochairs introduced the charges for each working group, set by the supreme court and outlined in the meeting materials. The purpose of large group meetings, with all of the working groups, is to share the work of other committees, identify overlaps, and see how each group's work interfaces and coordinate efforts accordingly.

4. Four Workgroups

The four working groups were introduced. This effort is focused on Utah, but as a national leader in regulatory reform efforts, the final report that comes from this committee is likely to be widely shared and studied around the country. Committee members are invited at any time to flag that we are missing other stakeholder who should be invited. Additional topics or questions that have

been overlooked in the charges for the workgroups are also welcome. There was some discussion on the term “best practices” used in some of the charges and whether to use a different term.

Jon Wayas and Emily Lee introduced the LPP program. It launched in 2019, after Washington launched its LLLT (aka, triple L-T) program in 2015. Washington’s program later ended. Utah’s continued and Jon shared the current numbers of LPPs and the number of applicants taking the LPP exam this season. The exam is twice a year.

Hayley Cousin and Judge Mrazik introduced the Community Justice Advocates of Utah program. Hayley noted this is a high turnover environment. In Utah, the hosting entity (CJAU) develops and conducts the training.

5. Schedule/Timeline

The committee has roughly a year to meet and will meet monthly. The preliminary plan is to spend the first 6 months’ work on gathering research, discussing, and hosting guest speakers. By November 2025, the working groups will start assembling a preliminary report and recommendation to present to the Supreme Court for preliminary feedback. After hearing any feedback, the working groups will continue working until about August 2026 towards completed recommendations and a final report. The meetings will be hybrid or virtual.

There was some discussion of whether the CJA and LLP groups should meet together. The AI group may likewise have some overlap with other groups and need to jointly meet at different points. Andrea noted that other entities in the Sandbox may need to be included and noted that a couple of Sandbox entities do not fit neatly into any of the four working groups, so the input from those entities when considering a post-Sandbox landscape should not be overlooked.

Judge Mrazik noted the value of the large group meetings and suggested they be more frequent, even if just with a representative from each working group. Some discussion followed on the pro and cons of large groups and small groups where the turnaround time for recommendations is relatively short.

Doodle polls will follow to get meeting times for each workgroup. The AI and 5.4 groups will meet jointly to start to see where there may be overlaps and areas for coordination.

Tab 3

Memorandum

To: Utah Supreme Court
From: Nick Stiles & Maryt Fredrickson, Co-Chairs, Ad Hoc Committee on Regulatory Reform
Date: February 3, 2026
Subject: Interim Report on Regulatory Reform Progress

In March 2025, Justice Hagen submitted a proposal to this court to establish the Ad Hoc Committee on Regulatory Reform. The Committee's charge was to critically evaluate the Utah Regulatory Sandbox, identify emerging national trends in legal regulation, and develop comprehensive recommendations to be presented in a final report in the summer/fall of 2026. That timeframe would give the court time for rulemaking and other structural shifts to implement any recommendations as post-Sandbox regulatory reforms. The Sandbox is scheduled to end in the fall of 2027. Included in Justice Hagen's proposal were four sub-charges to evaluate (1) Rule 5.4, (2) Licensed Paralegal Practitioners, (3) Community Justice Advocates, and (4) AI/Legal Tech. At the April Supreme Court Conference we submitted a formal proposal outlining committee structure, membership, and an a timeline for completion.

The Committee officially launched in May 2025. By June, our four specialized workgroups began meeting monthly to address their specific charges. Since that time, each workgroup has convened roughly six times. We also onboarded two grant-funded regulatory reform fellows. We want to extend a huge thank you to the 30 committee members and the two fellows who have dedicated time each month to this effort. Their expertise is invaluable.

The purpose of this report is to update the court on our progress and summarize what is currently under consideration. We welcome the Court's input, including any concerns about the direction of any working groups so we can use the remaining committee time accordingly. It is important to note that these summaries are preliminary and subject to further refinement as we move toward the final report. The findings are organized as follows:

- **Tab 1: Rule 5.4 Workgroup**
- **Tab 2: Licensed Paralegal Practitioners Workgroup**
- **Tab 3: Community Justice Advocate Workgroup**
- **Tab 4: AI/Legal Tech Workgroup**

TAB 1

Rule 5.4

Workgroup's Objectives

1. Research pros and cons of allowing lawyers to partner or share fees with nonlawyers, including any multijurisdictional implications.
2. Analyze lessons learned from Sandbox ABS entities as well as Arizona's ABS program.
3. Consider recommendations from experts on legal regulation.
4. Examine rule 5.4 language from other states.
5. Develop a recommendation on whether rule 5.4 should be amended.
6. Draft proposed rule changes, if any.

