

Utah State Bar[®]

2020–2021



Summary of Operations

Vision of the Utah State Bar

A just legal system that is understood, valued, and accessible to all.

Utah State Bar Statement on Diversity and Inclusion

The Bar values engaging all persons fully, including persons of different ages, disabilities, economic status, ethnicities, genders, geographic regions, national origins, sexual orientations, practice settings and areas, races and religions. Inclusion is critical to the success of the Bar, the legal profession and the judicial system.

The Bar shall strive to:

- Increase licensees' awareness of implicit and explicit biases and their impact on people, the workplace, and the profession;
- Make Bar services and activities open, available, and accessible to all licensees;
- Support the efforts of all licensees in reaching their highest professional potential;
- Reach out to all licensees to welcome them to Bar activities, committees, and sections; and
- Promote a culture that values all licensees of the legal profession and the judicial system.

Mission of the Utah State Bar

Lawyers serving the public and legal profession with excellence, civility, and integrity.

Introduction and Grants of Authority

The Utah State Bar operates under authority granted by the Utah Supreme Court through rules which restate the Court's inherent authority under the Utah Constitution to regulate the practice of law. Those specific purposes, duties and responsibilities of the Utah State Bar are:

- ▶ **Advancing the administration of justice according to law;**
- ▶ **Aiding the courts in carrying on the administration of justice;**
- ▶ **Regulating the admission of persons seeking to practice law;**
- ▶ **Regulating and disciplining persons practicing law;**
- ▶ **Fostering and maintaining integrity, competence and public service among those practicing law;**
- ▶ **Representing the Bar before legislative, administrative and judicial bodies;**
- ▶ **Preventing the unauthorized practice of law;**
- ▶ **Promoting professionalism, competence and excellence in those practicing law through continuing legal education and by other means;**
- ▶ **Providing service to the public, to the judicial system and to Bar licensees;**
- ▶ **Educating the public about the rule of law and their responsibilities under the law; and**
- ▶ **Assisting Bar licensees in improving the quality and efficiency of their practice.**

The Board of Bar Commissioners has been granted all powers necessary and proper to carry out the duties and responsibilities of the Bar and the purposes of the Rules and has all authority not specifically reserved to the Court.

The Bar's internal operations are governed by By-laws and administrative policies and procedures. Rules governing the practice of law include the Rules Governing Admission, Rules of Lawyer Discipline, Disability and Sanctions, Rules of Professional Conduct, Rules for the Fund for Client Protection, the Law Student Assistance Rule and the Rules of the Utah State Bar Dispute Resolution Committee. The Court has also established rules governing mandatory continuing legal education. These rules may be found at www.utcourts.gov.



Bar Leadership

The Bar is a 501(c)(6) non-profit Utah corporation governed by a fifteen-member Board of Bar Commissioners, which includes two court-appointed public members, twelve elected lawyers representing the judicial districts, and two elected officers. (Note: The President-elect may also serve as a Commissioner during their President-elect year.) The Commission also includes twelve non-voting ex officio members. The Commission hires an Executive Director to carry out the operations of the Bar and the policies of the Commission. The Executive Director employs and supervises the activities of operations staff, which numbers twenty-six full-time and one part-time employee.

During the 2020–2021 year, the Bar Commission included the following:

ELECTED OFFICERS:



Heather Farnsworth
President

Match & Farnsworth – Salt Lake City



Heather Thuet
President-elect, 3rd Division

Tooele, Salt Lake, and Summit Counties
Christensen & Jensen – Salt Lake City

ELECTED LAWYERS AND GEOGRAPHIC AREA:



Marty Moore
1st Division

Box Elder, Cache, and Rich Counties
Mayer Hoffman McCann, PC – Logan



Andrew Morse
3rd Division

Tooele, Salt Lake, and Summit Counties
Snow Christensen & Martineau –
Salt Lake City



John W. Bradley
2nd Division

Weber, Morgan, and Davis Counties
Attorney General's Office – Ogden



Mark W. Pugsley
3rd Division

Tooele, Salt Lake, and Summit Counties
Ray Quinney & Nebeker – Salt Lake City



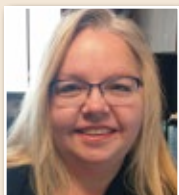
Traci Gundersen
3rd Division

Tooele, Salt Lake, and Summit Counties
Attorney at Law – Salt Lake City



Michelle Quist
3rd Division

Tooele, Salt Lake, and Summit Counties
Holland & Hart – Salt Lake City



Chrystal Mancuso-Smith
3rd Division

Tooele, Salt Lake, and Summit Counties
Swenson & Shelley – Salt Lake City



Thomas W. Seiler
4th Division

Millard, Juab, Utah, and Wasatch Counties
Seiler Anderson Fife & Marshall, LC – Provo



Mark O. Morris, 3rd Division

Tooele, Salt Lake, and Summit Counties
Snell & Wilmer – Salt Lake City



Kristin "Katie" Woods
5th Division

Washington, Iron, Beaver, Sanpete, Sevier,
Piute, Wayne, Garfield, and Kane Counties
Attorney at Law – St. George

PUBLIC MEMBERS APPOINTED BY THE SUPREME COURT:



Shawn Newell
Public Member
Utah Multicultural Civic Council –
Salt Lake City



Rick Hoffman, CPA
Public Member
Lone Peak Valuation Group – Salt Lake City

EX OFFICIO MEMBERS:



