

1 **Rule 11-104. Procedures Pertaining to the Practice of Law.**

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3 *Intent:*

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5 To establish procedures for adopting or modifying rules pertaining to the practice of  
6 law.

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8 *Applicability:*

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10 This rule shall apply to the Supreme Court, the Administrative Office of the Courts, the  
11 Utah State Bar, the Supreme Court Board of Continuing Legal Education, and the  
12 Supreme Court Ethics and Discipline Committee.

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14 *Statement of the Rule:*

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16 (1) Petitions. Petitions for the adoption, repeal or amendment of rules or procedures  
17 governing, affecting, or pertaining to the practice of law, other than the rules of  
18 professional conduct, shall be filed with the Supreme Court. Petitions shall set forth the  
19 proposed rule or amendment or the text of the rule proposed for repeal and shall  
20 specify the need for and anticipated effect of the proposal.

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22 (2) Publication. If, after preliminary review of the petition, the Supreme Court  
23 determines the proposed adoption, repeal or amendment of a rule may be warranted,  
24 the Supreme Court shall it will submit the proposed rule or amendments proposal  
25 to the Administrative Office of the Courts to be published for a 45-day comment period.

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27 (3) Distribution. Distribution of the proposed rule or amendments shall be as provided  
28 in Rule 11-106.

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30 (4) Supreme Court review. Upon the expiration of the comment period, the  
31 Administrative Office of the Courts shall compile all of the written comment received  
32 and forward it to the Supreme Court.

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34 (5) Petitioner's review. Following receipt of the written comment, the Supreme Court  
35 shall submit a copy of the comments to the entity who filed the petition seeking the rule  
36 change. Petitioner shall review the comments and recommend any final modification to  
37 the rules or procedures. Once petitioner has completed its review, it shall submit a  
38 memorandum to the Supreme Court containing the petitioner's final proposals, a  
39 summary of the public comment, and the petitioner's recommendations in response to  
40 the public comment.