Workgroup's Membership

1. Alyson McCallister, Chair, Legal Services Innovation Committee
2. Cory Talbot, Chair, Rules of Professional Conduct Committee
3. Barbara Townsend, Office of Professional Conduct Representative
4. Maribeth Lehoux, General Counsel, Utah State Bar
5. Brett Chambers, Bar Commissioner
6. Andrea Donohue, Director, Office of Legal Service Innovation
7. Maryt Fredrickson, Co-Chair, Regulatory Reform Committee
8. Nick Stiles, Co-Chair, Regulatory Reform Committee
9. Connor Dela-Cruz, Regulatory Reform Fellow

What we learned concerning Rule 5.4 in the Utah Sandbox

a. There are challenges with the "free market" approach to regulatory reform. A particular lesson learned is the volume of staff and financial resources that are needed for all aspects of administering an experimental sandbox charged with both regulating and creating policy. For example, the Sandbox model focused on consumer complaints and data tracking as back-end controls for measuring and addressing consumer harm, both of which are resource intensive.

b. The early inclusion of entities based outside of Utah led to some participants exploiting the relaxed regulatory environment to market their orginization. These entities often failed to provide clear access to justice impacts that specifically benefited Utahns.

c. One notable positive example of a Rule 5.4 entity within the Sandbox was a firm that offered an ownership interest to its paralegal. While such arrangements illustrate the potential of a modified Rule 5.4, their long-term impact on the justice gap remains unproven. To date, no alternative business structures (ABS) have demonstrated a measurable impact on access to justice, likely being a catalyst for the Supreme Court moving away from the ABS model.

Comparing State Models

Arizona. Arizona completely removed Rule 5.4. This model is resource intensive as it requires enhanced oversight not traditionally found in the practice of law. Arizona has slightly alleviated this oversight burden by requiring all entities to have compliance attorneys that seemingly bear some of the compliance burden. The stated purpose of Arizona's 5.4 reform is to encourage businesses to provide legal services at affordable prices. We are not aware of any published metrics concerning increased access to legal services yet.

District of Columbia. DC first modified Rule 5.4 back in 1991, and again in 2025. (Here is the 2025 Amendments Announcement.) DC's model allows for nonlawyer ownership only if the sole purpose is providing legal services to clients, all owners comply with the rules of professional conduct, and the lawyers who have a financial interest or managerial authority in the partnership or organization undertake to be responsible for the nonlawyer participants to the same extent as if nonlawyer participants were lawyers under Rule 5.1. DC does not have a stated interest in access to justice.

Puerto Rico. Puerto Rico recently amended Rule 5.4 to allow for nonlawyer ownership only where the purpose of the entity is to provide free legal services. There are eight requirements prescribed in the new rule. The Puerto Rico Supreme Court did not unanimously adopt the rule change; Justice Luis F. Estrella Martinez dissented from the change. Puerto Rico will conduct a study after three years to determine any impacts. Here is the order (in Spanish) and the guide on new rules (in Spanish).

Market Efforts. In states that have not revised Rule 5.4, a new trend is emerging in big firms to work around Rule 5.4 by carving off services. McDermott Will & Schulte introduced a new concept where they bifurcate the law firm into a professional organization composed of all lawyers, and a "managed service organization" composed of nonlaywers to handle HR, IT, marketing/etc. This concept is referred to in legal media as the "McDermott Effect." Here is a Bloomberg article about the practice. This suggests doing nothing with rule 5.4 has a free-market solution for entities wanting to fee share with nonlawyers, but that may not be an option for non-profits, small and solo firms, or other types of legal services providers.

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Potential Recommendations	• Modify Rule 5.4 to allow for non-lawyer ownership • Require compliance with the Rules of Professional Conduct • Use a registration and reporting model, instead of a vetting and authorization model • Require fiduciary duties of all owners • Determine if a compliance attorney is required for disciplinary purposes, as used in AZ • Organization has sole purpose of providing legal services to clients (the Puerto Rico model is limited to only "free legal services") • No non-lawyer ownership more than 49% • Notice to clients of nonlawyer ownership • Require purpose of expanding access to legal services • Prohibition against nonlawyer owners interfering with professional judgement of lawyers relating to legal practice • Review period with possible later amendments
Not Recommended	• Eliminating Rule 5.4 completely • Extensive front-end vetting, as in AZ and in the current Sandbox • A regulatory structure that requires the Utah State Bar to regulate entities without placing the cost of the alternative regulation on the entities.

Items needing further discussion

- AI/Legal Tech: Reconvene with AI Workgroup to consider overlap and coordinating recommendations
- Pending Rule Revisions. Recommendations will need to work with the pending rule 5.4 amendments already sent for public comment and currently in a review process with the rules committee.
- Comity & Multi-jurisdictional Practice: how to adequately address alternative legal regulation where an organization (owned in part by non-lawyers) authorized in another state that allows it wants to operate in Utah, and when a Utah-entity wants to practice in another jurisdiction with comparable 5.4 regulation.

