

2022-2023

# Utah State Bar®

## Summary of Operations



A photograph of the Cache County Courthouse in Logan, Utah, featuring a prominent green dome and classical architectural details. The image is partially obscured by a blue overlay on the right side where the text is located.

## Vision of the Utah State Bar

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

## Mission of the Utah State Bar

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

## Utah State Bar Statement on Diversity & 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 members' 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 members;
- Support the efforts of all members in reaching their highest professional potential;
- Reach out to all members to welcome them to Bar activities, committees, and sections; and
- Promote a culture that values all members of the legal profession and the judicial system.



# Introduction & 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 rules confirm the specific purposes, duties and responsibilities of the Utah State Bar as:

- 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 members of the Bar;
- Educating the public about the rule of law and their responsibilities under the law; and
- Assisting members of the Bar 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 a variety of administrative policies and procedures. Other rules necessary to regulate and manage the practice of law have been promulgated by the Bar and approved by the Court. These other rules include the Rules Governing Admission, Rules of Lawyer Discipline, Disability and Sanctions, Rules of Professional Conduct, Special Practice Rules, Resolution of Fee Disputes and the The Fund for Client Protection. The Court has also established rules governing mandatory continuing legal education and IOLTA. These rules may be found at [www.utcourts.gov](http://www.utcourts.gov).

A photograph of the Garfield County Courthouse in Panguitch, Utah. The building is a multi-story brick structure with a prominent central tower featuring arched windows and a decorative finial. The words "COURT HOUSE" are visible on a sign above the main entrance. The image is overlaid with a semi-transparent blue filter.

**Garfield County  
Courthouse,  
Panguitch, Utah**

# 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 his/her 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-four full-time and one part-time employee.

During the 2022–2023 year, the Bar Commission included the following:

## Elected Officers



**Kristin K. Woods**  
**President**

Attorney at Law – St. George



**Erik Christiansen**  
**President-elect**

Utah State Bar's ABA Delegate  
Parsons Behle & Latimer –  
Salt Lake City

## Elected Lawyers and Geographic Area:



**J. Brett Chambers**  
**1st Division**

Box Elder, Cache, and Rich Counties  
Harris, Preston, & Chambers, LLP – Logan



**Mark O. Morris**  
**3rd Division**

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



**Matthew J. Hansen**  
**2nd Division**

Weber, Morgan, and Davis Counties  
Davis County Attorney's Office – Farmington



**Andrew Morse**  
**3rd Division**

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



**Traci A. Gundersen**  
**3rd Division**

Tooele, Salt Lake, and Summit Counties  
4Life Research – Salt Lake City



**Cara M. Tangaro**  
**3rd Division**

Tooele, Salt Lake, and Summit Counties  
Tangaro Law – Salt Lake City



**Gregory N. Hoole**  
**3rd Division**

Tooele, Salt Lake, and Summit Counties  
Hoole & King – Salt Lake City



**Tyler S. Young**  
**4th Division**

Millard, Juab, Utah, and Wasatch Counties  
Young Kester Black & Jube – Provo



**Beth E. Kennedy**  
**3rd Division**

Tooele, Salt Lake, and Summit Counties  
Zimmerman Booher – Salt Lake City



**Tom J. Bayles**  
**5th Division Representative**

Beaver, Iron, and Washington Counties  
ProvenLaw, PLLC



**Chrystal Mancuso-Smith**  
**3rd Division**

Tooele, Salt Lake, and Summit Counties  
Kimball Anderson – Salt Lake City

## 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:



**Heather L. Thuet**  
**Immediate Past President**  
Key Legal Group – Salt Lake City



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



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



**Brit Merrill**  
**Women Lawyers of Utah**  
**Representative**  
Holland & Hart – Salt Lake City



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



**Gabriela Mena**  
**Minority Bar Association**  
**Representative**  
Skordas & Caston – Salt Lake City



**Margaret Plane**  
**Judicial Council Representative**  
Park City Corporation – Park City



**Anaya Gayle**  
**LGBT & Allied Lawyers of Utah**  
**Representative**  
Holland & Hart – Salt Lake City



**Nick Stiles**  
**Utah Supreme Court Representative**  
Administrative Office of the Courts –  
Salt Lake City



**Scotti Hill**  
**Young Lawyers Division**  
**Representative**  
Utah State Bar – Salt Lake City



**Nathan D. Alder**  
**Utah ABA Members' Delegate**  
Christensen & Jensen – Salt Lake City



**Shalise McKinlay**  
**Paralegal Division Representative**  
Dominion Energy Questar Corporation –  
Layton



**Kim Cordova**  
**Utah State Bar's Delegate to the ABA**  
Ed Brass Law – Salt Lake City

# 2022–2023 Commission Priorities

■ Lawyer Well-being

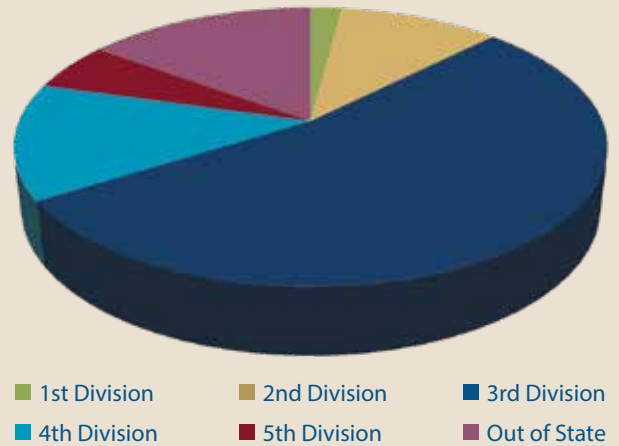
## Licensing Statistics

STATUS	2021–2022	2022–2023	Change
Active	8,998	9,221	223
Active under 3 years	906	686	(177)
Active Emeritus	267	366	96
In House Counsel	112	129	13
Foreign Legal Counsel	4	4	–
Licensed Paralegal Practitioner	13	27	4
Military Spouse	–	–	–
<b>Subtotal – Active</b>	<b>10,274</b>	<b>10,433</b>	<b>159</b>

