

**PARALEGAL PRACTITIONER  
STEERING COMMITTEE  
MEETING**

**Minutes  
Thursday, June 15, 2017  
Education Room  
Matheson Courthouse  
Salt Lake City, Utah**

**Justice Deno Himonas, Presiding**

**ATTENDEES:**

Justice Deno Himonas  
Dean Robert Adler  
Terry Conaway  
Julie Emery  
Dixie Jackson  
Steven Johnson  
Comm. Kim Luhn  
Ellen Maycock  
Daniel O'Bannon  
Rob Rice  
Monte Sleight  
Judge Kate Toomey  
Elizabeth Wright

**STAFF:**

James Ishida  
Jody Gonzales

**EXCUSED:**

John Baldwin  
Adam Caldwell  
Dr. Thomas Clarke  
Sue Crismon  
Dean Benson Dastrup  
James Dean  
Judge Royal Hansen  
Jim Jardine  
Scott Jensen  
Senator Stephen Urquhart

**GUESTS:**

Brad Ecker  
Jacqueline Morrison  
Miles Pope

**1. WELCOME AND APPROVAL OF MINUTES: (Justice Deno Himonas)**

Justice Himonas welcomed everyone to the meeting.

**Motion:** Judge Toomey moved to approve the April 20 committee minutes. Mr. Johnson seconded the motion, and it passed unanimously.

**2. SUBCOMMITTEE UPDATES:**

**Admissions and Administration Subcommittee:**

Mr. Rice and Ms. Wright noted a few changes made to Rule 14-802 – Authorization to practice law. With the changes noted, the Admissions and Administration Subcommittee requested approval of the rule.

A few additional changes to the rule were suggested by members of the Steering Committee.

**Motion:** Judge Toomey moved to approve Rule 14-802 – Authorization to practice law with the suggested revisions. Dean Adler seconded the motion, and it passed unanimously.

Mr. Rice mentioned, for future reference, that there may be changes to the admissions rules that reflect administrative needs at the Utah State Bar that may come before the Steering Committee at a later date.

Mr. Rice reported that a paralegal survey has been drafted by Ms. Julie Emery to be administered by the Utah State Bar through Survey Monkey to members of the Paralegal Section.

**Motion:** Mr. Rice moved to approve the paralegal survey as drafted to be sent out by the Utah State Bar to members of the Paralegal Section. Judge Toomey seconded the motion, and it passed unanimously.

Concern was raised relative to how far reaching the survey would go. Ms. Emery mentioned that it is intended to be sent to the following: 1) members of the Paralegal Division, 2) members of the Utah Paralegal Association, and 3) firm and legal administrators.

A request was made to include students in paralegal certification programs and all members of the Utah State Bar with the request to bar members to distribute the survey to their paralegals.

#### **MLCE Subcommittee:**

Mr. Johnson reported that with the help of employees from the Utah State Bar's MCLE office, a set of draft Mandatory Continuing Legal Education (MLCE) rules similar to those in place for attorneys were recommended for approval by the Steering Committee.

He mentioned that a change to Rule 14-403 – Establishment and membership of Board has a recommended change to the membership to include up to two additional licensed paralegal practitioners.

The MLCE Subcommittee recommended 12 hours of CLE every two years which must include three hours of ethics and professionalism. The licensed paralegal practitioner is required to use the same certification process used by attorneys at the end of the two-year cycle to certify they have attended the appropriate CLE courses.

**Motion:** Mr. Johnson moved to approve the proposed Mandatory Continuing Legal Education (MLCE) rules as recommended by the MLCE Subcommittee. Ms. Jackson seconded the motion, and it passed unanimously.

#### **Education Subcommittee:**

Dean Adler highlighted the following in his report:

- The three subject matter experts who reviewed the forms appropriate for use by the licensed paralegal practitioners forwarded their revisions and recommendations and the forms they deemed appropriate for use in the licensed paralegal practitioner practice to the Courts Forms Committee for review and approval.

- The family law area is more complicated than the other two areas of focus. In the other two areas, a limited number of forms were considered, and it was determined that all the forms considered were appropriate for use by the licensed paralegal practitioner. More work will need to be done to address the forms appropriate for use by the licensed paralegal practitioner for use in family law matters.

Justice Himonas reported on the request by the Courts Form Committee for a formal letter from the Steering Committee relative to the Steering Committee's involvement in reviewing and editing the forms to be used by the licensed paralegal practitioner.

- Proposed Licensed Practitioner Training Program – The recommendations propose an outline on how to provide for one course for training licensed paralegal practitioners around the state.

Mr. Sleight suggested that a starting point for development of curriculum and training modules could begin with the ethics section.

Dean Adler mentioned that a potential source of funding may be available.

Justice Himonas mentioned that approval from the Supreme Court regarding the rules approved by the Steering Committee will be put on their court conference agenda for a future meeting.

- Training program cost information will be left open for now.

Discussion took place throughout.

#### **Ethics and Discipline Subcommittee:**

There was nothing to report at this time.

#### **Executive Subcommittee:**

There was nothing to report at this time.

### **3. OTHER BUSINESS**

Committee on Forms. Mr. Ishida provided background information regarding a jurisdictional issue brought up by the Judicial Council Committee on Forms relating to one of the forms *Verified Petition to Amend a Utah Vital Record*. Mr. Ishida sought input from the Steering Committee on whether the form in question was appropriate for use by the licensed legal practitioner.

The Steering Committee determined that the *Verified Petition to Amend a Utah Vital Record* form would not be used by the licensed paralegal practitioner as part of their support to court patrons.

Justice Himonas suggested that Mr. Ishida catalog the forms that would be appropriate for use by the licensed paralegal practitioner.

Future Meeting Dates. Justice Himonas mentioned that this is the last scheduled Steering Committee meeting, and he proposed that Steering Committee meetings be scheduled over the next six months. Mr. Ishida will send out a request to Steering Committee members to determine the best day to schedule future meetings. Mr. Ishida will send out the schedule for future meetings once he has received responses from all Steering Committee members.

Testing Subcommittee Request. Mr. Sleight expressed concern with bids received from testing centers being very costly. He requested approval to seek help from other subcommittee members in assisting in development of the test. Members of the Steering Committee were in agreement to allow the Testing Subcommittee to seek help from other subcommittee members to assist with their test development efforts.

#### **4. ADJOURN**

The meeting was adjourned.