

## UTAH SUPREME COURT'S TASK FORCE ON REGULATORY REFORM

### Agenda

Location: Judicial Council Room  
Scott M. Matheson Courthouse, 450 S. State St., Salt Lake City, UT  
84111

via Zoom

Date: July 8, 2020

Time: 3:00 to 4:30 p.m.

<b>Action:</b> Welcome and approve June 24, 2020 minutes	<a href="#">Tab 1</a>	John Lund, Co-Chair
<b>Discussion:</b> Update on website (NIC Proposal; procurement code compliance)	<a href="#">Tab 2</a>	Lucy Ricca, Helen Lindamood, Larissa Lee, Heidi Anderson, Brodi Arishata
<b>Discussion:</b> Update on outreach efforts (Presentation to Bar Commission; responses to comments; WLU presentation, etc.)		All
<b>Discussion:</b> Old business/new business (RFPs; new applicants)		All

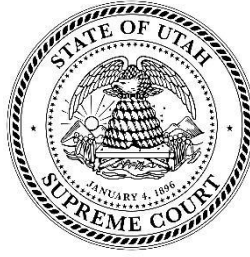
[Sandbox website](#)

[Committee website](#)

#### [Meeting Schedule:](#)

July 22, 2020  
August 5, 2020  
August 19, 2020  
September 2, 2020  
September 16, 2020

September 30, 2020  
October 14, 2020  
November 25, 2020  
December 9, 2020  
December 23, 2020



## Utah Supreme Court's Task Force on Regulatory Reform

Meeting Minutes  
June 24, 2020  
Zoom Conference  
3:00 p.m.–4:30 p.m.

### **Attendees:**

Justice Deno Himonas, Co-Chair  
John Lund, Co-Chair  
Justice Christine Durham (Ret.)  
Brody Arishita  
Rob Jensen  
Dean Gordon Smith  
Gillian Hadfield  
Heather Farnsworth  
Larissa Lee  
Lucy Ricca  
Margaret Hagan  
Nathanael Player  
Rebecca Sandefur  
Steven Johnson  
Thomas Clarke

### **Absent:**

Heidi Anderson  
Rep. Brady Brammer

### **Staff:**

Tyler Hubbard, Law Clerk, Supreme Court  
Helen Lindamood, Intern, Reg Reform TF

### **Guests:**

None

### **1. Welcome and approval of June 10, 2020 minutes:** (J. Himonas, John Lund)

John Lund welcomed everyone to the meeting and then asked for an approval of the minutes.

*J. Durham moved to approve the June 10, 2020 minutes. Ms. Farnsworth seconded the motion, and it passed unanimously.*

### **2. Discussion – Pairing with University of Utah's Innovation Lab** (Lucy Ricca, Nathaniel Player)

J. Himonas, Professor Sandefur, and Mr. Player met with University of Utah College of Law Dean Elizabeth Kronk-Warner, and Professor Anna Carpenter to discuss an incubator at the law school. Dean Smith is also looking into arranging a similar program through the BYU law school for which they have already procured some funding.

A discussion was had concerning ethical/conflict-of-interest issues in assisting potential, non-profit Sandbox participants. Task Force members who identify a conflict of interest are obliged to disclose such and refrain from voting on related matters. J. Durham suggested adding a consultation role to the Task Force in addition to the voting role. Mr. Johnson noted that seeking basic information about the Sandbox should pose no conflicts if such information is provided by a voting member.

Ms. Lindamood, with the support of Ms. Ricca, has been managing most contact with applicants after relaying their questions and concerns to the small group. J. Himonas suggested that the small group continue managing these questions until the Office of Innovation is established, at which point, the role of counseling can be assigned to a non-voting staff member.

J. Himonas asked if anyone saw any ethical issues in Task Force members answering general application questions to persons who have not yet applied to or entered the Sandbox. No objections were raised, but the Task Force will do some additional research on alternate models. Professor Hatfield suggested that the issue is less conflict of interest and more one of transparency.