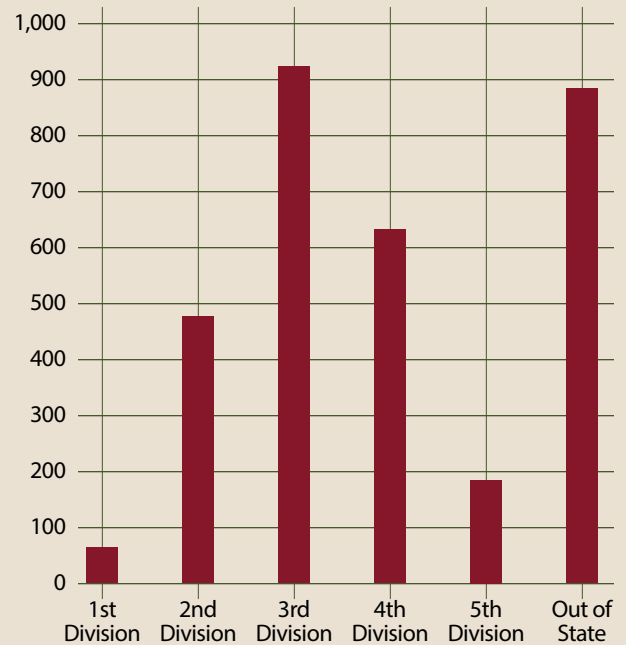
Inactive – Full Service	803	835	8
Inactive – No Service	2,029	2,050	(5)
Inactive Emeritus	363	531	117
Inactive House Counsel	9	12	2
<b>Subtotal – Inactive</b>	<b>3,306</b>	<b>3,428</b>	<b>122</b>
<b>Total Active &amp; Inactive</b>	<b>13,580</b>	<b>13,861</b>	<b>281</b>

ACTIVE ATTORNEYS BY REGION			
1st Division (Logan–Brigham)	208	210	2
2nd Division (Davis–Weber)	1,107	1,103	6
3rd Division (Salt Lake)	5,586	5,633	47
4th Division (Utah)	1,411	1,417	6
5th Division (Southern Utah)	562	589	27
Out of State	1,500	1,571	71
<b>Total Active Attorneys</b>	<b>10,274</b>	<b>10,433</b>	<b>159</b>
<b>Paralegal Members</b>	<b>156</b>	<b>152</b>	<b>(4)</b>

### ACTIVE ATTORNEYS BY REGION



### GROWTH BY DIVISION from 2013–2022



\*During the 2012–13 fiscal year, 1,161 attorneys did not designate a division.



# Bar Programs & Services

## REGULATORY SERVICES

### Non-exam Attorney Applications for Admission

Special admissions include reviewing and processing Military Lawyers, House Counsel, Admission on Motion and Pro Hac Vice applications. During the Fiscal 2022–2023 year, we received the following special admissions applications:

	APPLICATIONS	ADMITTED	PENDING	DENIED	WITHDRAWN
MILITARY	0				
HOUSE COUNSEL	35	22	9	0	4
MOTION	173	129	41	1	2
UBE TRANSFERS	83	65	18	0	0
PRO HAC VICE	84				

### Applications for Admission by Bar Examination

Admissions includes the application process, character and fitness file reviews and hearings, preparation for and administration of the exam, 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 2022 Bar Examination Statistics

280 July Bar Examinees | 235 Successful Examinees | Pass Rate: 84%

Essay Scores 50 Points Possible Average Score: 30.7	Multistate Scores 200 Points Possible Utah Average: 146.9 National Average: 140.3 (44,705 tested)	Combined Scores 400 Points Possible Utah Mean Score: 293.7 Passing Score 270
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### February 2023 Bar Examination Statistics

79 February Bar Examinees | 51 Successful Examinees | Pass Rate: 65%

Essay Scores 50 Points Possible Average Score: 30.2	Multistate Scores 200 Points Possible Utah Average: 140.9 National Average: 131.1 (19,228 tested)	Combined Scores 400 Points Possible Utah Mean Score: 281.4 Passing Score 270
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## Licensed Paralegal Practitioner Program

This NLTP/LPP administrator position under the purview of the Bar's admissions department. This merging enables LPP to benefit from the extensive resources within admissions and to more closely align the image of LPPs as licensees of the Bar alongside lawyers.

Over the 2022–2023 fiscal year, the LPP administrator worked to implement an online application system. This system will be instituted for the August 2023 examination cycle.

### LPP Program from July 1, 2022 to June 30, 2023:

Applicants: August 2022: 6      March 2023: 4

Number of LPPs admitted between July 1, 2022 to June 30, 2023: 5

Number of LPPs: 28

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](https://licensedlawyer.org).

The **LPP Steering Committee**, (**Judge Amber Mettler**, chair) has maintained an active agenda. The committee amended Rule 14-802 to clarify that LPPs can assist clients with name and gender change (consistent with Utah Supreme Court precedent) as well as common law marriage. The full list of permitted activities for LPPs within their limited legal license is enumerated in Rule 14-802(c)(1)(A)-(L). The committee has also been working on amendments to the rules which will allow LPPs to more easily and efficiently provide legal services to their clients.

## 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. In 2021–2022, the Bar's **Committee on New Lawyer Training** (“NLTP Committee”) (**Rebecca Long Okura** and **Laura Rasmussen**, co-chairs), 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 13 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 2022, 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.

