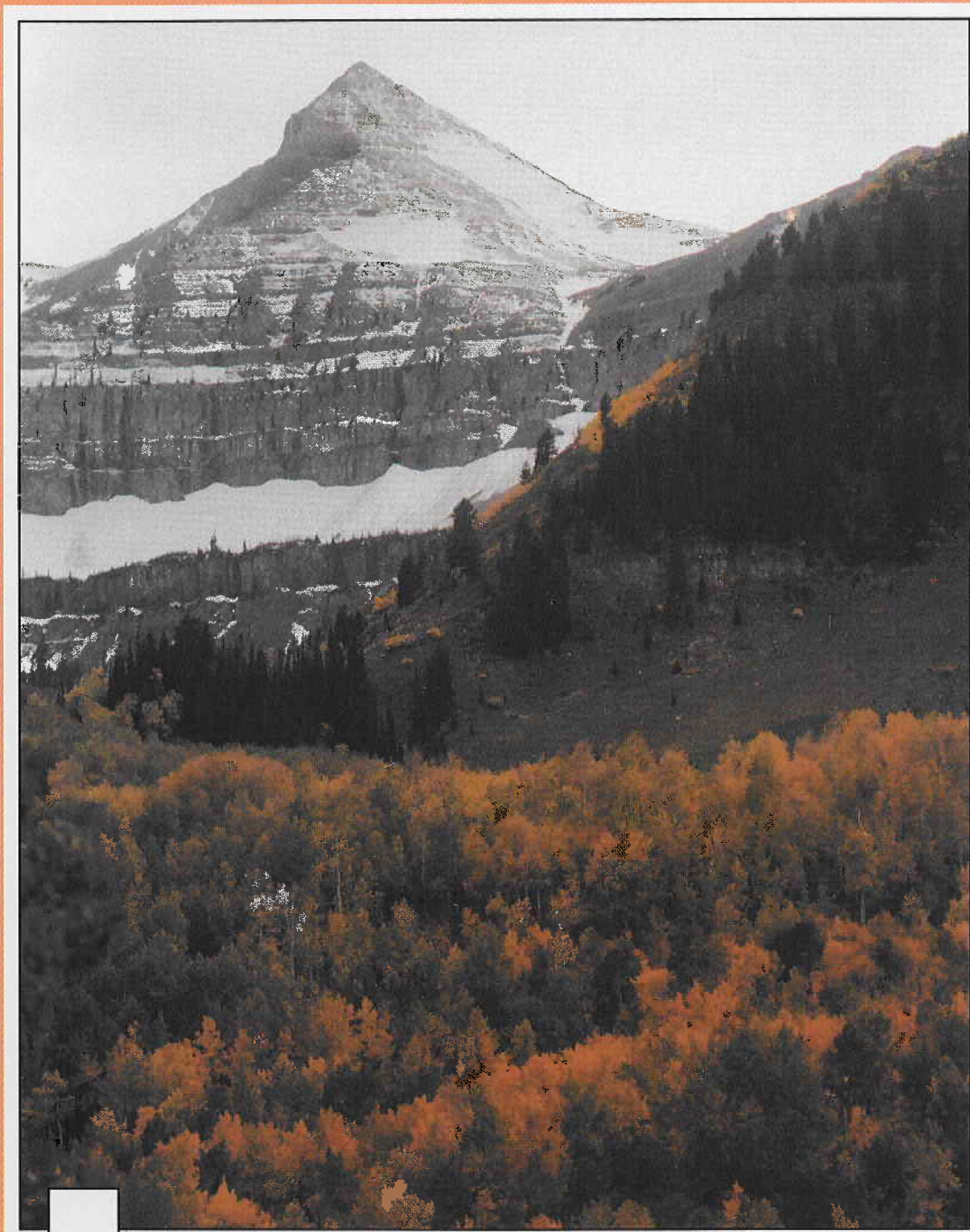


UTAH BAR JOURNAL

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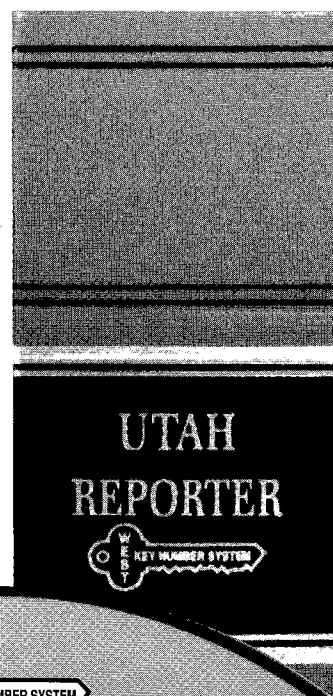
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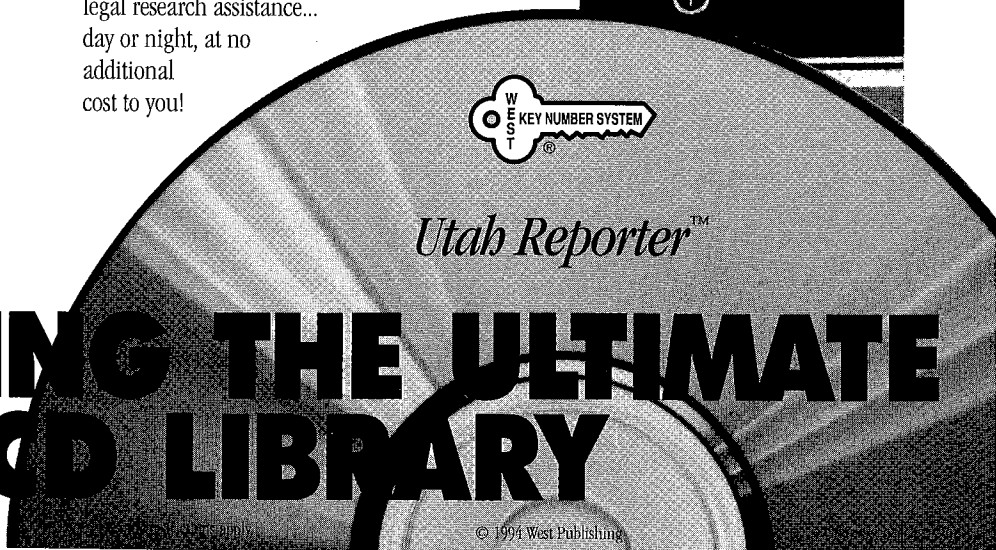
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COVER: View of Mt. Timpanogos, Utah from the Alpine Loop drive taken by John Preston Creer, Esq. of Salt Lake City.

Members of the Utah Bar who are interested in having photographs they have taken of Utah scenes published on the cover of the *Utah Bar Journal* should contact Randall L. Romrell, Associate General Counsel, Huntsman Chemical Corporation, 2000 Eagle Gate Tower, Salt Lake City, Utah, 84111, 532-5200. Send both the slide, transparency or print of each photograph you want to be considered.

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Bar Commission Recommends Two New Programs

Creation of a Legal Assistant Division A Solicitation of Comment from Bar Members and Pro Bono Services

By Paul T. Moxley

As most of you are aware, the Bar Commission has not endorsed any new programs for the past six years if they had any material economic effects on lawyers because it has been our primary objective to pay off the mortgage on the Law & Justice Center. For this reason, during the last few years many good programs have not been funded when proposals have been made. The Bar Commission has been considering several worthy programs which are consistent with Bar objectives which have minimal economic effects on lawyers while serving them and the public. One item of grave concern to us is facilitating meeting current unmet legal needs in a sensible way. Just about all lawyers are concerned about availability of legal services to people who need them and are committed to solving that problem.

In order to facilitate the need for less expensive legal services, the creation of a legal assistants division of the State Bar

