

**Utah State Bar Commission**  
**Friday, April 16, 2021**  
**Zoom Video Conference**  
<https://us02web.zoom.us/j/87034569027>

**Agenda**

**1. 9:00 a.m. President's Report: Heather Farnsworth**

*05 Mins.* 1.1 Bar President-Elect & Commission Election Results

*05 Mins.* 1.2 Spring Convention Report: **Heather Thuet**

*15 Mins.* 1.3 Use of Force Seminar Report/Follow Up: **Shawn Newell & Andrew Morse**

**2. 9:30 a.m. Action Item**

*20 Mins.* 2.1 2022 Summer Convention: **Heather Thuet**

**3. 9:50 a.m. Discussion Items**

*10 Mins.* 3.1 Rural Lawyers' Commission Representation: **Marty Moore (Tab 1, Page 3)**

*15 Mins.* 3.2 Investment Policies and Advisors: **Marty Moore (Tab 2, Page 8)**

**4. 10:15 a.m. Information Items**

*10 Mins.* 4.1 State Courts' Plans for Jury Pilots and Restarting: **Nick Stiles**

*05 Mins.* 4.2 2021 Sun Valley Summer Convention Status Report: **Richard Dibblee**

**5. 10:30 p.m. Executive Session**

**11:00 p.m. Adjourn**

**Consent Agenda (Tab 3, Page 20)**

(Approved without discussion by policy if no objection is raised)

1. Minutes of March 25<sup>th</sup>, 2021 Commission Meeting

**Attachments (Tab 4, Page 26)**

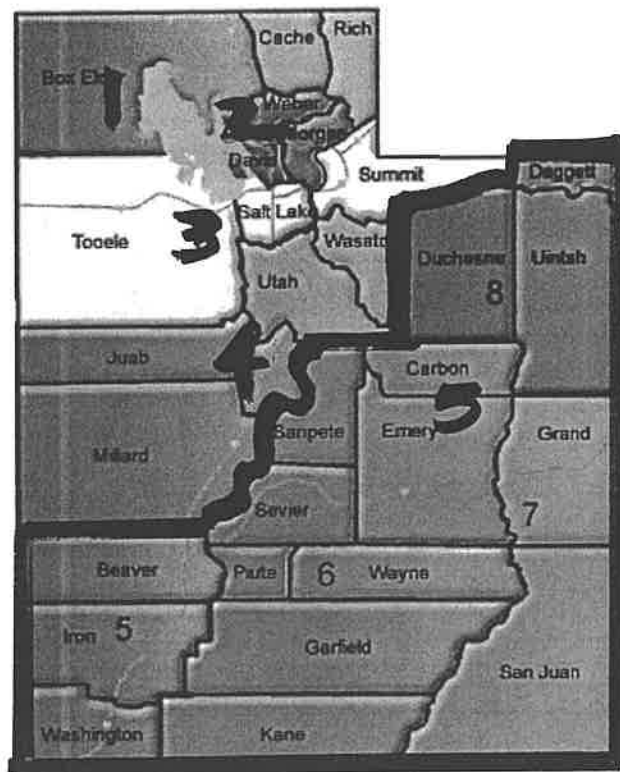
1. Foxley & Pignanelli 2021 Legislative Report  
2021 Legislative Session – Governmental Relations Bill Summary
2. OPC Annual Report
3. March Financial Statements

## Calendar

<b>April 20-21</b>	ABA Day in Washington		Virtual Event
<b>May 14</b>	Special Bar Commission Meeting	9:00 a.m.	Zoom
<b>May 27</b>	Bar Executive Committee	12:00 Noon	Zoom
<b>May ?</b>	Admission Ceremony	12:00 Noon	(?)
<b>June 4</b>	Bar Commission Meeting	9:00 a.m.	Utah State Bar or Zoom (?)
<b>July 16</b>	Bar Executive Committee	12:00 Noon	Utah State Bar or Zoom (?)
<b>July 28</b>	Commission Meeting	1:00 p.m.	Sun Valley, ID
<b>July 28-31</b>	Summer Convention		Sun Valley, ID

**TAB**

**1**



**UTAH STATE BAR**  
**Membership Statistics**  
**March 31, 2021**

<u>STATUS</u>	<u>03/31/20</u>	<u>03/31/21</u>	<u>Change</u>
Active	8,674	8,797	123
Active under 3 years	856	860	4
Active Emeritus	232	265	33
In House Counsel	114	109	(5)
Foreign Legal Counsel	3	4	1
LPP	4	13	9
Military Spouse	-	-	-
<b>Subtotal - Active</b>	<b>9,883</b>	<b>10,048</b>	<b>165</b>
Inactive - Full Service	820	794	(26)
Inactive - No Service	1,990	2,033	43
Inactive Emeritus	332	368	36
Inactive House Counsel	8	10	2
Inactive LPP	-	-	-
<b>Subtotal - Inactive</b>	<b>3,150</b>	<b>3,205</b>	<b>55</b>
<b>Total Active and Inactive</b>	<b>13,033</b>	<b>13,253</b>	<b>220</b>
<u><b>Supplemental Information</b></u>			
Paralegals	178	159	(19)
Associate Section Members	119	119	-
Journal Subscribers	125	125	-
<u><b>Active Attorneys by Region</b></u>			
1st Division (Logan - Brigham)	189	199	10
2nd Division (Davis - Weber)	926	954	28
3rd Division (Salt Lake)	5,641	5,594	(47)
4th Division (Utah)	1,287	1,343	56
5th Division (Southern Utah)	500	542	42
Out of State	1,340	1,416	76
<b>Total Active Attorneys</b>	<b>9,883</b>	<b>10,048</b>	<b>165</b>

## **Rule 14-103. Bar organization and management.**

### **(a) Board of Commissioners: number, term, and vacancies.**

(1) **Number.** The Bar's Board of Commissioners consists of at least 13 but no more than 15 voting members, including 11 elected lawyers and two nonlawyers appointed by the Supreme Court.

(2) **Term.** Unless otherwise provided, the term of office of each commissioner is three years and until a successor is elected and qualified. The initial term of office of one of the nonlawyer commissioners is two years.

#### **(3) Vacancies.**

(A) If a lawyer vacancy on the Board occurs before the completed term of office, the remaining commissioners will:

- (i) conduct a special election;
- (ii) appoint an interim successor from among the active Bar members whose business mailing addresses on the Bar's records are in the division from which the commissioner was elected, who will serve until the next annual election; or
- (iii) fill the vacancy during the next regular annual election.

(B) If a lawyer vacancy on the Board is filled by either a special or regular election, the Board may establish the term of the successor to be a one, two or full three-year term, provided that there would be only two or three commissioners from the Third Division whose terms expire in any one year and only four or five Board commissioners whose terms expire in any one year.

(C) A President's unexpired Commission term will be filled in the regular election cycle immediately preceding the time he or she succeeds to the office of President.

(b) **Board's powers.** The Board may exercise all powers necessary and proper to carry out its duties and responsibilities and has all authority not specifically reserved to the Supreme Court. The Court specifically reserves the authority to:

- (1) approve Bar admission and licensure fees for attorneys and licensed paralegal practitioners;

(2) approve all rules and regulations for admission, licensure, professional conduct, client security fund, fee arbitration, legislative activities, unauthorized practice of law, and Bar Examination review and appeals; and

(3) establish appropriate rules and regulations governing mandatory continuing legal education.

(c) **Territorial divisions.** The First Division includes the First Judicial District; the Second Division includes the Second Judicial District; the Third Division includes the Third Judicial District; the Fourth Division includes the Fourth Judicial District; and the Fifth Division includes the Fifth, Sixth, Seventh, and Eighth Judicial Districts.

(d) **Number of lawyer commissioners from each division.** Each division will have one lawyer commissioner, except the Third Division will have seven lawyer commissioners. No more than one lawyer commissioner from any division except from the Third Division, and no more than seven lawyer commissioners from the Third Division, may serve on the Board at the same time.

(e) **Nomination and eligibility of lawyer commissioners.** To nominate a person for commissioner for a particular division, a member's business mailing address on the Bar's records must be within that division. To be eligible for the office of lawyer commissioner in a division, the nominee's business mailing address on the Bar's records must be within that division. Nomination to the office of commissioner must be by written petition of at least 10 Bar members in good standing. Any number of candidates may be nominated on a single petition. Nominating petitions will be provided to the executive director within a period fixed by the Board's rules.

(f) **Commissioner Elections.**

(1) Lawyer commissioners must be elected by resident active Bar members as follows:

(A) beginning in 1983 and every third year thereafter, one member from the Second Division and two members from the Third Division, but in 1983 only, there will be four members elected from the Third Division;

(B) beginning in 1984 and every third year thereafter, one member from the First Division and three members from the Third Division; and

(C) beginning in 1985 and every third year thereafter, two members from the Third Division and one each from the Fourth and Fifth Divisions.

(2) The candidate from any division, and the two or three candidates from the Third Division, receiving the greatest number of votes of that division will be the commissioner of such division. A member may only vote for commissioner

# TAB 2





# Utah State Bar

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834  
Telephone: 801-531-9077 • Fax: 801-531-0660  
www.utahbar.org

John C. Baldwin  
Executive Director

## CASH MANAGEMENT / INVESTMENT POLICES / PROCEDURES

### INTRODUCTION

**PURPOSE** - The investment policies approved by the Board of Commissioners ("Board") of the Utah State Bar ("Utah Bar") are meant to:

- a) Clearly define the framework for efficient and centralized control, management and review of all of the cash and investment assets under the Board's responsibility;
- b) Provide effective management, control and satisfactory investment performance results;
- c) Provide the Board, the Executive Director and the CFO with the reporting tools needed to monitor and direct the overall management and control of these assets as well as to measure the resulting performance against pre-established norms; and
- d) Provide the Executive Director and the CFO sufficient operating flexibility to effectively carry out the day-to-day management responsibilities assigned to them by the Board while strictly adhering to all Board's approved policies.

**AUTHORITIES** - All general investment authority for management of cash and investment assets under the control of the Utah Bar derives from its Board. All investment policies shall be approved by the Board, shall be reviewed by them at least annually, and shall be revised by them whenever appropriate. The Board shall delegate direct supervision of all investment operating activity to the Budget and Finance Committee and assign day-to-day operating responsibility to the Executive Director and to the CFO. The Executive Director and the CFO shall have the authority to implement decisions and monitor management of the investment accounts within the strict parameters approved by the Board's policies. With the Executive Director's approval and within the Board's approved guidelines, the Executive Director and the CFO may purchase and sell investment securities authorized within the parameters of these investment policies. The Executive Director and the CFO shall report investment management activity and performance regularly to the Bar Finance Committee and the Board.

#### Board of Commissioners

Stephen W. Owens  
President

Robert L. Jeffs  
President-Elect

Steven R. Burt, AIA

Christian W. Clinger

Yvette D. Donosso

James D. Gilson

Mary Kay Griffin, CPA

Curtis M. Jensen

Felshaw King

Lori W. Nelson

Herm Olsen

Scott R. Sabey

Thomas W. Seiler

Rodney G. Snow

E. Russell Vetter

518442-3

PROCEDURES. Procedures have been established which enable centralized management of each of the different cash and investment accounts under the control of the Utah Bar. A reporting system has been developed which incorporates diverse information pertaining to each of the varied accounts. The reporting system uses a standardized format. This format is meant to promote not only management ease for the Executive Director and the CFO, but also effective performance monitoring and control for the Budget and Finance Committee and the Board. Investment activity shall be directed under the supervision of the Executive Director and monitored at regular meetings with the Budget and Finance Committee and the Board. At those meetings the Executive Director and CFO shall present reports covering the current status of each investment under the control of the Utah Bar. These reports shall cover four pertinent areas:

- 1) Investment account balances and maturities;
- 2) Projections of cash needs for the investment accounts;
- 3) Current investment market information including rates and yields; and
- 4) Comparative investment performance information.

METHODOLOGY - Separate policies will detail the specific guidelines for each investment account. Accounts to be included are as follows:

- 1) General Fund Operating Account
- 2) Reserve Account

Policy parameters will be addressed as follows:

Parameters which are consistent for all Accounts:

- 1) Credit Quality - All securities shall be in the two top-tier Investment Grades by one of the following rating agencies: Moody's, Standard & Poor's and Fitch.  
     Moody's: Aa  
     S & P: AA  
     Fitch: AA
- 2) Investment Authorities - The Executive Director and the CFO shall have the authority to direct management of the General Fund Operating Account and the Reserve Account within the parameters approved by the Board's policies. Reporting shall be to the Budget and Finance Committee and the Board on a regular basis; at least quarterly.
- 3) Investment Procedures - Ongoing investment activity shall be managed by the Executive Director and the CFO. Summary status reports (balance, maturity and returns) shall be obtained and reviewed, and any recommendations shall be forwarded to the Budget and Finance Committee and the Board. The money managers for the Bar funds shall meet with the Executive Director, the CFO, and

the Budget and Finance Committee no less frequently than quarterly to review the status of each Account and to make specific recommendations as to the investment type, vehicle, and maturity appropriate to meet the policies, procedures and parameters established herein. The reports shall include for each Account:

- a) Current investment asset reports;
- b) Current cash needs projections;
- c) Current maturity schedules;
- d) Current investment yield curve data and summary of financial market trends;
- e) Current reports of deposits by financial institution;
- f) Current financial institution fee reports (as appropriate); and
- g) Current data on actual and comparative current yield of the assets.

More frequent meetings may be held if market conditions warrant or significant changes occur in Utah Bar operations.

Parameters which differ for each account:

- 1) Account Size (in relation to entire pool of investments);
- 2) Investment Objective - (growth, income, safety, liquidity, rate of return): and
- 3) Approved Investments;
  - a) CASH or Money Market instruments
  - b) FIXED INCOME
  - c) EQUITIES
  - d) OTHER
- 4) Maturity; and
- 5) Allocation of Assets.

#### GENERAL FUND OPERATING ACCOUNT

*Account Size:* To be determined by the Executive Director and the CFO and monitored at regular meetings with the Budget and Finance Committee. To be based upon budget estimates and preferred liquidity requirements.

*Investment Objective:* The General Fund Operating Account represents those cash flows (including routine operating and capital expenditures) which enable the Utah Bar to function on a daily basis. While the Utah Bar operates under a balanced annual budget, receipts and disbursements for each particular month of the operating year may not be in equilibrium. The timing of operating receipts and disbursement of funds will fluctuate seasonally during the course of the year. Since it is the objective of the Utah Bar to render its disbursement obligations on a timely basis, liquid availability of General Fund Operating Account assets will be of

primary importance. Therefore, safety of principal and liquid availability of funds shall be the primary investment objectives. Within these parameters, however, the Utah Bar wishes to maximize the return available on these funds before disbursement without exposing them to unnecessary risk. This will necessitate the control of disbursement timing as well as coordination of investment maturity in conjunction with available rates of return.

*Policy Parameters Specific to This Account.*

1) Approved Investments.

CASH or Money Market instruments

FIXED INCOME

U S Government and Government Sponsored Securities

Direct obligations of the US government  
Government sponsored agency securities:

GNMA (Government National Mortgage Association)

FNMA (Federal National Mortgage Association)

FHLB (Federal Home Loan Bank)

FHLMC (Federal Home Loan Mortgage Corporation)

FFCB (Federal Farm Credit Bank)

Obligations of Major US and Foreign Commercial Bankers  
Limited to:

FDIC insured Certificates of Deposit

Time deposits

A banking institution eligible to hold time deposits must carry one of the following long term credit ratings: A3/A-/A- by one of the rating agencies and two short term credit ratings of A1/P1/F1. Certificates of deposit and time deposits must be rated B or better by the LACE rating system.

2) Maturity

Maximum maturity shall not exceed 1 year

Average weighted duration of the portfolio shall be 6 months

A minimum of 25% of the General Fund Operating Account must be available on 24 hours notice.

3) Allocation of Assets

Assets shall be invested 100% in cash and approved fixed income securities, taking strict account of scheduled cash disbursement projections. Special attention shall be paid to avoid risk of excessive concentration in specific maturities.

The CFO will meet quarterly with the money managers for the Utah State Bar funds to determine cash needs and requirements in order to facilitate alignment of maturities to correspond with cash needs

No single issuer or guarantor (other than the United States Treasury and Federal Agencies) may represent more than 5% of the total value of holdings of each cash manager's portfolio.

## RESERVE ACCOUNT

*Account size:* This account will hold the assets in excess of the allocation to the General Fund Operating Account.

*Investment Objective:* The Board has designated the Reserve Account as that pool of investment assets which, while held in reserve to supplement contingency operating needs, can be reasonably segregated and invested for purposes of optimizing current income potential while still maintaining adequate liquidity to meet the Utah Bar's contingency operating needs.

It is the investment objective of the Utah Bar for this account to maximize current income on its assets without exposing them to unacceptable credit or liquidity risks. Generation of current income in line with current market conditions as well as protection against loss of principal are both primary investment objectives for these assets. Since the Utah Bar's liquidity requirements may vary from time to time, management of account maturities will also take into account the likelihood of any new needs for contingent liquidity. To monitor and measure the investment performance of these assets in order to be certain that objectives are being adequately met, returns will be compared with general bond performance indexes (Russell Indices; SLGBF)

### *Policy Parameters Specific to This Account.*

- 1) Approved investments:

ALL ABOVE PLUS:

Corporate Debt Securities Limited to:

Commercial Paper  
Medium Term Notes

Commercial paper must carry a minimum of two of the following credit ratings: A1/P1/F1. Corporate debt must have minimum ratings of any two

of the following: Moody's: A1/ Standard & Poor's A+/Fitch A+ with a maximum maturity of two years.

EQUITIES

None

OTHER

None

2) Maturity:

No more than 5 years maximum maturity  
No more than 30 months average duration

3) Other:

The following limits should also apply: No more than 20% of total fixed income securities shall be invested to mature in any one month (except for maturities of nine months or less which have been invested for liquidity purposes) and no more than 5% of debt securities may be with any one issuer (except the US Government and its agencies).