TAB 2

Licensed Paralegal Practitioners

Workgroup's Objective

1. Research other states' LPP programs and identify best practices.
2. Identify barriers to entry (time and cost, dearth of available training, absence of alternative pathways to qualify for exam, lack of awareness of the program, etc.).
3. Identify barriers to practice (rule limitations on scope of practice, challenges establishing or running a practice, competition in the Sandbox, etc.)
4. Develop a recommendation for:
   Increasing the number of LPPs who have the training and skills to provide competent representation, and
   Expanding the number of consumers served by LPPs.
5. Draft proposed rule changes, if any.

Workgroup's Membership

1. Jon Wayas, LPP Administrator, Utah State Bar
2. Michael Barnhill, Partner, Michael's Best & Friedrich LLP
3. Lindsey Brandt, Licensed Paralegal Professional, Brandt Law
4. Judge Chelsea Koch, District Court Judge
5. Emily Lee, Admissions Deputy Counsel, Utah State Bar
6. Courtney Petersen-Rhead, Program Associate, IAALS
7. Jacqueline Esty Morrison, Director of Experiential Education, S.J. Quinney College of Law
8. Andrea Donohue, Director, Office of Legal Service Innovation
9. Maryt Fredrickson, Co-Chair, Regulatory Reform Committee
10. Nick Stiles, Co-Chair, Regulatory Reform Committee
11. Breanna Hickerson, Regulatory Reform Fellow

What we learned concerning LPPs in the Utah Sandbox

The LPP program was not tested in the Sandbox.

Comparing State Models

Colorado: Colorado focuses heavily on the marketing and engagement. Colorado modeled its exam after Utah's and created the ethics class through a university, like Utah. Notably, Colorado recently expanded the LLP scope to include in-courtroom practice, a move prompted by judicial frustration over previous representation limits and early litigation regarding the boundaries of LLP authority. Colorado LLPs are empowered to draft original legal documents rather than being restricted solely to standardized court forms.

Arizona: Licensed Paraprofessionals are authorized to provide specific legal advice, negotiate cases, and represent clients in court across various practice areas like family and criminal law. They may draft and file legal documents, provided they adhere to the same professional standards and disciplinary oversight as attorneys. This role allows them to manage cases from start to finish while remaining subject to State Bar investigation for any ethical or procedural violations. LPPs are not limited to court forms.

Orgeon: Licensed Paralegals are authorized to practice independently in family law and landlord-tenant law. While they can draft legal documents and represent clients in settlement negotiations or mediations, their ability to appear in court is more limited than in Arizona or Utah; they generally attend hearings to provide procedural support and answer judicial inquiries rather than conducting hearings or examining witnesses. As members of the Oregon State Bar, they must carry malpractice insurance and adhere to the same ethical standards as attorneys.

Minnesota: Legal Paraprofessional can provide legal advice and represent clients in specific family law matters and housing disputes (tenant representation only). Under the supervision of a licensed attorney, these paraprofessionals are authorized to appear in court for hearings and mediations, though they must have their supervising attorney co-sign all pleadings and carry (or ensure the LPP has) malpractice insurance that covers their work.

Expert Insights and Surveys

- IAALS staff, Courtney Petersen-Rhead is a member of the working group and is providing input as IAALS studies Colorado's and other state programs. She and Michael Houlberg also met with co-chairs to discuss LPPs around the country and the recently recommended rebrand to LPs (like NPs in the medical profession).
- Co-Chairs Nick and Maryt also met with Colorado's LPP workgroup to solicit feedback on Colorado's successful program growth.
- The workgroup conducted three surveys to better understand the stagnant growth of LPPs in Utah. The surveys targeted three groups: paralegals (32 responses), district judges and commissioners (26 responses), and law firms (3 responses).

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Outline of survey results	
Paralegals	• 81.% of respondents said they had considered becoming an LPP • Respondents considered the ability to have their own practice, more autonomy, increased income potential, and higher billable hours for their firm as influencing factors. Factors discouraging LPP consideration included the perceived difficulty in attainment, confusing guidelines, school requirements, and limited practice areas • 64.5% of respondents said becoming an LPP would be financially worthwhile • Employment of respondents: 25% large firm, 34% small firm, 9% non-profit, 21% government, 9%other (percentages rounded)
Judges & Commissioners	• 64% of respondents have encountered an LPP • 69% of respondents are familiar with what an LPP can do in and out of court • 46% of respondents indicated that LPPs are "somewhat useful" • 34% of respondents have not encountered an LPP in court • 11% of respondents indicated LPPs are "not useful at all" • 7% of respondents indicated LPPs are "very useful" • 50% of respondents indicated that more training about what LPPs could do would be helpful • 30% of respondents requested a benchcard about LPPs
Law Firms	• 66% of respondents indicated that on a scale of 1-5 about their familiarity to the LPP program, they were a 3 • 66% of respondents indicated their firm had considered hiring an LPP • 33% of respondents have an LPP at their firm • All respondents indicated they would like more information about LPPs • One respondents was from a 50+ attorney firm, one from 11-50 attorney firm, one from 1-10 attorney firm