**NEARLY  
3,000  
ATTORNEYS  
have completed  
NLTP program over  
13 YEARS**



# Professional Conduct Enforcement

The Office of Professional Conduct (OPC) 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 **OPC Oversight Committee** (**Arthur Berger**, Chair) provides administrative oversight to OPC and reports directly to the Utah Supreme Court. The OPC prepares a separate report on its operations which is available at [www.opcutah.org](http://www.opcutah.org).

The **Ethics and Discipline Committee** of the Utah Supreme Court (**Christine Greenwood**, Chair) hears cases against lawyers and licensed paralegal practitioners accused of violations of the Rules of Professional Conduct. Following a hearing before a screening panel, the panel may dismiss, recommend the imposition of a private admonition or public reprimand, or instruct OPC to file an action against the respondent in district court.

The Utah State Bar **Ethics Advisory Committee** (**John Snow**, Chair) issues written opinions and letter responses to requests for advisory opinions regarding the ethical propriety of professional conduct of lawyers and LPPs. Bar staff supports the **Supreme Court Rules of Professional Conduct Committee** (**Simon Cantarero**, Chair) which makes recommendations to the Court regarding the ethical rules governing the practice of law.

## Continuing Legal Education

Over the past year, the CLE Department created, administered, and hosted 193 separate CLE events, which included the attendance of 24,515 attorneys across Utah and the U.S., noting additionally that more than 50 different subject matter areas of practice have been represented in this annual catalog of CLE events. Post-pandemic, we continue to host daily/weekly 1-hour CLE sessions via Zoom; and many of our in-person sessions continue to be hosted in hybrid fashion to facilitate ease of attendance.

Our goal in CLE is to ensure that credible, meaningful CLE content can be reached by all Utah State Bar licensees, regardless of practice area and of geographic proximity to the Wasatch Front. In addition to traditional CLE events, a total of 3,934 hours of video replays, of Utah State Bar CLE Department content, were completed independently by licensees, primarily online via the Bar's partnership with CE21. 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. 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, as well as to increase the value of belonging to our sections and divisions.

The CLE Department staff interacts with all 40 sections and divisions of the Bar, as well as many of our Utah State Bar Committees, to ensure that all licensees have input to the Bar and can create successful learning experiences as we develop professionally and personally to serve the legal community throughout the year.

# General Bar Management & Operations

General Bar Management includes annual licensing, maintenance of various databases, financial controls, governance, 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**. A copy of the 2022–23 Financial Audit by Tanner, LLC is available at [www.utahbar.org/about/reports/#budget](http://www.utahbar.org/about/reports/#budget).

## "GROUP" SERVICES

### Fall Forum, Summer & Spring Conventions

Relationships and learning are enhanced when a premium is placed on respect for multiple points of view and on innovative methods of gathering to discuss issues facing the Bar, the legal profession and the judiciary.

During this fiscal year, the first convention event was the 2022 Summer Convention which was held in Coronado, California. The event was held July 6–9, 2022, at the Loews Coronado Bay Resort. We gathered in person, exercising safety precautions and necessary protocols, and we were honored to gather 241 of our colleagues for the CLE sessions and annual traditions of the Summer Convention. Notably, the Summer Convention included CLE sessions about lessons for lawyering from public service roles, media and its impact on the practice of law, bystanders and enablers in criminal law, and the importance of an independent judiciary.



In November 2022, the Fall Forum tradition was once again held in-person at Little America Hotel, on Friday, November 4, 2022. The theme of our event was "Utah Lawyers as Community Builders," and our keynote speaker was Governor Spencer Cox sharing about the One Utah Initiative. For the CLE sessions, we included legislative updates, family law advancements, business law practitioners sharing about our economy, and well-being as a value of our practice.

We were pleased to see more than 100 attorneys joining the Litigation Trial Academy in 2022 for practical skill building and real-time practice scenarios.

Our next important tradition was our annual gathering in St. George; the Spring 2023 Convention was held March 16–18, 2023, and included 342 practitioners in attendance. The Spring Convention featured CLE dialogue and panel presentations about well-being, family law skill building, branding as a young lawyer, persuasive oral argument, and professionalism and civility counseling. Again, we hosted a Spring Convention film, “A Once and Future Peace,” which was brought to us by the film’s producer, a valued, Utah colleague, Richard Burbidge, and CLE conversations were held regarding the film’s central work of restorative justice and mediation.



We look ahead to returning to additional in-person CLE attendance, and to hosting additional convention style events as part of our CLE repertoire. We will also continue to reach our statewide audience, and practitioners from all walks of legal life, via online engagement.

## Utah Legal Community Well-being

The **Wellbeing Committee for the Legal Profession (WCLP)** is in its fourth year as a permanent standing committee. During the past fiscal year, the WCLP (Utah Supreme Court Associate **Justice Paige Petersen** and Bar Commissioner **Andrew M. Morse**) has continued to direct efforts using the expert assistance of WCLP Executive Director, Martha Knudson, an experienced lawyer with a master’s degree in applied positive psychology.

In the last year, the Utah State Bar has worked closely with the WCLP and made tremendous strides in providing advocacy, education, tools, and services to help improve the well-being of Utah’s legal community. These successes include:

- No-cost clinical mental health services for actively licensed Utah lawyers, LPPs, members of the paralegal division, and their dependents. Services are provided by Tava Health, a Utah based company offering quick access to high-quality virtual mental health services. Since its roll out in February 2023, Utah Bar member usage and response has been tremendous.