### **3. Discussion – New applicants/interest and potential email updates** (John Lund, Helen Lindamood, Heather Farnsworth)

The Task Force has received several applications so far. Two applicants who have not responded since submitting their applications will be notified their applications are being set aside. The Task Force presented the first application to the Supreme Court on June 16, 2020 and is waiting on the Supreme Court to begin authorizing Sandbox entrants. The Supreme Court is currently waiting for the public comment to close and the Office of Innovation to be established to begin authorizing applicants.

The small group, with the current postponement of the Supreme Court authorizing entrants, is no longer focusing on applications that are timely in light of COVID-19, and anticipates bringing three additional recommendations for the full Task force to review soon. Ms. Lindamood noted that incoming applications have slowed down.

Ms. Farnsworth confirmed that the Bar Commission is finishing up their public comment on the rule changes, the proposed Office of Innovation, and suggested improvements. The vote to release this is scheduled for July 10, 2020.

J. Himonas is also finishing a public statement about the progress of the Task Force and the Court's review of the first Sandbox participant application.

**4. Discussion—Update on Outreach Efforts** (John Lund, Heather Farnsworth, J. Himonas, and J. Durham)

Ms. Farnsworth confirmed that the Bar Commission is finishing up their public statement on the rule changes, the proposed Office of Innovation, and the commission's suggested improvements. The vote on the draft statement is scheduled for July 10, 2020.

J. Himonas is also finishing a press release about the progress of the Task Force and the Court's review of the first Sandbox participant application. Mr. Lund opened the topic of the press release generally to the task force for comments and suggested edits. J. Himonas will circulate the draft and supplemental materials to the full Task Force.

J. Durham is only waiting on a date and a roster to finalize the plan for the Panel Discussion with the Women Lawyers of Utah. She extended an invitation to the Task Force for additional members to join as panel members for the meeting. J. Durham, who will be moderating the panel, is hoping to have someone who can speak to the economic aspects of the Sandbox. The other persons to whom J. Durham has extended an invitation are mostly Big Law related. J. Himonas suggested Ms. Ricca, Professor Sandefur, and Jim Sandmen. J. Durham mentioned Mr. Player would be a good candidate. Ms. Farnsworth suggested Dean Smith.

**5. Discussion—Stacey Butler Seeking an Update on Her Proposal** (J. Himonas)

J. Himonas and J. Durham to address outside the full Task Force meeting.

**6. Discussion—Public Comments So Far** (Larissa Lee)

Ms. Lee is collecting all of the publicly received comments to be reviewed over several meetings to identify any comments which the Task Force should bring to the Court and/or offer a public response. Mr. Johnson noted that the Professional Conduct Committee has broken the concerns into eight key categories of concerns:

1. Non-lawyers will put pressure on lawyers to violate ethics rules.
2. Non-lawyers don't understand the lawyer ethics rules.
3. Non-lawyers should be held to the same ethical standards as lawyers.
4. Non-lawyers won't recognize all of the legal issues.
5. Non-lawyers will look to the highest bidder in referring cases, and not to the best-qualified lawyer.
6. Just don't see a benefit to the rule changes.
7. Lawyers will lose money.
8. Miscellaneous or unascertainable reason.

J. Himonas confirmed that there is no requirement or existing expectation that the Task Force will directly respond to specific comments, but it would be appropriate to provide a response to the categories of concerns when the comments are given to the Supreme Court. Mr. Johnson concurred that the Conduct Committee does not intend to address each comment individually but is reviewing for comments they believe merit an individual response.

Ms. Ricca and Professor Hadfield will begin drafting the Task Force's response. The Task Force will discuss the draft at the next meeting.

J. Durham and Dean Smith will wait to draft their Bar presentation until the Task Force has finalized their response to public comments.

**7. Discussion—Old business / new business (all)**

The remaining agenda items were postponed to the next Task Force meeting.