John C. Baldwin  
EXECUTIVE DIRECTOR

## Utah State Bar Balance Sheets

	3/31/2021	6/30/2020
<b>ASSETS</b>		
Current Assets		
Petty Cash	\$ 625	\$ 625
Cash in Bank	839,015	789,463
Invested Funds	5,843,460	6,089,850
Total Cash/Investments	<u>6,683,100</u>	<u>6,879,938</u>
Accounts Receivable	32,461	227,851
Prepaid Expenses	122,123	94,743
A/R - Sections	50,051	49,679
Total Other Current Assets	<u>204,635</u>	<u>372,273</u>
Total Current Assets	<u>6,887,735</u>	<u>7,252,211</u>
Fixed Assets		
Property & Equipment	4,944,721	4,643,811
Accumulated Depreciation	(4,154,394)	(4,029,666)
Land	633,142	633,142
Total Fixed Assets	<u>1,423,468</u>	<u>1,247,286</u>
<b>TOTAL ASSETS</b>	<u><u>\$ 8,311,204</u></u>	<u><u>\$ 8,499,498</u></u>
<b>LIABILITIES &amp; EQUITY</b>		
Liabilities		
Current Liabilities		
AP Trade	\$ 31,078	\$ 104,237
Other Accounts Payable	3,452	109,826
Accrued Payables	579,707	481,137
Cap Lease Oblig - ST	3,892	3,892
A/P - Sections	380	173,165
Deferred Revenue	21,731	2,158,156
Total Current Liabilities	<u>640,240</u>	<u>3,030,412</u>
Long Term Liabilities		
Capital Lease Oblig	920	4,112
PPP Loan	653,072	-
Total Long Term Liabilities	<u>653,992</u>	<u>4,112</u>
Total Liabilities	<u>1,294,232</u>	<u>3,034,524</u>
Equity		
Unrestricted Net Assets (R/E)	5,503,712	5,853,847
Fund Balance - Current Year	1,513,260	(388,874)
Total Equity	<u>7,016,972</u>	<u>5,464,974</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>\$ 8,311,204</u></u>	<u><u>\$ 8,499,498</u></u>



# INSTITUTIONAL LIQUIDITY MANAGEMENT

## Balance Sheet Classification

**ILM-UT ST BAR (3176)**

Base Currency: USD As of 03/31/2021

Dated: 04/06/2021

**CE**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
38141W273	GOLDMAN:FS GOVT INST	1,408,416.40	AAA	0.040	03/31/2021	0.040	0.040	1,408,416.40	0.00	1.0000	0.00	1,408,416.40
CCYUSD	Cash	56.35	AAA	0.000	03/31/2021	0.000	0.000	56.35	0.00	1.0000	0.00	56.35
53944VAP4	LLOYDS BANK PLC	200,000.00	A+	3.300	05/07/2021	0.187	0.632	200,830.76	-99.16	100.2858	2,640.00	203,171.60
55807KSR8	Macquarie Bank Limited	250,000.00	A-1+	0.000	05/25/2021	0.150	0.147	248,943.75	0.00	99.9775	0.00	248,943.75
---	---	<b>1,858,472.75</b>	<b>AAA</b>	---	<b>04/11/2021</b>	<b>0.071</b>	<b>0.119</b>	<b>1,858,047.28</b>	<b>-99.16</b>	---	<b>2,640.00</b>	<b>1,861,888.10</b>

**ST**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
89238TEUS	TOYOTA MOTOR CREDIT CORP	250,000.00	A+	2.950	04/13/2021	1.619	2.750	250,108.83	-95.33	100.0054	3,441.67	253,455.17
69371RP26	PACCAR FINANCIAL CORP	50,000.00	A+	3.100	05/10/2021	1.908	0.587	50,083.61	72.04	100.2713	807.08	50,742.73
74153WCH0	PRICOA GLOBAL FUNDING I	200,000.00	AA-	2.200	08/03/2021	2.460	0.327	199,911.14	732.86	100.3220	1,442.22	202,086.22
22532LAR5	CREDIT AGRICOLE SA (LONDON BRANCH)	250,000.00	AA-	2.375	07/01/2021	1.970	0.473	250,251.92	948.58	100.4794	1,484.38	252,882.88
89114Q3V6	TORONTO-DOMINION BANK	250,000.00	AA-	0.505	07/30/2021	1.410	0.230	248,255.26	989.99	100.0901	210.42	250,435.67
56217GBX8	METROPOLITAN LIFE GLOBAL FUNDING I	318,000.00	AA-	1.950	09/15/2021	1.938	0.383	318,019.80	2,281.08	100.7218	273.87	318,554.75
22546QAR8	CREDIT SUISSE AG (NEW YORK BRANCH)	337,000.00	AA-	3.000	10/29/2021	2.006	0.615	336,910.85	2,718.40	101.3731	4,268.87	345,896.01
48848L TE1	JACKSON NATIONAL LIFE GLOBAL FUNDING	250,000.00	A	3.300	02/01/2022	1.516	0.317	253,894.78	2,505.97	102.4803	1,375.00	257,575.75
05579HAC8	BNZ INTERNATIONAL FUNDING LTD (LONDON BRANCH)	250,000.00	AA-	2.100	09/14/2021	0.184	0.435	252,158.81	-266.61	100.7568	247.92	252,138.92
084870BF4	BERKSHIRE HATHAWAY INC	250,000.00	AA	3.400	01/31/2022	0.142	0.285	258,788.71	-310.21	102.5908	1,440.28	257,918.78
69371RP75	PACCAR FINANCIAL CORP	186,000.00	A+	2.850	03/01/2022	2.022	0.282	187,390.44	3,013.49	102.3677	441.75	190,845.67
48248UAR7	KW	250,000.00	A-1+	0.000	01/25/2022	0.200	0.199	249,584.72	0.00	99.8339	0.00	249,584.72
00182EBC2	ANZ NEW ZEALAND INTL LTD (LONDON BRANCH)	200,000.00	AA-	2.875	01/25/2022	0.218	0.309	204,321.02	-124.62	102.0862	1,054.17	205,250.57
38141GGQ1	GOLDMAN SACHS GROUP INC	185,000.00	A	5.250	07/27/2021	0.248	0.580	187,635.78	-180.59	101.5001	1,540.00	189,015.17
83051GAK4	SKANDINAVISKA ENSKILDA BANKEN AB	200,000.00	AA	3.050	03/25/2022	0.240	0.305	205,502.77	-101.17	102.7008	101.67	205,503.27
---	---	<b>3,404,000.00</b>	<b>AA-</b>	---	<b>10/17/2021</b>	<b>1.214</b>	<b>0.545</b>	<b>3,431,596.33</b>	<b>12,159.86</b>	---	<b>17,929.08</b>	<b>3,461,885.27</b>

**LT**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
525ESC1Y5	LEHMAN ESCROW	300,000.00	NA	0.000	01/01/2049	0.000	---	0.00	3,150.00	1.0500	0.00	3,150.00
57629WCK4	MASSMUTUAL GLOBAL FUNDING II	250,000.00	AA+	2.250	07/01/2022	0.202	0.382	256,401.33	-520.33	102.3524	1,408.25	257,287.25
78013X8D5	ROYAL BANK OF CANADA	250,000.00	A	2.800	04/28/2022	0.243	0.273	256,865.67	-71.42	102.7177	2,955.56	259,749.81
---	---	<b>800,000.00</b>	<b>AA-</b>	---	<b>07/28/2022</b>	<b>0.223</b>	<b>0.317</b>	<b>513,267.00</b>	<b>2,558.25</b>	---	<b>4,381.81</b>	<b>520,187.06</b>

**Summary**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
---	---	<b>6,062,472.75</b>	<b>AA</b>	---	<b>09/12/2021</b>	<b>0.761</b>	<b>0.389</b>	<b>5,803,910.59</b>	<b>14,616.95</b>	---	<b>24,930.88</b>	<b>5,843,460.42</b>

\* Grouped by: BS Class 2. \* Groups Sorted by: BS Class 2. \* Weighted by: Base Market Value + Accrued, except Book Yield by Base Book Value + Accrued. \* Holdings Displayed by: Lot.



# INSTITUTIONAL LIQUIDITY MANAGEMENT

## Balance Sheet Classification

**ILM-UT ST BAR (3176)**

Base Currency: USD As of 01/31/2021

Dated: 02/12/2021

**CE**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
38141W232	GOLDMAN-FS MM INST	3,618,930.69	AAA	0.020	01/31/2021	0.020	0.020	3,823,141.71	-1,155.88	1.0008	0.00	3,821,985.83
CCYU5D	Cash	52.21	AAA	0.000	01/31/2021	0.000	0.000	52.21	0.00	1.0000	0.00	52.21
---	---	<b>3,618,982.90</b>	<b>AAA</b>	---	<b>01/31/2021</b>	<b>0.020</b>	<b>0.020</b>	<b>3,823,193.92</b>	<b>-1,155.88</b>	---	<b>0.00</b>	<b>3,822,038.04</b>

**ST**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
136069XY2	CANADIAN IMPERIAL BANK OF COMMERCE	187,000.00	AA	2.700	02/02/2021	1.876	2.049	187,004.15	5.57	100.0052	2,510.47	189,520.20
89236TEU5	TOYOTA MOTOR CREDIT CORP	250,000.00	A+	2.950	04/13/2021	1.619	0.510	250,843.91	606.59	100.5002	2,212.50	253,463.00
69371RP26	PACCAR FINANCIAL CORP	50,000.00	A+	3.100	05/10/2021	1.908	0.109	50,159.85	259.55	100.8388	348.75	50,768.15
74153WCH0	PRICOA GLOBAL FUNDING I	200,000.00	AA-	2.200	08/03/2021	2.460	0.281	199,827.93	1,482.27	100.6601	708.89	202,029.09
22532LAR5	CREDIT AGRICOLE SA (LONDON BRANCH)	250,000.00	AA-	2.375	07/01/2021	1.970	0.311	250,415.25	1,759.75	100.8700	494.79	252,669.79
89114Q3V8	TORONTO-DOMINION BANK	250,000.00	AA-	0.505	07/30/2021	1.407	0.253	248,884.73	1,444.02	100.1315	324.99	250,653.74
59217GBX6	METROPOLITAN LIFE GLOBAL FUNDING I	316,000.00	AA-	1.950	09/15/2021	1.936	0.182	316,026.84	3,476.02	101.1085	2,327.87	321,830.73
22548QAR8	CREDIT SUISSE AG (NEW YORK BRANCH)	337,000.00	AA-	3.000	10/29/2021	2.006	0.331	339,443.21	4,288.71	101.9976	2,583.67	346,315.58
---	---	<b>1,840,000.00</b>	<b>AA-</b>	---	<b>07/10/2021</b>	<b>1.889</b>	<b>0.479</b>	<b>1,842,405.86</b>	<b>13,332.48</b>	---	<b>11,511.93</b>	<b>1,867,250.28</b>

**LT**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
529ESC1Y5	LEHMAN ESCROW	300,000.00	NA	0.000	01/01/2049	0.000	---	0.00	3,360.00	1.1200	0.00	3,360.00
69371RP75	PACCAR FINANCIAL CORP	188,000.00	A+	2.850	03/01/2022	2.022	0.325	187,633.26	3,486.86	102.7420	2,208.75	193,308.87
46549LTE1	JACKSON NATIONAL LIFE GLOBAL FUNDING	250,000.00	A	3.300	02/01/2022	1.516	0.350	254,410.99	2,088.26	102.9589	4,125.00	261,522.25
---	---	<b>736,000.00</b>	<b>A</b>	---	<b>04/26/2022</b>	<b>1.730</b>	<b>0.339</b>	<b>442,044.25</b>	<b>9,813.12</b>	---	<b>6,333.75</b>	<b>458,191.12</b>

**Summary**

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
---	---	<b>6,394,982.90</b>	<b>AA+</b>	---	<b>04/23/2021</b>	<b>0.711</b>	<b>0.183</b>	<b>6,107,844.03</b>	<b>21,889.72</b>	---	<b>17,845.68</b>	<b>6,147,479.44</b>

\* Grouped by: BS Class 2. \* Groups Sorted by: BS Class 2. \* Weighted by: Base Market Value + Accrued, except Book Yield by Base Book Value + Accrued. \* Holdings Displayed by: Lot.

Balance Sheet Classification

Base Currency: USD As of 03/31/2021

ILM-UT ST BAR (3176)

Dated: 04/06/2021

CE

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
38141W273	GOLDMAN:FS GOVT INST	1,408,416.40	AAA	0.040	03/31/2021	0.040	0.040	1,408,416.40	0.00	1.0000	0.00	1,408,416.40
CCYUSD	Cash	56.35	AAA	0.000	03/31/2021	0.000	0.000	56.35	0.00	1.0000	0.00	56.35
53944VAP4	LLOYDS BANK PLC	200,000.00	A+	3.300	05/07/2021	0.187	0.832	200,630.76	-98.16	100.2658	2,640.00	203,171.60
55607KSR8	Macquarie Bank Limited	250,000.00	A-1+	0.000	05/25/2021	0.150	0.147	249,943.75	0.00	99.9775	0.00	249,943.75
--	--	1,858,472.75	AAA	--	04/11/2021	0.071	0.119	1,859,047.26	-98.16	--	2,640.00	1,861,588.10

ST

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
89236TEU5	TOYOTA MOTOR CREDIT CORP	250,000.00	A+	2.950	04/13/2021	1.619	2.750	250,108.83	-95.33	100.0054	3,441.87	253,455.17
69371RP28	PACCAR FINANCIAL CORP	50,000.00	A+	3.100	05/10/2021	1.908	0.587	50,063.61	72.04	100.2713	607.08	50,742.73
74153WCH0	PRICOA GLOBAL FUNDING I	200,000.00	AA-	2.200	06/03/2021	2.460	0.327	199,911.14	732.86	100.3220	1,442.22	202,086.22
22532LAR5	CREDIT AGRICOLE SA (LONDON BRANCH)	250,000.00	AA-	2.375	07/01/2021	1.970	0.473	250,251.92	946.58	100.4794	1,484.38	252,682.88
89114Q3V8	TORONTO-DOMINION BANK	250,000.00	AA-	0.505	07/30/2021	1.410	0.230	249,255.26	969.99	100.0901	210.42	250,435.67
59217GBX6	METROPOLITAN LIFE GLOBAL FUNDING I	316,000.00	AA-	1.950	09/15/2021	1.936	0.363	315,019.80	2,261.08	100.7218	273.87	318,554.75
22546QAR8	CREDIT SUISSE AG (NEW YORK BRANCH)	337,000.00	AA-	3.000	10/29/2021	2.006	0.615	338,910.95	2,716.40	101.3731	4,268.67	345,896.01
46848L TE1	JACKSON NATIONAL LIFE GLOBAL FUNDING	250,000.00	A	3.300	02/01/2022	1.516	0.317	253,694.78	2,505.97	102.4803	1,375.00	257,575.75
05579HAC6	BNZ INTERNATIONAL FUNDING LTD (LONDON BRANCH)	250,000.00	AA-	2.100	09/14/2021	0.184	0.435	252,158.61	-266.61	100.7568	247.92	252,139.92
084670BF4	BERKSHIRE HATHAWAY INC	250,000.00	AA	3.400	01/31/2022	0.142	0.285	256,786.71	-310.21	102.5906	1,440.28	257,916.78
69371RP75	PACCAR FINANCIAL CORP	186,000.00	A+	2.850	03/01/2022	2.022	0.282	187,390.44	3,013.49	102.3677	441.75	190,845.67
48246UAR7	KRW	250,000.00	A-1+	0.000	01/25/2022	0.200	0.199	249,584.72	0.00	99.8339	0.00	249,584.72
00182EBC2	ANZ NEW ZEALAND INTL LTD (LONDON BRANCH)	200,000.00	AA-	2.875	01/25/2022	0.218	0.309	204,321.02	-124.62	102.0982	1,054.17	205,250.57
38141GGQ1	GOLDMAN SACHS GROUP INC	185,000.00	A	5.250	07/27/2021	0.248	0.580	187,635.76	-160.59	101.5001	1,540.00	189,015.17
83051GAK4	SKANDINAVISKA ENSKILDA BANKEN AB	200,000.00	AA	3.050	03/25/2022	0.240	0.305	205,502.77	-101.17	102.7008	101.67	205,503.27
--	--	3,404,000.00	AA-	--	10/17/2021	1.214	0.545	3,431,596.33	12,159.86	--	17,929.08	3,461,685.27

LT

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
525ESC1Y5	LEHMAN ESCROW	300,000.00	NA	0.000	01/01/2049	0.000	--	0.00	3,150.00	1.0500	0.00	3,150.00
57629WCK4	MASSMUTUAL GLOBAL FUNDING II	250,000.00	AA+	2.250	07/01/2022	0.202	0.362	256,401.33	-520.33	102.3524	1,408.25	257,287.25
78013XBD5	ROYAL BANK OF CANADA	250,000.00	A	2.800	04/29/2022	0.243	0.273	256,865.67	-71.42	102.7177	2,955.56	259,749.81
--	--	800,000.00	AA-	--	07/28/2022	0.223	0.317	513,287.00	2,558.25	--	4,361.81	520,187.06

Summary

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
--	--	6,062,472.75	AA	--	09/12/2021	0.761	0.389	5,803,910.59	14,618.95	--	24,930.88	5,843,460.42

\* Grouped by: BS Class 2. \* Groups Sorted by: BS Class 2. \* Weighted by: Base Market Value + Accrued, except Book Yield by Base Book Value + Accrued. \* Holdings Displayed by: Lot.