Herm Olsen
Immediate Past President
Hillyard Anderson & Olsen – Logan



Erik A. Christiansen
Utah State Bar Delegate to the ABA
Parsons Behle & Latimer – Salt Lake City



Elizabeth Kronk Warner
Dean
S. J. Quinney College of Law – Salt Lake City



Camila V. Moreno
Young Lawyers Delegate to the ABA
United States District Court – Salt Lake City



D. Gordon Smith
Dean
J. Reuben Clark School of Law – Provo



Ashley Peck
Women Lawyers of Utah Representative
Holland & Hart – Salt Lake City



Robert O. Rice
Judicial Council Representative
Ray Quinney & Nebeker – Salt Lake City



Jugraj "Raj" Dhaliwal
Minority Bar Association Representative
Ray Quinney & Nebeker – Salt Lake City



Larissa Lee
Utah Supreme Court Representative
Administrative Office of the Courts –
Salt Lake City



Amy Fowler
LGBT & Allied Lawyers of Utah Representative
Fowler Venable Law, PC – Salt Lake City



Margaret D. Plane
Utah ABA Members' Delegate
Park City Corporation – Park City



Grace Pusavat
Young Lawyers Division Representative
Parsons Behle & Latimer – Salt Lake City



Nathan D. Alder
Utah State Bar Delegate to the ABA
Christensen & Jensen, PC – Salt Lake City



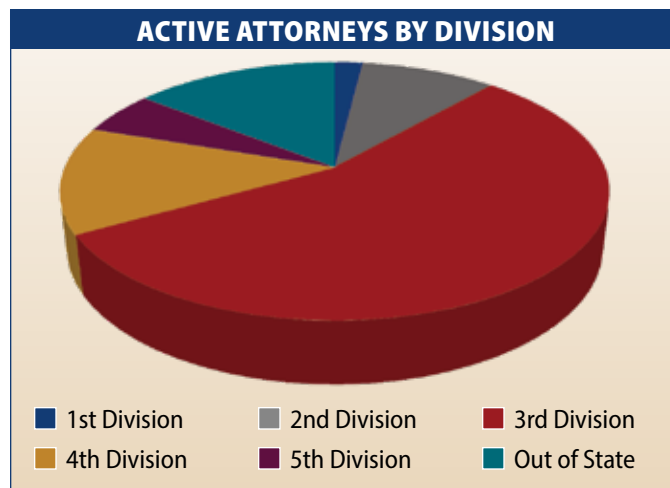
Sarah Baldwin
Paralegal Division Representative
Dorsey & Whitney – Salt Lake City

Licensing Statistics

Active Status	2019–20	2020–21	Change
Active	8,705	8,866	161
Active under 3 years	893	906	13
Active Emeritus	232	267	35
In House Counsel	114	112	(2)
Foreign Legal Counsel	3	4	1
Licensed Paralegal Practitioner	4	13	9
Military Spouse	1	–	(1)
Subtotal – Active	9,952	10,168	216

Inactive Status	2019–20	2020–21	Change
Inactive – Full Service	823	803	(20)
Inactive – No Service	1,989	2,029	40
Inactive Emeritus	328	363	35
Inactive House Counsel	11	9	(2)
Subtotal – Inactive	3,151	3,204	53
Total Active & Inactive	13,103	13,372	269

Attorneys by Region	2019–20	2020–21	Change
1st Division (Logan – Brigham)	192	199	7
2nd Division (Davis – Weber)	936	972	36
3rd Division (Salt Lake)	5,641	5,624	(17)
4th Division (Utah)	1,303	1,361	58
5th Division (Southern Utah)	516	548	32
Out of State	1,364	1,464	100
Total Active Attorneys	9,952	10,168	216



Bar Programs and Services

REGULATORY SERVICES

Special Admissions

Special admissions include reviewing and processing Military Lawyers, House Counsel, Admission on Motion and Pro Hac Vice applications. During the Fiscal 2020–2021 year, we had the following special admissions applications:

	APPLICATIONS	ADMITTED	PENDING	DENIED	WITHDRAWN
Military	0				
House Counsel	19	12	5	1	1
Motion	98	71	22	2	3
UBE Transfers	55	40	12	1	2
Foreign Legal Consultant	1	1			
Pro Hac Vice	334				

Admissions

Admissions includes the application process, character and fitness file reviews and hearings, Bar exam preparation and administration, grading essay exams, and all reciprocal admissions. Committees include the **Admissions Committee** (Hon. **Daphne Oberg** and **Evan Strassberg**, Co-chairs), **Character and Fitness Committee** (**Evan Strassberg** and **Melinda Bowen**, Co-chairs), **Bar Examiner Committee** (**Tanya N. Lewis** and **Mark Astling**, Co-chairs), and the **Test Accommodation Committee** (**Joan M. Andrews**, Chair).