Areas Limiting Program Success	
Barriers to Entry	• Lack of an Experience-based Waiver of Education Requirement (UT's provision for this sunsetted) • All four states with successful LPP programs allow an experience-based waiver (Arizona, Oregon, Colorado, and Minnesota). • The group has previously discussed that we would need to define "substantive law-related/paralegal experience" carefully if we decide to offer this waiver again. • Lack of knowledge of LPPs and what they can do • Lack of understanding among the bar, some courts, and the paralegal community of how LPPs can operate their own practice and how they can benefit law firms. LPP practice is a business of its own and can be an additional revenue generator for law firms. • Continuing Education Requirements • Previous LPP UVU certification courses were costly. UVU sunsetted its program and it is now within the bar, which is better.

	• Practical education would be more useful for LPPs, especially writing practice. We may need to consider a rule change so that the Court's committee would be responsible for overseeing course development and oversight, or at least signing off on LPP programs.
Barriers to Practice	• Forms have become a challenge and are limiting what LPPs can do. A forms-based practice was initially adopted to address attorney concerns and to allow the courts to have some oversight. The OCAP program which used to house court forms was sunsetted. UCJA Rule 14-802 governs the forms-based practice, and it does allow forms to come from law firms or other LPPs. Official court forms are labor intensive and a heavy lift. Replacing OCAP's forms with something similar to what the court is now using in self-representation forms, has been researched and is a high cost to build and additional high costs to maintain. • It may be possible to remove the forms-limitations on a stepped basis, in areas like debt collection and evictions first, where few attorneys are practicing, and test if removing the restriction is working for the courts and litigants. But if the LPPs practice areas are reduced, then these subject matter areas may be excluded. • Limiting Practice Areas. Keeping practice areas limited (based on CO input) is preferred. If there are too many areas, each area begins to lack depth. While small claims, misdemeanors, and simple probate may be appealing expansions of the practice areas, there are resource limitations for testing and admissions. A lesson learned from the Sandbox is that where one program covers multiple areas, that can create breadth at the sacrifice of meaningful depth. Limiting practice areas could focus improvements to key subject matter areas. Another benefit of limiting to certain practice areas could be to create another distinguishing characteristic from CJAs. • Expanding the scope of practice in landlord-tenant cases may be useful. • Some judges have indicated there is a lack of understanding of what LPPs can and cannot do • Variations in awareness levels between judicial districts, and at times, in the same district, can make it challenging to increase awareness and utilization of LPPs.

Miscellaneous potential recommendations in addition to items identified in the barriers to entry and practice chart.

- A marketing & outreach plan—for a short-term boost and for ongoing marketing—should be central. The champions at the start of the program have since fallen off, and so have new applicants. Colorado attributes its success to the ongoing engagement and marketing.
- Distinguishing from CJAs. The distinction between CJAs and LPPs needs to be clear, for the benefit of the consumer, the legal community, and the bench.
- Comity & Reciprocity. Consider pathway for reciprocity as LPPs move between states or have a multi-jurisdictional practice. Also consider the possibility of future, nationwide licensure, if any, and adopting a universal name for LPPs.
- Consider creating bench cards, on-demand short training videos, and other ways to inform judges about LPPs. Also consider adding to annual judicial conference agenda.

Items needing further discussion.

- Meeting with LPPs outside the Wasatch Front.
- Meet with Arizona program. Also look more at New Hampshire, Oregon, and Minnesota. Texas program did not launch. DC program is still in study phase as resources diverted to CJA program. Michigan is in a test phase.
- Review IAALS upcoming survey on access to justice impacts of LPP programs
- Continue discussion of limitations based on forms, and whether practice should remain limited to court forms now that OCAP no longer exists and there is no access to forms for LPPs.
- Re-evaluate attorney-client privilege and if any changes are needed for LPPs.
- Consider the two entities currently in the Sandbox that do not neatly fit in any of the four Regulatory Reform categories (Pearson & Butler/Elysium Legal and Rasa Legal).
- Continue discussion of national licensure possibility and reciprocity with the broader regulatory reform committee.

TAB 3

Community Justice Advocates

Workgroup's Objectives

1. Analyze current Sandbox entities training nonlawyers to offer free legal advice on specific topics to the communities they serve.
2. Examine community justice advocates models from other states and recommendations from access to justice experts.
3. Design a model that reflects best practices.
4. Identify the steps needed to implement the model, including whether additional collaboration with other entities or stakeholders is needed.
5. Draft proposed rule amendments, if any.