Balance Sheet Classification

Base Currency: USD As of 01/31/2021

ILM-UT ST BAR (3176)

Dated: 02/12/2021

CE

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
38141W232	GOLDMAN/FIS MM INST	3,818,930.69	AAA	0.020	01/31/2021	0.020	0.020	3,823,141.71	-1,155.88	1.0008	0.00	3,821,985.83
CCYUSD	Cash	52.21	AAA	0.000	01/31/2021	0.000	0.000	52.21	0.00	1.0000	0.00	52.21
--	--	3,818,982.90	AAA	--	01/31/2021	0.020	0.020	3,823,193.92	-1,155.88	--	0.00	3,822,038.04

ST

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
136069XY2	CANADIAN IMPERIAL BANK OF COMMERCE	187,000.00	AA	2.700	02/02/2021	1.876	2.049	187,004.15	5.57	100.0052	2,510.47	189,520.20
88236TEU5	TOYOTA MOTOR CREDIT CORP	250,000.00	A+	2.950	04/13/2021	1.619	0.510	250,643.91	606.59	100.5002	2,212.50	253,463.00
69371RP26	PACCAR FINANCIAL CORP	50,000.00	A+	3.100	05/10/2021	1.908	0.109	50,159.85	259.55	100.8388	348.75	50,768.15
74153WCH0	PRICOA GLOBAL FUNDING I	200,000.00	AA-	2.200	06/03/2021	2.460	0.281	199,827.93	1,492.27	100.6601	708.89	202,029.09
22532LAR5	CREDIT AGRICOLE SA (LONDON BRANCH)	250,000.00	AA-	2.375	07/01/2021	1.970	0.311	250,415.25	1,759.75	100.8700	494.79	252,669.79
89114Q3V8	TORONTO-DOMINION BANK	250,000.00	AA-	0.505	07/30/2021	1.407	0.253	248,884.73	1,444.02	100.1315	324.99	250,653.74
59217GBX6	METROPOLITAN LIFE GLOBAL FUNDING I	316,000.00	AA-	1.950	09/15/2021	1.936	0.182	316,026.84	3,476.02	101.1085	2,327.87	321,830.73
22546QAR8	CREDIT SUISSE AG (NEW YORK BRANCH)	337,000.00	AA-	3.000	10/29/2021	2.006	0.331	339,443.21	4,288.71	101.9976	2,583.67	346,315.58
--	--	1,840,000.00	AA-	--	07/10/2021	1.889	0.479	1,842,405.86	13,332.48	--	11,511.93	1,867,250.28

LT

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
525ESC1Y5	LEHMAN ESCROW	300,000.00	NA	0.000	01/01/2049	0.000	--	0.00	3,360.00	1.1200	0.00	3,360.00
69371RP75	PACCAR FINANCIAL CORP	186,000.00	A+	2.850	03/01/2022	2.022	0.325	187,633.26	3,466.86	102.7420	2,208.75	193,308.87
46849LTE1	JACKSON NATIONAL LIFE GLOBAL FUNDING	250,000.00	A	3.300	02/01/2022	1.516	0.350	254,410.99	2,986.26	102.9589	4,125.00	261,522.25
--	--	736,000.00	A	--	04/26/2022	1.730	0.339	442,044.25	9,813.12	--	6,333.75	456,191.12

Summary

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
--	--	6,394,982.90	AA+	--	04/23/2021	0.711	0.183	6,107,644.03	21,989.72	--	17,845.68	6,147,479.44

\* Grouped by: BS Class 2. \* Groups Sorted by: BS Class 2. \* Weighted by: Base Market Value + Accrued, except Book Yield by Base Book Value + Accrued. \* Holdings Displayed by: Lot.

# TAB 3

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

**MARCH 25, 2021**

**VIDEO CONFERENCE MEETING**

**In Attendance:** President Heather Farnsworth and President-elect Heather Thuet.  
Commissioners: John Bradly, Traci Gunderson, Rick Hoffman, Chrystal Mancuso-Smith, Marty Moore, Mark Morris, Andrew Morse, Mark Pugsley, Michelle Quist, Tom Seiler, and Katie Woods.

**Ex-Officio Members:** Erik Christiansen, Kim Cordova, Grant Miller (for YLD), Camila Moreno, Herm Olsen, and Robert Rice.

**Not in Attendance:** Shawn Newell, Ex-Officio Members: Raj Dhaliwal, Amy Fowler, Ashley Peck, Margaret Plane, Dean Gordon Smith, and Dean Elizabeth Kronk-Warner.

**Also in Attendance:** Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, General Counsel Elizabeth A. Wright, Supreme Court Liaison Nick Stiles, and Tyler Young, candidate for 4<sup>th</sup> Division Bar Commissioner.

**Minutes: 9:04 a.m. start**

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

- 1.1 Recognize Joni Seko's 20 Years as Deputy General Counsel for Admissions.** Joni Seko joined the meeting and the Commission thanked her for 20 years as Deputy General Counsel of Admissions.
- 1.2 Spring Convention Report.** Heather Thuet reported on the highlights of the convention and reminded Commissioners to log on and join the virtual convention at noon. Ms. Thuet was very pleased to report 720 convention registrants.
- 1.3 "Wellness Wednesday" Report.** Heather Farnsworth reported there will be a wellbeing presentation at the Spring Convention called "Do We Ever Want to Go Back to Normal?" The presentation will focus on the aspects of remote work that foster wellbeing and job satisfaction.
- 1.4 Michelle Oldroyd appointed as Director of Diversity, Inclusion & Equity.** Heather Farnsworth reported that CLE Director Michelle Oldroyd will be the Bar's Director of Diversity, Inclusion & Equity. Ms. Oldroyd's task will be to ensure that the Bar's CLE presenters are consistent with the Bar's commitment to diversity and inclusion.



## 2. Discussion Items

- 2.1 2021 Sun Valley Summer Convention Planning.** The 2021 Summer Convention will take place in Sun Valley from July 28-30. Because of continuing COVID 19 pandemic restrictions and concerns, the event will be a hybrid in person and virtual event. Richard Dibblee informed the Commission that the Bar needs 500 attendees at a \$650 registration price to break even.
- 2.2 2022 Summer Convention Planning.** Heather Thuet is exploring different locations for the summer 2022 annual meeting. Current possibilities are in Park City and Southern California. Richard Dibblee presented prices and food minimums at various venues for different dates. The Commission ruled out some of the venues and asked Richard Dibblee to locate the Summer Convention Sub Committee Report prepared in 2017. The Commission would like to read the report and review its recommendations before deciding on a final venue for 2022.
- 2.3 2023 Summer Convention (Sun Valley Commitment).** The Bar is tentatively booked for July 26-30 in 2023. Sun Valley will hold the spot for the Bar and will contact the Bar if another organization asks to book at that time.
- 2.4 Proportional Representation of Divisions.** Marty Moore raised the issue of the difficulty members in rural areas face in engaging with the Bar. Mr. Moore proposed having a non-voting Commissioner from the 6<sup>th</sup>, 7<sup>th</sup>, or 8<sup>th</sup> judicial district. The Commission discussed the need to and strategies for outreach and Bar relevancy in rural areas of the State. After discussing various ideas for outreach, the Commission asked Marty Moore to head up outreach efforts. In discussing inclusion and representation, Michelle Quist proposed an LPP member of the Commission. The LPP issue will be on the next meeting agenda.
- 2.5 Plans to Recommence Jury Trials.** Marty Moore reported that jury trial will begin in the 1<sup>st</sup> District in June 2021. The 3<sup>rd</sup> District is beginning to have some criminal jury trials. It is not likely civil jury trials will happen for a quite a while because of the backlog of criminal trials. On April 29, 2021, the Federal court will begin holding consecutive in-person criminal jury trials. Because of space limitations and physical distancing requirements, the federal court will hold only one jury trial at a time for the foreseeable future. The federal court has continued all in-person civil jury trials through June 30, 2021.

## 3. Action Items

- 3.1 Nomination to Eighth District Nomination Commission.** After discussing the candidates, **Heather Thuet moved to nominate John Hancock, Tegan Troutner, and April Hollingsworth to serve on the 8th District Judicial Nominating Commission. Mark Morris seconded the motion which passed unopposed.**

**3.2 Nomination to Commission on Criminal & Juvenile Justice.** After discussing the candidates, **Marty Moore moved to nominate Ramzi Hamady, Skye Lazaro and Caleb Proulx to serve on the Utah Commission on Criminal and Juvenile Justice. Tom Seiler seconded the motion which passed unopposed. Monica Maio was nominated at the February 5, 2021 meeting.**

**3.3 Blomquist Hale Request to Increase Fees.** In response to Blomquist Hale's request for a fee increase, the Commission reviewed a report regarding the services Blomquist Hale offers free to all Bar licensees. The Commission had asked Blomquist Hale to confirm in writing that they do video sessions, serve children, and do not limit the number of free visits. The Bar has paid Blomquist Hale \$75,000 annually since 2006. After a discussion regarding the basis for the fee increase, **Marty Moore moved to increase the annual payment to Blomquist Hale to \$91,000 per year. Heather Thuet seconded the motion which passed unopposed.**

**3.4 ABA Judicial Intern Opportunity Program Fund Request.** Erik Christiansen reported that he is heading up the effort to create a Utah Chapter of the ABA's Judicial Intern Opportunity. The program will place diverse law students from across the country in judicial internships with Utah judges. Mr. Christiansen reported that the U of U and BYU law schools were represented on his committee and that the schools support the program because it will have the long-term effect of bringing diverse applicants to both law schools. Local law firms have donated \$17,250 of the \$30,000 needed to fund 10 internships in Utah. Mr. Christiansen requested \$10,000 from the Bar for summer 2022. After discussion, **Marty Moore moved to pledge \$10,000 to the program. Andrew Morse seconded the motion which passed unopposed.**

#### **4. Information Items**

**4.1 Use of Force Seminar.** Andrew Morse reported that the seminar will take place remotely on April 14, 15, and 16, 2021 and that there are already 400 registrants. The program will have presenters from all stakeholders on the issue of police use of force. The Bar expects the program to foster a meaningful discussion on the issue.

**4.2 Diversity, Equity & Inclusion Efforts in Utah.** Jonathan Puente, The Director of the Office of Fairness and Accountability of the Administrative Office of the Courts, joined the meeting. The Court created the Office of Fairness and Accountability to organize and lead the Utah Courts in examining and addressing bias within the judicial system. Mr. Puente introduced himself, explained his duties, and expressed his enthusiasm for working with the Bar to coordinate efforts to create a diverse pool of lawyers who will be in the pipeline for the judiciary.

Mark Morris, Chair of the Commission Committee on diversity, equity, and inclusion, reported his committee has met and made assignments to contact educators about classroom visits. The purpose of classroom visits is to foster interest in legal careers early in a child's education.

Christine Durham, Cochair of the Utah Center for Legal Inclusion (UCLI) and Melinda Bowen, Executive Director of UCLI, also joined the meeting to report on the programs UCLI offers to promote diversity in Utah's legal community. Ms. Bowen reported some of the Bar's diversity efforts were previously unknown to her and she suggested a working group to oversee diversity efforts in the legal community to find gaps and ensure there is no overlap.

- 4.3 Meeting with Court on Bar Exam Threshold.** Tom Seiler reported he met with the Court on March 25, 2021 to report on the bar exam cut score and the process by which it was determined. The Court asked the Bar to provide a report on the cut score and data for pass rates at different cut scores. Mr. Seiler reported that Utah's cut score of 270 for the Uniform Bar Exam (UBE) is in the middle of the average scores among jurisdictions, especially those in the Western United States.
- 4.4 Regulatory Reform Committee.** Erik Christiansen reported that John Lund, Chair of the Court's Office of Legal Services Innovation, sent a letter responding to the concerns of the Bar's Regulatory Reform Committee. Mr. Lund's letter was attached to the meeting materials. Erik also noted that more of the approved entities in the sandbox appear to be serving underrepresented parties within the legal system in keeping with the access to justice mission of the program. Mr. Christiansen also reported that the Court's Office of Legal Services Innovation was working towards making a greater effort to prioritize access to justice issues.
- 4.5 Review of Indian Law Section Name.** Herm Olsen was asked to examine whether the word "Indian" was the appropriate term for the Indian Law Section to use. Elizabeth Wright reported that last year when the section was created, she asked the founders if the appropriate title should be "Native American Section." The Section founders reported to Ms. Wright that they preferred the term "Indian."

Mr. Olsen has ties to many Native American organizations because of his service in and legal work for the communities. Mr. Olsen reached out to the following organizations on the issue: 1st Indian Deputy Director of Bureau of Indian Affairs; Head of the Northwest Band of Shoshone Indians; Tuba City area representative for DNA; Chairman of the Board of Navajo Legal Services; Executive Director of DNA; Utah Dine' Bi'Keyah' Corporation; Indian Law Section Chair; and American Indian Services (providing higher education scholarships to indigenous students).

Mr. Olsen reported that overall, the term "Indian" was the preferred descriptive. Mr. Olsen further reported that many indigenous people prefer 'Indian' or 'Indigenous' to 'Native American' because they feel the word 'native' has negative connotations. Finally, Mr. Olsen reported that many federal programs use the term "Indian" such as: Indian Education Assistance Program; Indian Self-Determination Act; Indian Reorganization Act; Indian Child Welfare Act; and the Indian Gaming Regulatory Act.

- 4.6 Zions Bank Investment Advisors.** Tabled until next meeting.



**5. Executive Session****Adjourn: 11:52 a.m.****Consent Agenda**

1. Approved Minutes from the February 5, 2021 Commission Meeting.
2. Approved Client Security Fund Committee Request for no Fund Assessment for 2021-2022.
3. Approved March 2021 Bar admittees.



# 2021

## LEGISLATIVE REPORT

FOXLEY & PIGNANELLI  
ATTORNEYS AT LAW GOVERNMENT RELATIONS



## OVERVIEW 2021 VIRTUAL LEGISLATIVE SESSION

The first week of the 2021 legislative session was 100% virtual for everyone but lawmakers who had the option of either coming to the capitol or participating virtually. Some legislators conducted the session completely online throughout the arduous 45-days. Once the capitol was opened back up to the public, lobbyists and activists still mostly participated remotely with an increase in Capitol activity in the last two weeks of the session.

The legislature passed 503 bills (2 more than last year).

Though several legislators and lobbyists were infected with COVID-19 during the session, some felt the negative side effects more than others. Rep. Jon Hawkins spent a majority of the session on a ventilator in the hospital due to COVID-19. He joined by video during the last night of the session celebration and shared part of his experience. He is expected to transfer to a care facility as he recovery continues.

These bills which passed will have reaching effects on Utah citizens and businesses. Our 2021 Utah Legislative Report is an in-depth look at the bills that were passed and what that means to you, our valued client.

**In 2020, our very own Frank Pignanelli stated, "The 2020 legislative session may go down as the strangest in modern history."**

**Frank's assessment of the 2020 legislative session was drastically outpaced by a much stranger 2021 legislative session. While the number of public participants involved in-person during the 2021 legislative session was the lowest in history, the Foxley & Pignanelli team took the risk and physically attended each day of session open to the public. There was a real fear of missing out (colloquially known as "FOMO") during the 2021 legislative session, in fact, it was said of Frank, "Frank appears to be FOMO'ing at the mouth"**



Although a number of extremely important policy issues were debated and passed during the 2021 legislative session, including: police reform, bail reform, and delineation of executive emergency powers, however this session will be known for the unexpected budget surpluses that resulted from a middling 2020 COVID-19 economy. With approximately \$1.5 billion of one-time surplus money, Utah was able to provide record increases in public education funding and significant investment in major infrastructure project needs around the state of Utah.

## EDUCATION INVESTMENT

Prior to completion of the third week of the legislative session, Governor Cox signed the public education budget bill providing education a 6% increase in the weighted pupil unit (WPU) and a \$1,500 bonus payment to school teachers and \$1,000 bonus payment to staff. This is one of the largest single year increases to the WPU in the state's history.

## INFRASTRUCTURE INVESTMENT

Truly the 2021 legislative session was shaped by one-time money that was going to be reinvested throughout the state of Utah in critical infrastructure projects needed to keep up with Utah's population growth. The original proposal included a bond approval for \$1.4 billion dollars. Chief among these projects was an expansion of Frontline rail as well as a needed "double track" upgrade. Ultimately, the Senate worked to reduce the bond amount into a balanced approach of bonding and use of one-time money.

## POLICE REFORM

The legislature took up several measures to address police reform in the wake of numerous protests last summer. Though no extreme effort to "defund the police" passed, a few other meaningful reform bills did. Increased data collection on law enforcement interaction gained bipartisan support. One bill requiring annual training so police could better understand people with autism passed, while another required officers to take at least 16 hours of yearly training on mental health and crisis intervention responses. A bill passed that clarifies release of police disciplinary records after they are found to have merit. Local leaders of Black Lives Matter have indicated that they would likely pursue ballot initiatives in areas that they felt the legislature did not go far enough.

## BAIL REFORM

In a true legislative showdown, this bill earned the attention and highest priority of just about every stakeholder in the public safety and justice system space. Sen. Weiler and Rep. Schultz ran competing bills, each jockeying for the support and endorsement of stakeholders. The senate bill was intended to reform the existing pre-trial program but was amended at the last minute to only create a study group. The House bill began as a full repeal of that system but was also amended. The House bill passed, repealing the former program and codifying several consensus items that were agreed upon during stakeholder meetings.

## HEALTHCARE

The pandemic dramatically enhanced technology and healthcare. Especially noteworthy was the robust use of audiovisual platforms for healthcare providers to engage with patients. This fostered legislation establishing parameters and promoting the use of telehealth. Further, provider groups sponsored legislation to increase their abilities to diagnose and treat individuals. There will be further review of these issues in interim committees.

## FINANCIAL SERVICES AND TECHNOLOGY

Financial services are rapidly evolving in the country and the state, especially through technology. Questions regarding consumer privacy and protection resulted in legislation (most did not pass). New lending products were also scrutinized by legislators and to what degree they may be regulated. There will be further examination of these critical concerns by the Interim committees.

## SUMMARY

The Governor's 20-day timeline to sign or veto bills began the day after the legislature adjourned. The countdown is on to see if he will make good on his State of the State prediction that he would veto more bills than his predecessor. Should he do so, the Senate and the House will need 2/3rds to support a veto override.

With reapportionment coming up this year, we anticipate at least one special session. We will monitor the activities of these special sessions to determine a direct or indirect impact and will be in contact with you to develop a strategy as needed.



## UTAH STATE BAR

THE FULL REPORT OF TRACKED BILLS COMPLIED  
BY ENGAGIFII CAN BE FOUND BY CLICKING THE  
LINK BELOW.