JULY/OCTOBER 2020 BAR EXAMINATION STATISTICS

232 July Bar Examinees

BAR EXAM:

***59 Examinees** took the bar exam
(includes 5 applicants who also took Diploma Privilege)

***42 Examinees** Successful July Bar Exam
(includes 5 applicants who also took Diploma Privilege)

Pass Rate for the July/October 2020 Bar Exam: 73%

DIPLOMA PRIVILEGE:

***178 Examinees** took Diploma Privilege
(includes 5 applicants who also took bar exam)

***216 Examinees** either passed the Bar Exam,
came in by Diploma Privilege, or both.

**Pass Rate Combining Examinees and
Diploma Privilege: 93%**

**5 Applicants took Diploma Privilege and passed the Bar Exam, and they are included in both categories.
However, these 5 candidates are only included once in the "Total" number.*

Essay Scores
(50 Points Possible)
Average Score: 29.6

National Average: 141.1

Multistate Scores
(200 Points Possible)
Utah Average: 140.77

Passing Score: 270

Combined Scores
Utah Mean Score: 282.46

(417 tested)

FEBRUARY 2021 BAR EXAMINATION STATISTICS

82 February Bar Examinees | 57 Successful February Bar Examinees

Pass Rate for the February 2021 Bar Exam: 70%

Essay Scores
(50 Points Possible)
Average Score: 29.3

National Average: 134

Multistate Scores
(200 Points Possible)
Utah Average: 141.1

Passing Score: 270

Combined Scores
Utah Mean Score: 282

(16,759 tested)

Professional Conduct Enforcement

The Office of Professional Conduct investigates complaints of unethical conduct; provides ethics education seminars; and either resolves or prosecutes cases before hearing panels, the district courts and the Utah Supreme Court. The administrative oversight of the Office of Professional Conduct is no longer under the Utah State Bar. That administrative oversight is now with an **Oversight Committee** (**Judge Diana Hagen**, Chair) that reports directly to the Utah Supreme Court. Committees that the Office of Professional Conduct interacts with include the **Ethics and Discipline Committee of the Utah Supreme Court** (**Christine Greenwood**, Chair); the **Utah Bar's Ethics Advisory Opinion Committee** (**John A. Snow**, Chair); the **Supreme Court Rules of Professional Conduct Committee** (**Simón Cantarero**, Chair). OPC has a separate report on its operations, which is available at www.opcutah.org.

General Bar Management and Operations

General Bar management includes annual licensing, maintenance of databases, personnel, financial controls, inventory, equipment, governance organization and support, and long range planning. Bar staff manages policy implementation and operations through various voluntary leadership committees, including: **Bar Commission**, **Bar Commission Executive Committee**, and the **Bar Commission Budget & Finance Committee** (Christine Arthur, CPA, Chair). A copy of the 2020–2021 audit by Tanner, LLC is available at www.utahbar.org/bar-operations/.

Continuing Legal Education

Over the past year, the CLE Department designed, administered, and hosted 206 events, which included the attendance of 23,989 attorneys across Utah and the U.S., noting additionally that more than 75 subject matter areas of practice have been represented in this annual repertoire of CLE events. Since April 2020, we have conducted many CLE events virtually, with attendance ranging from 50 people up to 1,500 members at one event. In addition, a total of 5,022.5 hours of video replays were completed independently by members, online as well. All sections of the Bar, as well as our community partnerships with the S.J. Quinney College of Law, the J. Reuben Clark Law School, the Utah Center for Legal Inclusion, and the Administrative Office of the Utah State Courts, have had opportunities to host events with us and contribute to the faculty of our professional development training. In this fiscal year, we also hosted a special event – a dialogue series on the Lawful and Unlawful Use of Force by Police. The innovative and timely first events in the dialogue series were held online over multiple days; they included a remarkable attendance of 2,796 people over three days including lawyers, members of law enforcement, judges, and colleagues throughout the U.S. Importantly, the CLE Department collaborates regularly with the **CLE Advisory Board** (Jonathan O. Hafen, Chair) for topics and themes to enhance the content and inclusion represented in our training events for the Bar.



"GROUP" SERVICES

Fall Forum, Summer & Spring Conventions

Relationships are enhanced between Bar members when a premium is placed on respect and creative ways of gathering to discuss issues facing the Bar, the profession and the judiciary. In the face of a large-scale public health crisis, adhering to all scientific and medical recommendations during the pandemic, social distancing was enforced by our Bar. During this fiscal year, the first convention event was the **2020 Summer Convention** which was canceled entirely due to health and safety concerns. In November 2020, the **Fall Forum** tradition was undertaken and converted due to in-person gathering restrictions in our community. The Fall Forum changed from a one-day, in-person gathering in Salt Lake City, to a ten-day, online series from October through December (held once per week, excluding holidays). The Fall Forum 2020 featured CLE sessions on regulatory reform, enhancing professionalism in an electronic practice, dialogue on Utah Justice Courts, nuts and bolts tips on contingency matters, and professional ethics in challenging times. Meeting an array of needs from various practice areas, for attorneys throughout our entire State and the Mountain West, as well as discussing the contemporary issues of pandemic law practice, the Fall Forum saw an attendance of 2,471 attorneys over the 10 sessions. With a continuing abundance of caution, and out of sincere concern for the well-being of our community, the **Spring 2021 Convention** was held as a two-day online event, including the attendance of 1,308 attorneys, judges, faculty, and guests. We looked ahead hopefully to returning to in-person CLE attendance for 2021, noting our expanded capabilities and gratitude for serving a wide population via Zoom, during challenging times.