- Utah Bar licensees also received no-cost access to Unmind, a robust well-being platform accessible by desktop or through an app. Unmind offers more than 400 evidence-based resources, tools, and courses to help our licensees and law students proactively care for their mental health and well-being. Users can also employ Unmind’s tracking tool to measure their own well-being and receive individualized recommendations to help them maintain their health.



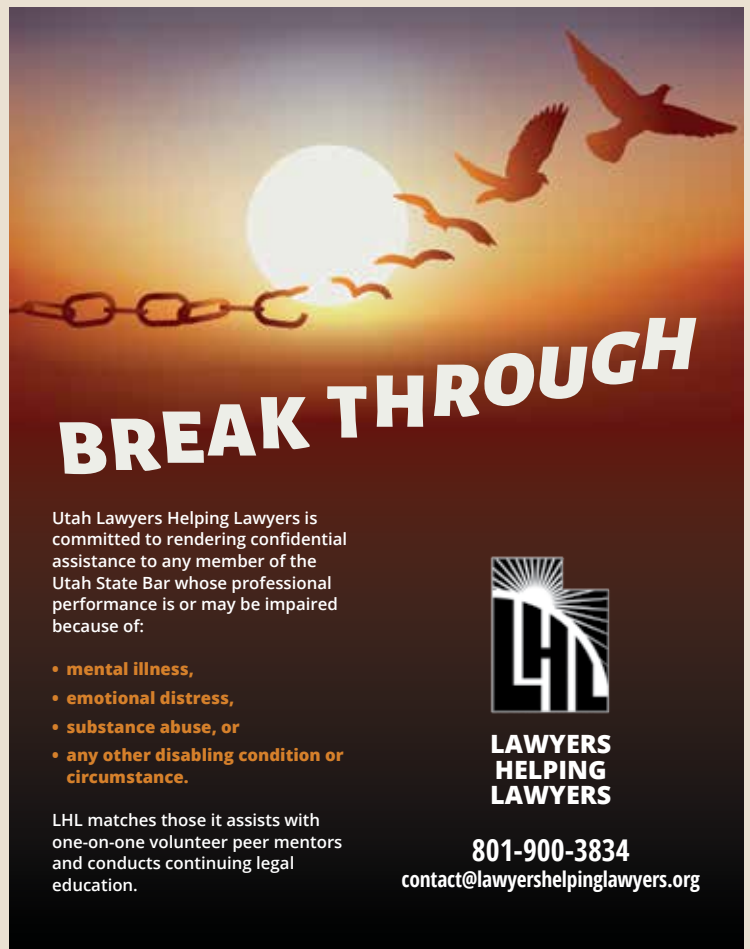
- In the past fiscal year, WCLP Director Martha Knudson, has spearheaded over 30 different sessions to law firms, government offices, legal employers, Utah Courts, Bar sections, the Office of Professional Conduct, the New Lawyer Training Program, and both Utah law schools. Programming has been centered on the impact mental health has on lawyer competence, quality client services, work and life satisfaction, and strategies to help maintain high well-being. These sessions have also showcased the well-being benefits offered by the Bar to its members.

- Ms. Knudson and the WCLP worked closely with the Utah Bar's **Committee on Professionalism & Civility** to advocate for the adoption of Comment 9 to UCJA 13-1.1 on Competence. Comment 9 has been adopted by the Utah Supreme Court, stating:

"Lawyers should be aware that their mental, emotional, and physical well-being may impact their ability to represent clients and, as such, is an important aspect of maintaining competence to practice law and compliance with the standards of professionalism and civility. Resources supporting lawyer well-being are available through the Utah State Bar."

- Ms. Knudson and the WCLP worked closely with the Bar's Admissions counsel to recommend that the Utah Supreme Court remove the mental health "Condition or Impairment" question from the Character and Fitness questionnaire for Utah Bar applicants. The Utah State Bar voted in favor of removal in June of 2023.

Another Bar Committee helping Utah licensees is **Utah Lawyers Helping Lawyers (LHL)**. LHL assists any Bar licensee whose professional performance may be impaired because of mental illness, emotional distress, substance abuse or any other disabling condition or circumstance by connecting them with a confidential mentor who has overcome similar difficulties. LHL also provides CLE programing designed to help lawyers acknowledge and overcome mental health and substance abuse issues.




**BREAK THROUGH**

Utah Lawyers Helping Lawyers is committed to rendering confidential assistance to any member of the Utah State Bar whose professional performance is or may be impaired because of:

- mental illness,
- emotional distress,
- substance abuse, or
- any other disabling condition or circumstance.

LHL matches those it assists with one-on-one volunteer peer mentors and conducts continuing legal education.

  
**LAWYERS  
HELPING  
LAWYERS**

**801-900-3834**  
[contact@lawyershelpinglawyers.org](mailto:contact@lawyershelpinglawyers.org)



## 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/](http://www.utahbar.org/bar-operations/).

## Section & Division Support

Our staff provides support services to 39 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* publishes articles of practical interest to Utah attorneys. The *Utah Bar Journal* was published six times this past year by the **Bar Journal Committee** (**Alisha Giles**, Chair) and provided to Bar licensees and subscribers. The Bar Journal Committee has 20 members and a bar staff-liaison. Access to issues of the *Utah Bar Journal* can be found at [barjournal.utahbar.org](http://barjournal.utahbar.org).



Fifth Judicial District Courthouse, St. George, Utah

## Public Outreach

In the 2022–2023 year the Bar improved service to the public and to Utah attorneys with a revamp of the Bar’s website, [www.utahbar.org](http://www.utahbar.org). The goals of this redesign were to create an intuitive website that increased website engagement metrics like pages per session, session duration, and page views. Every web metric improved with the new design, and the website was nominated for a Luminary Award by the National Association of Bar Executives Communications Section.