[LINK TO UTAH STATE BAR BILL SUMMARY](#)

This concludes your legislative report for 2021. If you have questions or concerns please reach out to us. Thank you.







## **OFFICE OF PROFESSIONAL CONDUCT**

### **ANNUAL REPORT February 2021**



## INTRODUCTION

This report on the Office of Professional Conduct (“OPC”) will focus on the following areas: (I) staff composition; (II) law misconduct case process and procedure; (III) statistics for July 1, 2019 to June 30, 2020 (“year 2019-2020”); (IV) progress and goals on cases; (V) the Consumer Assistance Program;<sup>A</sup> (VI) statistics for January 1, 2020 to December 31, 2020 (“year 2020”);<sup>B</sup> and (VII) goals for January 1, 2021 to December 31, 2021 (“year 2021”).

In 2017, at the direction of the Utah Supreme Court, the American Bar Association (“ABA”) conducted a review of the entire disciplinary system. Based upon the ABA’s report, the Utah Supreme Court formed an ad hoc committee to evaluate the report and make recommendations regarding what changes should be implemented. After review of the recommendations, the Utah Supreme Court took the first step, effective March 4, 2019, and promulgated Rule 11-501 as part of Article 5 of the Utah Supreme Court Rules of Professional Practice. This rule authorizes the formation of an OPC Oversight Committee that reports to the Utah Supreme Court. The rule makes clear that the OPC is no longer part of the administrative oversight of the Utah State Bar.

The OPC Oversight Committee is required to have five voting members, including at least one judge, one member of the public, and one past chair or vice-chair of the Ethics and Discipline Committee. At least one of the members must have an accounting background. The Executive Director of the Bar is an ex-officio, non-voting member of the

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<sup>A</sup> CAP is a program at the Utah State Bar separate from the OPC and manned by a part-time attorney to handle minor disputes between consumers (i.e., clients) and attorneys.

<sup>B</sup> The annual reporting years are explained later in this report.

OPC Oversight Committee. The current voting members of the OPC Oversight Committee are:

- Judge Diana Hagen – Chair, Utah Court of Appeals
- Art Berger – Attorney
- Margaret Plane – Attorney
- Roger Smith – Accountant
- Retired Magistrate Judge Brooke Wells – United States District Court for the District of Utah

The OPC now has a separate website independent of the Bar at [opcutah.org](http://opcutah.org). The website is designed to provide the ease of obtaining information in the following specific areas: the purpose of the OPC, annual report archives, OPC directory, rules, filing a complaint, case status update, lawyer public discipline, disciplinary history requests, OPC speaker requests, and OPC contacts.

As reported in the last Annual Report, in addition to the regulation of attorneys for professional misconduct, effective November 1, 2018, in Chapter 15 of the Utah Supreme Court Rules of Professional Practice, the Utah Supreme Court promulgated Rules Governing Licensed Paralegal Practitioners (“LPPs”). Therefore, the OPC also has regulatory authority over LPPs. The OPC did not have any cases regarding LPPs in this reporting period.

The Utah Supreme Court did amend the procedural rules as a result of the ABA review and recommendations. These procedural rule amendments went into effect December 15, 2020. These amendments were significant and affected many areas. As the report proceeds it will be pointed out where the changes have affected the lawyer discipline process. It is to be also noted that the amendments make clear that LPPs are included in the definition of “lawyer” for regulation. So reference in the report will be to

“lawyer” rather than to “attorney” to reflect the change of regulation for LPPs as of November 18, 2018.

A major change is the change to OPC’s annual reporting period. The previous reporting period was from July 1 to June 30 of any given 12-month period to align with the Utah State Bar’s fiscal years. The reporting year has been changed to January 1 to December 31 and this will also be the reporting period for the Chair of the Ethics and Discipline Committee. OPC’s last report was for the period ending June 30, 2019. Due to the change, this report will be for the previous 12-month period from July 1, 2019 to June 30, 2020 and for the new reporting period from January 1, 2020 to December 31, 2020.

## **I. STAFF COMPOSITION**

The staff for year 2019-2020 consisted of 12 full-time employees. These 12 full-time employees include Chief Disciplinary Counsel, a Deputy Chief Disciplinary Counsel, four Assistant Disciplinary Counsel, four Paralegals, one Investigator, and one Intake Secretary. The staff for year 2020 has remained the same as described above.

## **II. LAWYER MISCONDUCT CASE PROCESS AND PROCEDURE**

### **A) Rules**

#### ***Prior to December 15, 2020***

The Rules of Lawyer Discipline and Disability (“RLDD”) are in Chapter 14, Article 5, of the Utah Supreme Court Rules of Professional Practice. The RLDD are the authority for the lawyer discipline process and procedure. Rule 14-504 of the RLDD is the overall authority for the OPC and Chief Disciplinary Counsel as head of the OPC.

#### ***Effective December 15, 2020.***

Pertaining to year 2020 the Utah Supreme Court amendments to these rules are set forth in its Rules of Professional Practice related to the Discipline, Disability and

Sanctions Rules (“RDDS”) and are in Chapter 11, Article 5 regarding lawyers and Chapter 15 regarding specifically LPPs. Rules 11-520 and 11-521 of the RDDS are the overall authority for the OPC and Chief Disciplinary Counsel as head of the OPC.

**B) Ethics and Discipline Committee**

***Prior to December 15, 2020***

Pursuant to Rule 14-503 of the RLDD, 29 volunteer lawyers and eight volunteer non-lawyers are appointed by the Utah Supreme Court to serve on an administrative body called the Ethics and Discipline Committee (“Committee”). The Committee’s function is to consider lawyer discipline cases that are appropriately referred to it under the RLDD.

The Utah Supreme Court appoints a Committee Chair and four Committee Vice-Chairs from the 29 lawyers. The Committee Chair is responsible for the oversight of the Committee and the Committee Vice-Chairs assist the Committee Chair in this task. The remaining 24 lawyers and eight non-lawyers do their main work in subcommittees called Screening Panels. The Utah Supreme Court appoints a Chair and a Vice-Chair to each Screening Panel. The year 2019-2020 composition of the Committee was as follows:

Christine Greenwood (Magleby Cataxinis & Greenwood), Chair, Ethics and Discipline Committee

Jeffrey J. Hunt (Parr, Brown, Gee & Loveless), Vice-Chair, Ethics and Discipline Committee

Michael R. McCarthy II (Barrick Gold of North America, Inc.), Vice-Chair, Ethics and Discipline Committee

Katherine E. Venti (Parsons Behle & Latimer), Vice-Chair, Ethics and Discipline Committee

Mark F. James (Hatch, James & Dodge, P.C.), Vice-Chair, Ethics and Discipline Committee

Brady Whitehead, Clerk, Ethics and Discipline Committee

Panel A

Andrea Martinez Griffin (Salt Lake Legal Defender Association), Chair  
 J. Gregory Hardman (Snow Jensen & Reece), Vice-Chair  
 Bryant J. McConkie (McConkie, Hales & Gunn)  
 Kimberly A. Neville (Dorsey & Whitney LLP)  
 Derek Williams (Attorney at Law)  
 Roger D. Sandack (Attorney at Law)  
 Sarah Sandberg, Public Member  
 Diane Walker, Public Member

Panel B

Rebecca S. Parr (Utah Department of Human Resource Management), Chair  
 Langdon T. Owen, Jr. (Cohne Kinghorn, PC), Vice-Chair  
 Leonor E. Perretta (Perretta Law Office)  
 Cassie J. Medura (Jennings & Medura, LLC)  
 Lara A. Swensen (Hatch James & Dodge)  
 J. Thomas Beckett (Parsons Behle & Latimer)  
 Joel Campbell, Public Member  
 Charles Haussler, Public Member

Panel C

Amy Hayes Kennedy (Dart, Adamson & Donovan), Chair  
 Kasey L. Wright (Wright Law Firm, P.C.), Vice-Chair  
 Jennifer F. Parrish (Magleby Cataxinos & Greenwood)  
 Randall L. Jeffs (Jeffs & Jeffs, PC)  
 Debra M. Nelson (Salt Lake Legal Defender Association)  
 Mitchell A. Stephens (Hatch James & Dodge)  
 Kari Stuart Jones, Public Member  
 Jonathan Bone, Public Member

Panel D

Betsy Haws (Backcountry.com), Chair  
 Mark E. Hindley (Stoel Rives, LLP), Vice-Chair  
 Darcy Goddard (Salt Lake County, District Attorney's Office)  
 David W. Tufts (Durham Jones & Pinegar)  
 Monica Diaz (Utah Juvenile Defender Attorneys)  
 Robert R. Harrison (Stilling & Harrison PLLC)  
 Tim Foley, Public Member  
 Dr. Richard Price, Public Member

The majority of Screening Panel work is done by conducting hearings. The Screening Panel hearings must be presided over by either the Screening Panel Chair or the Screening Panel Vice-Chair, and must have a quorum consisting of two lawyers and one non-lawyer.

***Effective December 15, 2020***

Pursuant to Rule 11-510 of the RDDS, 21 volunteer lawyers and four volunteer non-lawyer members are to be appointed by the Utah Supreme Court for the purpose of the work of the Committee. All panel hearings must have five members present unless all parties agree to fewer than five, but not fewer than three. The description of the Screening Panel sub-committee work as outlined above is the same.

**C) How the OPC Addresses Information That Comes to Its Attention**

***Prior to December 15, 2020***

Specifically addressing the processing of cases, the pertinent provisions of Rule 14-504(b) of the RLDD state that OPC has the power and duty to:

- (1) Screen all information coming to the attention of the OPC to determine whether it is within the jurisdiction of the OPC in that it relates to misconduct by a lawyer or to the incapacity of a lawyer;
- (2) Investigate all information coming to the attention of the Office which, if true, would be grounds for discipline or transfer to disability status and investigate all facts pertaining to petitions for reinstatement or readmission;
- (3) For each matter not covered in Rule 14-510 [of the RLDD] brought to the attention of the OPC:
  - (A) dismiss;
  - (B) decline to prosecute;
  - (C) refer non-frivolous and substantial informal complaints to the Committee for hearing; or
  - (D) petition for transfer to disability status;
- (4) Prosecute before the screening panels, the district courts and the Supreme Court all disciplinary cases and proceedings for transfer to or from disability status.

Information comes to the OPC's attention in the form of notarized/verified and non-notarized complaints. Notarized/verified complaints are official informal complaints ("informal complaints") within the meaning of Rule 14-510(a)(2) and, therefore, are

processed pursuant to Rule 14-504 and Rule 14-510 of the RLDD. By contrast, non-notarized complaints are not official informal complaints, and are usually submitted to the OPC in the form of a Request for Assistance. The Request for Assistance form is able to be submitted online. Requests for Assistance are processed pursuant to Rule 14-504 of the RLDD. For purposes of this report, all non-notarized complaints will hereinafter be referred to as Requests for Assistance. The OPC reviews Requests for Assistance in coordination with CAP.

Additionally, pursuant to Rule 14-504(b)(2) and Rule 14-510(a)(1) of the RLDD, the OPC can start a lawyer misconduct investigation or complaint on its own initiative, based upon information that comes to its attention. The most common circumstance where this happens is when the OPC reviews information that has been disseminated through the media or is part of a published court case. The OPC categorizes these cases as Media/Court. Other circumstances where the OPC becomes the Complainant is where information is submitted by a judge where the judge does not want to be the Complainant, or where the Complainant stops cooperating and there is enough information to proceed. In all of the cases where the OPC is the Complainant, the OPC sends the lawyer a notice of the OPC complaint with the notarized signature of the head of the OPC. Under Rule 14-510(a)(2), the OPC complaint is not required to be verified and attested to.

***Effective December 15, 2020***

The provisions regarding OPC's power and duties are essentially the same under Rule 11-521(a) of the RDDs. There is an exception pertaining to "readmission" which is now designated as "relicensure" and "informal complaints" are simply now referred to as "complaints." The elimination of the "informal" designation on complaints and the elimination of matters coming to the OPC as "requests for assistance" that could be



reviewed in coordination with CAP is a significant change to the processing of cases. In this respect, Rule 11-530(b) of the RDDS removed the notarization and verification requirements for complaints and now only requires an unsworn declaration as to the accuracy of the information. Thus, if the OPC receives information that does not have that requirement, the OPC notifies the Complainant that this is needed. The OPC also provides a form that can be used through its website.

Furthermore, pursuant to Rule 11-521(a) and Rule 11-530 of the RDDS, the OPC can initiate complaints in the same manner as under the previous rules. An OPC initiated complaint filing is complete when OPC delivers the complaint to the lawyer in hard copy or electronic form. The OPC initiated complaint does not have to have an unsworn declaration.

1) **Central Intake System**

**Process**

***Prior to December 15, 2020***

The OPC's Central Intake System is staffed by three attorneys who are assigned to review all initial information received (Requests for Assistance and informal complaints) to determine whether the matter should be appropriately closed by a declination to prosecute or a dismissal, or whether the matter should be processed further for referral to a Screening Panel. These decisions are made jointly by the intake attorneys and the other staff attorneys at weekly case status meetings. Therefore, notwithstanding individual case assignments, all the attorneys in the office are actually involved in the investigation and prosecution decisions of all the cases received by the OPC.

As part of this system, at the weekly attorney staff meetings the OPC reviews all written Requests for Assistance that it receives, or that are made directly to CAP. Prior

to opening a case, the OPC has a CAP review process where it determines whether the Request for Assistance is appropriate to be handled through CAP (i.e., minor attorney concerns that most likely do not rise to the level of Rule of Professional Conduct violations or matters that should be addressed in another forum). Within those parameters, Requests for Assistance are sent to CAP and there is no need for the OPC to review the case further. In appropriate cases (matters that likely rise to the level of Rule of Professional Conduct violations or matters involving attorneys who are already under investigation by the OPC), the OPC notifies the Complainant to resubmit their Request for Assistance with notarization and verification or the OPC notarizes the Request for Assistance to open an OPC informal complaint.

***Effective December 15, 2020***

Since all cases are now complaints with the declaration, OPC has set up a system with three of its attorneys to review cases that were previously part of its CAP review process. Where appropriate, consistent with the criteria outlined above, in lieu of sending a case to CAP, the OPC will summarily dismiss the case ("Summary Review"). If the case does not meet the criteria where it would have previously been sent to CAP or it needs any further investigation, the case is kept and proceeds like other investigative cases where responses are needed.

**2) Investigations**

**Initial Review**

***Prior to December 15, 2020***

All reviews of all informal complaints and the decisions associated with these reviews are also made jointly by the OPC attorneys at weekly staff meetings. The informal complaint is reviewed for jurisdiction and merit. Looking at the "four corners" of the

informal complaint, if the OPC determines it does not have jurisdiction, if the informal complaint fails to state a claim, or if the case lacks merit in that the alleged conduct, even if true is not an ethical violation, the case is dismissed. In these types of dismissal cases, there is no need to contact the lawyer for information. Both the Complainant and the lawyer receive a dismissal letter, and a copy of the informal complaint is sent to the lawyer.

***Effective December 15, 2020***

The difference in this process is that the three formerly CAP review attorneys will conduct a Summary Review of these complaints and, looking at the “four corners,” summarily dismiss these cases based upon the criteria above. There is no need for reviewing these cases at weekly staff meetings.

**Preliminary Investigation**

***Prior to December 15, 2020***

Assuming that the OPC does not dismiss an informal complaint based on jurisdiction or merit, the OPC conducts a preliminary investigation. The preliminary investigation is to ascertain whether the informal complaint is sufficiently clear as to the allegations. If it is not, the OPC will seek additional facts from the Complainant. Thereafter, the OPC will usually proceed to obtain an informal response from the Respondent.

***Effective December 15, 2020***

This process does not change.

## **Settlement**

### ***Prior to December 15, 2020***

At any point during the investigation, the OPC is willing to conduct settlement discussions with the lawyer; however, once the OPC files a Formal Complaint as explained below, by policy the OPC will not conduct settlement discussions until an Answer is made to that Formal Complaint.

### ***Effective December 15, 2020***

This policy does not change regarding cases that subsequently became a “Formal Complaint.” However, by rule these cases are now designated an “Action” not a “Formal Complaint.”

## **Notice of Informal Complaint**

### ***Prior to December 15, 2020***

After the preliminary investigation and the request for informal responses, if the OPC determines that a formal response is needed from the lawyer to reach an appropriate resolution of the informal complaint in accordance with the RLDD, including the possibility of a Screening Panel hearing, the OPC will serve on the lawyer a Notice of Informal Complaint (“NOIC”). The NOIC will contain a true copy of the signed informal complaint and any additional information that the OPC has received from the Complainant. The NOIC will also identify with particularity the possible violations of the Rules of Professional Conduct raised by the informal complaint as preliminarily determined by the OPC. The lawyer has 20 days after service of the NOIC to file with the OPC a written and signed answer setting forth in full an explanation of the facts surrounding the informal complaint, together with all defenses and responses to the claims of possible misconduct.

The OPC sends the Complainant a copy of the lawyer's response to the NOIC and, in most cases, continues its investigation by obtaining a reply from the Complainant to the lawyer's response. Further, where appropriate to ascertain the facts necessary to assess the charges, the OPC will seek additional responses and/or contact witnesses. The OPC always examines all documents submitted by all participants. Upon completion of the investigation as outlined above, the OPC determines whether the informal complaint sets forth facts which by their very nature should be brought before a Screening Panel or if good cause otherwise exists to bring the matter before a Screening Panel. These are "non-frivolous" and "substantial" informal complaints within the meaning of RLDD 14-504(b)(3) and are required to be presented to Screening Panels consistent with RLDD 14-510(a)(5).

***Effective December 15, 2020***

The above outlined description is essentially the same. The only differences are that "NOIC" is now designated as a "Notice" and the lawyer has 21 days in which to submit a response. The Rule cites are 11-521(a)(3) and 11-530(e) of the RDDS.

