

**PARALEGAL PRACTITIONER
STEERING COMMITTEE
MEETING**

**Minutes
December 20, 2018
Executive Dining Room
Matheson Courthouse
450 S. State St.
Salt Lake City, Utah 84111
12:00 p.m. – 2:00 p.m.**

Justice Deno Himonas, Presiding

Attendees:

Justice Deno Himonas, Chair
Dean Robert Adler
John Baldwin – unsure if present
Carrie Boren
Adam Caldwell
Dr. Thomas Clarke
Terri Conaway
Sue Crismon
Dean Benson Dastrup
James Deans
Julie Emery
Dixie Jackson
Scott Jensen
Steven Johnson
Ellen Maycock
Rob Rice
Monte Sleight
Judge Kate Appleby
Senator Stephen Urquhart
Representative Elizabeth Weight

Excused:

Jim Jardine
Richard Schwermer
Judge Royal Hansen
Commissioner Kim Luhn

Guests:

Geoff Fattah

Staff:

Cathy Dupont
Amber Stubbings – Recording
secretary

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

Judge Kate Appleby welcomed everyone to the meeting, and stated Justice Himonas will be late to the meeting.

Motion: Mr. Steven Johnson made a request for correction to section two changing “rule 15-9__” to “the 15-900 series”, and section three changing “dispose” to “depose”. Mr. Johnson moved to approve the October 18, 2018 committee minutes, as amended. Elizabeth Wright seconded the motion, and it passed unanimously.

2. AMENDMENTS TO RULE 14-802: (Cathy Dupont and Elizabeth Wright)

Ms. Cathy Dupont presented minor changes to rule 14-802. Ms. Dupont noted the rule currently implies in section (c) that LPPs can practice law in only one area of law. Ms. Dupont proposes changing “or” to “and” so it will be clear that LPPs can practice in all three areas of law. Section (c)(1)(D) will now include that the approval of forms comes from the Judicial Council. This is further explained in the amendment to the advisory note. Ms. Julie Emery asked if there was a concern about the Judicial Council approval process of the forms. Judge Appleby explained the approval process.

Motion: Mr. Johnson moved to approve the proposed amendments to rule 14-802, as presented and send the rule to the Supreme Court for final approval. Ms. Dixie Jackson seconded the motion, and it passed unanimously.

3. AMENDMENTS TO THE COMMENTS IN RULES OF PROFESSIONAL PRACTICE 1.4 AND 1.7, AND REPEAL OF RULE 1.13: (Steve Johnson)

Mr. Johnson presented amendments to the advisory note in rule 1.4. Mr. Johnson noted the reason for the proposed deleted section to the note is due to the limitation on LPP’s. He stated this was an oversight until Ethics Training was being prepared and discussed. Mr. Johnson next addressed the proposed deleted section to the advisory note in rule 1.7. Judge Appleby asked Mr. Johnson if he was reasonably confident this would be the final change to the rule. Ms. Carrie provided a spreadsheet which detailed issues related to the rule detailing the scope of the LPP duties. Ms. Dupont inquired if these rules should be revisited with corrections available for the committee. This task will be completed off the record, electronically.

Motion: Ms. Dixie Jackson moved to approve the proposed amendments to rules 1.4 and 1.7 and the repeal of rule 1.13, and send the rule to the Supreme Court. Mr. Johnson seconded the motion, and it passed unanimously.

4. LPP TEST DEVELOPMENT AND CURRICULUM DEVELOPMENT - UTAH VALLEY UNIVERSITY: (Carrie Boren and Elizabeth Wright)

Judge Appleby invited Ms. Carrie Boren to speak to curriculum development. Ms. Boren stated the testing process and development should be prepared by March 2019. She stated there were some conflicts of understanding with the contracted company to develop the materials. Mr. Sleight stated Utah Valley University met with an Ethics Subject Matter Expert and reviewed the areas of curriculum, detailing the prospective credit hours and cost associated with enrolling in the program. Judge Appleby asked him if the tuition points are sustainable for the university and accessible for students. He stated due to the cost per pupil to run the program there should be an effective distribution of funds for the program to be sustainable. Mr. Sleight reviewed the survey material which indicates firms are offering to pay initial costs for many prospective LPP’s. He stated it would be beneficial if the Committee could source other funding opportunities students could apply for. Judge Appleby opined there is not an appetite to expand the funding until there has been significant data collected for the program. USDA has rural development money to potentially encourage students to apply for in rural areas. Discussion centered on other opportunities to help fund low income services. Mr. Sleight stated one avenue that has not yet been addressed is to account for ADA accommodations, and speculated to the solutions to be set up through UVU. Ms. Emery asked if the curriculum is still on schedule for the June 2019 timeline, he stated they are hopeful.

5. OTHER BUSINESS

Ms. Dupont provided an update from the National Certifications for LPP. She reviewed a survey of hours in the paralegal field nationwide, and speculated to a limitation of how to meet training hour requirements. Discussion centered on how to help paralegals get certification hours. Mr. Adler stated there may be additional opportunity to get certification hours online. Mr. Sleight asked if there was a list of practitioners who could help certify hours for paralegals for debt collection or landlord/tenant cases. Justice Himonas provided an update on the Online Dispute Resolution work. He stated the pilot is running smoothly and other courts are beginning to show interest in running the pilot, as are other states. He stated the time to disposition reports are decreasing significantly. Justice Himonas then stated a task force has been developed with the Utah State Bar to review regulatory reform.

6. DEVELOPMENT OF LPP WEBPAGE: (Geoff Fattah)

Mr. Fattah presented the draft webpage for the LPP program. He asked the Committee for feedback and suggestions. Ms. Dupont suggested including links to the rules specific to the LPP. Discussion centered on whether there will be a link to advertise to hire a licensed paralegal. It was discussed that the Utah Bar will handle that type of advertising. Mr. Fattah stated once the webpage is live it will be collapsible and more easily navigated. Ms. Julie Emery inquired when the webpage will be live. Judge Appleby asked Mr. Fattah to aim to go live before the end of the year. Ms. Dupont asked the Committee to her to filter out the suggestions. Judge Appleby asked if we can monitor web traffic as that could become helpful to gauge interest in the program.

7. ADJOURN

The meeting adjourned at 1:00 p.m.