Online event
Attendance: 2,471 attorneys
over 10 sessions



Two-day online event
Attendance: 1,308
attorneys, judges, faculty, and guests

Licensee Benefit Programs

The Utah State Bar has contracted with benefits administrator **Beneplace** to expand offerings and services to Bar licensees at no cost. Beneplace, in partnership with the Bar, researches and recruits benefits providers and places them in the Utah State Bar benefits catalog <http://www.beneplace.com/utahbar>. Programs range from office supplies, to discounted membership programs, to vacation planning, to legal specific vendors, to ticket offers for sports and recreational opportunities. New vendors and discounts arrive each month with a summary of recent additions being provided online at <http://www.utahbar.org/member-services/>.

BENEPLACE



Utah Lawyers Helping Lawyers renders confidential assistance to any Bar licensee whose professional performance is or may be impaired because of mental illness, emotional distress, substance abuse or any other disabling condition or circumstance. **Blomquist Hale** provides trained counselors for face-to-face help with family problems, stress, depression, anxiety, personal cash management difficulties, elder care challenges, assessment of drug/alcohol dependence, and any other issues impairing work or personal lives. Information about Utah Lawyers Helping Lawyers and Blomquist Hale may be found at: <http://www.utahbar.org/member-services/>.

BLOMQUIST HALE
LAWYER ASSISTANCE PROGRAM (LAP)



In the summer of 2018, Utah Supreme Court Justice Paige Petersen and then Bar President Dickson Burton gathered stakeholders from throughout the legal community to form the Utah Task Force on Lawyer & Judge Well-Being. Charged with laying the groundwork for a well-being movement in Utah's legal community. The work of promoting wellbeing is now being directed by the **Wellbeing Committee for the Legal Profession**. (Chairs **Justice Paige Petersen** and **Cara Tangaro** and Committee Executive Director **Martha Knudson**)

Committee Support – Unrelated to Other Programs

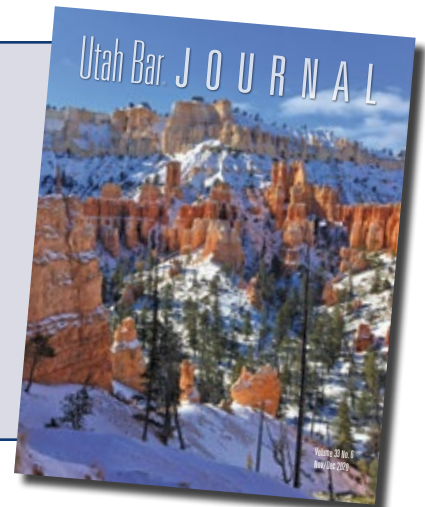
Stand-alone committees have been charged to provide professional leadership and study of designated issues. A current listing of all Bar committees can be found at www.utahbar.org/bar-operations/.

Section & Division Support

Our staff provides support services to 38 Sections and 2 Divisions which are independent and financially self-sustaining. Activities include section meetings and elections, CLE luncheons and annual seminars, social events and charitable endeavors, dues collection, general administrative and financial services, email and newsletter communications, and the maintenance of websites and blogs. A listing of all Bar sections and divisions can be found at <http://www.utahbar.org/about/meet-section-division-chairs/>.

The Utah Bar Journal

The *Utah Bar Journal* provides information on professional issues, law office management, legal education and law related opportunities. The *Utah Bar Journal* was published six times this past year by the **Bar Journal Committee** (**Alisha Giles**, Chair) and provided to members and subscribers. The Bar Journal Committee has 20 members and a bar staff-liaison. Access to past issues of the Utah Bar Journal can be found at barjournal.utahbar.org.



Public Outreach

The COVID-19 pandemic continued to have a significant effect on the Bar's public outreach efforts. The pandemic forced the cancellation of in-person Law Day and Constitution Day events. Additionally, the Bar's Annual Food and Clothing drive, administered so ably by Leonard Burningham for more than 30 years, was cancelled and is cancelled again for this year.

For both Law and Constitution Days, the Bar provided materials for attorneys for use in virtual presentations in classrooms throughout the state.

The Bar's Licensed Lawyer referral service continued to generate impressive numbers. For the 2020–21 Bar year, the service received 1,543,828 page views, a 59% increase. New users increased by 49%, with 213,693 unique users. Users averaged 4.8 profile views per visit, and these users generated 10,188 referrals for Utah lawyers. The Bar continued to actively promote Licensed Lawyer to the public, even with significant budget restraints imposed by the pandemic.



The Bar, in conjunction with the Utah Supreme Court's Office of Legal Services Innovation, continued to promote the regulatory sandbox both locally and nationally, helping attorneys throughout the country understand and appreciate the state's legal reform efforts.

Additionally, the Bar was active in the promotion of Utah's Licensed Paralegal Practitioner program, an innovative program designed to increase access to justice by provided a "mid-level" legal provider to coach client through the legal process. The Bar also engaged in activities to encourage paralegals and others to participate in the LPP program.

The Bar received 133 requests for media interviews in the 2020–21 fiscal year from national, regional and local media organizations.

New Lawyer Training Program

Utah's New Lawyer Training Program ("NLTP") is the Bar's award-winning mentoring program, which is required for all newly admitted attorneys who have less than two years of practice experience. The Bar's Committee on New Lawyer Training (**NLTP Committee**) is currently co-chaired by **Rebecca Long Okura** and **Laura Rasmussen**, who have both been dedicated members of the committee since its inception in 2009.