**Dismissal/Declination to Prosecute**

***Prior to December 15, 2020***

If upon completion of this investigation the OPC determines that the case is not substantial or is frivolous (i.e., the factual allegations made by the Complainant that can be proven do not constitute a violation of the Rules of Professional Conduct or the evidence is insufficient to establish probable cause that the lawyer violated the Rules of Professional Conduct), the OPC dismisses the informal complaint consistent with RLDD 14-510(a)(7). Additionally, as part of its dismissal authority, consistent with the language in Rule 14-510(a)(7) of the RLDD, the OPC can determine that an informal complaint is

barred by the statute of limitations based on discovery of the acts allegedly constituting a violation of the Rules of Professional Conduct, or is more adequately addressed in another forum, or the OPC can decline to prosecute an informal complaint.

The OPC does not arbitrarily decide to decline to prosecute a case. Occasionally, due to the nature of a case (i.e., the remedy sought by a Complainant; ongoing proceedings and the possible disruption of those proceedings that a disciplinary case could have; the OPC resources needed to process a case compared to the OPC resources needed if the matters are first addressed elsewhere), it is in everyone's best interests to resolve the disciplinary matter by declining to prosecute the case. Generally, the OPC standards for declining to prosecute cases are as follows:

- The OPC may decline to prosecute cases where there is a question as to the nexus between the allegations and the lawyer's practice.
- The OPC may decline to prosecute cases where the lawyer has already been disciplined in a lawyer discipline matter for similar misconduct committed during the same period. In these cases, it is unlikely the misconduct will result in discipline greater than what has already been imposed in a lawyer discipline matter.
- The OPC may decline to prosecute cases where the lawyer has taken immediate action to remedy the alleged misconduct and that remedy has likely negated a violation of the Rules of Professional Conduct.
- The OPC may decline to prosecute a case by a referral to the Professionalism Counseling Board.<sup>c</sup>

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<sup>c</sup> The Professionalism Counseling Board is a Utah Supreme Court Committee charged with addressing violations of the Standards of Professionalism and Civility set forth in Chapter 14, Article 3 of the Utah Supreme Court Rules of Professional Practice.



***Effective December 15, 2020***

The above-described process for dismissal/declination to prosecute remains the same. The pertinent rule citation is 11-530(g)(1).

**3) Diversions**

***Prior to December 15, 2020***

Diversion is an alternative to discipline that is entered into by agreement in lawyer discipline cases. Pursuant to Rule 14-533 of the RLDD, the Utah Supreme Court created a Diversion Committee; if the lawyer consents to a Diversion Agreement that is subsequently approved by the Diversion Committee, either a Screening Panel or the OPC may dismiss cases involving minor violations of the Rules of Professional Conduct. The specific types of cases that are not appropriate for diversion are: when the lawyer is accused of misappropriating client funds; the lawyer's behavior will, or is likely to, result in substantial prejudice to a client or other person absent adequate provisions for restitution; the lawyer has previously been sanctioned in the immediately preceding three years; the current misconduct is of the same type for which the lawyer has previously been sanctioned; the misconduct involved dishonesty, deceit, fraud, or misrepresentation; the misconduct constitutes a substantial threat of irreparable harm to the public; the misconduct is a felony or a misdemeanor that reflects adversely on the Respondent's honesty, trustworthiness, or fitness as a lawyer; or, the lawyer has engaged in a pattern of similar misconduct.

To be eligible for diversion, the presumptive sanction must not be more severe than a public reprimand. Further, all involved must make an assessment of whether or not participation in diversion is likely to improve the lawyer's future behavior, whether

aggravating or mitigating factors exist, and whether diversion already has been attempted.

The Diversion Committee has to review and approve every diversion contract. Possible program areas of diversion are as follows: Fee Arbitration; Mediation; Law Office Management Assistance; Psychological and Behavioral Counseling; Monitoring; Restitution; Continuing Legal Education Programs, including Ethics School; and, any other program or corrective course of action agreed to by the responding lawyer necessary to address an lawyer's conduct.

The OPC notifies a lawyer of the diversion option when a case is received. A Complainant is notified of any proposed decision to refer a lawyer to diversion and that Complainant may comment, however a decision to divert is not appealable by a Complainant.

Upon entering into the diversion contract, the complaint against the lawyer is stayed pending completion of diversion. If diversion is successful, the complaint is dismissed and all information regarding the terms of the diversion is kept confidential. Further, successful completion of diversion is a bar to disciplinary prosecution based on the same allegations. However, a material breach of the diversion contract is cause for terminating the agreement and subjects the lawyer to appropriate discipline as if diversion had never been an option. As noted below, a Screening Panel may also refer a complaint to the Diversion Committee.

***Effective December 15, 2020***

The details of the diversion program did not change with the notable exception of the following: (1) the Diversion Committee has been eliminated with now the approval of the diversion contract needed only by the OPC and the Respondent Lawyer, and (2) the

Screening Panels no longer have authority to recommend diversions. The OPC by policy plans to enhance its use of diversions by implementing a lawyer wellness/well-being component. The diversion rules are 11-550 to 11-555 of the RDDS.

#### 4) Informal Appeals

##### ***Prior to December 15, 2020***

Pursuant to Rule 14-510(a)(7) of the RLDD, a Complainant can appeal within 15 days to the Committee Chair the OPC's dismissal, including declinations to prosecute, of any informal complaint. When the OPC dismisses an informal complaint after investigation or declines to prosecute an informal complaint, it gives notice to the Complainant of the language in Rule 14-510(a)(7) of the RLDD and allows the Complainant the opportunity to appeal the decision. If the Complainant files an appeal, the Committee Chair or a Vice-Chair conducts a de novo review of the OPC file and either affirms the dismissal or remands the matter and the OPC will prepare the informal complaint for a Screening Panel hearing.

##### ***Effective December 15, 2020***

The above description of the informal appeal process is essentially the same. The modification is that a Complainant has 21 days to file an appeal. The rule provision is 11-530(g)(2) of the RDDS.

#### 5) Screening Panel

##### ***Prior to December 15, 2020***

If after investigation, the OPC determines that the allegations of the informal complaint are non-frivolous and substantial, or if the Chair or Vice-Chair of the Committee remands a case after an appeal, the OPC refers the informal complaint to a Screening Panel. The NOIC described in section 2 above is the official notice that is required for the

OPC to bring the case before a Screening Panel.

A Screening Panel reviews all the facts developed by the informal complaint, the Respondent's answer, the OPC's investigation and the information obtained during the Screening Panel hearing. After this review, the Screening Panel may make any of the following determinations or recommendations:

- Dismissal for lack of merit;
- Dismissal with a letter of caution;
- Dismissal by referral to Diversion Committee;
- Dismissal by referral to Professionalism Counseling Board;
- Recommendation that the lawyer be (privately) admonished or publicly reprimanded;
  - If the Screening Panel recommends an admonition or public reprimand, the lawyer can file an exception to the recommendation with the Committee Chair.
  - The OPC can file an exception to any of the determinations or recommendations with the Committee Chair.
  - Following the Screening Panel Hearing, or upon completion of the Exceptions Hearing, if an Exception has been filed, the Committee Chair issues a formal determination and can either sustain, dismiss, or modify the Screening Panel's determination or recommendation of discipline.
  - After final written determination of the Committee Chair, where an exception has been filed, the OPC or a lawyer can appeal by filing a request for review with the Supreme Court for reversal or modification. The OPC refers to these as "Administrative Appeals."
- A finding of probable cause that a Formal Complaint be filed with the District Court.
  - A determination that a Formal Complaint should be filed is not appealable.

If the Screening Panel determines that the informal complaint should be filed as a Formal Complaint, Rule 14-511 of the RLDD requires the OPC to prepare the Formal Complaint for the signature of the Chair of the Committee. Often the lawyer has more

than one informal complaint pending against him/her. If there is more than one informal complaint involved, an informal complaint may also pass through the Screening Panel process and can be combined into a single Formal Complaint (“Combined with Formal”). Once a Formal Complaint is filed, if a lawyer has other informal complaints or a Request for Assistance filed against him/her, in lieu of the Screening Panel process the OPC may elect to hold the cases for presentation at any sanctions hearing resulting from the Formal Complaint (“Hold for Sanctions”), pursuant to Rule 14-515 (a)(3) of the RLDD.

***Effective December 15, 2020***

The above described Screening Panel process has been modified as follows: (1) as previously stated the “NOIC” is now a “Notice;” (2) Screening Panels no longer have the authority to dismiss by referral to the Diversion Committee; (3) for Screening Panel recommendations of public reprimand, a Respondent Lawyer may file an exception in accordance with Rule 11-532 of the RDDS or elect a trial de novo with the district court by notifying the Committee Chair, who will authorize the Action in accordance with Rule 11-536 of the RDDS; and (4) the Committee Chair no longer is required to sign the Action that OPC is authorized by the Screening Panel to file pursuant to Rule 11-536 of the RDDS.

**6) Formal Complaints**

***Prior to December 15, 2020***

A Formal Complaint must be filed in the county where the alleged misconduct occurred, or in the county where the lawyer resides or practices law or last practiced law. Once a Formal Complaint is filed with the District Court, if no settlement can be reached, the case is prepared for a bench trial. The bench trial is bifurcated, the first portion of which involves the adjudication of misconduct (i.e., Rule of Professional Conduct

violations). If the judge does not dismiss the case and finds misconduct, the second stage of the trial is a sanctions hearing. At the end of the sanctions hearing, the judge can order sanctions and remedies that may include, but are not limited to, the following dispositions:

- Admonition
- CLE or Ethics School
- Public Reprimand
- Restitution
- Probation
- Suspension
- Disbarment

***Effective December 15, 2020***

The above-described process for “Formal Complaint” is essentially the same except, as stated above, cases are called an “Action,” “disbarments” are now designated as “delicensures,” and diversions have specifically been added to the District Court’s disposition list. Diversions still have to follow the requirements of Rules 11-550 to 11-555 of the RDDs.

**7) Formal Appeals**

***Prior to December 15, 2020***

All appeals from District Court orders are directed to the Utah Supreme Court. Only the Respondent Lawyer or the OPC can appeal from the District Court order. The Utah Supreme Court under its constitutional authority to regulate the practice of law has the discretion to consider appeals of all lawyer discipline cases.

***Effective December 15, 2020***

There have been no changes to this process.

**8) Monitored Cases**

***Prior to December 15, 2020***

Monitored cases include probation cases, disability cases and trusteeship cases. Where appropriate, probation cases require someone to docket reminder dates, and



follow-up to ensure that the lawyer meets the probation requirements. Disability cases generally require someone to investigate the extent of the disability, to process the case through District Court, and to monitor the continuing status of the lawyer. Trusteeship cases generally require that someone inventory the lawyer's files, notify the lawyer's clients of the trusteeship, and assist with distribution of client files to the clients. Additionally, trusteeship cases require someone to inventory unclaimed files, prepare a notice for publication of potential destruction of the files, prepare a request to the District Court to approve destruction of unclaimed files, and ultimately to destroy the files.

When the OPC has to undertake a trusteeship, it takes a significant amount of resources and time. It is preferable to the OPC that a lawyer or firm outside of the OPC be appointed to manage trusteeships. However, since in most trusteeship cases there is little or no money for the recoupment of costs and fees, there are not always lawyers or firms that are willing and able to oversee a trusteeship.

***Effective December 15, 2020***

There have been no changes to this process.

**9) Interim Suspension and Disability**

***Prior to December 15, 2020***

Pursuant to Rules 14-518, 14-519, and 14-523 of the RLDD, if a lawyer poses a substantial threat of irreparable harm to the public and has either committed a violation of the Rules of Professional Conduct or has been convicted of a crime which reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, or is under a disability as defined in the RLDD, the OPC may file a petition for interim suspension or disability. This is an immediate filing in the District Court, and need not go through the Screening Panel process outlined above.

***Effective December 15, 2020***

The rule pertaining to substantial threat of irreparable harm to the public (formerly Rule 14-518 of the RLDD, now Rule 11-563 of the RDDS) has been expanded to not only include an interim suspension from the practice of law but other remedies, such as limiting the Respondent Lawyer's practice area or placing the Respondent Lawyer on supervision pending disposition of the disciplinary proceeding. Thus Rule 11-563 has been renamed "Interim Discipline" rather than "Interim Suspension." The rules pertaining to the conviction of a crime which reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer (formerly Rule 14-519 of the RLDD, now Rule 14-564 of the RDDS) has been modified to include findings of guilt, pleas of guilty and pleas of no contest for consideration of whether the Respondent Lawyer should be placed on interim suspension. The rule regarding disability (formerly Rule 14-523 of the RLDD, now Rule 11-568 of the RDDS) is essentially the same.

**10) Abeyances**

***Prior to December 15, 2020***

Lawyer discipline cases may be continued, stayed and held in abeyance when there is related pending litigation (i.e., criminal or civil) and the alleged misconduct is substantially similar to the issues of the pending litigation. The request for abeyance can be made by either the OPC or the Respondent Lawyer. The request is made to the Committee Chair pursuant to Rule 14-510(g)(3) if the discipline case is pending prior to the filing of a formal case ("Informal Abeyance") and the request is made to the judge pursuant to Rule 14-517(d) if the discipline case is pending in the District Court as part of a formal case ("Formal Abeyance").

***Effective December 15, 2020***

The process for abeyance requests to be made to the Committee Chair has been modified to state that those requests for abeyances have to be filed with the Committee Clerk and must be made before a Screening Panel hearing is held. The rule is 11-533(c) of the RDDS. If an abeyance request is to be made once an Action is filed, it is to be made in accordance with Rule 11-542(d) of the RDDS.

**11) Special Prosecutor Cases**

***Prior to December 15, 2020***

Special Prosecutor Cases are cases filed against either OPC staff, Bar staff, Bar Commissioners or Committee members. Pursuant to Rule 14-517(f) of the RLDD, these cases have to be prosecuted outside of the OPC.

***Effective December 15, 2020***

This process has not changed and the rule is 11-542(f) of the RDDS.

**12) Final Dispositions**

Until a case reaches a “final” disposition, the OPC considers it an active case. Final dispositions are cases where the result has been determined to be dismissal, declination to prosecute, dismissal with caution, admonition, public reprimand, disbarment (delicensure), resignation with discipline pending, time-specified suspension, trusteeship where the OPC is not the trustee, probation and cases in which no appeal is pending.

**III. STATISTICS – Year 2019-2020**

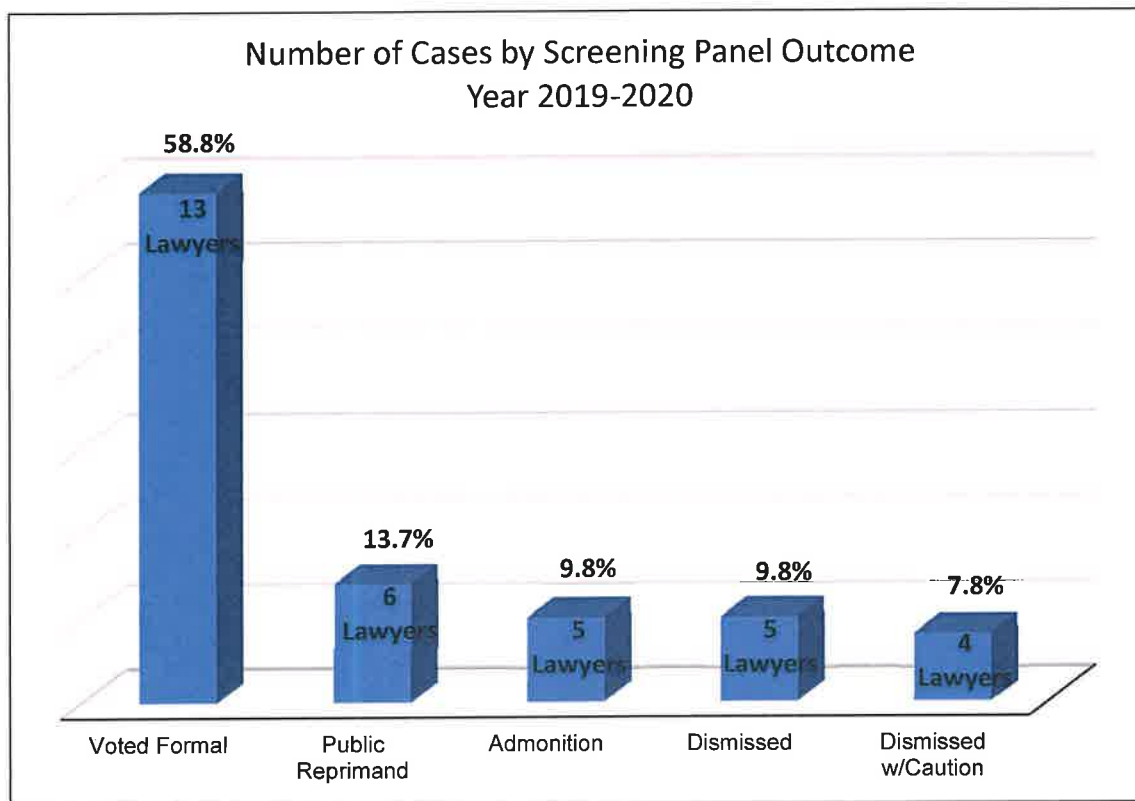
**A) Case Activity**

**Active cases as of July 1, 2019 ..... 640**

1)	<b><u>Cases opened</u></b>	
	Informal Complaint .....	82
	Media/Court Information .....	3
	Notice of Insufficient Funds .....	39
	Reciprocal Discipline .....	6
	Reinstatement .....	5
	Request for Assistance .....	597
	Special Prosecutor .....	11
	Trusteeship .....	1
	Total .....	744
	<b>Total cases processed during period .....</b>	<b>1,384</b>
2)	<b><u>Informal Complaints Closed Without Discipline</u></b>	
	By Dismissal .....	64
	By Dismissal with Caution .....	4
	By Declination to Prosecute .....	16
	By Dismissal – Duplicate .....	1
	By Declination to Prosecute (Hold for Reinstatement) .....	1
	<b>Total .....</b>	<b>86</b>
3)	<b><u>Requests for Assistance Closed Without Discipline</u></b>	
	By Dismissal .....	45
	By Dismissal with Caution .....	12
	By Dismissal w/Professional Counseling .....	2
	By Dismissal - Duplicate .....	5
	By Declination to Prosecute .....	241
	By Declination to Prosecute with Caution .....	45
	By Sent to CAP .....	325
	By Declination to Prosecute (Hold for Reinstatement) .....	17
	<b>Total .....</b>	<b>692</b>
4)	<b><u>Media/Court Information Closed Without Discipline</u></b>	
	By Dismissal .....	1
	By Declination to Prosecute .....	2
	<b>Total .....</b>	<b>3</b>
5)	<b><u>Special Prosecutor Closed Without Discipline</u></b>	
	By Dismissal .....	4
	<b>Total .....</b>	<b>4</b>
6)	<b><u>Notice of Insufficient Funds Closed Without Discipline</u></b>	
	By Dismissal .....	1
	By Declination to Prosecute .....	10
	By Declination to Prosecute with Caution .....	29
	By Declination to Prosecute (Hold for Reinstatement) .....	1
	<b>Total .....</b>	<b>41</b>

