

Licensed Paralegal Practitioner Committee

Meeting Minutes
December 15, 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
Matthew Page
Steve Johnson
Julie Emery
Monte Sleight
Jackie Morrison
Angela Allen

Excused:

Elizabeth Wright
Heather Farnsworth

Staff:

Scotti Hill, Utah State Bar
Marina Kelaidis, Recording Secretary

Guests:

Carolynn Clark, S.J. Quinney College of Law

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

Justice Himonas welcomed everyone to the meeting and asked for approval of the minutes.

Julie Emery moved to approve the November 17, 2020 minutes. Steve Johnson seconded the motion, and it passed unanimously.

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

Ms. Allen reported she recently had a family law case in which her client requested a referral for an LPP for her spouse, as both parties wanted LPP representation. Additionally, Ms. Allen reported of the first four LPPs, the two that are working in firms currently have heavy caseloads, while the other two who are not in firms have lighter caseloads at this time. They are working on some marketing efforts, and Ms. Allen is working on scheduling a presentation before the Davis County Bar. The first four LPPs will also be meeting in a couple of weeks.

Ms. Allen reported a Judge contacted her to inquire if there are any international education provisions in the rule for LPP applicants. Justice Himonas replied that the rule currently does not include a path for international education, however the Bar does incorporate a similar provision for attorneys in their education requirements. This Committee can consider such a provision.

Ms. Allen also reported mediations via Zoom have been successful, and the Mediators are becoming more familiar with the LPPs to where they can now jump right in, rather than taking time to explain who they are and what services they can provide.

Ms. Allen provided an update on the work she is doing with a legal tech company that provides debt collection services. This company wants to expand their services into Utah through the Regulatory Reform Sandbox and Ms. Allen believes she will be the first LPP in Utah to be involved in the Sandbox.

3. Discussion—Update from LPP Innovation Subcommittee: (Judge Mettler, Jackie Morrison, Scotti Hill,Carolynn Clark)

Scotti Hill reported the Subcommittee met last week to discuss the proposal she received from Barbri. In the proposal, Barbri requested to take over the curriculum development process for LPP coursework in order to license out the curriculum to educational institutions as a certificate program. Barbri also proposed to create an active partnership and collaboration with the LPP program in terms of program growth and marketing, as well as for the Committee to designate Barbri as the exclusive learning and development partner. The Subcommittee agreed that it is not within their capacity as a subcommittee to designate Barbri as the exclusive partner for the LPP program, however, they are interested in reviewing a prototype of the learning management software Barbri will offer and will report further findings to the Committee.

Monte Sleight recommended for the Committee to develop a method for evaluating the courses offered by Barbri to ensure they are meeting the educational standards. Mr. Sleight reported Barbri is the owner of the Center for Legal Studies which provides online-only paralegal certificates. This program was originally evaluated by the Education Subcommittee and they concluded that an online certificate program such as this would not meet the standards for LPPs in Utah. As a result, the Subcommittee recommended for only accredited programs to be accepted under the rule. Ms. Sleight reported Barbri referenced the Center for Legal Studies in their proposal as an additional path for licensure in the rule. Mr. Sleight has reached out to other paralegal programs in California to measure their experiences with the Center for Legal Studies curriculum.

Jackie Morrison reported the Subcommittee agreed there are a lot of logistical questions with this proposal, and they voiced slight concern with Barbri exclusively partnering with the LPP program solely based on this proposal. A more detailed proposal on this partnership is needed in order for the Subcommittee to make a more informed evaluation. Mr. Sleight agreed that more information is needed, and suggested this is a great step in the right direction for the LPP program.

Judge Mettler reported the Subcommittee has discussed at length how to maintain high standards of curriculum and testing in the program while also expanding. The question they are repeatedly circling back to is what body is responsible for reviewing and approving program curriculum, and what is the method for accomplishing this under the

rule. Justice Himonas reported this Committee is currently the de facto body for reviewing and approving curriculum decisions for recommendation to the Supreme Court. However, this is only the case because there is currently a vacuum. Justice Himonas recommended for Ms. Hill and Judge Mettler to present the Barbri proposal to the Supreme Court for discussion and to recommend for this Committee to transition to a formal Standing Committee of the Supreme Court.

4. Discussion—Update on proposed changes to Rule 15-703: (Justice Himonas)

Justice Himonas reported the Supreme Court approved the changes to Rule 15-703. Ms. Allen reported that although there has been some push back from the LPPs on the rule changes, these changes are essential for program growth and will have a positive effect on current and future LPPs. Ms. Hill reported she has informed the LPPs of the approval of the rule changes, and the website will be updated.

5. Discussion—Renaming the LPP: (Justice Himonas)

Justice Himonas asked the Committee to discuss alternative title suggestions. Matthew Page reported there will be some marketing challenges to changing the name, but he has experienced a lot of confusion regarding the program due to “paralegal” being in the title. Additionally, Mr. Page suggested now is a great time to rebrand the profession from a marketing perspective, since we are relatively early on in the program. If we wait any longer, it may be too late. Justice Himonas also recommended for Ms. Hill and Ms. Allen to reach out to the LPPs for more suggestions.

Suggestions received:

- Licensed Legal Practitioner
- Licensed Legal Advisor
- Legal Advisor

6. Discussion—Update on evaluation project: (Justice Himonas)

Nothing new to report.

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

Ms. Hill reported on behalf of Elizabeth Wright who could not attend the meeting. Ms. Hill reported the combined Rules of Professional Conduct are currently out for public comment. Ms. Hill also reported there are four applicants who will be taking the March 2021 iteration of the LPP exam. Three of the applicants will be taking the Family Law exam and one applicant will be taking the exam in all four areas.

Ms. Hill reported some of the new LPPs have experienced technical issues regarding the formatting of the O-CAP forms. The LPPs reported that they are having to download the

forms and then completely reformat the forms for proper electronic submission to the Court. Ms. Hill asked Justice Himonas who at the Court would be an appropriate contact for resolving this issue. Justice Himonas asked Ms. Hill and Ms. Allen to send him an email detailing the technical issues with the forms and he will report the issues to the Court's IT department. Mr. Sleight reported there are very similar issues with the forms used by attorneys. Mr. Sleight will also send Justice Himonas an email with the details of the issues.

Mr. Page reported he is working with the Bar to secure a marketing budget for the LPPs, as his goal is to have some resources available to assist each new LPP in building their business.

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

Nothing new to report.

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

Mr. Sleight reported 23 students are currently enrolled for the Ethics course which feeds applicants into the LPP exam. Ms. Emery reported she received several contacts from individuals inquiring how they can get started in the LPP program. Ms. Emery provides these interested individuals with some resources and puts them in contact with Ms. Hill.

10. Adjournment and schedule next meeting:

The meeting adjourned at 1:00 p.m. The next meeting will be held on January 19, 2021 from 12:00p.m.–1:30p.m. via Zoom.