

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

**March 10, 2022 at 1 p.m.**

**ZOOM AND IN-PERSON MEETING**

**In Attendance:** President Heather Thuet, President-Elect Kristin “Katie” Woods, and Commissioners John Bradley, Traci Gunderson, Greg Hoole, Chrystal Mancuso-Smith, Marty Moore, Mark Morris, Andrew Morse, Michelle Quist, and Tyler Young.

**Ex-Officio Members:** Past-President Heather Farnsworth, Nate Alder, Erik Christiansen, Kim Cordova, Beth Kennedy (for Kim Neville), Brandon J. Mark, Grant Miller, Camila Moreno, Margaret Plane, and Nick Stiles.

**Not in Attendance:** Commissioners Shawn Newell and Rick Hoffman; Ex Officio members Tonya Wright, Dean Gordon Smith, Dean Elizabeth Kronk-Warner, and J. Ramzi Hamady,

**Also in Attendance:** Executive Director Elizabeth A. Wright, General Counsel Nancy J. Sylvester; Deputy General Counsel for Admissions Carrie Boren; Well-being Committee Director Martha Knudsen; Finance Director Lauren Stout; Bar lobbyists Frank Pignanelli and Steve Styler; and Innovation Office staff Sue Crismon and Dr. James Teufel.

**Minutes:**

Ms. Thuet called the meeting to order at 1:03 p.m.

**1. President's Report: Heather Thuet.**

**1.1 Report on Bar Review Events.**

Ms. Thuet reported that the next Bar Review would be the evening following the meeting at the Green Pig.

**1.2 Donations for YLD Homeless Youth Resource Center for April 28<sup>th</sup> Spring Ball.**

Ms. Thuet reported that there was still a need for business suit donations to the Homeless Youth Resource Center. The business suits may be brought to the Law and Justice Center.

### **1.3 2022 Summer Convention Planning Report.**

Beth Kennedy reported on the Summer Convention. She reported that they were working on keynote speakers. She and Ms. Thuet noted that the theme is, in essence, about having difficult conversations. Ms. Thuet noted that there would be an activity for children to interact with judges.

### **1.4 Reminder to Make Coronado Hotel Reservations and Encourage Colleagues to Attend.**

Ms. Thuet reminded commissioners to encourage their colleagues to attend Summer Convention and to make reservations as soon as possible. 300 registrants is the break even number.

## **2. Action Items**

### **2.1 Create Committee to Review Mental Health Service Providers: Martha Knudson.**

Ms. Knudson reported that the pandemic brought to light the importance of mental health and also pushed forth innovation in these spaces. She said there are some providers that offer coaching, for example, and online access. Ms. Knudson proposed studying Blomquist Hale and other service providers through an ad hoc committee that would then make a recommendation. Katie Woods, Andrew Morse, and Heather Farnsworth volunteered to liaise with the committee. Ms. Thuet also suggested that Billy Walker propose someone from OPC to join. Ms. Thuet asked Ms. Knudson to fill in the rest of the working group, including with a non-lawyer. Mr. Moore moved to create the committee; Mr. Young seconded. The motion carried. Ms. Knudson will come back next meeting with suggestions for other committee members.

### **2.2 Purchase Table for First Annual UCLI Luncheon Celebrating Justice Durham March 24 at City Creek Marriott. (Tab 1, Page 3)**

Mr. Moore moved to purchase one table for the luncheon. Mr. Morris seconded. The motion carried.

### **2.3 Approve Changes to Admissions Rules: Carrie Boren and Nancy Sylvester. (Tab 2, Page 5)**

Ms. Boren and Ms. Sylvester presented on proposed changes to the Admissions Rules. The proposed changes included the following: 1) for reciprocal admission purposes, removing the geographic limitations and reducing the time a lawyer must have practiced in another jurisdiction from 60 months to 36 months; 2)

updating how the practice of a law professor is considered for licensing purposes; and 3) updating the law student/law graduate practice rule to allow for one failed bar exam or eighteen months' post-graduation work. Mr. Young moved to recommend the rules to the Supreme Court for circulation for comment. Mr. Bradley seconded. The motion carried.