Close to 3,000 new attorneys have completed the NLTP throughout the past 11 years. During their 12-month mentoring term, new lawyers meet with their mentors 10 times, for at least two hours each time, to discuss the new lawyer's legal work, professional development, and adjustment to the practice of law. The mentoring plan also requires that mentors and new lawyers examine the Rules of Professional Conduct as a means of more effectively teaching and fostering professionalism, ethics, and civility.



In 2021, the NLTP continued in its mission to help new lawyers take the first steps to success in their legal career through mentorship. The NLTP Committee recognizes that the program's success is due, in no small part, to the caliber of our mentors and extends its sincere thanks to all of Utah's NLTP mentors for helping us to maintain the NLTP's position as one of the top legal mentoring programs in the country.

By volunteering to help new lawyers start their practice with all the tools they will need to succeed, mentors are making a much-needed investment in the future of the legal profession. The Bar and the NLTP Committee are dedicated to making sure their investments pay off.

Licensed Paralegal Practitioner Program

Since the Utah State Bar began accepting applications for the Licensed Paralegal Practitioner Program in 2019, the Utah Bar has issued 18 licenses to qualified applicants (**Julie Emery**, Chair). These LPPs practice across the state – including Salt Lake City, St. George, Delta, and Logan.

The public can find LPPs by clicking on the “Licensed Paralegal Practitioner” icon on the homepage of the Bar’s referral service: licensedlawyer.org. The Bar looks forward to the expansion of the LPP program, as ever-increasing volumes of candidates are seeking to qualify for upcoming administrations of the licensing exam.

An LPP can become licensed, in a limited capacity, in the following areas: family law, debt collection, and landlord-tenant matters. In 2020, the Bar and the Supreme Court’s LPP Steering Committee amended LPP admissions Rule 15-703 to add a “Masters of Legal Studies” degree to the qualified educational degrees and made the national paralegal certification one of five possible paths to admission.

After an LPP is licensed to practice, they will not be able to orally advocate in court proceedings but are able to enter into a contractual relationship with clients, assist with various court-approved forms, negotiate in settlement and mediation, and assist with additional issues within the scope of their license. An LPP is not required to be supervised by an attorney or work for a law office; they are able to start their own firms or even partner with an attorney, subject to the Rules of Professional Conduct.

The Bar administers the LPP licensing exam onsite. The LPP licensing exam occurs twice yearly – on the last Tuesday of March and August respectively. The licensing exam takes place over the course of two days for candidates seeking licensure in all three practice areas and one day for those taking 1–2 of the practice areas.



Diversity, Equity & Inclusion Office

In March 2021, it was announced that Michelle Oldroyd, our CLE Director, would assume a new title in addition to her work in education and professional development. Michelle was named the first Chief Diversity, Equity & Inclusion Officer for the Utah State Bar. She will assist our Bar to plan and implement diversity initiatives and activities about the rule of law that engage our licensees, students, community groups, and underrepresented populations. As well, she will serve as a leading expert in ensuring our education programs, CLE sessions, events, and messaging have focus on DEI topics and issues. The Utah State Bar has a strong commitment to DEI, and this role will help enhance organizational initiatives to positively influence our legal community and support meaningful, sustainable change to advance DEI objectives. Michelle will work with the Utah State Bar Commission, the Executive Director, General Counsel, and others to identify and develop relationships with relevant external organizations, thought leaders, and partners in DEI efforts.

Certificates of Good Standing

Certificates of good standing are required for pro hac vice admission and licensure in other jurisdictions. This year, the Utah State Bar moved all certificates of good standing to a fully automated online process. This has allowed attorneys to request and receive their certificates within 24 hours. The Utah State Bar continues to work toward procedural efficiencies throughout the organization in order to better serve the public and the profession. During the 2020–2021 fiscal year, Bar staff processed 973 Certificate of Good Standing applications.

973

Certificate of Good Standing applications processed during the 2020–21 fiscal year.

Ethics Hotline

Once administered by the Office of Professional Conduct (OPC), the Bar's General Counsel office took over the Hotline in December 2019. Since September 2020, the Ethics Hotline has answered approximately 250 ethics questions and nearly 600 since taking over the Hotline from the Office of Professional Conduct (OPC) in late 2019.

Utah attorneys and LPPs with questions regarding their professional responsibilities can contact the Utah State Bar's General Counsel office for informal guidance during any business day by sending inquiries to ethicshotline@utahbar.org. The Ethics Hotline advises only on the inquiring lawyer's or LPP's own prospective conduct and cannot address issues of law, past conduct, or advise about the conduct of anyone other than the inquiring lawyer or LPP. The Ethics Hotline cannot convey advice

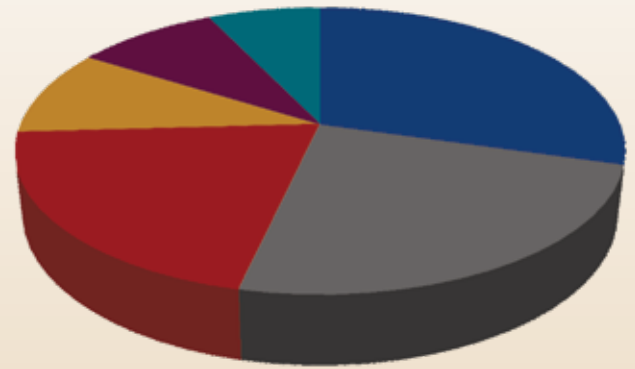


Nearly **600**
Ethics questions answered
since taking over the
Hotline from OPC.

through a paralegal or other legal assistant. No attorney-client relationship is established between lawyers or LPPs seeking ethics advice and the lawyers employed by the Utah State Bar.

