

Meeting Minutes
Utah Supreme Court's Ad Hoc Committee on Regulatory Reform
Rule 5.4 Meeting Minutes
Friday, April 3, 2026
12:00 – 1:00
Virtual

The group approved the minutes from the previous meeting.

The group discussed the report on the Interim Summary Discussion with the Utah Supreme Court.

- The group discussed the broader question of whether Rule 5.4 reform should remain a priority. There was general agreement that while modifications to the rule carry potential business-oriented benefits—and possible indirect benefits to consumers—there is not sufficient evidence to demonstrate direct access-to-justice (A2J) impact. Rule 5.4 reforms can result in innovation in the practice of law. The group did not foreclose future study but acknowledged a shrinking appetite for broad Rule 5.4 reform in the near term, particularly given the resource requirements and the Court's stated priorities towards ATJ.
- Tracking consumer harm and the expansion of legal services was not an effective measuring stick for measuring ATJ impact. Tracking impact is also resource intensive; institutionalizing that part of regulation would require ample additional resources. It is not clear that any state using 5.4 reforms has yet figured out how to track that impact. And the potential for one-stop shops by inviting multi-disciplinary ownership structures was not realized on a broad scale. There were some one-stop models but not in a significant volume. While the increase in one-stop shops remains a possibility, the results of the Sandbox so far are inadequate.

Connor Dela-Cruz reports on his meeting with Professor Manuel A. Quilichini regarding Puerto Rico's Rule 5.4 reform.

- Professor Quilichini is a professor of legal ethics who served on the advisory committee that assisted the Puerto Rico Supreme Court in drafting revisions to its rules of professional responsibility including 5.4.
- The revised rule is new; it launched at the beginning of 2026. The ATJ impacts, if any, cannot be determined yet. The committee noted that while the Puerto Rico experience does not currently provide a usable case study for A2J outcomes, it is instructive as an example of reform adopted with limited oversight infrastructure and data reporting to calculate a direct A2J rationale. The group agreed that any future report to the Court should acknowledge the innovation potential of Rule 5.4—particularly with multidisciplinary practices—even if recommending against broad reform at this time.

The group briefly discussed approximately nineteen entities that hold existing Rule 5.4 waivers, which were issued when the ABS-only portion of the Sandbox was closed following the Court's institution of Phase 2 in 2024. This will be the area to focus on for future meetings.

- The waivers function similarly to the Sandbox authorizations the entities previously held, providing Utah attorneys associated with these entities a safe harbor from certain subsections of Rule 5.4. The majority of waivers relate to non-lawyer ownership (5.4(d)) rather than fee-sharing (5.4(c)). The waivers do not permit entities to significantly change their ownership structure.
- The oversight for these entities is limited. The waiver exists but there is not a mechanism to determine which remains active. We have their names and the waivers but limited involvement. Entities with waivers can request an extension at any point, but would need to do so before the end of the Sandbox.
- The waivers automatically terminate at the conclusion of the Sandbox on August 14, 2027, unless the Court determines there is good cause to revoke earlier. Prior to the termination date, the entity or associated Utah attorneys may petition the Court to extend the waiver by submitting a written request to the Office of Legal Services Innovation setting forth good cause.

In the next meeting, the group will discuss what to do with the entities currently holding Rule 5.4 waivers.