



Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834

Telephone: 801-531-9077 • Fax: 801-531-0660

<http://www.utahbar.org>

John C. Baldwin
Executive Director

Board of Bar Commissioners

Heather M. Farnsworth
President
Match & Farnsworth
Salt Lake City

Heather L. Thuet
President-elect
Christensen & Jensen
Salt Lake City

John W. Bradley
Utah Attorney General's Office
Ogden

Traci A. Gundersen
Attorney at Law
Draper

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

Chrystal Mancuso-Smith
Swenson & Shelley
Salt Lake City

Marty E. Moore
Peck Hadfield Baxter & Moore
Logan

Mark O. Morris
Snell & Wilmer
Salt Lake City

Andrew M. Morse
Snow Christensen & Martineau
Salt Lake City

Shawn Newell
Public Member
Waves Enterprises, LLC
Salt Lake City

Mark W. Pugsley
Ray Quinney & Nebeker
Salt Lake City

Michelle Quist
Kunzler Bean & Adamson
Salt Lake City

Thomas W. Seiler
Seiler, Anderson, Fife,
& Marshall, LC
Provo

Kristin K. Woods
Attorney at Law
St. George

Via Email to: sandbox@utcourts.gov, jlund@parsonsbehle.com & U.S. Mail

Mr. John Lund, Chair
Office of Legal Services Innovation
c/o Parsons Behle & Latimer
201 South Main, Suite 1800
Salt Lake City, Utah 84111

Re: Information Concerning Approved Participants In Regulatory
Sandbox

Dear Mr. Lund:

I am writing on behalf of the Utah State Bar Regulatory Reform committee as the Co-Chair of the Committee. We appreciate the information that the Office has shared thus far with the public concerning approved participants in the regulatory sandbox. The Bar recognizes the innovative work in which the Office of Legal Services Innovation (the "Office") is engaged with respect to the regulatory sandbox. We believe that transparency assists the public and membership of the Utah State Bar in understanding the changes that are taking place.

With our shared interest in continuing transparency in mind, our Committee is writing respectfully to make a request that the Office share additional information with our Committee concerning approved participants. With the progress being made, and because we continue to receive inquiries about the nature and extent of participation in the sandbox, it would help us and the Office if you were to share even more detail about approved participants. In particular, our Committee could utilize more information about each approved participant that includes, for example (a) if different criteria are applied to different applicants, the criteria used for approval of the applicant and why each applicant was approved under the applicable criteria; (b) how the approved applicant is expected to assist in meeting unmet legal needs of the public, if that was a criterion the Office applied to the applicant; (c) how the specific project of each approved applicant will work as proposed; (d) what data the Office expects to receive from each approved applicant and with what frequency; (e) the risks the Office perceived, if any, that the applicant presents to the public; and (f) the anticipated impact on lawyers working in the area of the approved applicant.

We recognize there may be a desire among some to not share this information, and of course the Office does not report to the Bar, but rather to the Supreme Court. But our object is to obtain more detailed information concerning both the evaluation of applicants, and the applicants themselves, so our Committee

can weigh in on opportunities to better the process, methodology and functions of approved applicants. We remain committed to the continuing dialogue between the Bar, the Supreme Court, and the Office. We also welcome your suggestions about the types of additional information that might be beneficial for our Committee and the Bar Commission to receive, if we have missed something.

Finally, we are interested in the Office's thoughts about whether clients of approved applicants should or should not be eligible to participate in the Bar's Client Security Fund in the event of a negative impact by an approved applicant on the public. If the Bar's security fund is at risk for public claimants because of the sandbox efforts, then we would strongly encourage a requirement for malpractice coverage by sandbox participants.

When you have a minute, and if you think it would be helpful, a few members of our Committee could meet with the Office and discuss these issues on Zoom or WebEx given the pandemic. And thanks for the countless hours you have devoted to this, on top of so many years of service to the Bar.

Very truly yours,

A handwritten signature in black ink, appearing to read 'E.A. Christiansen', with a long horizontal flourish extending to the right.

Erik A. Christiansen