**8. Adjournment and next meeting:**

The meeting adjourned at 4:24 p.m. The next meeting will be held on July 8, 2020 from 3:00 – 4:30 p.m. via Zoom.



# Proposal for Utah Courts Sandbox Website

July 2020

SUBMITTED BY



**Utah Interactive, LLC, dba NIC Utah (NIC Utah)**

Michael Rice, Director of Business Development

136 E. South Temple, Suite 1150

Salt Lake City, UT 84111

[mrice@utahinteractive.org](mailto:mrice@utahinteractive.org)

(801) 209-0442

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## Summary Overview

Utah Interactive, LLC, dba NIC Utah (NIC Utah) is pleased to provide this proposal for website services. Under this proposal:

- NIC Utah will build a replacement for the current Utah Courts Sandbox website <https://sandbox.utcourts.gov>.
- The website will be built on a WordPress platform for content management purposes.
- The website design will be mobile responsive as well as ADA compliant.
- NIC Utah will partner with the Utah Courts content manager to improve user experience.
- Per its request, Utah Courts will host the WordPress site.

The following deliverables will be provided:

- Design Primary Navigation / Information Architecture
- Website Design - Using a pre built WordPress Template
- Wordpress Training sessions - Two training sessions

## Company Profile

NIC Utah works to further Utah's digital government initiatives by developing online services and websites in collaboration with our government partners, including Utah.gov, the official web site of the state of Utah. NIC Utah's sole focus is on delivering value-added digital government services to the state and its political subdivisions that save money and increase efficiencies for the residents, businesses and government of Utah. Since 1999, it has been our privilege to have a master contract (PD1068) partnership with the state and to assist Utah in becoming a national leader in these pursuits, including being rated as one of the top three state websites for over 10 years, Utah's unprecedented three-time winning of the Center for Digital Government's "Best of the Web" award and Utah's award of the inaugural Government Experience award for the last two years.

Digital government is our only business. In addition to building, managing, and maintaining Utah.gov, NIC Utah provides websites, online services, and payment processing on behalf

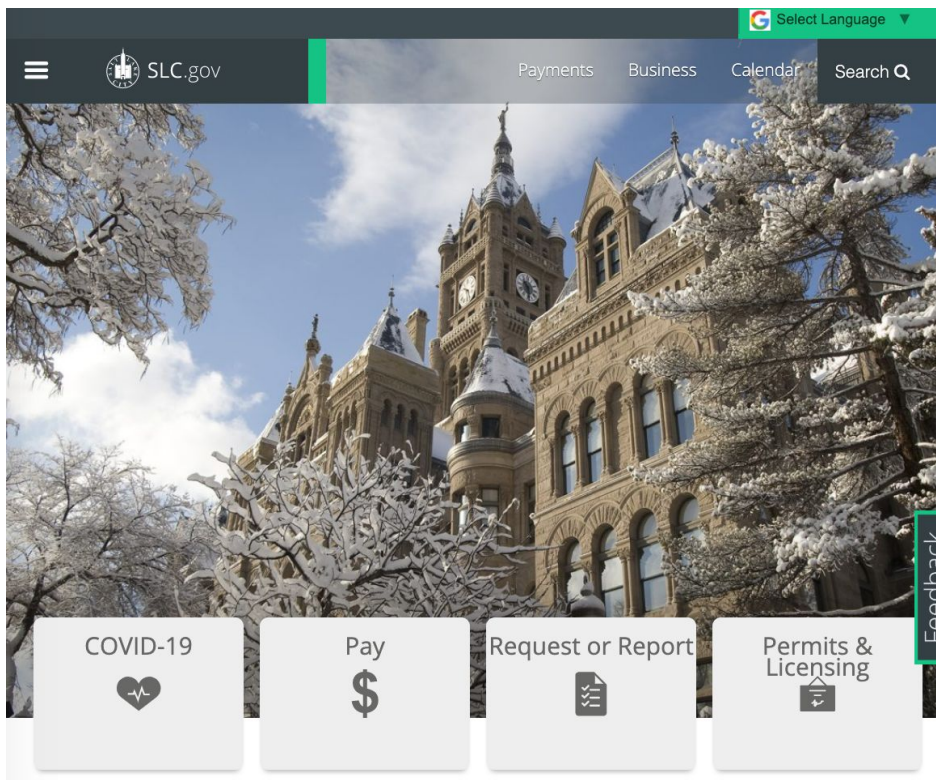


of the state, including securely processing more than 24+ million transactions for Utah each year.