The Bar’s social media presence also received a boost in 2022–23. Reach across all social media channels (Facebook, LinkedIn and Instagram) reached an average of 37,433 per month over the Bar year, and increase of 322 percent. The increase was spearheaded by a significant improvement in Instagram numbers as the Bar increased its presence on the platform. According to a recent survey, more than half of active Utah attorneys spent time on one of the Bar’s social media platforms last year.



The Bar’s free lawyer referral service, [Licensedlawyer.org](http://Licensedlawyer.org), increased visits and referrals again from the prior year, with 1,876,544 searches and 12,344 referrals to Utah attorneys.



**1,876,544**  
SEARCHES

**12,344**  
REFERRALS

The Bar received 97 requests for media interviews in 2022–23, from media outlets across the country. Additionally, the Bar’s public outreach supported Bar programs such as Pro Bono, conventions, judicial retention elections and many other events.

## Constitution Day 2022 – Celebrated on September 23, 2022

Constitution Day was celebrated in Utah to honor the judiciary as a fundamental institution of our community and to honor Utah's past and enduring commitment to its Native American land and community members. The celebration at Matheson Courthouse, hosted by the Bar and the Office of Fairness and Accountability, featured the involvement of our Native American students from Larsen Elementary in Spanish Fork, Utah's Title VI school, who performed a student-written play about Utah's Native American roots and how the resolution of problems occurs at its best as a community effort. Guests were also honored by the remarks of Utah Supreme Court Chief Justice Matthew B. Durrant and Bar President Kristin "Katie" Woods.

## Law Day 2023 – Celebrated May 5, 2023

A luncheon was held to gather our legal community and to continue our long-standing tradition of celebrating Law Day in Utah; the luncheon was held at the Grand America Hotel, on Friday, May 5, 2023. More than 200 members of our legal community gathered with students, teachers, and community members, for the event, to celebrate the time-honored annual ritual of Law Day, the importance of the American rule of law, and the need for continuous engagement to improve access to justice and due process in our courts. The theme for 2023 was "Cornerstones of Democracy: Civics, Civility and Collaboration," and we celebrated in Utah with several awards and a community dialogue honoring innovation, sustainability, and dedication to principle as part of the service of lawyers and those staffing our institutions in Utah. Classroom visits and lessons were also part of the Law Day activities throughout the month of May. Lesson plans for Utah teachers, students, and parents were also available on the Utah State Bar website for ensuring that the messaging of Law Day could take root for our youngsters, and not simply be a one-time visit or mere mention in one day of schoolwork. Lawyers continued to visit classes until the end of the school year.



## Utah State Bar Early Diversity School Outreach Program

Utah State Bar lawyers created a volunteer army as part of the Utah State Bar's **Committee on Early Diversity Outreach** (Beth Kennedy, chair). The goal – to make sure all high school students know that a legal career is possible and rewarding by getting lawyers into high schools to talk about their experiences, answer questions, and demystify the profession.

This year – our first year – was a success! A total of 126 lawyers volunteered in 71 classrooms and career fairs throughout the state.

**126**  
**VOLUNTEER**  
**LAWYERS**

**71**  
**CLASSROOMS &**  
**CAREER FAIRS**



## Certificates of Good Standing

Certificates of good standing offer proof of licensure and MCLE compliance. The Utah State Bar has 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. The General Counsel's office provided 992 certificates during fiscal 2022–23.

## Ethics Hotline and Professional Development Office

Since September 2020, the Ethics Hotline has answered hundreds of ethics inquiries from Utah lawyers.

Utah lawyers 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](mailto:ethicshotline@utahbar.org).

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: <https://www.utahbar.org/submit-an-ethics-opinion-question/>.

In March 2022, the Bar designated a stand-alone position of Ethics Counsel to oversee the Ethics Hotline and launch a new initiative – the **Professional Development Office** (PDO). PDO offers Bar members wide-ranging information and insight on how to commence, manage, and maintain a law practice, as well as preparing for retirement or transition out of the practice of law.

### Need Ethics Help?



The Utah State Bar General Counsel's office can help you identify applicable disciplinary rules, provide relevant formal ethics opinions and other resource material, and offer you guidance about your ethics question.

Utah attorneys and LPPs with questions regarding their professional responsibilities can contact the Utah State Bar General Counsel's office for informal guidance during any business day by sending inquiries to [ethicshotline@utahbar.org](mailto: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 advice about the conduct of anyone other than the inquiring lawyer or LPP. The Ethics Hotline cannot convey advice through a paralegal or other assistant. No attorney-client relationship is established between lawyers or LPPs seeking ethics advice and the lawyers employed by the Utah State Bar.



## Licensee Benefits

The Utah State Bar provides Lawyers and LPPs special offers and discounts on products and services that make practicing law or running a law practice easier, more efficient, and affordable. The Bar's benefit partners can be accessed on the Bar's website at <https://www.utahbar.org/business-partners/>.

All active licensees have access to free legal research through Fastcase. Last year, 1,325 Utah Bar licensees used Fastcase's free service. Licensees can access Fastcase through their Practice Portal on the Bar's website. Fastcase is also available for IOS, Android, and Windows Phone and is used by more attorneys than any other legal app according to the ABA.

The Bar offers group benefits and discounts through Beneplace. Licensees can use Beneplace to receive discounts on services like hotels, car rental, amusement parks, floral arrangements and many other goods and services. Those offers can be found on the Bar website at <https://auth.savings.beneplace.com/utahbar/sign-in>.



# Public Services

## Access to Justice Programs

During Fiscal Year 2022–23, the Bar continues to strengthen its commitment initiatives that advance equity in Utah's legal system by increasing access to justice for Utahns with lower incomes or who are disadvantaged. This work is done through the Access to Justice Office (ATJ Office), the Modest Means Lawyer Referral Program, and by the ProBono and Access to Justice Commissions. Based on this focus on serving members and the public, the ATJ team expanded to include an associate staff attorney.