Workgroup's membership

1. Hayley Cousins, Executive Director, CJAU
2. Dr. Jayme Walters, Associate Professor and Executive Director, Transforming Communities Institute, Utah State University
3. Judge Richard Mrazik, Chair, Self-Represented Parties Committee
4. Ciriac Alvarez Valle, Senior Policy Analyst, Voices for Utah Children
5. Jeanine Liebert, Director, Utah Judiciary Self-Help Center
6. Megan Connelly, Access to Justice Executive Director, Utah State Bar
7. Stacy Haacke, Deputy General Counsel, Utah Judiciary
8. Lakshmi Vanderwerf, Staff Attorney, Disability Law Center
9. Mark Steinagel, Director, Division of Professional Licensing
10. Andrea Donohue, Director, Office of Legal Service Innovation
11. Maryt Fredrickson, Co-Chair, Regulatory Reform Committee
12. Nick Stiles, Co-Chair, Regulatory Reform Committee
13. Breanna Hickerson, Regulatory Reform Fellow

Current Sandbox Entities

- Community Justice Advocates of Utah (CJAU) and Utah State University's Transforming Community Institute (TCI) are Utah's existing CJA programs. CJAU absorbed previous Sandbox entity, Holly Cross Ministries. Innovation 4 Justice (I4J) is a partnership with the University of Arizona and the Eccles School of Business at the University of Utah. I4J has a slightly different model. I4J and CJAU launched a Program Implementation Toolkit as a resource for other justice worker programs.

Comparing State Models

Alaska: CJAs in Alaska must be tied to an LSC entity. The state bar maintains a list of registered CJAs. The Bar also maintains reporting metrics related to CJAs. Complaints about CJAs are submitted to the Bar's General Counsel and disciplinary matters are handled by the Bar. CJAs in Alaska are able to provide advice concerning SNAP benefit, unemployment advocacy, employment benefits, Indian Child Welfare Act, debt collection defense, domestic violence protective orders. Here is LSC's Case Study of Alaska's CJAs.

Washington D.C.: As of early 2026, the D.C. Courts are reviewing a formal proposal to authorize a Community Justice Worker program that would allow non-lawyers in schools and health clinics to provide legal advice. CJAs will be required to work for a non-profit organization that offers free or low-cost legal services.

California: Proposal for Community Justice Workers submitted in December, 2024. CJWs are only permitted to work for legal aid organizations and may not charge any fees for service. As of early 2026, no statewide program has been adopted.

Arizona: CJAs must be tied to an approved LSC organization and work under the supervision of an attorney. CJAs are able to provide advice concerning housing, public benefits, consumer issues, debt relief, unemployment law, and family law matters related to domestic violence.

Many states are working with national organizations like Frontline Justice on program development. Utah, Arizona, and Alaska are leading the way in this area of regulatory reform.

Promising Features of current CJA Structure

- Alignment with existing professional roles: Training builds on skills and knowledge already held by human service professionals, which reduces onboarding time and lowers risk.
- Training area focus: Programs focus on areas of demonstrable need and prominent access to justice gaps: housing, protective orders, and debt.
- Role differentiation: CJAs are consistently framed as helping clients to better represent themselves (i.e., do not represent or act as an agent with independent decision-making authority).
- Capacity for statewide reach: Use of virtual training and mentorship and partnerships with existing agencies has allowed entities to train CJAs in agencies across the state, including rural communities. Experimenting with standalone CJAs as volunteers has also presented promising opportunities to serve people not associated with other social services.

- Built-in feedback and iteration: Programs actively use data from trainees, services provided, mentors/supervisors, and the courts to guide program development and make changes to better support CJAs and their work.

Potential Limitations

- Ongoing credential requirements: Annual post-certification requirements, such as CLEs, exams, and licensing fees, should consider that client-facing positions (e.g., case managers, advocates) are often lower-paying, high-demand positions. CJAs are also not allowed to charge additional fees for related services.
- Scalability of supervision/oversight models: Requirements for ongoing attorney supervision for CJAs post-certification and other intensive oversight mechanisms that are manageable during pilots will become impossible to sustain as programs expand statewide. Turnover in CJA positions is often related to underlying position and not CJA responsibilities.
- Relatively unknown, but developing, use case for CJAs in existing legal market/practice.
- The cost of an exam or CLEs can be a barrier. Be mindful of barriers from CJAs to enter this area and recognize the other rigorous entry points for the underlying profession, i.e., social workers.

