

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

MARCH 7, 2019

ST. GEORGE, UTAH

In Attendance: President H. Dickson Burton and President-elect Herm Olsen.
Commissioners: Grace Acosta, Steven Burt, Heather Farnsworth, Chrystal Mancuso-Smith, Mark Morris, Mark Pugsley, Tom Seiler, Cara Tangaro, Heather Thuet, and Katie Woods.

Ex-Officio Members: Dean Robert Adler, Nate Alder, Erik Christiansen (by phone), Abby Dizon-Maughan, John Lund, Sky Lazaro (for Women Lawyers), Grant Miller (for YLD), and Lorraine Wardle.

Not in Attendance: Mary Kay Griffin. **Ex-Officio Members:** Amy Fowler, Margaret Plane, Robert Rice, Dean Gordon Smith and Sarah Starkey.

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

Minutes: 1:15 p.m. start

1. President's Report: H. Dickson Burton

1.1 Review Spring Convention Schedule: Herm Olsen reviewed the schedule and highlights of the convention. Convention has 447 registrants, a record number for the convention.

1.2 Report on Legislative Session and Meeting with Governor Herbert. Dickson Burton reported on the meeting he, Herm Olsen and John Baldwin had with Governor Herbert three weeks ago. The Commission discussed the proposed tax bill (H.B.441) and the Bar's efforts to oppose the bill on access to justice grounds. Mark Pugsley pointed out that many members may not be aware of the limitations on the Bar's ability to lobby the legislature.

1.3 Report on national Conference of Bar Presidents Meeting. Dickson Burton reported on the meeting which took place in Las Vegas in January 2019.

1.4 Report on Wellbeing Committee Recommendations. Dickson Burton noted that Justice Petersen will be presenting the Wellbeing Committee's report and Recommendations on Saturday at the Spring Convention. Recommendations for the Bar

will be to assist with a baseline study of lawyer wellbeing and to provide more wellbeing CLE programming.

1.5 Confirm Next Commission Meeting Changed to April 19th. Meeting will be in Provo at a location to be determined.

1.6 Report on Summer Convention in Park City. Dickson Burton reported that Co-Chairs Judge Eve Furse and Jonathan Hafen have put together an excellent program that will take place in July at the Canyons in Park City.

1.7 Reminder of Need to Make Park City Hotel Reservation. Commissioners were reminded to make hotel reservation for the July 2019 Summer Convention.

2. Action Items

2.1 Select Nominees to First District Nominating Commission. After discussing the applicants, **Grace Acosta moved to nominate Janette White, Jonathan M. Nash, Brandon Baxter and Miles P. Jensen to serve on the First District Judicial Nominating Commission. Tom Seiler seconded the motion which passed unopposed.**

2.2 Select Nominees to Third District Nominating Committee. After discussing the applicants, the Commission conducted two rounds of secret balloting. **Cara Tangaro and Sky Lazaro recused themselves because they were both applicants.** After the votes, the Commission nominated **Cara Tangaro, Lauren Barros, Lesley Manley, Jesse Nix, Daphne Oberg, and Michael J. Langford** to serve on the Third District Judicial Nominating Commission

2.3 Access to Justice Committee Report. Heather Thuet reported on the Committee's desire to change its name to the "Access to Justice Commission." Heather also reported on the Utah Bar Foundation's offer to provide tiered, three-year funding for a full-time staff lawyer to work in the Bar's Access to Justice office. **Grace Acosta moved to accept the Committee's recommendation for a name change and to accept the funding proposal for the new employee. Cara Tangaro seconded the motion which passed unopposed.**

2.4 Approve LPP License Fees. **Grace Acosta moved to approve the proposed Licensed Paralegal Practitioner application and licensing fees. Chrystal Mancusco-Smith seconded the motion which passed unopposed.**

3. Discussion Items.

3.1 Supreme Court Task Force on Regulatory Reform. John Lund reported that he and Justice Himonas are heading up a task force to change the way legal services are regulated in Utah. The Task Force is made up of Utah lawyers and Stanford Law School academics who study the regulation of the lawyers. The Task Force is planning

a two-tiered approach to changing legal services regulation in Utah. The first tier will change rules around advertising and fee sharing. The second tier will create a “regulatory sandbox” in which regulations will be relaxed for entities who will propose novel solutions to provide faster and more accessible legal services. Finding from the sandbox could result in sweeping changes in the way in which legal services are regulated in Utah including more non-lawyer provision of legal services.

3.2 Bar Survey Report. Mark Morris reported that he has been studying the 2011 survey of Bar members as part of his planning to shepherd the next survey of Bar members. Mark is thinking about the questions that will be asked, which company will conduct the survey and asked for volunteers to work on the survey.

4. Information Items.

4.1 ABA Delegates Report. Erik Christiansen, appearing by phone, and Nate Alder reported on the work of the ABA House of Delegates at the mid-year meeting in Las Vegas in January 2019. Erik also noted that the ABA is changing its dues structure to make dues more affordable to young lawyers.

The meeting adjourned at 4:30 p.m.

Consent Agenda

1. Approved Minutes from the January 18, 2019 Commission Meeting.
2. Approved a Resolution replacing Bar 401(k) Plan Trustee Kellie Bartz with Lauren Stout.
3. Approved changes to the NLTP Mentoring Plan to add more practical experience.

Handouts:

1. Additional First District Judicial Nominating Commission applicants.
2. Spring Convention Program.