has been unanimously endorsed by the Board of Bar Commissioners and after a response from Bar members a petition will be filed with the Supreme Court concerning this program. This recommendation follows almost a decade of discussion by legal assistants in Utah about certification, licensure regulation and professional standards. The Bar Commission has considered multiple requests the last few years concerning this subject, has studied them and followed the work of the ABA.

The Bar Commission believes that the regulation of legal assistants is inevitable. By the creation of a legal assistant division within the Bar, both attorneys and legal assistants will have some control over both the process and the end result while continuing to provide legal services to a variety of people and groups who need the services. Other states are struggling with these issues and it has been a hot topic at ABA conventions. Recently, Arizona accepted the proposition that non-lawyers should be

allowed to provide some legal services in 11 areas of the law without lawyer supervision. The Bar Commission envisions the adoption of this program as a method of assuring the public that legal services will be performed at the lowest price while assuring the quality of work because legal assistants will work with lawyers who will be responsible for the end product. We believe this is the proper approach.

The parameters of the Division will be as follows:

Definition

“A legal assistant is a person, qualified through education, training, or work experience, who is employed or retained by a lawyer, law office, governmental agency, or the entity in a capacity or function which involves the performance, under the ultimate direction and supervision of an attorney, of specifically delegated substantive legal work, which work, for the most part, requires a suffi-