In addition to the Ethics Hotline, the General Counsel's office has issued ethics guidance relating to the coronavirus pandemic, cybersecurity, and preparing for a catastrophic event. You can find an Ethics FAQ, an archive of Ethics Advisory Opinions, and information about how to submit a request for a formal Ethics Opinion here: utahbar.org/index-ethics-advisory-opinions/.

ETHICS HOTLINE INQUIRIES: 2020–2021



- Other – 33%
- Conflicts – 27%
- Fees/Client Property – 23%
- Confidentiality – 11%
- Remote Practice – 10%
- Reporting Professional Misconduct – 8%

PUBLIC SERVICES

Access to Justice Programs

In Fiscal Year 2020–2021, the Bar continued to support and expand its access to justice initiatives.

The COVID-19 pandemic only increased the need for free and reduced cost legal services. As such, the Pro Bono Commission, co-chaired by Judge Michelle Christiansen Forster and Judge Royal Hansen and staffed by the Access to Justice Office, met regularly to ensure that there was statewide support for pro bono service efforts. The Commission approved the addition of ALIGHT (Alliance to Lead Impact in Global Human Trafficking) as a Bar Signature Program. ALIGHT works to unlock a fresh start for human trafficking survivors by rapidly connecting survivors to a mobilized network of attorneys who fight for their rights. Becoming a signature program means ALIGHT now receives Bar staff support and malpractice insurance for its volunteer attorneys.

The Pro Bono Commission also supported the expansion of the Virtual Legal Clinic, which today covers additional practice areas and includes more attorneys. The clinic allows clients to meet with lawyers via phone or email to receive brief legal advice. There are now 64 lawyers providing legal advice in 19 different practice areas. In 2020–2021, the Clinic assisted 1,241 program participants.

UTAH STATE BAR

VIRTUAL LEGAL CLINIC

64 volunteer attorneys
assisted **1,241** clients in
19 different practice areas.

The Access to Justice Office continued to manage pro bono lawyers on the weekly Debt Collection Pro Se Calendar and provide support to the Landlord-Tenant Pro Se Calendar in Second and Third Judicial Districts. At the Debt Collection Calendar, 564 participants received pro bono limited-scope representation, and 418 participants received assistance on the day of their housing occupancy hearings. This was done with support from 42 volunteer attorneys donating their time to the weekly calendars. Given its success, the Pro Bono Commission hopes to expand this program to other districts throughout the state.

564

Debt Collection Pro Se Calendar participants received pro bono limited-scope representation on their cases.

418

Landlord-Tenant Pro Se Calendar participants received pro bono assistance on the day of their housing occupancy hearings.

The Access to Justice Office is in its third year of having a staff attorney position funded in partnership with the Utah Bar Foundation. The Office also expanded to include two law student externs each semester. The additional staff and student externs allow for more research and program support.

The Bar's Modest Means Lawyer Referral Program allows eligible participants to receive referrals for reduced rate legal services. The Program served 520 participants by pairing them with attorneys who agreed to hourly rates of \$50–\$75. This work was supported and guided by the **Modest Means Committee**, co-chaired by **Judge Su Chon** and **Judge David Williams** and staffed by the Access to Justice Office.

As part of continuing efforts to place full representation pro bono cases, the Bar encouraged attorneys to "Check Yes" when completing their licensing requirements. Those who signed up receive emails every other week with cases needing appointments. This past year, the Access to Justice Office placed 2–3 pro bono cases each month with attorneys across the state.

The **Access to Justice Commission**, co-chaired by **Justice Christine M. Durham** (Ret.) and **Amy F. Sorenson** and staffed by the Access to Justice Office, studies systemic access to justice issues. During the past year, the Commission examined debt collection issues in areas such as medical, utility, and housing and explored relevant due process issues to uncover potential intervention points. The Access to Justice Commission also held the third annual Access to Justice Summit in partnership with nonprofit agencies like United Way, 2-1-1, the University of Utah S.J. Quinney College of Law, and the Utah Courts' Self-Help Center. The Summit's theme was Innovation = Inclusion. It focused on how the pandemic effected change and introduced ways that public service organizations can innovate to better serve their clients. The hybrid event had 74 attendees and was supported by \$6,000 in grants from the Utah Bar Foundation and private donors.

The Access to Justice Office remains committed to studying systemic issues and barriers to justice, while remaining firmly behind efforts to help those who need legal services and are unable to find or pay for representation.

Fund for Client Protection

The **Fund for Client Protection Committee** (**Stephen W. Farr**, Chair) has 11 attorney members, and 1 bar-staff liaison. There were 8 claims made to the Utah State Bar Fund for Client Protection against 4 attorneys during the 2020–2021 fiscal year totaling \$40,601. Of these claims, 6 were approved for awards totaling \$18,107. The rules to the Fund for Client Protection are housed on the court website at: https://www.utcourts.gov/resources/rules/ucja/index.htm#Chapter_14.

8

claims were made to the Fund for Client Protection.

6

claims were approved for awards.