<b>7) <u>Orders Entered</u></b>	<b># of lawyers</b>
Admonition.....	9 (9)
Public Reprimand .....	7 (6)
Suspension.....	6 (6)
Disbarment.....	2 (2)
Dismissal.....	2 (2)
Disability .....	2 (2)
Probation Terminated.....	2 (2)
Reinstatement .....	2 (2)
Resignation with Discipline Pending.....	2 (2)
<b>Total.....</b>	<b>34 (33)</b>
<b>8) <u>Cases Combined with Formal Filings and Part of Global Settlements</u></b>	
Requests for Assistance.....	8
NSF .....	1
<b>Total.....</b>	<b>9</b>
<b>Total case closures during period.....</b>	<b>869</b>
<b>Active cases as of July 1, 2020 .....</b>	<b>515</b>
(Open cases minus closures for year 2019-2020)	
<b>9) <u>During the Year 2019-2020, the OPC had case activity as follows</u></b>	
Diversions.....	10
Informal Abeyances.....	6
Informal Appeals.....	31
Informal Appeals Granted.....	1
Informal Appeals Denied .....	23
Screening Panel Exception by OPC .....	5
Formal Cases Filed in Court.....	23
Cases Combined with Formal Filings .....	15
<b>10) <u>Stipulations</u></b>	<b># of lawyers</b>
Stipulation to Admonition.....	1 (1)
Stipulation to Suspension .....	3 (3)
Stipulation to Resignation with Discipline Pending .....	2 (2)
Stipulation to Dismissal .....	1 (1)
Stipulation to Disability .....	1 (1)
<b>Total.....</b>	<b>8 (8)</b>
<b>11) <u>Screening Panel Outcomes</u></b>	

For the year 2019-2020, the OPC referred 51 matters, involving 33 lawyers, to the Ethics and Discipline Committee for a Screening Panel hearing. The outcomes of those hearings were:



## 12) Notice of Insufficient Funds

As part of the OPC case activity, Rule 1.15(a) of the Rules of Professional Conduct requires that lawyers maintain their trust accounts in financial institutions that agree to report to the OPC “in the event any instrument in properly payable form is presented against a lawyer trust account containing insufficient funds (NSF), irrespective of whether or not the instrument is honored.” Pursuant to this rule the OPC opened 39 new NSF cases, and dismissed 40 NSF cases in year 2019-2020. The usual reasons for dismissals of NSF cases are accounting errors, bank errors, depositing errors, or drawing on the account before a deposit clears.



### 13) Summary

Of the 1,384 cases the OPC processed in year 2019-2020, 834 or 60.26% were resolved by dismissals, declinations to prosecute, referral to CAP or combined with formal. Of the 1,384 cases, approximately 1.87% of the cases resulted in 26 Orders of Discipline. 23% of the Orders of Discipline were by stipulation. Finally, approximately 3.68% of the OPC's processed cases for the year were heard by Screening Panels.

### B) Miscellaneous

#### 1) CLE

##### *Prior to December 15, 2020*

Rule 14-504(b)(13) of the RLDD requires that the OPC provide informal guidance to promote ethical conduct by Bar members. The OPC attorneys make Continuing Legal Education ("CLE") ethics presentations. During year 2019-2020, the OPC's CLE presentations totaled 19.75 hours.

Two of the CLE presentations are usually at the Ethics School conducted by the OPC. The OPC titles the Ethics School "What You Didn't Learn in Law School." Some lawyers are required to be there as a condition of a disciplinary case, but the OPC usually opens it to the entire Bar. At the school, the OPC covers a number of topics, including the lawyer discipline process, law office management, malpractice, conflicts of interests, lawyer trust fund accounting and hot topics of ethical issues. The OPC also usually tries to have at least one judge as a guest speaker to talk about civility and professionalism or a qualified lawyer to make a lawyer wellness presentation. The Ethics School was held in September of year 2019-2020 for six CLE hours. In September 2019, Ethics School was attended by 77 lawyers; and in March 2020, Ethics School was cancelled due to the Covid 19 crisis.

Included in OPC CLE presentations this fiscal year, the OPC also held a four-hour Law Practice Management and Trust Account Seminar. This seminar was held in January 2020. In addition to law practice management as the overall focus, the seminar specifically covered how to handle fees and trust accounting. It was attended by 40 lawyers. The OPC plans to continue to hold this seminar every year.

Finally, with respect to ethical guidance, in the past the OPC has provided written guidance to lawyers through publication of Utah Bar Journal articles on common ethics topics, and in brochures available to Bar members and the public. As the need arises, the OPC anticipates continuing to publish articles on ethics topics.

### ***Effective December 15, 2020***

The rule requiring the OPC to give ethical guidance was modified pursuant to Rule 11-521(a)(11) of the RDDS to make clear that the OPC provides informal guidance to lawyers through seminars, the formulation of diversion programs, the monitoring of probations and the dissemination of disciplinary results through the Utah Bar Journal while maintaining the confidentiality of Respondent Lawyers subject to private discipline.

## **2) Committees**

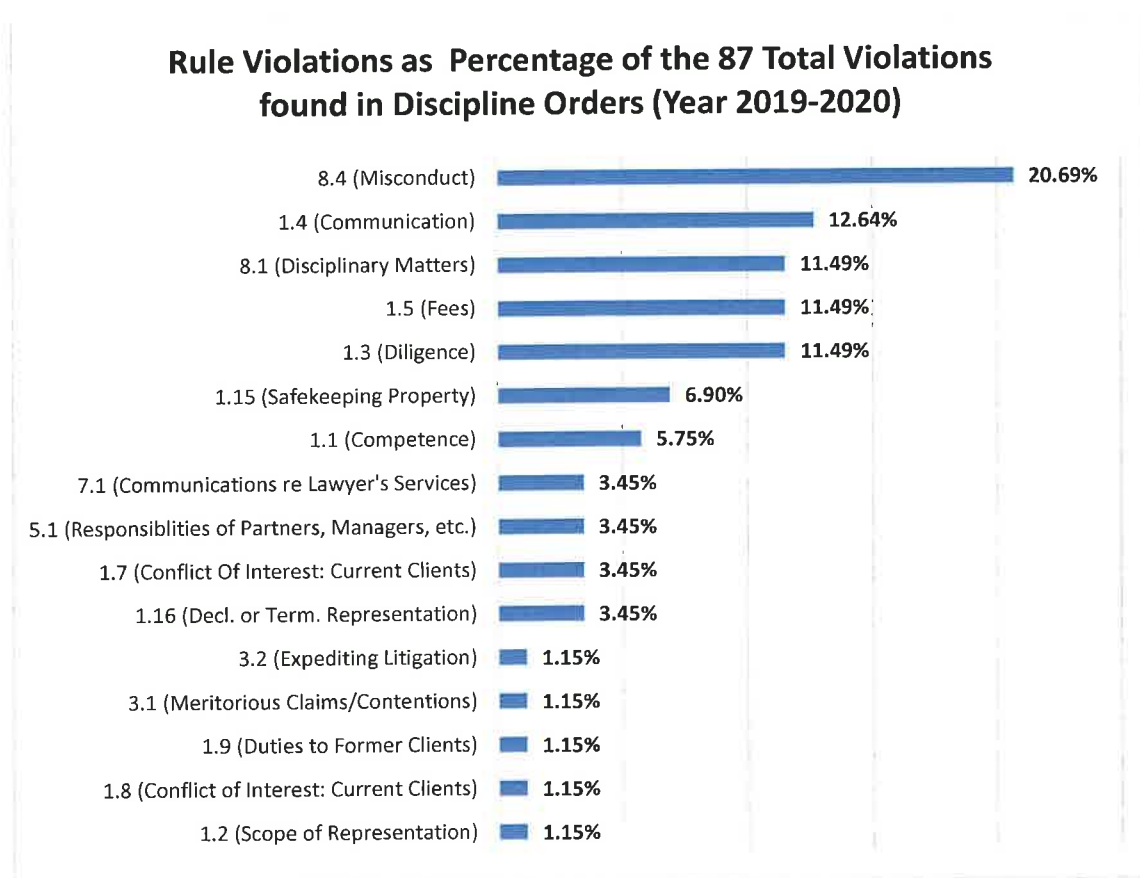
The OPC participates in committees with respect to lawyer conduct. Chief Disciplinary Counsel of the OPC sits as a voting member of the Utah Supreme Court's Advisory Committee on the Rules of Professional Practice. OPC counsel sits as a voting member of the Ad Hoc Ethics and Discipline Committee on Rules which addresses proposed rule changes to the RDDS. OPC counsel sits as a voting member on the Utah State Bar's Ethics Advisory Opinion Committee.

## **3) Rule Violations and Source of Information**

The OPC has collected and categorized other data regarding its cases.

Specifically, the data collected provide statistics on the rule violations.

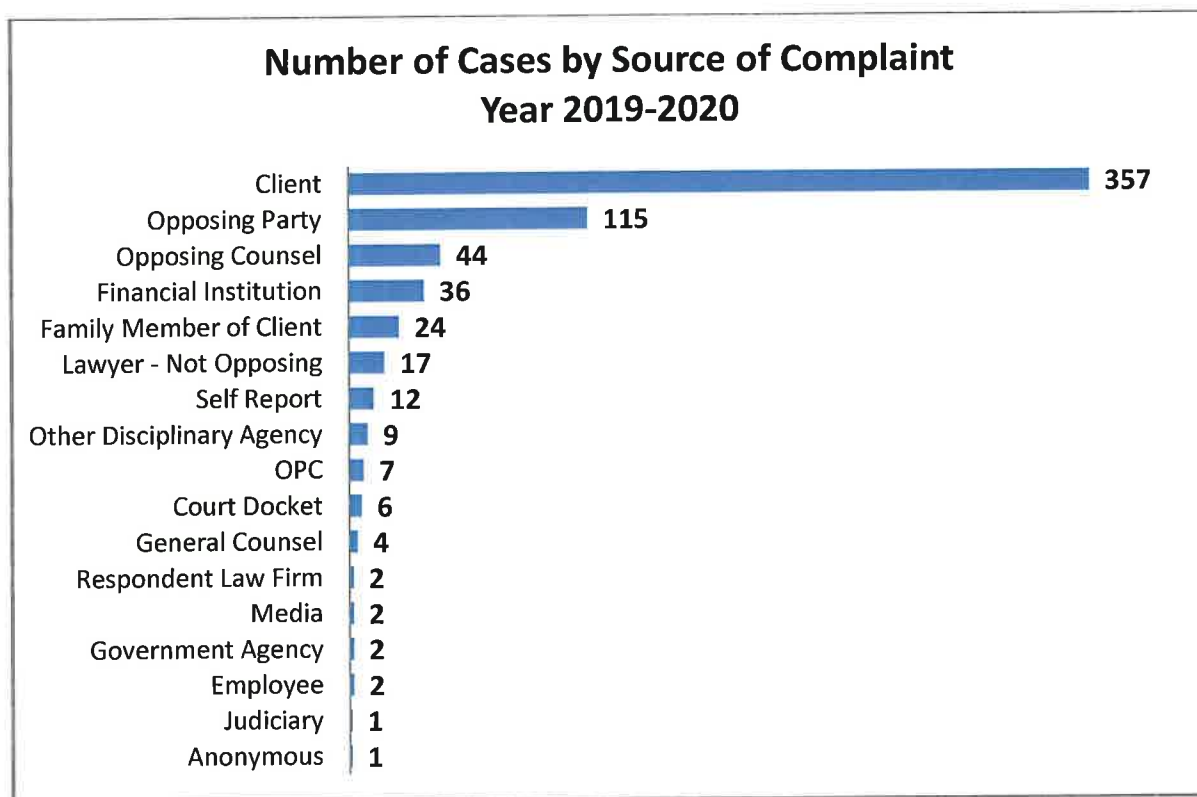
(a) For example, using data from the 26 orders of discipline entered in the year 2019-2020, which resulted in a finding of 87 total rule violations, we can see the frequency with which various rules were violated:



The OPC's impression is that violations of Rule 1.1 (Competence) commonly derive from lawyers missing court appearances; that violations of Rule 1.5 (Fees) commonly arise from lawyers collecting fees without performing meaningful work; that violations of Rule 1.15 (Safekeeping Property) often arise from lawyers failing to keep their earned money separate from clients' money or failing to promptly provide an accounting of how fees were used; that violations of

Rule 1.16 (Declining or Terminating Representation) commonly result from lawyers withholding the client file upon termination of the representation; violations of Rule 8.1(b) (Bar Admission and Disciplinary Matters) usually are based upon lawyers failing to respond to the OPC's lawful requests for information in the course of disciplinary investigations with the most common failure as a violation of this Rule, the failure to timely respond to the Notice; and violations of Rule 8.4 (Misconduct) commonly arise from criminal conduct, deceitful or fraudulent conduct or conduct prejudicial to the administration of justice. Accordingly, the OPC's CLE presentations often focus on helping practitioners avoid these particular problems.

(b) In year 2019-2020, information regarding possible lawyer misconduct was received from the following sources:

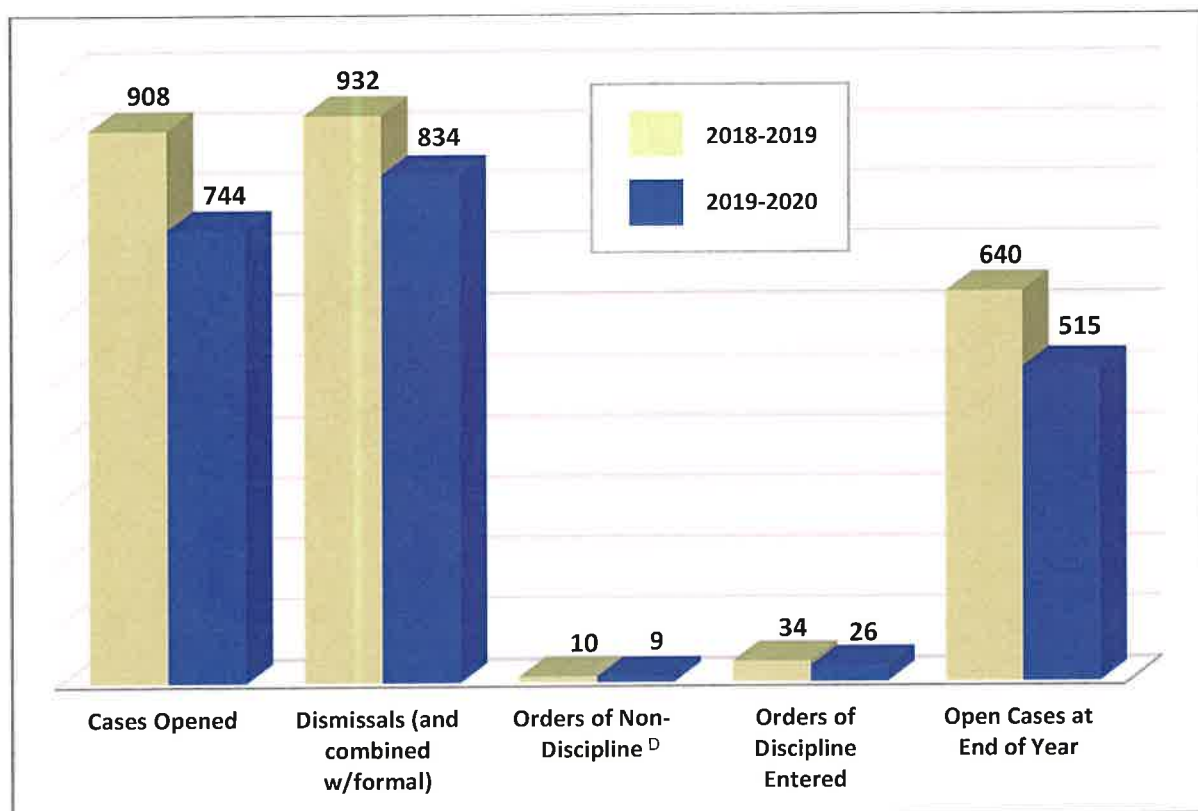


#### **IV. PROGRESS AND GOALS ON CASES**

The OPC, like every other state bar disciplinary authority, has and will continue to have unfinished work. Furthermore, the OPC, like every other state bar disciplinary authority, has and will continue to have a percentage of its unfinished work accumulate at the informal stage. The reason for this is the nature of the work. In this regard, the OPC processes disciplinary cases against lawyers who are often determined to use every means at their disposal to protect their license to practice law. This sometimes makes investigating and processing cases analogous to a criminal proceeding. In these cases, it tends to lengthen the processing at both the informal and post-informal stages. Notwithstanding the nature of the work, it should be noted that the OPC's overriding mission is to perform its responsibility in a professional and civil manner.

The OPC case progress goal is to have a system in place that keeps cases moving so the unfinished work at the informal stage is in percentage numbers as small as possible. This goal must be accomplished while simultaneously, and as expeditiously as possible, moving to resolution the larger percentage of cases that are at the post-informal stage (i.e., cases before Screening Panels or the District Court; cases on appeal; cases holding for resolution of a companion formal case; or cases held in abeyance pending related litigation).