Expert Insights & Survey

- Mark Steinagel, Director of DOPL, joined the working group. DOPL has been shifting from higher education requirements to competency-based licensure. Mr. Steinagel also has been a resource considering scalability.
- The workgroup heard presentations from Hayley Cousins of CJAU, Dr. Walters from TCI at USU, and Nikole Nelson from Alaska's CJA efforts.
- The Conference of Chief Justices and State Court Administrators published this article about authorized justice practitioner programs.
- The Institute for the Advancement of the American Legal System (IAALS) has also been studying CJAs (and LPPs) extensively. Courtney Petersen-Rhead from IAALS is a member of the workgroup.

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Outline of CJA Survey Results – Judges & Commissioners
• 92% of respondents had not encountered a CJA • 80% of respondents indicated that they were "not familiar at all" with what CJAs can do, 11% were somewhat familiar, 7% were very familiar • 78% of respondents did not know if any CJAs were offering services in their judicial district. 11% of respondents said yes there are CJAs in their judicial district, and 11% of respondents said no there are not CJAs in their judicial district • Respondents were asked in their experience how useful have CJAs been in resolving matters in their courtroom. 88% said they had not encountered a CJA, 11% said "not useful at all" • 57% of respondents said a training at a conference would be useful, 19% said a bench card would be useful, and 15% said a Webex training would be helpful

Target CJA Model	
Scope	• Provide legal information and limited legal advice within their authorized subject matter (Consumer, Housing, Civil protective orders or stalking injunctions, public benefits, unemployment, expungement) • Explain court processes, timelines, and procedural requirements • Assist individuals in understanding forms and preparing documents for filing • Help individuals organize information, evidence, and next steps • Support participation in hearings, mediations, or negotiations without acting as a legal representative. CJAs may negotiate on behalf of their clients, but at all times the client has final decision-making authority • Make warm handoffs and referrals to legal aid, attorneys, or social services when issues exceed scope • Operate under ethical standards, disclosure requirements, and State Bar's complaint processes • Assist clients in court as outlined in Rule 14-810. Non-traditional Legal Providers Assisting Clients in Court.
Eligibility	• G.E.D. or equivalent • Six months of experience, professional or personal, related to the subject area, prior to enrollment in a CJA course (For students enrolled in a university course who do not have prior experience, they must complete both the CJA training and either a subsequent or concurrent practicum course or six months of related professional experience before they are eligible) • Not have been disbarred by the highest court in any state or have been denied admission to the practice of law in any state or any reason other than the failure to secure a passing examination score • No felony convictions in the last seven years.

Training	• Training Providers are to create training programs in areas of law most affected by the access to justice gap. • Types of Organizations: Accredited university, Nonprofit or community-based organization with one of its primary purposes is to provide free or reduced cost legal services, law firms. (This relates to only training orginizations, orginizations that are not an accredited university or non-profit, community-based organization should still be eligible to employ CJAs) • At least one Utah-licensed attorney with subject-matter experience must be involved in the creation of the training materials and provide final review of curriculum. This may be an employee, contractor, or volunteer. • Substantive outline of the training program must be submitted to the regulating body for approval. The regulating body will review it to ensure it aligns with common competencies and any other applicable requirements. • Training organizations must also submit a training and engagement plan along with their substantive outline, including proposal for CLE topics / frequency and opportunities for CJAs to engage with each other. Consideration should be given in stating something similar to the New Lawyer Training Program for CJAs. • Annual report to the regulating body that may include number of new CJAs trained, number of active/inactive CJAs, affirm that the curriculum accurately reflects current applicable law, and names the Utah-licensed attorney(s) associated with the training materials. • Demonstrate competency in ethics, relative substantive law, appropriate legal and courtroom procedures, negotiation, appropriate legal/courtroom advocacy for underserved populations. • Training providers have authority to set higher eligibility requirements for participation in their training courses.
Miscellaneous	• Limited license to follow the person, not an organization • Employing organizations should not exclusively be legal organizations, programs should strive to facilite CJAs in orginizations to "meet the people where they are" • CJAs can be paid by their employor but should not be paid for CJA services • CJAs should not be required to carry malpractice insurance

Items still needing to be discussed

- Meet with I4J and individual CJAs.
- Where to house front-end controls (admissions), intermediate controls (CLEs and supervision), and back-end controls (disciplinary actions and complaints).
- Evaluate the three other Sandbox ALP type entities (Elysium Legal/Pearson Butler and Rasa) that do not neatly fit in LLP or CJA categories.
- Meet with Mark McCall from Arizona's program.

- While the limited license follows the person, not the organization, further discussion is needed to resolve the parameters if that person is no longer associated with a host organization that manages training, supervision, and complaints.
- Supervision length is a crucial decision factor that needs to balance the available resources of training orginizations.