The ATJ Office provides direct legal aid through the Virtual Legal Clinic, Utah Free Legal Answers, and the Pro Se Calendar Volunteer Program. The Virtual Legal Clinic, which replaced Tuesday Night Bar, is growing each year. More volunteer lawyers means that more program participants may receive direct, relevant help. The clinic allows clients to meet with lawyers via phone or email to receive brief legal advice. We now have 71 VLC attorneys providing legal advice in 19 different practice areas. In 2022–2023, the Clinic assisted 1307 program participants, which is up from last year.

### VIRTUAL LEGAL CLINIC

**71 ATTORNEYS**  
**19 PRACTICE AREAS**  
**1,307 ASSISTED**

Utah Free Legal Answers is a virtual legal advice service in which pro bono lawyers respond to civil legal questions submitted by eligible participants. This program is administered by the Access to Justice Office in partnership with ABA Free Legal Answers. There are 58 lawyers providing legal advice to 303 program participants. Most cases involved family law matters, with housing and debt being the next most requested topics.

The Pro Se Calendar Volunteer Program is managed by the Access to Justice Office. The 71 pro bono lawyers who donated their time on the weekly Debt Collection and Immediate Occupancy (IMO) Pro Se Calendars in Third Judicial District provided this support. Through this program, 803 participants (over 200 more than last year) with debt collection matters and 528 with housing matters received free limited-scope representation. In February, the ATJ Office ended the IMO calendar program because attorneys did not have sufficient time to help. In its place, the ATJ Office launched the Pro Se Community Clinic in partnership with People's Legal Aid, a local nonprofit.

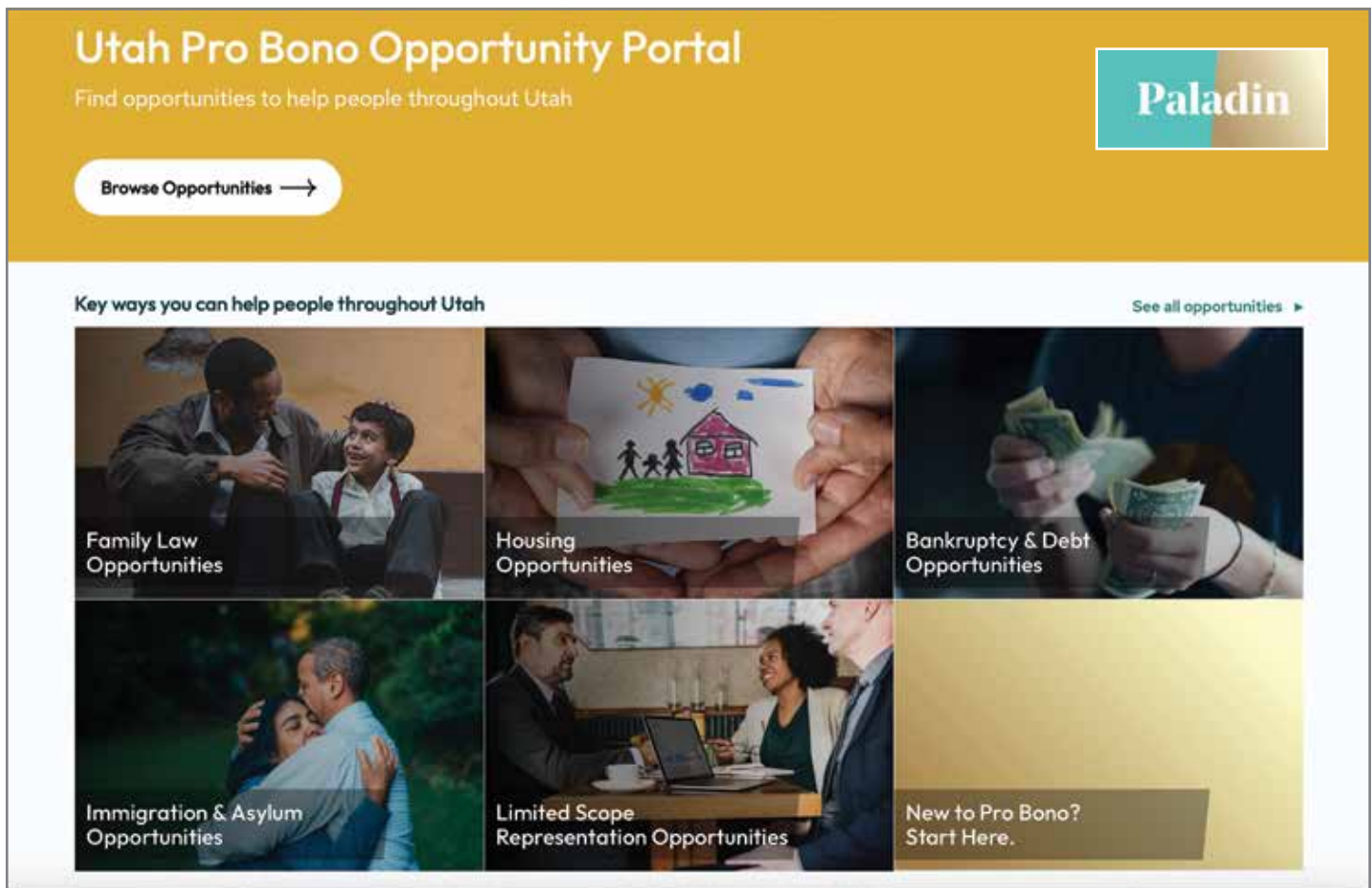
Pro se litigants on both the IMO or Debt Collection consolidated calendars have a limited understanding of how to respond to pleadings and motions. This strongly disadvantages them even when they have a colorable claim or defense. The Pro Se Community Clinic reaches people further upstream before their hearing occurs. Volunteer lawyers, LPPs, and students provide legal information and brief advice regarding claims and defenses, documents, evidence, and trial preparations during the weekly clinic. The clinic happens during a weekly Zoom meeting every Thursday from 11:00 a.m. to 1:00 p.m. Based on their need, they can receive information on how to sign up for community assistance, consult with a volunteer legal practitioner, or consult with a community partner representative from Utah Legal Services, the Disability Law Center, Utah Community Action, or the Utah State Court Self-Help Center.

