

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

OCTOBER 16, 2020

VIDEO CONFERENCE MEETING

- In Attendance:** President Heather Farnsworth and President-elect Heather Thuet.
Commissioners: John Bradley, Traci Gunderson, Rick Hoffman, Chrystal Mancuso-Smith, Marty Moore, Mark Morris, Shawn Newell, Mark Pugsley, and Katie Woods.
- Ex-Officio Members:** Nate Alder, Herm Olsen, Erik Christiansen, Raj Dhaliwal, Grace Pusavat, Sarah Baldwin, Camila Moreno, and Margaret Plane and Dean Gordon Smith.
- Not in Attendance:** Michelle Quist and Tom Seiler, Ex-Officio Members: Ashley Peck, Amy Fowler, Robert Rice, and Dean Elizabeth Kronk Warner.
- Also in Attendance:** Executive Director John C. Baldwin, General Counsel Elizabeth A. Wright, and Supreme Court Liaison Larissa Lee.

Minutes: 9:03 a.m. start

1. President's Report: Heather Farnsworth

- 1.1 Tonight's Dinner & Activity.** Heather Farnsworth provided details for the Commission virtual get-together.
- 1.2 Committee/Seminar on Use of Deadly Force in Utah.** See below.
- 1.3 Discuss lawyers' Rights of Expression.** Heather Farnsworth provided two examples of lawyers who spoke out publicly on current issues and, as a result, had OPC complaints filed against them. The Commission discussed concern that politically active lawyers are being targeted for speech. Heather Farnsworth will address the issue in the next e-bulletin.
- 1.4 Discuss Bar Executive Succession Process.** John Baldwin will retire when his current contract ends on June 30, 2021. A plan and timeline for selecting his replacement was distributed. The Commission discussed the hiring timetable, the succession plan and the groups that should be represented on the hiring committee.
- 1.5 Discuss ABA Legal Intern Program.** Erik Christiansen reported on the ABA Judicial Intern program whose goal is to promote judicial internships to diverse candidates from across the nation. The program also provides professional and networking support to the

interns. Erik has established a committee to promote the program in Utah and may seek Bar funding if needed.

2. Action Items.

- 2.1 **Approve 2019-2020 Audit Report.** The Bar’s Financial Director Lauren Stout joined the meeting. Rick Hoffman reviewed the report with the Commission and noted the “clean opinion” from the auditors. **Andrew Morse moved to accept the 2019-2020 auditor’s report. Marty Moore seconded the motion which passed unopposed.**
- 2.2 **Selection of ABA Delegate.** After a discussion of the applicants, **Marty Moore moved to appoint Kim Cordova to serve as a Bar ABA Delegate. Herm Olsen seconded the motion which passed unopposed.**
- 2.3 **Reinstate Lawyers Helping Lawyers as Bar Committee.** Brook Millard and Danielle Hawkes joined the meeting to ask that Lawyers Helping Lawyers be reinstated as a Bar committee. It was initially a Bar committee and then became a separate 501(c)(3) organization. The organization will be more effective and have more visibility as a Bar committee. **Marty Moore moved to reinstate Lawyers Helping Lawyers as a Bar Committee, to accept the Committee Charge and to appoint Brook Millard as Committee Chair and Dannielle Hakes as Vice Chair. Katie Woods seconded the motion which passed unopposed.**

OUT OF ORDER

1.2 Committee/Seminar on Use of Deadly Force In Utah. Former Bar President Rod Snow joined the meeting to ask the Commission to establish a task force to study Utah’s deadly force statute and to possibly make recommendations for change to the Utah legislature. Margaret Plane noted the various groups that have been created to study the statute in response to recent incidences of use of deadly force. After discussion, **Marty Moore moved to decline to set up a Bar task force on the use of deadly force in Utah and to instead to create a committee to explore offering a seminar or CLE on the issues. John Bradly seconded the motion which passed with Heather Farnsworth and Andrew Morse opposed.**

- 2.4 **Selection of Outstanding Mentors.** After discussion of the NLTP Committee’s recommendations, **Marty Moore moved to award Michael Langford and Patrick Tan the 2019 Outstanding Mentor Award. Chrystal Mancusco-Smith seconded the motion which passed unopposed.**

3. Discussion Items.

- 3.1 **Bar Survey & List of Commissioners’ Priorities.** The Commission will release the survey to the public and Bar affinity groups with an introduction and a summary of the survey findings.

3.2 Regulatory Reform and Bar Committee Planning. The Committee will continue to keep the Commission and Bar licensees informed of the activities of the Court’s innovation Committee and the organizations granted permission to participate in the sandbox.

4. Information Items.

4.1 Announce Admissions Ceremony. The Admissions Ceremony will take place via videoconference at noon on October 20, 2020.

4.2 Judicial Nominating Publicity Follow-up. Marty Moore did not have an update.

5. Executive Session

Adjourn: 12:45 p.m.

Consent Agenda

1. Approved Minutes from the August 28, 2020 Commission Meeting.