## Key Personnel

This project will be carried out by a team of professionals including two project managers, a front-end developer, and a quality assurance resource provided by NIC Utah. The team will be supervised by Keaton Gerrard, the NIC Utah Director of Operations who has 5+ years of digital government project management expertise. Mr. Gerrard was the project manager over the recently-launched SLC WordPress website rebuild and migration.

## Public Sector Website Experience



There are many metrics for evaluating a successful project experience, but none is more important than the ongoing satisfaction of our government partners. In addition to the custom-developed Utah.gov site, NIC Utah has built and maintains more than 20 WordPress sites for a variety of Utah public sector entities, including the City of Salt Lake City and the Governor's site. We have included reference information for the Utah.gov, City of Salt Lake City, and Governor's website projects and encourage Utah Courts to speak with them directly about NIC Utah's work.





## NIC Utah References

<b>State of Utah Website:</b> <a href="https://www.Utah.gov">https://www.Utah.gov</a>	<b>Contact: David Fletcher</b> Chief Technology Officer EMAIL: dfletcher@utah.gov
<b>Salt Lake City Primary Website:</b> <a href="https://www.slc.gov/">https://www.slc.gov/</a>	<b>Contact: Randi Park</b> Technology Solutions Manager EMAIL: Randi.Park@slcgov.com
<b>Governor's Office Governor's Website:</b> <a href="https://governor.utah.gov">https://governor.utah.gov</a>	<b>Contact: Anna Lehnardt</b> Communications Director EMAIL: alehnardt@utah.gov

# Project Overview

## Project Development Approach

### Phase / Time

Project Planning and Coordination	1 to 2 weeks*
Content Structure & Design	1 to 2 weeks*
Layout	1 to 2 weeks*
Populate Site with Final Content	N/A (Utah Courts Responsibility)
Final Review and Testing	1 to 2 weeks*
Agency Training	1 week (concurrent with other phases)
Post Launch Support	1 week*
<b>TOTAL</b>	<b>5 to 9 weeks*</b>

\* Timelines are based on experience with similar organizations and contingent on the ability of Utah Courts to deliver within timelines.

## Project Phases and Timelines Details

Phase and Timeline	Details
<p><b>Project Planning and Coordination</b> (1 – 2 weeks)*</p> <p><b>NIC Utah Time:</b> 1 week</p> <p><b>Utah Courts Time:</b> 1 weeks*</p> <p><b>Total:</b> 1 – 2 weeks</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>Start planning and coordinating with Utah Courts project lead</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>Identify key content managers</li> <li>Identify internal WordPress training experts</li> <li>Identify strong project lead – single point of contact</li> <li>Brief NIC Utah on internal approval and other relevant processes</li> </ul> <p><b>Shared Responsibilities</b></p> <ul style="list-style-type: none"> <li>Take part in joint planning meetings</li> </ul>
<p><b>Content Structure &amp; Design</b> (1 – 2 weeks)*</p> <p><b>NIC Utah Time:</b> 1 week</p> <p><b>Utah Courts Time:</b> 1weeks*</p> <p><b>Total:</b> 1 - 2 weeks</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>Coordinate with key content managers</li> <li>Identify audiences and use cases</li> <li>Advise Utah Courts on content use</li> <li>Formulate finalized content strategy</li> <li>Create Logo - Provide 3 options</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>Coordinate with NIC Utah on decisions for content structure</li> <li>Key content managers provide NIC Utah with high-level content categories</li> <li>Provide specific content – What content are keeping, updating, or getting rid of?</li> <li>Provide all finalized content</li> </ul>
<p><b>Layout</b> (1 – 2 weeks)*</p> <p><b>NC Utah Time:</b> 1 week</p> <p><b>Utah Courts Time:</b> 1 – 2 weeks*</p> <p><b>Total:</b> 1 – 2 weeks</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>Present 3 viable WordPress Templates</li> <li>Provide a final design based on feedback</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>Review WordPress Template</li> <li>Final design approval through internal Utah Courts process</li> </ul>