As progress points of comparison of year 2018-2019 with year 2019-2020:



As can be seen from the chart:

- (1) Cases opened this year decreased by approximately 18%;
- (2) Dismissals (and combined with formal) this year decreased by approximately 10.5%;
- (3) Orders of non-discipline entered this year decreased by 10%;
- (4) Orders of discipline entered this year decreased by approximately 23.5%;  
and
- (5) Active case numbers at the end of this year decreased by approximately 19.5%.

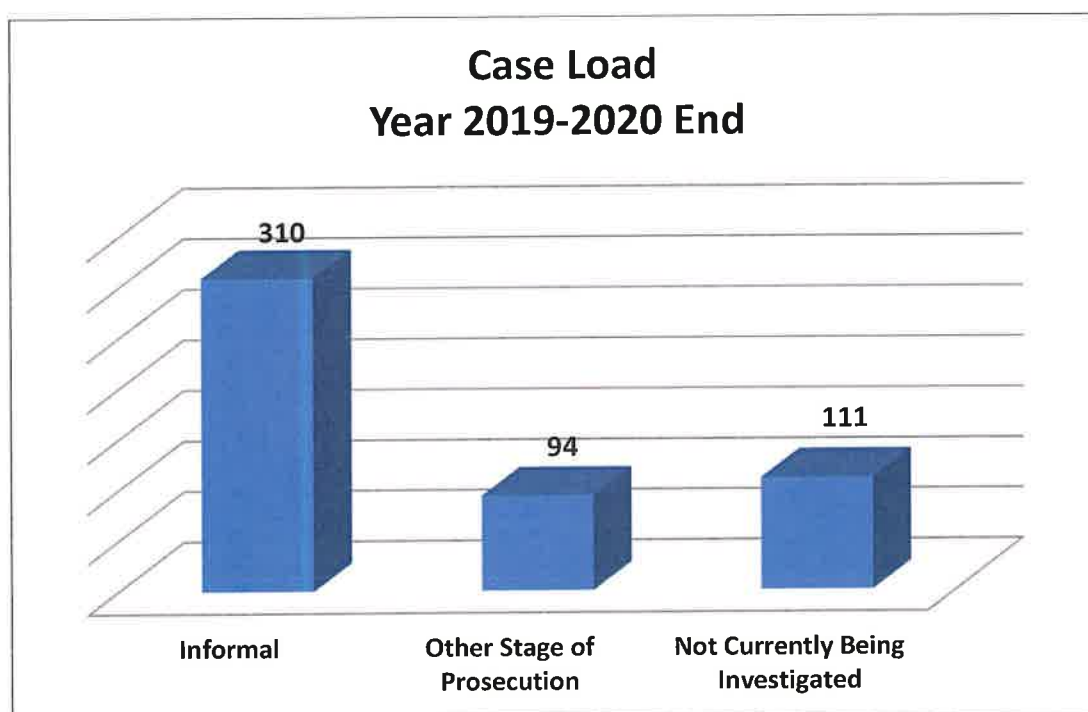
The OPC has a goal to reduce its active case number each year by closing more cases in a year than the office receives in that year. This year, the OPC accomplished

<sup>D</sup> 3 Dismissals, 2 Disabilities, 2 Probations Terminated and 2 Reinstatements.



this goal because it opened 744 cases and closed 869<sup>E</sup> cases and its active case number decreased by approximately 19.5%.

Of the OPC's case load as of year 2019-2020 end (515), 310 were at the informal stage<sup>F</sup>, 94 were at other stages of investigation/prosecution<sup>G</sup>, and 111 were not currently being investigated by the OPC<sup>H</sup>.



Of the 310 cases at the informal stage, 155 or 50% have been in the informal stage for over 180 days. Further breaking down the 155 cases that have been at the informal stage for over 180 days; approximately 61% of those cases have been at that stage for less than a year; and approximately 35% of those cases have been at that stage for between one and two years. So only approximately 4% (or seven) of the total

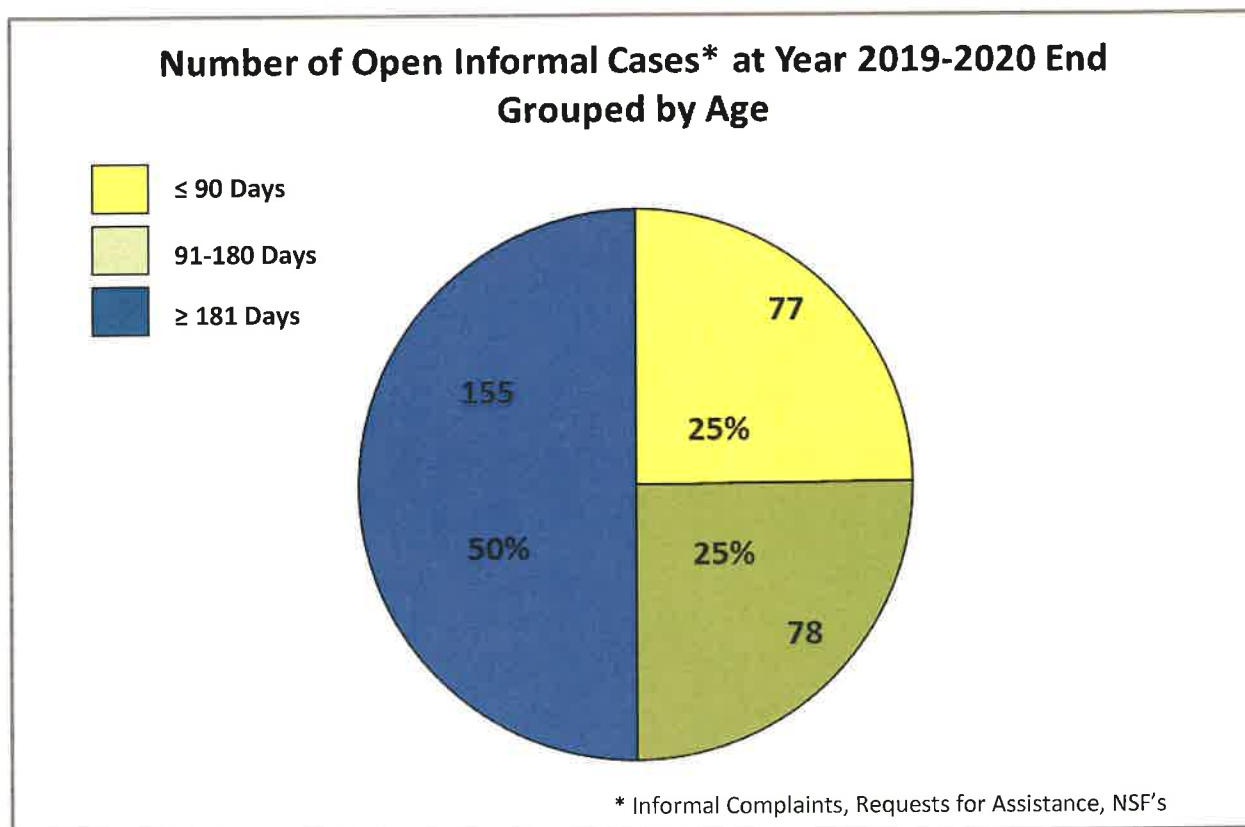
<sup>E</sup> The total of Dismissals (and Combined w/Formal) and all Orders (discipline and non-discipline).

<sup>F</sup> Informal Complaints, Requests for Assistance, NSF's.

<sup>G</sup> Combined with Formal, Exceptions, Formal, Formal Appeal, Informal Appeal, Media/Court Information, Reciprocal, Reinstatement, Rule 14-519, Trusteeships.

<sup>H</sup> Abeyance, At CAP, in CAP Review, Diversion, Special Prosecutor, Hold for Sanctions.

cases have been at that stage for over two years<sup>l</sup>.



It should also be noted that the OPC filed a significant number of new formal cases. In this respect, in addition to opening 10 new cases in the areas of reinstatement/reciprocal<sup>j</sup>, the OPC filed 13 new formal cases with the District Court (the 13 formal cases include an additional 14 underlying informal complaints).

## V. CONSUMER ASSISTANCE PROGRAM

### ***Prior to December 15, 2020***

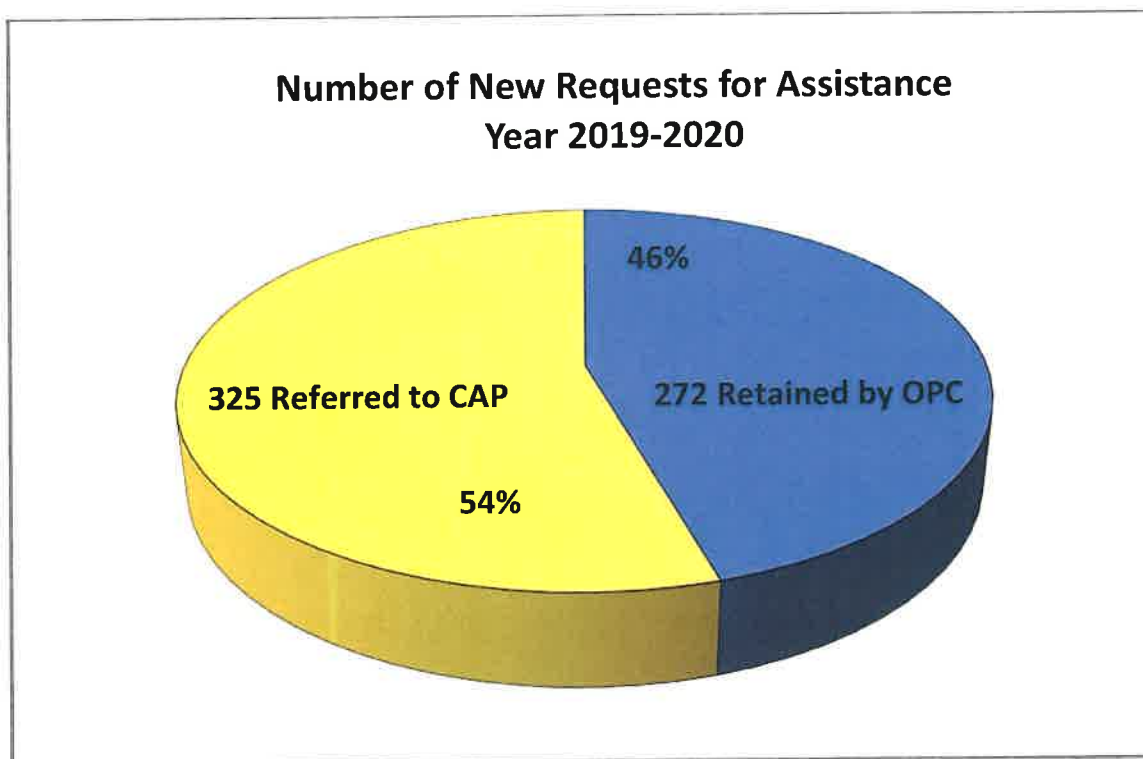
The CAP is not part of the OPC, but the OPC works in coordination with it, and reviews information sent to the Utah State Bar as a non-notarized Request for Assistance.

<sup>l</sup> Four of the seven cases at this stage involve lawyers for whom the OPC already has formal matters in progress.

<sup>j</sup> Five Reinstatements and five Reciprocal cases.

Additionally, for more extensive coordination between the OPC and CAP to ensure that cases do not fall between any gaps of the OPC's and CAP's separate purview, the OPC receives periodic listings of CAP cases from CAP to review and determine if there is overlap between CAP and the OPC on the case or lawyer; and to determine if any of the listed cases are cases that are more appropriately handled by the OPC. CAP's listed cases include all cases under review by CAP (i.e., phone calls, emails, Requests for Assistance).

The OPC's review of CAP cases ensures that allegations of serious misconduct are not processed as Requests for Assistance. In year 2019-2020, the OPC reviewed 597 Request for Assistancess which can be reviewed as part of its CAP review system, approximately 54% (325) of which the OPC referred to CAP. Only 25 of these matters came back to the OPC.



Thus, with respect to year 2019-2020, 289 matters were resolved by CAP without

the need for further OPC review.<sup>K</sup> The OPC uses the resources normally needed for reviewing and resolving the cases that are handled by CAP to process cases where there are serious ethical violations.

***Effective December 15, 2020***

As detailed in section II(C)(2), the OPC will no longer work in coordination with CAP for case referrals. This process has been replaced by OPC's Summary Review.

**VI. YEAR 2020**

**A) Statistics – Year 2020**

**Active cases as of January 1, 2020..... 628**

**1) Cases opened**

Informal Complaint .....	68
Media/Court Information .....	3
Notice of Insufficient Funds .....	34
Reciprocal Discipline .....	4
Reinstatement .....	4
Request for Assistance.....	546
Special Prosecutor .....	4
Trusteeship.....	1
Total .....	664
<b>Total cases processed during period .....</b>	<b>1,292</b>

**2) Informal Complaints Closed Without Discipline**

By Dismissal.....	57
By Dismissal with Caution .....	3
By Declination to Prosecute .....	25
By Declination to Prosecute (Hold for Reinstatement).....	1
<b>Total.....</b>	<b>86</b>

**3) Requests for Assistance Closed Without Discipline**

By Dismissal.....	30
By Dismissal with Caution .....	7
By Dismissal with Professional Counseling .....	1
By Dismissal – Duplicate .....	6
By Declination to Prosecute .....	243
By Declination to Prosecute with Caution.....	56

<sup>K</sup> Since CAP is not part of the OPC, the OPC does not have complete statistics on cases resolved by CAP in a year.

	By Sent to CAP.....	302	
	By Declination to Prosecute (Hold for Reinstatement).....	16	
	<b>Total.....</b>	<b>661</b>	
<b>4)</b>	<b><u>Media/Court Information Closed Without Discipline</u></b>		
	By Declination to Prosecute .....	2	
	<b>Total.....</b>	<b>2</b>	
<b>5)</b>	<b><u>Special Prosecutor Closed Without Discipline</u></b>		
	By Dismissal.....	4	
	<b>Total.....</b>	<b>4</b>	
<b>6)</b>	<b><u>Trusteeships Closed</u></b>		
	By Dismissal .....	1	
	<b>Total.....</b>	<b>1</b>	
<b>7)</b>	<b><u>Notice of Insufficient Funds Closed Without Discipline</u></b>		
	By Declination to Prosecute .....	8	
	By Declination to Prosecute with Caution.....	31	
	By Declination to Prosecute (Hold for Reinstatement).....	2	
	<b>Total.....</b>	<b>41</b>	
<b>8)</b>	<b><u>Orders Entered</u></b>		<b><u># of lawyers</u></b>
	Admonition.....	8	(8)
	Public Reprimand .....	6	(5)
	Suspension.....	8	(8)
	Disbarment.....	3	(3)
	Dismissal .....	1	(1)
	Probation .....	1	(1)
	Probation Terminated .....	1	(1)
	Reinstatement .....	3	(3)
	Disability .....	2	(2)
	Resignation w/Discipline Pending.....	1	(1)
	<b>Total.....</b>	<b>34</b>	<b>(33)</b>
<b>9)</b>	<b><u>Cases Combined with Formal Filings and Part of Global Settlements</u></b>		
	Informal Complaints.....	3	
	Requests for Assistance.....	9	
	<b>Total.....</b>	<b>12</b>	
<b>Total case closures during period.....</b>		<b>841</b>	
<b>Active cases as of January 1, 2021.....</b>		<b>451</b>	
(Open cases minus closures for year 2020)			

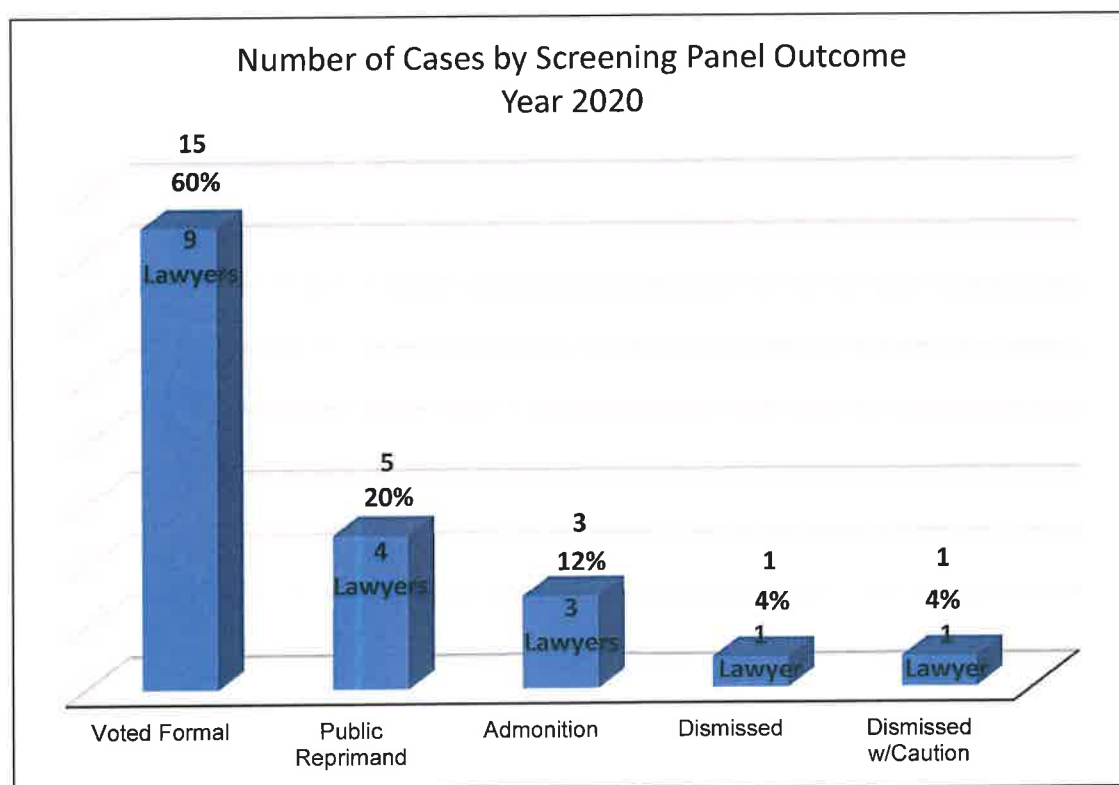
10) **During Year 2020, the OPC had case activity as follows**