Total amount of claims made to the fund:

\$40,601

Total amount of claims approved for awards:

\$18,107

Unauthorized Practice of Law Committee

Only persons who are active, licensed lawyers or LPPs in good standing may engage in the practice of law in Utah. The **Unauthorized Practice of Law (UPL) Committee** investigates UPL complaints against individuals and organizations under Supreme Court Rules of Practice Rule 14-802. During FY2020–2021, the committee (**Maribeth LeHoux**, Chair) received 19 new complaints. Ten complaints were against attorneys licensed in Utah or other jurisdictions and the committee referred those matters to the Utah Office of Professional Conduct. The other 9 complaints were against non-lawyer individuals or organizations, 6 of which were closed following admonition or for lack of witness cooperation or evidence. The Committee continues to investigate the other 3 complaints.

Young Lawyers Division

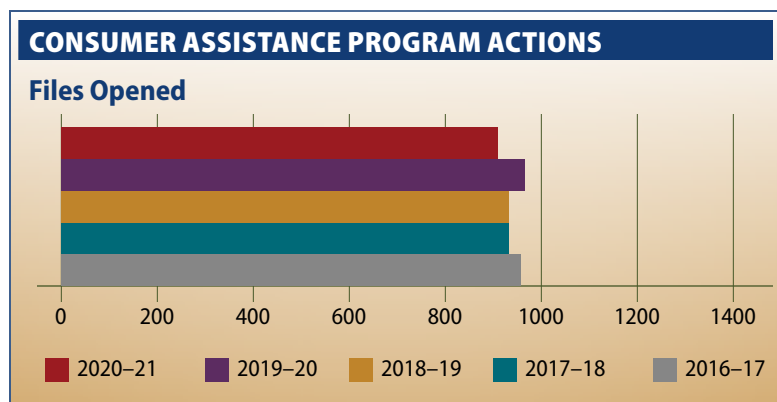
The Utah Young Lawyers Division is the Utah Bar's program for new attorneys. The Young Lawyers Division provides its members with service opportunities, tools to navigate the early years of their careers, opportunities for community involvement and networking, and resources to grow their lawyering skills. Their web site is <http://younglawyers.utahbar.org/>.



JOINT “GROUP” & PUBLIC SERVICES

Consumer Assistance Program

Through the informal process of the Consumer Assistance Program (CAP), the Utah State Bar offers support to both consumers and attorneys who request assistance in their communication with each other. CAP eases the load for the Office of Professional Conduct (OPC) by dealing with minor complaints submitted by consumers whose concerns usually include wanting timely return calls from their attorneys, routine updates about their cases, regular billing statements, and copies of their client files. The CAP attorney strives to facilitate communication between consumers and their lawyers so that minor issues can be resolved before they escalate into potential disciplinary matters.



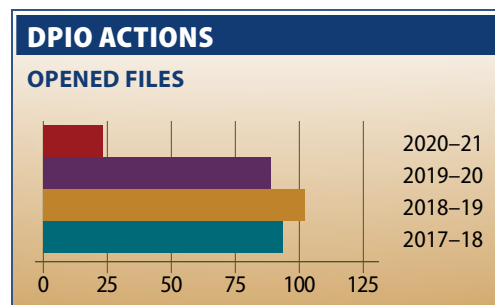
Most often the CAP attorney offers guidance to consumers to help them understand what they may and may not reasonably expect from their counsel and the legal process. Additionally, many consumers need information about other Utah State Bar services such as Fee Dispute Resolution, Licensed Lawyer, Modest Means, Access to Justice, Tuesday Night Bar, Fund for Client Protection, Judicial Conduct Commission and Unauthorized Practice of Law.

During the 2020–2021 fiscal year, the CAP attorney opened 904 files, handled 1,336 phone conferences, but held only one in-person meeting due to the pandemic. Attorneys were contacted in 181 matters (15%).

Disciplinary Process Information Office

The Disciplinary Process Information Office (DPIO) is designed to assist those attorneys who find themselves the subject of Bar complaints. The DPIO attorney explains and answers questions about the complaint process. She refers attorneys to the appropriate procedural rules at various stages of the process and provides additional information that pertains to individual matters.

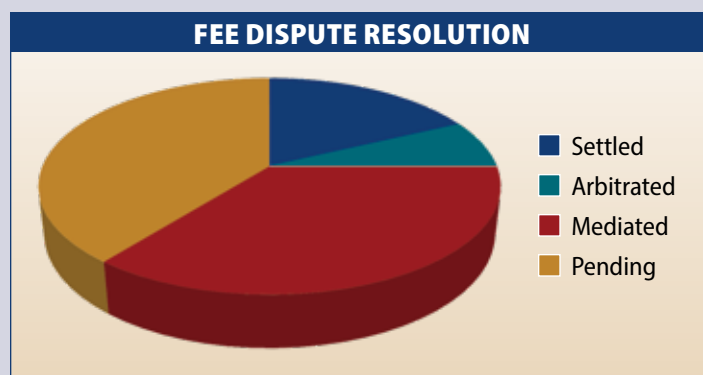
During the 2020–2021 fiscal year, the DPIO attorney opened 24 files and handled 27 phone conferences.