TAB 4

AI/Legal Tech

Workgroup's Objectives

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

Workgroup's Membership

1. Nick Hagen, Vice-Chair, Legal Services Innovation Committee, Head of Legal Technology Innovation, BYU Law
2. Ty Brown, CEO, ZAF Legal
3. David Wingate, Associate Professor in Artificial Intelligence and Machine Learning, BYU
4. Wes Hayward, Corporate Counsel, Blackstone
5. Beth Kennedy, Chair, Ethics and Discipline Committee
6. Alex Chang, Law Offices of Alexander Chang
7. Kent David, Corporate Counsel, Woodbury Corporation
8. Andrea Donohue, Director, Office of Legal Service Innovation
9. Maryt Fredrickson, Co-Chair, Regulatory Reform Committee
10. Nick Stiles, Co-Chair, Regulatory Reform Committee
11. Connor Dela-Cruz, Regulatory Reform Fellow

Note: This group is not evaluating AI used by attorneys or courts. That topic is being studied by bar committees (for lawyers) and the Administrative Office of Courts (for courts). This preliminary report summarizes lessons learned, describes the current state of AI and legal technology, and identifies regulatory tools under consideration. This section does not include information about other state models as no other jursdictions have taken substantial steps toward regulatin AI in legal practice.

What we have learned about AI/Legal Tech in the Sandbox

The Sandbox provided useful but limited insight into technology-enabled legal services. Use cases and developments outside the Sandbox are providing more information.

a. Technology is commonly associated with innovation, but few Sandbox participants deployed advanced or novel AI systems in core legal decision-making without lawyer involvement, i.e., the Sandbox has not yet had an autonomous or semi-autonomou legal services provider. Consistent with other jurisdictions that have experimented with or implemented non-lawyer actors (people or technology) into the operations of law firms, we have not seen a demonstrative and conspicuous increased risk of consumer harm when compared to traditional practice. Initial data review in the Sandbox was limited however, and should not be used as the only metrict in the analysis. The appetite for investment in and development of legal innovations within the Sandbox as currently structured declined as entrepreneurs and investors found the shifting regulatory structure less and less attractive for market-based innovation. There are currently no high-innovation entities—meaning legal services provided entirely by technology with no lawyer involvement—in the Sandbox. No lawyer-free models were approved.

b. In some ways, the Sandbox was ahead of its time in aspiring to test tech-provided, autonomous, non-lawyer legal services. Advanced AI platforms largely achieved minimum technical viability for complex legal tasks in 2025, five years after the Sandbox launched. Three moderate-innovation entities offering technology-based services—which have some lawyer involvement—are currently in the Sandbox. These entities are 1Law (personal injury and other legal areas), Superlegal/Lawgeex (contract review), and Rasa Legal (criminal expungement). The regulatory and structural changes made to the Sandbox potentially deterred entrepreneurs from exploring legal innovation within the Sandbox.

c. Pre-authorization vetting of entities, as a front-end control, is both labor- and expertise-intensive. Performance and compliance audits are also labor intensive. For these tools to continue would require significant financial investment in labor resources and data management.

d. The data system to measure consumer harm, as a form of back-end control, was challenging. According to independent research at IAALS, the number of consumer complaints per number of services offered was very low. However, comparison is difficult because of data collection challenges and the lack of similar consumer reporting mechanisms for traditional legal services.

Lessons Learned from Utah's Executive Branch AI Office Policy

- The workgroup and/or Chairs of the Committee met multiple times with this Office.
- Utah's executive branch AI office uses a staff of five people. That office currently has three entities in its regulatory sandbox. At least one member of the staff has expertise in machine learning and mathematics which provides an additional advantage when evaluating the entities and AI products. This office is authorized to charge a regulatory fee but has not done so yet.
- This office collaborates with academia and subject matter experts as needed, depending on the subject matter of a proposed project. For example, when an entity proposed an AI-provided therapy app, the office collaborated with therapists before authorizing the proposed AI tool.
- Once vetted, this office issues an agreement which includes an authorization to practice and includes limitations on what can and cannot be done. It also includes reporting obligations. The agreements are set for one-year periods, with an option to extend for one year.
- By contrast, the Sandbox currently has two staff members (a reduction from the original staff size) handling administration, overseen through a volunteer committee that meets monthly, to evaluate all current and proposed entities, including AI models, across various subject matter areas, which is a significant strain on resources and limits the expertise applied to each entity.
- The complaint process for entities authorized through the AI office is set by contract, through the authorization. Consumer complaints are routed through the Division of Consumer Complaints, which might make their way back to the AI office for input.
- The Office provides a potential venue for collaboration that could support joint legal AI projects subject to adequate delineation of regulatory authority.

