POSITION DESCRIPTION

Job Title: Consumer Assistance Program (CAP) Attorney and Disciplinary Process Information Office (DPIO) Counsel
Reports To: General Counsel
Status: Exempt - Part time 30 hours per week
Effective Status: July 2023

Consumer Assistance Program Functions:
The Consumer Assistance Program of the Utah State Bar (CAP) strives to facilitate resolution of minor complaints consumers have about their attorneys or licensed paralegal practitioners (LPPs). Most often, CAP aids consumers by discussing their concerns with them, informing their attorney or LPP of those concerns, and urging the attorney or LPP to work with the consumer to resolve the concerns. Although termed "consumer assistance," CAP also aims to assist attorneys and LPPs. Through its efforts at early intervention of minor problems, CAP endeavors to assist consumers and attorneys or LPPs to resolve those problems before they escalate into disciplinary matters in the OPC.

CAP does not provide legal advice. CAP has no disciplinary authority.

Outline of CAP Responsibilities:
1. Intake

Consumers contact CAP by phone, email or the online form regarding their concerns about their attorney or LPP. Other Bar departments may also refer consumers to CAP. CAP telephones every consumer to discuss their concerns. CAP helps to identify and clarify the consumers’ concerns and then explain all options available to the consumers through CAP or through the Bar’s other programs. For those consumers who are not available by telephone, CAP sends an email or postal letter asking the consumer to contact CAP so their concerns can be addressed.

2. Action taken by CAP

   A. When appropriate, CAP contacts the lawyer or LPP involved and provides a summary of the consumer’s concerns. Most contact is by email or letter addressed to the consumer with a copy addressed to the lawyer or LPP. CAP requests that the lawyer or LPP respond directly to the consumer to hopefully resolve the consumer’s concerns. CAP encourages
both to communicate regularly with each other as the legal matter proceeds.

B. If the CAP process is not appropriate to address the consumer's concerns, CAP refers consumers to other appropriate Bar programs such as Access to Justice, Fee Dispute Resolution, Fund for Client Protection, Licensed Lawyer, Modest Means, Virtual Legal Clinic or the Unauthorized Practice of Law Committee. CAP may also refer consumers to state and local offices such as Legal Aid Society, Utah Legal Services, city and county Public Defenders Associations, the courthouse Family Law Clinic, Utah State Courts’ Self-help website, small claims court, or the Judicial Conduct Commission.

C. If a consumer's concerns rise to the level of an ethical complaint, or if the consumer desires to file a disciplinary complaint, then the CAP attorney refers the consumer to the Office of Professional Conduct.

D. CAP offers guidance to the consumers about what they may reasonably expect from their lawyer or LPP.

3. CAP prepares monthly and yearly reports.

**Disciplinary Process Information Office Functions:**

The Disciplinary Process Information Office (DPIO) is designed to assist attorneys and LPPs who find themselves the subject of a disciplinary complaint by clarifying the steps and details of the discipline process. The DPIO answers questions about the discipline process and what a lawyer or LPP may expect in terms of procedure and timing. DPIO also provides procedural information to those individuals who seek reinstatement or relicensure with the Utah State Bar.

DPIO is not a part of the OPC or OPC’s prosecutorial functions.

**Requirements**

1. Law degree from an ABA-accredited law school.
2. Excellent written and verbal skills.
4. Knowledge of court civil procedure.
5. Knowledge of legal services, public service, and consumer assistance organizations in the state.
6. Knowledge of the Utah lawyer and LPP disciplinary process.