

Tab 1

Meeting Minutes
Utah Supreme Court's Ad Hoc Committee on Regulatory Reform
Legal Tech/AI and Rule 5.4 Meeting Minutes
Friday, November 21, 2025
12:00 – 1:00
Hybrid and In-person

The workgroup approved the minutes from the previous meeting.

Key Discussion Points

- Current & Emerging Trends
 - Early rapid advances in AI and legal technology have leveled off as limitations have become clearer and development timelines have lengthened.
 - Fewer moderate- or high-innovation models than ABSs have entered Utah's sandbox, and no lawyer-free AI models have been authorized. Three moderate-innovation entities with tech components are currently in the sandbox.
 - Most growth is occurring in narrow, attorney-facing and vertical AI tools, which pose minimal UPL risk and fit within existing regulatory frameworks. In AI tools for lawyers, the risk of UPL is absent because the lawyer is involved. AI tools for non lawyers are where the UPL issue arises.
 - The lack of a regulatory framework may be part of the lack of growth in legal tech. Growth needs a confluence of three things: the technology, the regulatory environment, and profitability.
 - Sandbox was perhaps ahead of its time, because AI models weren't ready yet to do the tasks when the Sandbox began.
- Other Experts and Notable Contributors
 - We had Dean Perlman earlier. Duke University has been working on this and we haven't connected with them yet.

- The group identified several other external experts and organizations that could provide valuable insight, including Lucian Pera, IAALS, and the Utah Office of AI Policy.
 - The UT AI Policy office has a disciplinary process to look at also, where a complaint is made, then discussed and resolved in one week. This led to discussion of whether to link the OPC office to such a system for UPL or other legal issues but partner for other issues. But note that the AI Policy office is currently funding only to June 2026.
- Wilson Sonsini has a model for landlord tenant disputes. And Ransom Wydner has expertise here too.
- Connor has also been in contact with Chase Hertel, Advisory Working Committee Member of the National ABS Law Firm Association. He has been involved with several Legal Tech companies and may be able to provide interesting insight into the work of both the AI/Legal Tech and 5.4 workgroups.
- Members noted the importance of engaging experts who can help balance innovation with consumer protection.
- Other States' Regulatory Approaches
 - The group discussed the need to examine how other states define the practice of law and regulate or carve out AI and legal-technology tools. A third option could be decisions for non-enforcement based on certain criteria.
 - The UK uses a tiered system, with some things reserved for lawyers and some things in different tiers with safe harbors for UPL.
 - Potential approaches include safe harbors, carve-outs, or UPL non-prosecution policies to encourage innovation while maintaining oversight.
- Attorney-Client Privilege
 - Attorney-client privilege was identified as a key unresolved issue for AI tools that provide legal services.
 - Concerns include discoverability, government access, and consumer misunderstanding when privilege does not apply.
 - The group discussed whether privilege protections or, at a minimum, clear disclosures should be required for AI tools offering legal services.

Action Items Moving Forward

- External Outreach
 - Nick S. will contact the Utah Office of AI Policy to invite a representative to future meetings.
 - The group will prepare targeted questions for Lucian Pera, who has some draft rules circulating in other states.
 - Connor will gather information on IAALS's UPL non-prosecution policy.
- Research and Next Steps
 - Connor will review other states' approaches to regulating and carving out AI and legal-technology tools.