Recommendations from Regulatory Reform Experts, Emerging Trends

- At the outset, this working group met with Dean Andrew Perlman, of Suffolk University, who is one of the nation's leading experts on Legal Technology and Regulatory Reform. He identified two primary trending pathways:
    - Redefine UPL to include a carve out from disciplinary enforcement for legal technology.
    - Modify Rule 5.4.
- Both UPL and 5.4 can deter innovation and prohibit the creation of interdisciplinary teams. Growth needs a confluence of three things: the technology, the regulatory environment, and profitability.
- Other expertise around the country includes IAALS, and efforts at Duke University. Each of those institutions have published reports about AI/Legal Tech. (IAALS report)

- AI has become increasingly capable of producing fluent legal text, summarizing documents, and identifying potential legal issues. The intelligence of frontier-class AIs are predicted to double every seven months, and superior model training methods and "agentic" capabilities continue to improve AI's accuracy, intelligence, and speed.
- At the same time, AI is probabilistic, may generate inaccurate outputs, and depends heavily on human configuration and review. Courts have already seen the impact of hallucinations in attorney filings. A recent AI-generated case filing in Arizona, filed by a self-represented party, generated more than 1000 hallucinations and has been referred to Arizona's UPL and disciplinary committees. The Utah Court of Appeals also had a case filing in 2025 with hallucinated cases.
- Despite those challenges, AI is emerging as a dominant tool. Most growth is in vertically-integrated tools, namely, narrow attorney-facing tools used by licensed legal professionals and which fit nicely within the existing UPL and disciplinary structure.
- Existing rules of professional conduct address competence, supervision, confidentiality, and communication by humans licensed to practice law, but do not explicitly contemplate AI systems that are offered directly to consumers. The disciplinary system regulates attorney use of AI tools. And the tort system provides remedies for consumer harm for lawyers using AI. But the attorney disciplinary system does not operate as a remedy for consumer harm for entities providing AI tools to self-represented consumers, and despite there being examples of tort remedies for consumers based on a company's algorithms, it is currently an uncertain remedy in this context.
- Nonlawyer owned and operated tech companies are shaping the future of how AI will change the practice of law and are unimpeded by professional ethical restraints such as the Model Rules of Professional Conduct. Under the current regulatory structure, lawyers are, in practice, at a significantly higher risk for regulatory action compared to nonlawyers in the development and deployment of AI tools serving legal needs.

Overlap with Rule 5.4 and Structural Regulation and Preliminary Learnings

- AI-enabled legal services frequently intersect with ownership, fee-sharing, and organizational structures governed by Rule 5.4. As a result, this working group and the 5.4 working group met jointly for several months. Coordination between the groups will be warranted to ensure that AI regulation does not inadvertently create inconsistencies.
- AI raises distinct concerns when deployed by nonlawyers or entities offering legal services outside a traditional attorney–client relationship. The working group is discussing regulatory tools that could address these risks without categorically prohibiting innovation, including:

Possible Actions	• Creating an enforcement carve out by modifying UCJA 14-802 which defines UPL and includes exceptions and exclusions • Mandatory disclosures: Requiring clear notice to consumers that the service is not a lawyer and does not provide legal representation; there may be potential inaccuracies; and does not create an attorney-client relationship • Leave opportunity for autonomous legal technology as it develops • Develop how to measure and evaluate access to justice impacts and comparison to existing service models • Compare recommended rule changes against entities currently in the Sandbox to ensure ongoing services with investment-backed expectations
Cautions	• Resource constrained front-end controls of vetting and compliance audits which are labor and expertise intensive and difficult to scale. • Relying exclusively on a market-based approach for back-end controls via consumer complaints and tort recovery is not the only protection needed for adequate safeguards. • Stay open to multijurisdictional concerns, but in the absence of a national framework to fit within, stay within the court's jurisdiction. • State legislative action on UPL

Items needing further discussion

- Define parameters and scope of safe harbors, e.g., whether regulatory structure varies from low-innovation to high-innovation; applies to non-generative technologies (like document generation, intake and triage, etc.); applies to existing global-sized platforms, etc.
- Define disclosures
- Identify how to measure access to justice impacts
- Identify adequate and feasible front-end controls
- Evaluate the other models used for UPL. The United Kingdom defines "reserved activities." That model flips UPL on its head, defining which activities are reserved for fully licensed lawyers. Another model is based on tiers of risk, like for licensed paralegals, community justice workers, etc. which may either define out of UPL or take a non-enforcement or hybrid enforcement approach.
- Identify enforcement mechanism as back-end control, i.e., disciplinary office like attorneys, some expedited mechanism as at the state's AI office, or a hybrid mechanism. Consider institutional capacity and resource constraints.
- Identify and incorporate Rule 5.4 overlaps
- Consider viability of reciprocity with the other state working in this sphere (AZ).
- Continue outreach to Utah providers, such as Lucian Paera, Ransom Wydner, and the upcoming platform for landlord-tenant issues developed through, or adjacent to, Wilson Sonsini.