### **3. Information Items.**

#### **3.1 Finance Update: Lauren Stout. (Tab 3, Page 29)**

Ms. Stout reported on the finances, noting that they were in good shape. She observed that the Bar currently had more positive revenue flow than previously projected, likely in response to several pandemic shutdowns on live events due to COVID surges. She noted that cash reserves are also up but also observed that the Bar had less than one year of operating expenses in reserves. The Commission then had a discussion about how to best manage its assets and what an appropriate amount of reserves to have would be. The Budget and Finance Committee was tasked with continuing to discuss these issues. Ms. Stout noted that for budgeting purposes, having nine months of budget numbers is best for the next year's budget forecast.

#### **3.2 Legislative Session Report: Frank Pignanelli and Steve Styler. (Tab 4, Page 71)**

Mr. Pignanelli and Mr. Styler reported on the session, noting that most of the bills that the Commission supported had passed and several that the Commission had opposed had failed. Mr. Pignanelli said that he felt that the courts needed to do more to engage with the Legislature outside of the session to gain more partnerships there, especially as Rep. Snow transitions into retirement. He also observed that Rep. Brammer is looking at creating a chancery court, which has been done in other states, and recommended a Bar-Court partnership to study this.

#### **3.3 Bar Reimagined Report: Katie Woods.**

Ms. Woods noted that the Bar Reimagined survey is going to be ready soon and the Commission will need to provide feedback. She said the committee is looking at 3 areas: 1) current customer service; 2) adding services; and 3) improvements to existing services. She said she would soon be asking commissioners to prepare personal notes to the licensees in their divisions requesting that they provide feedback. She said she would also be asking departments at the Bar to fill in questions. She suspected that mid-May to early June is when the survey would roll out.

### **3.4 ABA Delegates' Report: Kim Cordova.**

Ms. Cordova reported that the ABA mid-year meeting was again online. She noted that the bills that were garnering support were for marginalized communities, such as asylum seekers, homeless youth, and veterans. Transparency in nursing homes, accommodations for lactating mothers, and voting rights, and elections were other issues that were supported.

### **3.5 Judicial Council Report: Margaret Plane.**

Ms. Plane noted that the Council was very focused on funding retention and attraction of judicial assistants and its budget request had been approved by the Legislature. The judiciary also received funding to build a courthouse in Manti and the Wasatch County Justice Center will get some additional funding. The courts also received over \$3 million in ARPA funds. She noted that the Council is thrilled about automatic expungements.

### **3.6 Office of Legal Services Innovation 2022 Summit Report: Heather Farnsworth, Sue Crismon, and Dr. James Teufel. (Tab 5, Page 77)**

Ms. Crismon noted that the relationship between the Bar and the Office of Legal Services Innovation is a critical partnership. She said while the Bar is focused on regulating lawyers, the Office is focused on the A2J gap and regulating software providers and non-lawyers. She noted that the United States is the most restrictive legal market in the world. Most sandbox entities are ABS (alternative business structures). Dr. James Teufel reported on the Innovation Office's statistics, which were included in the Commission's packet. Dr. Teufel noted that there will be a fee collection structure. He also discussed that the reporting that is required of entities with respect to how much is being charged for a service. In response to a Commission question, Ms. Crismon said there is no application fee for the Sandbox but that licensing fees are charged upon exit from the sandbox, which is based upon an entity's revenue. Dr. Teufel noted that there are quite a few non-profits in the Sandbox now

## **4. Adjournment.**

The meeting adjourned at 3:45 p.m.

## **CONSENT AGENDA (Tab 6, Page 96)**

The Commission approved the Minutes of the January 28, 2022 Commission Meeting without discussion.