In addition to pro bono services, the Bar provides reduced rate lawyer referrals through the Bar's Modest Means Lawyer Referral Program. It allows eligible participants to receive referrals for reduced rate legal services. The Program received 455 requests, and the ATJ office gave referrals to requestors for over 64 lawyers throughout Utah who agreed to hourly rates of \$50–\$75. This work was supported and guided by the **Modest Means Committee**, (**Judge Patrick Corum** and **Judge Ann Marie McIlff Allen**, co-chairs), and staffed by the Access to Justice Office.

The **Pro Bono Commission (PBC)**, (**Judge Michelle Christiansen Forster** and **Judge Angela Fannesbeck**, co-chairs) and staffed by the Access to Justice Office, met regularly to ensure statewide support for pro bono service efforts from licensed lawyers and licensed paralegal practitioners. The PBC continues to support the expansion of Bar Signature Programs and Pro Bono Case Circulation.

The Pro Bono Case Circulation program provided pro bono representation to 165 people while numerous people were helped through specialized Bar Signature Programs. Signature programs are administered in partnership with other entities. The PBC currently supports Wills for Heroes, Senior Solutions, Guardianship, the Bankruptcy Pro Bono Program, and the Veterans Legal Clinic.

The launch of the Utah Pro Bono Opportunity Portal by Paladin (Portal) has improved visibility of pro bono clinics, events, and cases while ensuring that more people are being served. This was accomplished through the dedicated work of the Pro Bono Promoter, a new temporary position in the ATJ Office. The Portal helps facilitate the posting, tracking, and advertising of Utah's pro bono legal service opportunities. It is fully functional, filterable, and a one-stop shop for Utah legal professionals.



The **Access to Justice Commission**, (**Justice Christine M. Durham** (Ret.) and **Amy F. Sorenson**, co-chairs) and staffed by the Access to Justice Office, studies systemic access to justice issues. The ATJ Commission continues to focus on debt collection trends and procedures in Utah. In fact, with the support of the Commission, the ATJ Office was awarded a grant in April 2023 from the Utah Bar Foundation to use data-based research to study the debt collection consolidated pro se calendar with the goal of improving the system for the Utah State Courts and all parties. This project will be vital to evaluating the effectiveness of the volunteer program and for providing better training and mentorship for volunteers. In addition, the Commission continues to host the annual ATJ Summit in October and participates in a region Four-Corners ATJ Group.

Through all these events and programs, the Utah State Bar's Access to Justice Office remains committed to studying systemic issues, addressing barriers to justice, and helping those who need legal services.

## 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 30 claims made to the Utah State Bar Fund for Client Protection against 8 attorneys during the 2022–2023 fiscal year totaling \$108,139. Of these claims, 29 were approved for awards totaling \$91,450. 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](https://www.utcourts.gov/resources/rules/ucja/index.htm#Chapter_14).

**30**  
**CLAIMS MADE**  
**TOTALING**  
**\$108,139**

**29**  
**CLAIMS APPROVED**  
**TOTALING**  
**\$91,450**

## Unauthorized Practice of Law Committee

Only persons who are active, licensed members of the Bar 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** and **Michael Menssen**, Co-Chairs) received twenty-two (22) new complaints. Six (6) 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 sixteen (16) complaints were against non-lawyer individuals or organizations, six (6) of which were closed following admonition or for lack of witness cooperation or evidence. One (1) complaint was assigned to outside counsel for formal legal action in the District Court. The Committee continues to investigate the other twelve (12) complaints.

**22**  
**UPL COMPLAINTS**  
**RECEIVED**

**6**  
**REFERRED**  
**TO OPC**

**6**  
**CLOSED**

**1**  
**REFERRED FOR**  
**LEGAL ACTION**

## Young Lawyers Division

The 3,000-member strong Young Lawyers Division (YLD) includes Utah Bar licensees who are under 36 years of age and admitted to their first bar for less than 10 years. The YLD provides its members with CLE programming and opportunities to serve in leadership, network, and serve the community with projects such as Wills for Heroes which provides first responders across the state with free wills. Their website is <https://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 focuses on minor complaints submitted by consumers who most often expect and request from their attorneys timely return calls, 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 Access to Justice, Fee Dispute Resolution, Fund for Client Protection, Licensed Lawyers, Modest Means, Tuesday Night Bar, Virtual Legal Clinic or Unauthorized Practice of Law. The CAP attorney also provides consumers with

information about outside sources of help, including Legal Aid Society, Utah Legal Services, self-help information on the Utah Courts’ website, Office of Professional Conduct, and Judicial Conduct Commission.

During the 2022–2023 fiscal year, the CAP attorney opened 867 files (81% civil matters, 15% criminal matters), and attorneys were contacted in 192 matters (22%). Throughout the year, the CAP attorney handled 1,214 phone conferences and in-person meetings. In 150 matters (17%) the CAP attorney discussed with the consumers all of their concerns but was not able to provide assistance to them. Explaining the reasons for this was extremely helpful to the consumers.

