

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

OCTOBER 4, 2019

LAW AND JUSTICE CENTER

- In Attendance:** President Herm Olsen and President-elect Heather Farnsworth. Commissioners: John Bradley, Steven Burt, Mary Kay Griffin, Chrystal Mancusco-Smith, Marty Moore, Mark Pugsley, Michelle Quist, Tom Seiler, and Cara Tangaro.
- Ex-Officio Members:** Nate Alder, Erik Christiansen (by phone), Kate Conyers, Candace Gleed, Jiro Johnson, and Dean Gordon Smith.
- Not in Attendance:** Mark Morris, Heather Thuet and Katie Woods. Ex-Officio Members: H. Dickson Burton, Torie Finlinson, Amy Fowler, Margaret Plane, Rob Rice, Bebe Vanek, and Dean Elizabeth Kronk Warner.
- Also in Attendance:** Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, General Counsel Elizabeth A. Wright, and Supreme Court Liaison Larissa Lee.

Minutes: 9:10 a.m. start

1. President's Report: Herm Olsen

- 1.1 Welcome and Introductions.** Mr. Olsen introduced Larissa Lee, the Appellate Court Administrator, who will serve as the Court's liaison to the Commission. Kate Conyers is the Ex Officio representative from Women Lawyers of Utah and Jiro Johnson is the Ex Officio representative for the Minority Bar.
- 1.2 Admissions Ceremony on October 15, 2019.** Mr. Olsen invited the Commission to attend the ceremony which will include the first class of Licensed Paralegal Practitioners. Four LPPs will be licensed.
- 1.3 Lawyer-Legislator Breakfast.** Commissioners were notified of and asked to attend the annual breakfast for legislators who are also lawyers on October 16, 2019 at 7:30 a.m.
- 1.4 UMBA Scholarship & Awards Banquet.** Mr. Olsen asked the Commissioners to attend the event on October 24, 2019. The Commission has purchased a table for Commissioners. Seats at the table will be available on a first-come basis.

- 1.5 Update on Regulatory Reform.** There was a discussion on the status of the Task Force Report and Recommendations, the creation of the Regulatory Reform Implementation Task Force, feedback regarding the proposals, and the uncertainty about the future of lawyer regulation in Utah. The Commission's position is that the Bar should be a forum for dialogue about the proposed changes and support the work of the Task Force. Mr. Olsen updated the Commission on the fact that the Access to Justice Co-Chair Christine Durham has been appointed to the Regulatory Reform Implementation Task Force. President-elect Heather Farnsworth will also serve. Dean Gordon Smith invited the Commissioners to BYU Law School on October 18, 2019, where Regulatory Reform Task Force members will be speaking.
- 1.6 Update on Tax Reform Legislative Study.** Mr. Olsen reported on the status of the tax on professional services and the work of the Legislative Committee. The Bar sees the issue as an Access to Justice issue if people must pay more for lawyers and will therefore follow any legislation closely.
- 1.7 Park City Summer Convention Survey Report.** Mr. Olsen reviewed the survey results with the Commission. There were minor complaints about use of some of the space, but overall, the feedback from the survey was very positive.

2. Action Items.

- 2.1 Approve Bar Survey Funding.** John Baldwin reported the Survey Subcommittee selected Redirect to conduct the survey of Bar members at a cost of \$21,500. In addition to the cost of the survey, the subcommittee will need money for prizes to incentivize members to complete the survey. **Marty Moore moved to approve paying Redirect \$21,500 and the cost of incentive prizes. Tom Seiler seconded the motion which passed unopposed.**
- 2.2 Select Award Recipients.** After discussing the recommendations of the Awards subcommittee and discussing the candidates, the Commission voted to select the following award recipients for the Fall Forum:
- Walter A. Romney, Jr.** to receive the James B. Lee Mentoring Award.
 - Kathleen McConkie** to receive the Charlotte L. Miller Mentoring Award.
 - Susan Peterson** to receive the Paul T. Moxley Mentoring Award.
 - Hon. Evelyn J. Furse** to receive the Bar's Professionalism Award.
 - Detective Greg Smith** to receive the Bar's Community Member Award.
 - Brian M. Rothschild** and **George Sutton** to receive the Outstanding Pro Bono Service Award.

- 2.3 Approve 2018-2019 Audit Report.** The Bar's Financial Director Lauren Stout joined the meeting for the discussion of the audit report. Mary Kay Griffin conducted a page-by-page review of the audit for the Commission. **After reviewing the audit, Mary Kay Griffin moved for the Commission to accept the audit report for the 2018-2019 fiscal year. John Bradley seconded the motion which passed unopposed.**

NEW ITEM

Kate Conyers pointed out that the UMBA awards dinner, the Salt Lake County Bar New Lawyer and Judges Reception and a Women lawyers sponsored event, Cancer Bites, had all been scheduled on the same October evening. Ms. Conyers proposed a master calendar for non-CLE events. **Heather Farnsworth moved to have Bar Staff create a master, non-CLE events calendar for legal event coordinators. Marty Moore seconded the motion which passed unopposed**

- 2.4 Selection of ABA Delegates.** After hearing from the candidates and discussion, by secret ballot the Commission selected **Erik Christiansen** to serve a second two-year term as the Bar's Delegate to the ABA.

After hearing from the candidate Camila Moreno, Cara Tangaro moved to appoint Ms. Moreno as the Bar's YLD Delegate to the ABA. Chrystal Mancusco-Smith seconded the motion which passed unopposed.

- 2.5 Licensed Lawyer Marketing Committee.** The Commission discussed the need for a Committee and decided the current marketing plan and budget were sufficient.

- 2.6 Approve Lawyer and LPP Applicants for Admission.** **Marty Moore moved to approve the October 2019 lawyer and LPP admittees. Tom Seiler seconded the motion which passed unopposed.**

3. Discussion Items.

- 3.1 Paralegal Division Request to Waive Revenue Sharing.** Paralegal Division Representative Candace Gleed explained the Division's unique situation as a division whose members are not required to join or complete CLE hours. This unique situation makes it very difficult for the Division to make any money on events. **Cara Tangaro moved to waive revenue sharing for the Division in light of its unique structure. Marty Moore seconded the motion which passed unopposed.**

- 3.2 Review Income Splits with Sections.** Tabled until a future meeting.

4. Information Items.

- 4.1 Policies and Procedures Clean Up.** John Baldwin reported that the Bar's Policies and Procedures had received a long overdue update. The updates were made to include references to modern technology practices, data security policies, LPPs and to generally

conform current practices with the policies. John Baldwin asked the Commissioners to review the redlined Policies carefully for approval at the November meeting.

- 4.2 Ethics Hotline Staffing.** Elizabeth Wright reported that she has been answering Ethics Hotline questions since OPC decided it was a conflict for it to field the questions. The Commission discussed whether the Bar should hire a part-time attorney to staff the Hotline. Elizabeth Wright will provide more information about the time required to staff to the Hotline before determining if additional staff is needed.

5. Executive Session

The meeting adjourned for the day at 12:25 p.m.

Consent Agenda

1. Approved Minutes from the August 16, 2019 Commission Meeting.

Handouts:

1. Young Lawyers Division Annual Report.