



Utah Supreme Court's Task Force on Regulatory Reform

Approved Meeting Minutes

April 1, 2020

Webex Conference

3:00 p.m.–4:30 p.m.

Attendees:

Justice Deno Himonas, Co-Chair
John Lund, Co-Chair
Steven Johnson

Brody Arishita
Nathanael Player
Lucy Ricca
Gillian Hadfield
Larissa Lee

Heather Farnsworth
Dean Gordon Smith
Thomas Clarke
Rep. Brady Brammer

Excused:

Justice Christine Durham (Ret.)
Rebecca Sandefur
Heidi Anderson
Margaret Hagan

Staff:

Tyler Hubbard, Law Clerk, Supreme Court
Michaela Choppin, Recording Secretary

Guests:

Charley Moore, CEO, RocketLawyer
Mark Edwards, SVP EMEA, RocketLawyer
John Hyun, VP Finance, RocketLawyer
Erik Riegler, GC, RocketLawyer
Crispin Passmore, Passmore Consulting

1. Welcome and approval of March 4, 2020 minutes: (John Lund)

John Lund welcomed everyone to the meeting and asked for approval of the minutes. New member, Rep. Brady Brammer, was introduced as the newest member of the Task Force.

Justice Himonas moved to approve the March 4, 2020 minutes. Thomas Clarke seconded the motion, and it passed unanimously.

2. Discussion—Guest Presentation: (RocketLawyer)

Charley Moore presented on behalf of Rocket Lawyer. Rocket Lawyer has offered technology-based legal solutions for more than a decade. Their documentation and advice platform drives

down the cost of legal help to a point that is within reach for most individuals and organizations around the world. Rocket Lawyer has also begun offering free pandemic legal services. Thomas Clarke Rocket Lawyer has some promising ideas and that shifting their UK model could potentially work for the Sandbox. Automating dispute resolutions could also potentially fit within the Sandbox model.

3. Discussion and action—Standing order: (Justice Himonas)

Justice Himonas reported that the name of the Oversight Board has been renamed the “Office of Legal Services Innovation.” Shorthand reference for the Board will be the Innovation Office. The proposed rules have been drafted and have gone to the Court for discussion previously and will go before the Court again for action. The draft Standing Order is also going to the Court for action.

Steve Johnson asked if a comment would be needed in 5.4B that says if you are going to use 5.4B, you need to refer to the Sandbox application. Justice Himonas clarified that 5.4B states that it is subject to the Standing Order.

Rep. Brady Brammer commented that there should be an enforcement mechanism relating to non-lawyers. In order to make this initiative work, it will require more than operational management from the judiciary. It will require some sort of legislation, and he would like to help facilitate that.

4. Discussion—New applicants/interest and email updates: (Tyler Hubbard, Larissa Lee)

Larissa Lee reported there are currently 98 individuals and/or groups who have signed up for updates and 34 who are interested in participating in the Sandbox. On March 2, Ms. Lee sent out the email that Tyler Hubbard drafted to all email subscribers, which included: (1) an introduction to the new members (Brody Arishita, Heidi Anderson, and Nathanael Player), (2) a summary and link to the Data and Assessment Workshop held on February 3, and (3) information about the next workshop on April 8, 2020.

Ms. Lee asked if another update should be sent out in the next few weeks. Lucy Ricca agreed that another email should be sent, noting that the April 8th workshop was tabled and then circle back once it has been rescheduled. Justice Himonas added that we should solicit more potential Sandbox participants for presentations just as Rocket Lawyer presented today. Ms. Lee proposed that an email could be sent in the next week saying the workshop was cancelled, interested participants are welcome to come and present, and the rules and Standing Order are out for public comment (once approved).

5. Discussion—Update on outreach efforts: (Lucy Ricca, John Lund)

John Lund reported that the FAQ packet, talking points piece, and FAQ sheet are almost complete with the new logo for the Task Force. Mr. Lund discussed the plan to reach out to Women Lawyers of Utah (WLU) and other organized Bar groups to get the message out. The

plan also extends to reaching out to a set of community leaders, court reporters, and both local and national newspaper reporters. Justice Himonas stated that it would be best if the Standing Order go out for public comment just like everything else rather than the Court issuing an order. Mr. Lund commented about the California Bar's recent deliberations that received a significant amount of pushback in the legal community.

Lucy Ricca reported that we can learn from what happened in California. Being prepared to effectively communicate what we are doing is critical. We are in a different position than California because we are much more solid in what is being proposed. Justice Himonas inquired about the status of the initiative in Arizona, and Ms. Ricca reported that after the first comment period expired, another short comment period will be added. Justice Himonas responded that formal action will not happen until August and they are looking to start up in the beginning of 2021.

Rep. Brammer commented that the Task Force should use caution with influence from monetized interests. The Task Force needs to make sure to filter out those who will only show interest if they see that there is a lot of money to be made. Justice Himonas agreed that the committee needs to filter out those interests, possibly through having more specific goals. Thomas Clarke agreed that the Task Force needs to have goals that are focused and data driven. Gillian Hadfield added that the access problem is so immense and covers a significant percentage of the population, as well as small- and medium-sized businesses. John Lund agreed that one of the things that the Sandbox is all about is incrementalism and taking advantage of isolated opportunities to experiment in a controlled way. Mr. Lund added that he wants the story to be that Utah was so well-positioned when COVID-19 hit, and had a structure in place where it could get on the phone with some large provider of retail legal services and deliver assistance to Utahns in their time of dire need. That would only be possible because we had this Task Force and Sandbox in place.

6. Discussion—Old business / new business: (all)

None to report.

7. Adjournment and next meeting:

The meeting adjourned at 4:40. The next meeting will be held on April 15, 2020 from 3:00–4:30 p.m. via Webex.