Fee Dispute Resolution Program

In the last fiscal year, the **Fee Dispute Resolution Committee** (**Sheleigh Harding**, Chair) prepared and conducted hearings with a volunteer lawyer or panels of volunteer lawyers, judges and lay people to resolve disputes about legal fees in a process through which parties voluntarily agree to be bound. The committee presently has 16 lawyers, 8 lay-people and 1 bar-staff liaison. Last year, the committee opened 28 cases, settled 5, arbitrated 2, and 10 cases were mediated. A

link to more information may be found at <http://www.utahbar.org/public-services/fee-dispute-resolution-program>.



Law & Justice Center Operations

The Utah State Bar owns and operates the 33,000 square foot building known as the Utah Law & Justice Center. The Center provides low cost meeting room space and, in pro bono cases, no cost meeting room space. Services by the Center staff include organization of events, audio-visual rental, catering, low cost leases, tenant support, interior and exterior grounds maintenance and security. During the 2020–2021 fiscal year, the building rented space for over 57 meetings. The number of meetings is significantly down from previous years due to closing the building in March 2020 because of the COVID-19 pandemic. Groups using the meeting space included the Bar Commission, Bar Committees, Bar Section Continuing Legal Education luncheons and seminars, mediations, arbitrations, charitable and non-profit entities, educational organizations, public interest groups, and association trainings.



Public Education, Services and Special Projects

The Bar Commission regularly provides public education projects including participation with the American Bar Association, makes appointments to Utah State Boards and Committees, helps to fund the Law Related Education Project, and sponsors the Law Day Celebration with the **Law Day Committee** (**Young Lawyers Division**), among other projects.



LAW DAY 2021
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Governmental Relations

The Bar hires a legislative representative and supports the activities of the **Governmental Relations Committee** (**Jaqualin Friend Peterson** and **Sarah E. Bouley**, Co-chairs) which makes recommendations for action on bills and provides assistance to legislators with specific questions on legislation. All of the Governmental Relations Committee's activities comply with the requirements of *Keller v. State Bar of California*.

> 2021–2022 Section Leadership

Lara Swenson, Chair
Antitrust Section

Cherise Bacalski, Chair
Appellate Practice Section

Nicholas Frandsen, Chair
Banking & Finance Section

Katherine Kang, Chair
Bankruptcy Section

Klea Harris, Chair
Business Law Section

**Hannah Follender &
J.D. Lauritzen, Chairs**
Cannabis Law Section

Jonathan Hanks, Chair
Collection Law Section

Quinn Sperry, Chair
Community Association Law Section

Jason Groth, Chair
Constitutional Law Section

Erik Hamblin, Chair
Construction Law Section

Richard Mortensen, Chair
Corporate Counsel Section

Nic Mills, Chair
Criminal Law Section

Deanna Sabey, Chair
Cyberlaw Section

Christian Clinger, Chair
Dispute Resolution Section

Daniel Harper, Chair
Education Law Section

Greg Lyle, Chair
Elder Law Section

Derek Julio, Chair
Entertainment, Communications &
Media Law

Blaine Rawson, Chair
Environmental Law Section

Jonathan Hoagland, Chair
Estate Planning Law Section

Danielle Hawkes, Chair
Family Law Section

Christian Thompson, Chair
Franchise Law Section

LaShel Shaw, Chair
Government & Administrative Section

Allison Griffiths, Chair
Health Law Section

Angilee Dacik, Chair
Indian Law Section

Adam Smoot, Chair
Intellectual Property Section

Joseph Brubaker, Chair
International Law Section

Jennifer Orson, Chair
Juvenile Law Section

Erik Strindberg, Chair
Labor & Employment Section

Ben Lear, Chair
Legal Entrepreneur Law Section

Matthew Bell, Chair
Limited Scope Section

Melanie Vartabedian, Chair
Litigation Section

J. Ed Christiansen, Chair
Military Law Section

Blake Voorhees, Chair
Non-Profit Law Section

Judson Pitts, Chair
Real Property Law Section

Thomas Brady, Chair
Securities Law Section

T. Richard Davis, Chair
Senior Attorneys Section

Clayton Simms, Chair
Small Firm Section

Samuel A. Lambert, Chair
Tax Law Section

> 2021–2022 Division Leadership

Grant Miller, President
Young Lawyer Division

Shalise McKinley, President
Paralegal Division

> 2020–2021 Awards

Judge of the Year
HON. KATE APPLEBY



Professionalism Award
MARGARET D. PLANE



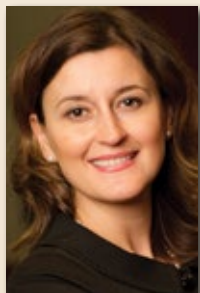
Charlotte L. Miller Mentoring Award
NICHOLAS C. MILLS



Lawyer of the Year
JAMES W. MCCONKIE II



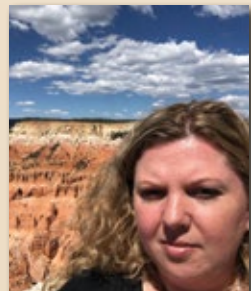
**Dorothy Merrill Brothers Award
for the Advancement of Women in
the Legal Profession**
AIDA NEIMARLIJA



James B. Lee Mentoring Award
HON. LAURA S. SCOTT



Committee of the Year
**CONTINUING
LEGAL EDUCATION
ADVISORY COMMITTEE**



**Raymond S. Uno Award
for the Advancement of Minorities
in the Legal Profession**
ENGELS TEJEDA



Paul T. Moxley Mentoring Award
BRUCE DIBB