**867 FILES OPENED**  
**192 ATTORNEYS CONTACTED**  
**1,214 PHONE CONFERENCES/MEETINGS**

## 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 2022–2023 fiscal year, the DPIO attorney opened 5 files, handled 27 phone conferences, and responded to 12 emails. The DPIO attorney provided information to 2 individuals who were seeking relicensure with the Utah State Bar, and 2 individuals who sought reinstatement.

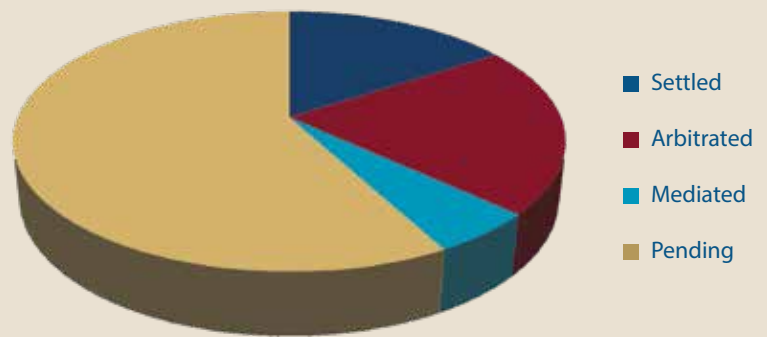




## Fee Dispute Resolution Program

In the last fiscal year, the **Fee Dispute Resolution Committee** (**Jake Pate**, 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 15 lawyers, 8 lay-people and 1 bar-staff liaison. Last year, the committee opened 19 cases, settled 3, arbitrated 4, and 1 case was mediated. A link to more information may be found at <http://www.utahbar.org/public-services/fee-dispute-resolution-program>.

### Fee Dispute Resolution – Actions Taken



## 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. 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.

**Working from home can be great...  
But it's no place for a client!**

The **UTAH LAW & JUSTICE CENTER** offers private, professional meeting space for your client conferences, depositions, mediations, and more!

Our meeting rooms feature:

- reasonable rates
- a central, downtown location
- free internet access
- free, adjacent parking
- audio-visual equipment and support
- beverages
- personal attention

For information & reservations, contact: Travis Nicholson, Building Facilities & Events Manager  
tnicholson@utahbar.org | (801) 297-7029

## 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.

## Governmental Relations

The Utah State Bar engages in legislative activities and public policy actions related to the practice of law and the administration of justice as authorized by *Keller v. State Bar of California*, 496 U.S. 1 (1990) and as authorized by the Utah Supreme Court. The Bar hires a legislative representative and has a **Governmental Relations Committee** (**Jaqualin Friend Peterson** and **Sarah E. Bouley**, co-chairs). The Governmental Relations Committee is made up of representatives of each Bar section who meet weekly during the annual Utah Legislative session to discuss legislation that affects each practice area.

# 2022–2023 Section & Division Chairs

**Lara Swenson**  
Antitrust Law

**Erin Middleton**  
Appellate Practice

**David Billings**  
Banking and Finance

**Ryan Cadwallader**  
Bankruptcy

**S. Adam Revelli**  
Business Law

**Hannah Follender, J.D. Lauritzen**  
Cannabis Law

**Nicholas Lloyd**  
Collection Law

**Lauren DeVoe**  
Community Association Law

**Jason Groth**  
Constitutional Law

**Andrew Berne**  
Construction Law

**Parker Russell**  
Corporate Counsel

**Nicholas Mills**  
Criminal Law

**Elizabeth Benegas**  
Cyber Law

**Jonathan Felt**  
Dispute Resolution

**Kristina Kindl**  
Education Law

**Kurt Reber**  
Elder Law

**Derek Julio**  
Entertainment, Communications  
& Media Law

**Heath Waddingham**  
Environmental Law

**Marianne Ludlow**  
Estate Planning

**Brent Hall**  
Family Law

**C. Christian Thompson**  
Franchise Law

**Duncan Murray**  
Government & Administrative Law

**Allison Griffiths**  
Health Law

**Beth Parker**  
Indian Law

**Jeremy Barton**  
Intellectual Property Law

**Joseph Brubaker**  
International Law

**Sheleigh Harding**  
Juvenile Law

**Tyler Dever**  
Labor & Employment Law

**Benjamin Lear**  
Legal Entrepreneur Law

**Matthew Bell**  
Limited Scope Law

**Kimberly Neville**  
Litigation

**J. Ed Christiansen**  
Military Law

**Blake Voorhees**  
Non-Profit

**J. Bion Wimmer**  
Real Property

**Thomas Brady**  
Securities Law

**Clayton Simms**  
Small Firm

**Nathan Firouzi**  
Tax Law

**Cedar Cosner**  
Young Lawyer Division

**Katie Lawyer**  
Paralegal Division



# 2022–2023 Awards



**Judge of the Year**  
**Hon. Laura S. Scott**



**Dorothy Merrill Brothers Award  
for the Advancement of Women  
in the Legal Profession**  
**Ashley Peck**



**Lawyer of the Year**  
**Laura Milliken Gray**



**Raymond S. Uno Award  
for the Advancement of Minorities  
in the Legal Profession**  
**Sade Turner**



**Committee of the Year**  
**Licensed Paralegal  
Practitioner Committee**



**Charlotte L. Miller Mentoring Award**  
**Phillip S. Ferguson**



**Section of the Year**  
**Business Law Section**



**James B. Lee Mentoring Award**  
**Hon. Su J. Chon**



**Community Member**  
**Shawn Newell**



**Paul T. Moxley Mentoring Award**  
**Jennifer S. Huntsman**



**Professionalism Award**  
**Robert S. Clark**



**Matheson Courthouse, Salt Lake City, Utah**