

**UTAH STATE BAR
BOARD OF BAR COMMISSIONERS
MINUTES**

OCTOBER 6, 2017

LAW AND JUSTICE CENTER

In Attendance: President John Lund, President-elect H. Dickson Burton, Commissioners: Grace Acosta; John Bradley, Steven Burt, Kate Conyers, Heather Farnsworth, Mary Kay Griffin, Liisa Hancock, Michelle Mumford, Mark Morris, Herm Olsen, and Katie Woods.

Ex-Officio Members: Dean Robert Adler, Nate Alder, Julie Emery, Amy Fowler, Bebe Vanek, Sarah Starkey, Margaret Plane, Rob Rice, Jamie Sorenson, and Chris Wharton.

Not in Attendance: Cara Tangaro and Heather Thuet, Ex-Officio Members: Dean Gordon Smith and Angelina Tsu.

Also in Attendance: Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee and General Counsel Elizabeth A. Wright.

Minutes: 9:00 a.m. start

1. Focus Item.

1.1 Retreat Follow Up

- a. **Shelly Alcorn Post Event Report.** The Commission discussed the Commission retreat leader's report on the future of the practice of law. Among the topics discussed was how technology is and will continue to impact the delivery of legal services. John Baldwin provided a report on the steps involving technology and innovation that the Bar has already taken to meet the future of law practice.
- b. **Proposed Dan Jones Survey of Client's Views on Services.** The Commission discussed conducting a survey of clients to determine: (1) how individuals and small businesses perceive using a lawyer, (2) when and how clients utilize services of lawyers and what obstacles/perceptions prevent them from using lawyers more effectively, (3) what would cause individuals and small business to hire lawyers more often, and (4) how to innovate lawyer service offerings. **John Bradley moved that the Commission conduct the survey of legal clients after sending out an RFP for the survey. Grace Acosta seconded the motion which passed unopposed.**

2. President's Report

- 2.1 **Recognize Jeannine Timothy on 20 Year Employment Anniversary.** Bar staff joined the Commission in congratulating Jeannine for 20 years of employment with the Bar

providing consumers with assistance in resolving disputes with their attorneys and providing information to complainants and attorneys involved in the discipline process.

- 2.2 Supreme Court Committee on ABA OPC Review.** John Lund explained the history of the ABA's review of and report on Utah's attorney discipline process. John Lund reported that the Supreme Court has established a committee to review the ABA's recommendations and to determine which are necessary and feasible to implement. Grace Acosta, Margaret Plane and Liisa Hancock volunteered to form a Bar Committee to review the ABA report to insure that the Bar is fully aware of the details of the report in order to be able to voice informed opinions regarding changes that may stem from the report. The Commission also decided to put a link to the ABA's report on the Bar's website.
- 2.3 November 10th Fall Forum Report and Invitation.** John Lund reviewed the schedule for and highlights of the Fall Forum and encouraged Commissioners to register for the event.
- 2.4 November 9th Utah Minority Bar Association Banquet Invitation.** Grace Acosta moved that the Bar sponsor a table at the UMBA Awards Banquet at the \$1600 scholarship level. Heather Farnsworth seconded the motion which passed unopposed.
- 2.5 Retreat Follow Up on Assignments.**
 - a. Awards Committee.** Heather Farnsworth reported that she and Herm Olsen will Co-Chair a committee to review all awards given by the Bar to make recommendations regarding the elimination of duplicative awards and standardize the process for nominations and selection. Heather and Herm will reach out to other Commission members to serve on the committee.
 - b. Access to Justice Committee.** John Lund reported that he met with YLD President Dani Cepernich and NLTP Administrator Carrie Boren to make sure the Access to Justice Committee has new members who will continue to be dedicated to the important and good work of the Committee.
 - c. New Employees.** John Baldwin introduced the Bar's new Communications Director Matthew Page and new Director of Professional Education Michelle Oldroyd.

3. Action Items

- 3.1 Select Professionalism Award Recipient.** After a discussion of the nominees, **Kate Conyers** moved to select **Linda Jones** to receive the **Professionalism award**. **Michelle Mumford** seconded the motion which passed unopposed.

- 3.2 Select Community Member Award Recipient.** After a discussion of the nominees, **Mary Kay Griffin moved to select Marianna Di Paolo to receive the Community Member award. Heather Farnsworth seconded the motion which passed unopposed.**
- 3.3 Select Outstanding Mentor Award Recipients.** **Michelle Mumford moved to accept the NLTP Committee’s recommendation that Julia Kyte and Leonor Perretta receive the Outstanding Mentor Award. Liisa Hancock seconded the motion which passed unopposed**
- 3.4 Select Outstanding Pro Bono Award Recipients.** **Kate Conyers moved to accept the Pro Bono Commission’s recommendation that Rob Rice and Rod Snow receive the Outstanding Pro Bono Award. Heather Farnsworth seconded the motion which passed unopposed.**
- 3.5 Approve Audit Report.** **Mary Kay Griffin explained relevant portions of the 2016-2017 fiscal year audit report to the Commission. Grace Acosta moved to accept the auditor’s report. Kate Conyers seconded the motion which passed unopposed. Grace Acosta moved that the Budget and Finance Committee study and report on designations for the Bar’s undesignated funds. Mark Morris seconded the motion which passed unopposed.**
- 3.6 Approve Funding of Data Risk Assessment.** **The Bar’s auditors recommended that the Bar conduct a data risk assessment to determine vulnerability of the Bar’s information systems and, if necessary, recommend enhancements to reduce the risk of losing critical data. The Bar’s IT Director Lincoln Mead was present and reported on the Bar’s current data security measures and additional measures scheduled to be implemented over the next three months. Grace Acosta moved that the Bar hire a firm to conduct a data risk assessment. Mark Morris seconded the motion which passed unopposed.**

4. Information Item.

- 4.1 Practice Portal and Web Site Report.** **Rob Rice demonstrated the new Practice Portal that will be available for members to preview beginning October 16th. The new Bar website will also be available for preview that day. Members will be able to use “cards” in the Practice Portal to manage their membership obligations like licensing and CLE and to manage their practices with options like LawPay. Lincoln Mead will conduct a CLE at the Fall Forum to introduce the new service to members.**
- 4.2 Report on Remote CLE.** **Katie Woods reported on a year-long series of remote CLE’s that will be presented by various sections on the first Monday of each month. The CLEs will be free and eligible for live CLE credit under Rule 14-410(c)(1) because they will be transmitted to attendees in courthouses across the state.**
- 4.3 Report on New Education Director.** **See 2.5c. above.**

4.4 Report on Domestic Case Process Committee. Liisa Hancock reported on her work on a Court committee to streamline the domestic case process. The Committee made a number of proposals to the Judicial Council to make the process faster, easier and less expensive for those involved.

4.5 Announcement of Process to Select ABA Delegates. The Commission discussed the fact that two ABA Delegate positions are now available and the need for a written policy describing the application and selection process. Chris Wharton reported that the YLD Delegate is selected by YLD members who then recommend candidates to the Commission for a vote. General Counsel will draft a written policy describing both the YLD's selection procedures and those used by the Commission. Meanwhile, Both the Commission and the YLD will begin soliciting applications so Delegates can be chosen before the February ABA meeting.

5. Other Business.

6. Executive Session.

The meeting adjourned at 1:00 p.m.

Consent Agenda

1. Approved Minutes from the August 26, 2017 Commission Meeting.
2. Approve Admission of New Bar Applicants.