<p><b>Populate Site with Final Content</b>  <i>Note: Concurrent with other phases</i></p> <p><b>Total Time:</b> 1 week*</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Provide Users with access</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Populate pages of site with finalized content</li> <li>● Approval on all previously submitted finalized content</li> </ul>
<p><b>Final Review and Testing</b>  (1 – 2 weeks)*</p> <p><b>NIC Utah Time:</b> 1 weeks</p> <p><b>Utah Courts Time:</b> 1 weeks*</p> <p><b>Total:</b> 1 - 2 weeks</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Internal testing prior to Utah Courts final acceptance testing</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Perform final user acceptance testing</li> <li>● Final project approval and signoff through internal Utah Courts process</li> </ul>
<p><b>Agency Training</b>  (1 week)*  <i>Note: Concurrent with other phases</i></p> <p><b>NIC Utah Time:</b> 2 weeks</p> <p><b>Utah Courts Time:</b> 2 – 4 weeks*</p> <p><b>Total:</b> 2 weeks</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Train Utah Courts internal WordPress experts</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Internal WordPress training experts available to train</li> </ul>
<p><b>Post Launch Support</b></p> <p><b>NIC Utah Time:</b> 3 weeks</p> <p><b>Utah Courts Time:</b> 1 – 2 weeks*</p> <p><b>Total:</b> 1 week</p>	<p><b>NIC Utah Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Designer available for any post launch challenges</li> </ul> <p><b>Utah Courts Primary Responsibilities</b></p> <ul style="list-style-type: none"> <li>● Provide feedback to NIC Utah on post launch challenges</li> </ul>

\* Timelines are based on experience with similar organizations and contingent on the ability of Utah Courts to deliver within timelines.

## Hosting and Security

Hosting will be provided by Utah Courts.

## Training

NIC Utah would provide two training sessions to the Utah Courts Product Manager over this website project to include others from Utah Courts who would like to attend. Utah Courts would also have ongoing access to video training modules that were created in 2019 to assist Salt Lake City with learning to manage WordPress.

## Support and Maintenance

After the website is launched, if maintenance issues arise or reporting an error becomes necessary, Utah Courts can contact the NIC Utah Project Manager. Maintenance includes: updating the application theme to address ADA or browser compatibility issues, All other requested changes including changes to navigation, core images or site logic will be deemed a change request, requiring the Agency to submit a written Project Change Request as outlined in Exhibit A.

# Attachment B

## Cost Proposal

### NIC Utah Fee Proposal

Project Component	Amount	Comment
Website Design and Development Cost	\$17,000	
Maintenance, Subscription, License Fees, Support Cost (annual)	N/A	Annual maintenance is not included in this SOW; Utah Courts will be responsible for hosting and maintenance.
Migration of existing site (if applicable)	N/A	Based on NIC Utah's experience, content always changes before a new site is launched. As such, it is in the Court's best interest to directly copy content to the new site and edit at the same time. This approach gives the Court the ability to review content and train up on how to use WordPress.
CMS Upgrade Costs (if applicable)	N/A	Upgrades to the WordPress software would be the responsibility of Utah Courts.
Annual Website Hosting Services (If applicable)	N/A	Utah Courts will be directly hosting on their own AWS account.
One-time Training Cost (If applicable)	\$0	Included with Website Design.
<b>TOTAL COST</b>	<b>\$17,000</b>	

