

# Licensed Paralegal Practitioner Committee

## Meeting Minutes

May 19, 2020

Zoom Meeting

12:00 p.m. – 1:30 p.m.

*Justice Deno Himonas, presiding*

### **Attendees:**

Justice Deno Himonas, Co-Chair

Judge Amber Mettler, Co-Chair

Elizabeth Wright

Steven Johnson

Julie Emery

Angela Allen

Matthew Page

### **Excused:**

Heather Farnsworth

Jackie Morrison

Monte Sleight

### **Staff:**

Marina Kelaidis, Recording Secretary

Scotti Hill, Utah State Bar

### **Guests:**

Anna Carpenter, SJ Quinney College of Law

Alyx Mark, Wesleyan University

## **1. Action—Welcome and approval of the draft meeting minutes: (Justice Himonas)**

Justice Deno Himonas welcomed everyone to the meeting and asked for approval of the April 21, 2020 minutes.

*Steve Johnson moved to approve the April 21, 2020 meeting minutes. Angela Allen seconded the motion, and it passed unanimously.*

## **2. Discussion—Update from Angela Allen on current casework and projects: (Angela Allen)**

Angela Allen reported the other LPPs have been very busy with their current caseloads. Her

own caseload is light at the moment, so she is working on some strategies to garner more interest in the Davis County area.

Ms. Allen reported she has had some issues entering withdrawals on some of her cases. Judicial Link does not recognize a notice of withdrawal as an order, so she is still receiving service of all electronic filings after she has withdrawn. Subsequently, the now unrepresented client does not receive service of the filings unless she continues to notify the client. Judge Amber Mettler reported that the client's address should be included on the withdrawal notice and added to the party list in the court's case management system once the withdrawal is filed. Judge Mettler also reported that this is a common issue among attorneys and oftentimes attorneys will file a motion to be removed from the e-filing service list. Justice Himonas recommended for Ms. Allen to follow up with the court clerk to make sure she is removed from the service list and the client's contact information is added.

**3. Discussion—Update from LPP Innovation Subcommittee:** (Judge Mettler, Jackie Morrison, Scotti Hill, Anna Carpenter)

Judge Mettler reported the Innovation Subcommittee has determined two main tracks they will pursue in researching methods for expanding the LPP program. Track 1 will focus on short-term methods and Track 2 will focus on long-term methods. Under Track 1, the Subcommittee has scheduled video-meetings with the current LPPs to identify any adjustments that can be made to the program in the short-term to correct any obvious problems. Under Track 2, the Subcommittee is working to schedule meetings with individuals in Arizona and Philadelphia who have developed similar programs.

**4. Discussion—Update on evaluation project:** (Anna Carpenter)

Anna Carpenter introduced her co-researcher, Dr. Alyx Mark, Assistant Professor of Government, Wesleyan University. Dr. Mark reported she was able to come to Utah, prior to the pandemic, to conduct the first wave of interviews with Professor Carpenter and the current LPPs and members of the Committee. These interviews will serve as baseline measures for their research. Dr. Mark and Professor Carpenter will conduct another round of interviews in six months-1 year from now with the LPPs and Committee members to measure how the LPP program is changing over time. The 2<sup>nd</sup> stage of research will focus on members of the Utah State Bar to measure what the effect of receiving information about the LPP program has on attitudes of the Bar's members in Utah towards the LPP program. Dr. Mark and Professor

Carpenter anticipate launching the 2<sup>nd</sup> stage in late June, early July 2020. This will include an experimental information campaign about the LPP program to the Bar. Dr. Mark will circulate a one-page description of the information experiment to the Committee.

They are also interested in measuring outcomes and satisfaction data of clients utilizing an LPP compared to pro se experiences. Professor Carpenter reported they will need a larger sample size of both working LPPs and clients to measure satisfaction data. Additionally, they are working on identifying a specific legal area in which to measure outcomes of working with an LPP compared to a lawyer. Dr. Mark reported they are also planning on surveying clients to measure the experiences people are having with LPPs, but they are still working on how to make substantive claims and identifying specific areas of law for comparison.

**5. Discussion—Update from the Bar:** (Elizabeth Wright, Scotti Hill, Matthew Page)

Scotti Hill reported the Admissions Committee meeting is scheduled for June 4, 2020 and the application deadline for the August exam has been extended to June 1<sup>st</sup>.

Matthew Page reported all of the informational videos have been posted to the Bar's YouTube page. Mr. Page encouraged the committee members to share these videos on their own social media pages. Mr. Page reported the Bar is suspending all spending that is not contractually obligated, which may affect some of the LPP advertising and marketing efforts. The billboards, bus marketing, and Deseret digital media are contracted, so those marketing approaches will continue.

**6. Discussion—Update on rural outreach:** (Steve Johnson)

Steve Johnson reported due to the pandemic and the schools being out of session, there have not been any new developments in rural outreach since the last committee meeting.

Mr. Johnson reported California has implemented a Task Force and will be providing their recommendations for an LPP program or something similar to the trustees of the California State Bar on July 31<sup>st</sup>. Mr. Johnson will follow the developments of this Task Force and report any findings.

**7. Discussion—Combining applicable rules with LPP rules and update on Rules of Professional Conduct:** (Steve Johnson, Elizabeth Wright)

Elizabeth Wright reported she is continuing to work on combining the Rules of Professional

Conduct with the LPP rules. The main proposed change will be to define “Lawyer” in the rules to include the LPP. Ms. Wright will present a redline version of the rules at the next Committee meeting.

Steve Johnson recommended for this Committee to also consider combining the LPP rules with areas such as: mandatory CLE, Discipline and Disability rules, IOLTA rule, LPP sanctions and licensing, resolution fee disputes, etc. Ms. Wright reported the Oversight Committee for the Office of Professional Conduct is currently working on combining the Discipline and Disability rules with the LPP rules.

**8. Discussion—Update on outreach efforts: (Julie Emery, Monte Sleight)**

Julie Emery reported the City of Millcreek is publishing the article introducing the first four LPPs in their June 2020 newsletter publication. The City will also publish the LPP COVID-19 Resource Letter on their website. Ms. Emery recommended for this Committee to contact other counties to engage in similar outreach.

Ms. Emery is still working on getting information out to practicing paralegals on the grandfathering provision. She will work with Mr. Page to develop a plan for getting this information out the practicing paralegals.

Ms. Emery reported she and Scotti Hill met with the Director of the paralegal program at Ensign College and they are implementing courses into their curriculum that will allow for their students to be ready to take the LPP exam upon graduation. Ms. Emery and Ms. Hill will be assisting Ensign College with this process.

**9. Discussion—Old business/new business: (all)**

None to report.

**10. Adjournment and next meeting:**

The meeting adjourned at 12:40p.m. The next meeting will be held on June 16, 2020 from 12:00p.m.–1:30p.m. via Zoom.