Diversions.....	6
Informal Abeyances.....	6
Informal Appeals.....	17
Informal Appeals Denied .....	31
Screening Panel Exceptions by OPC .....	2
Formal Cases Filed in Court.....	17
Cases Combined with Formal Filings .....	5
Disability .....	1

11) <b><u>Stipulations</u></b>		<b><u># of lawyers</u></b>
Stipulation to Admonition.....	2	(2)
Stipulation to Suspension .....	5	(5)
Stipulation to Disability .....	2	(2)
Stipulation to Probation .....	1	(1)
<b>Total.....</b>	<b>10</b>	<b>(10)</b>

12) **Screening Panel Outcomes**

For year 2020, the OPC referred 25 matters, involving 16 lawyers, to the Ethics and Discipline Committee for a Screening Panel hearing. The outcomes of those hearings were:

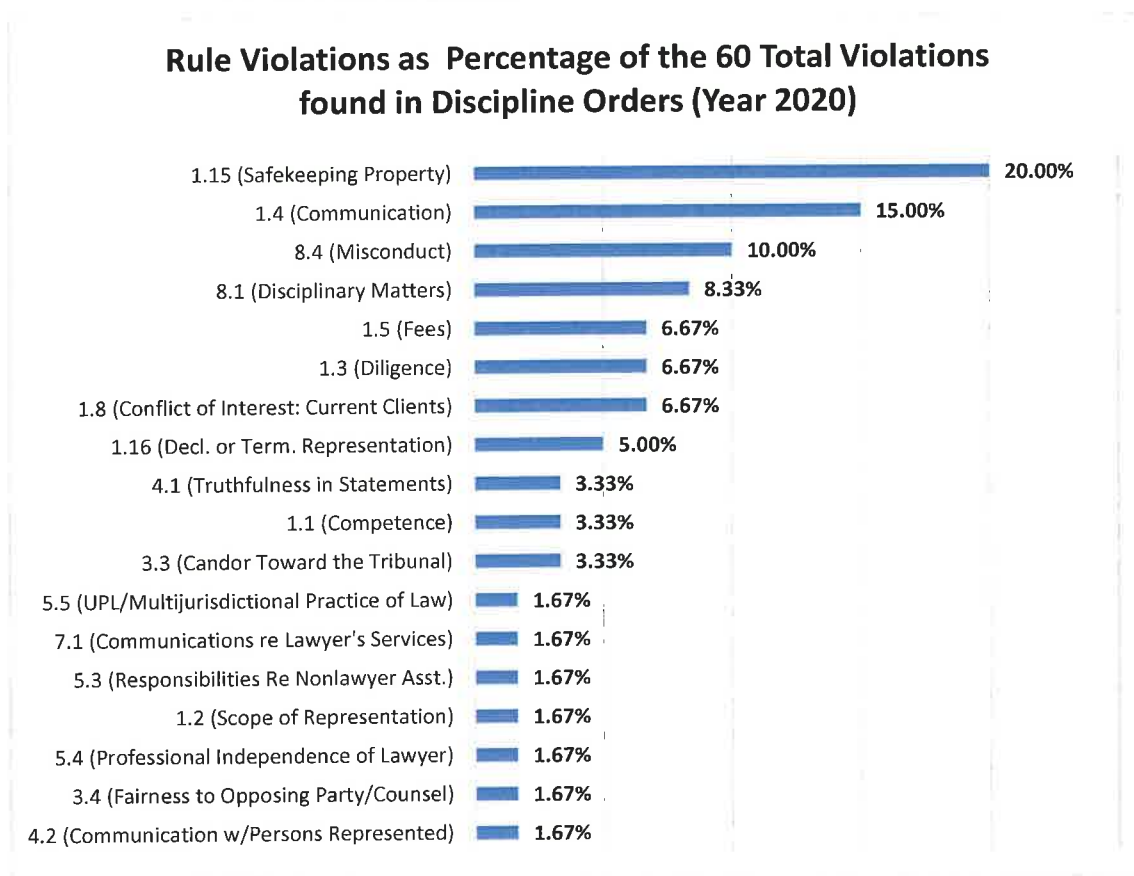


There were no Screening Panel hearings after June 2020 because the Committee decided to delay scheduling hearings until the rule changes were made resulting in the RDDS.

### 13) Rule Violations and Source of Information

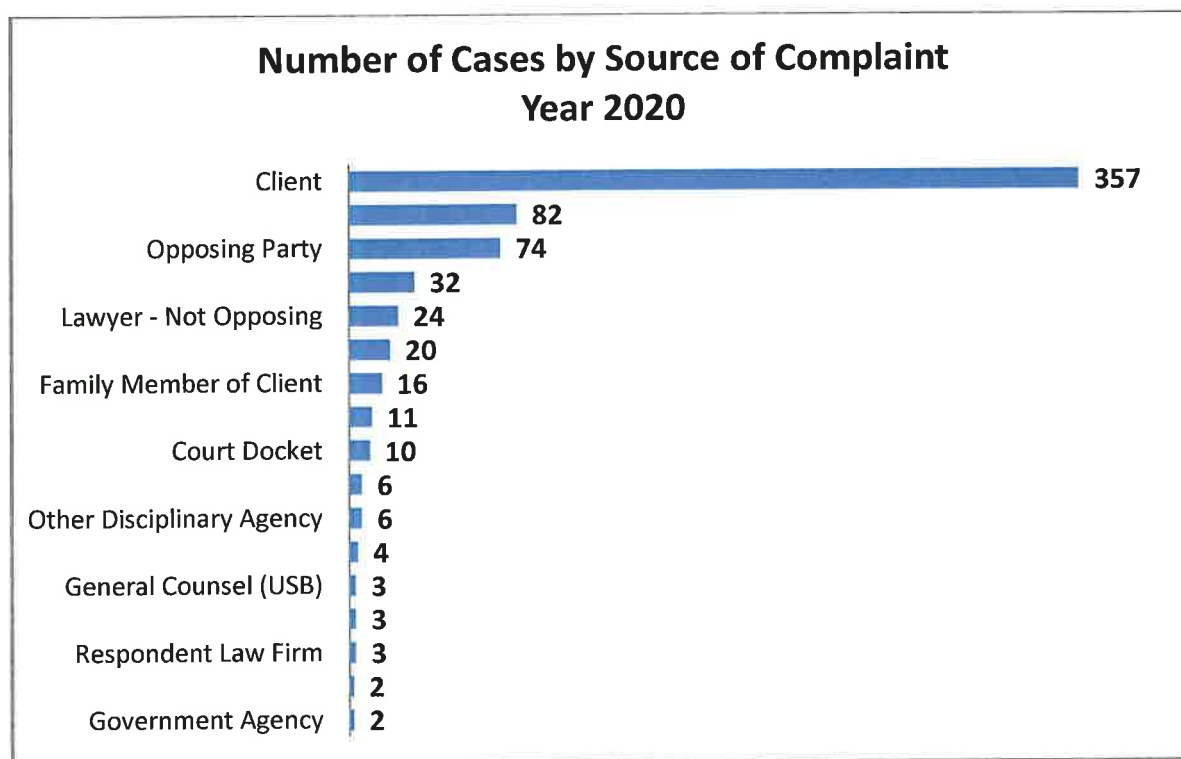
The OPC has collected and categorized other data regarding its cases. Specifically, the data collected provide statistics on the rule violations.

- (a) For example, using data from the 27 orders of discipline entered in year 2020, which resulted in a finding of 116 total rule violations, we can see the frequency with which various rules were violated:



- (b) In year 2020, information regarding possible lawyer misconduct was received from the following sources:





#### 14) Miscellaneous

All of the miscellaneous information reported above for year 2019-2020 (with respect to subparts 1 and 2) remained the same except the OPC made CLE presentations totaling 10 hours between July 1, 2020 and December 31, 2020 including a virtual Ethics School in September 2020 attended by 121 lawyers.

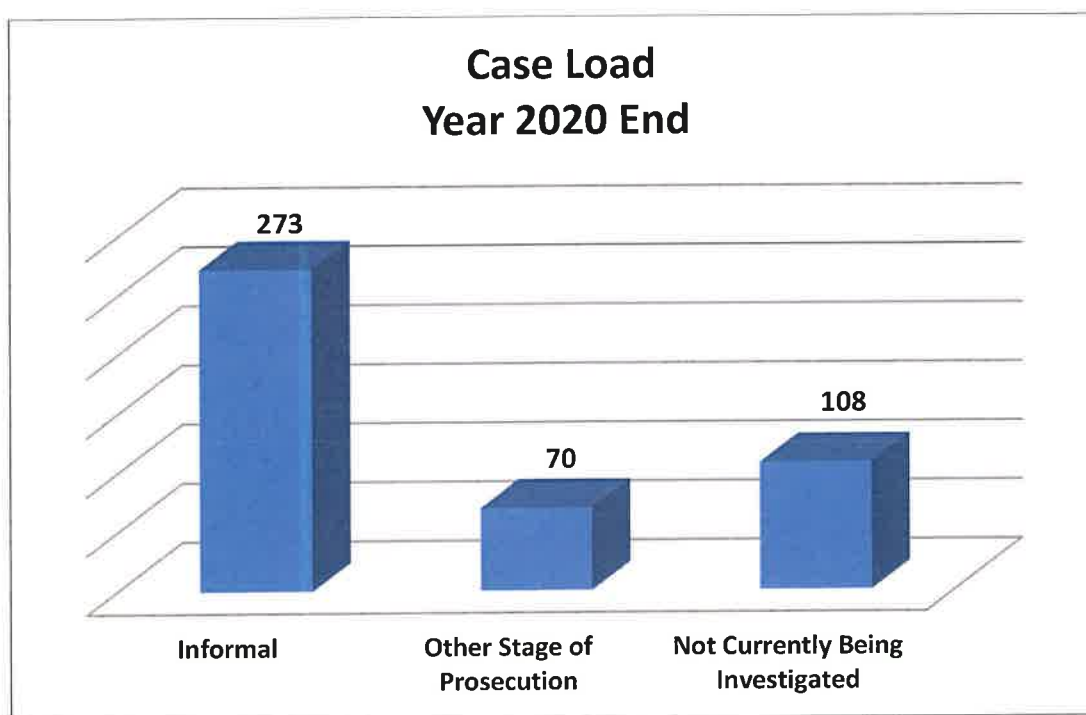
#### 15) Beginning Year 2021

The OPC begins year 2021 with 451 active cases against 311 lawyers. The breakdown of the various stages of the 451 cases is as follows:

Abeyance .....	13
At CAP.....	69
Summary Review .....	5
Combined with Formal.....	29
Diversion .....	3
Exception.....	4
Formal .....	21
Formal Appeal .....	3
Informal Appeal .....	7

Informal Complaint .....	120
Media/Court.....	1
Notice of Insufficient Funds .....	13
Reciprocal.....	4
Request for Assistance <sup>L</sup> .....	140
Rule 14-519.....	1
Special Prosecutor .....	18

Of the OPC's case load as of year 2020 end (451), 273 were at the informal stage<sup>M</sup>, 70 were at other stages of investigation/prosecution<sup>N</sup>, and 108 were not currently being investigated by the OPC<sup>O</sup>.



Of the 273 cases at the informal stage, 121 or approximately 44% have been in the informal stage for over 180 days. Further breaking down the 121 cases that have been at the informal stage for over 180 days; approximately 38% of those cases have been at

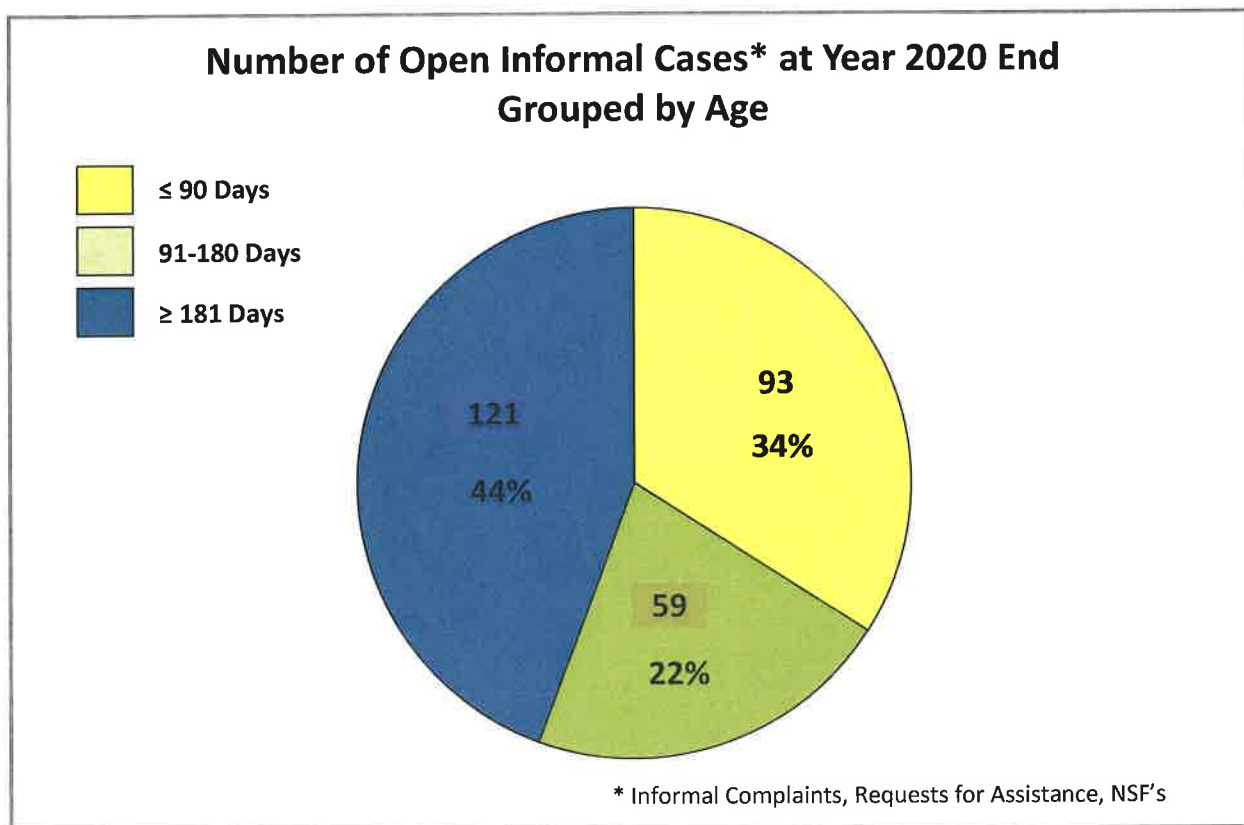
<sup>L</sup> For Requests for Assistance cases received as of December 15, 2020, they will be handled as complaints as previously stated in this report.

<sup>M</sup> Informal Complaints, Requests for Assistance, NSF's.

<sup>N</sup> Combined with Formal, Exceptions, Formal, Formal Appeal, Informal Appeal, Media/Court Information, Reciprocal, Reinstatement, Rule 14-519.

<sup>O</sup> Abeyance, At CAP, in CAP Review, Diversion, Special Prosecutor.

that stage for less than a year; and approximately 53% of those cases have been at that stage for between one and two years. So only approximately 9% (or 11) of the total cases have been at that stage for over two years.<sup>P</sup>



It should also be noted that the OPC filed a significant number of new formal cases. In this respect, in addition to opening seven new cases in the areas of reinstatement/reciprocal<sup>Q</sup>, the OPC filed 10 new formal cases with the District Court (the 10 formal cases include an additional four underlying informal complaints).

## **VI. GOALS FOR YEAR 2021**

The OPC does not simply concentrate its efforts on older cases: it attempts to

<sup>P</sup> Eight of the eleven cases at this stage involve lawyers for whom the OPC already has formal matters in progress.

<sup>Q</sup> Four Reinstatements and three Reciprocal cases.

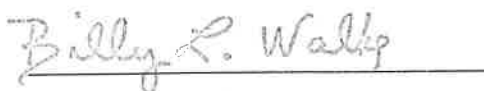
provide expedited and efficient work on all cases, new and old. This work method is intended to keep cases progressing.

The Central Intake System greatly aids case processing goals. Central Intake enables the OPC to address all information coming to its attention and to quickly and efficiently determine the appropriate track for the information. This leaves more resources to address cases raising more serious ethical allegations, resulting in quicker case processing for all cases.

The OPC will continue to work toward the goals outlined in this report. Specifically, the OPC has a responsibility to resolve disciplinary complaints in a uniform, expeditious, professional, civil and systematic way to protect the public, clients, and the legal profession from the professional misconduct of lawyers. The overriding goal is to continue to develop the OPC case processing system to ensure that the majority of resources are utilized to more quickly prosecute those cases where it is appropriate to file an Action with the District Court.

### **CONCLUSION**

The OPC staff is excellent and continues its hard work. The OPC will continue its efforts towards efficiency in the expedition of cases. The OPC looks forward to another productive year.

A handwritten signature in cursive script, reading "Billy L. Walker", is written over a horizontal line.

Billy L. Walker  
Chief Disciplinary Counsel  
Office of Professional Conduct



**UTAH STATE BAR**  
**Budget and Finance Committee**  
**Financial Results as of March 31, 2021**  
**and for the nine month period then ended**

**FINANCIAL STATEMENT HIGHLIGHTS**

**Notable Trends:**

- The results of the first three quarters of the fiscal year show total revenues underreporting compared to the budget, while expenses are also underreporting, thus resulting in a favorable variance of \$155,000 compared to the budget.
  - Interest revenue related to investments has been underreporting for the past nine months due to the cuts made to the Fed rates since the COVID-19 pandemic began.
  - Some departments are experiencing slower-than-usual operations as a result of the pandemic. As such revenues are underreporting and so are expenses. It appears that the lower-than-budgeted expenses have helped to create a favorable variance compared to the budget.
  - In February 2021, the Bar applied for the Payroll Protection Program (PPP) through the CARES Act and received funds totaling just over \$653,000 to cover payroll expenses. The funds are currently classified as a long-term payable on the entity's Balance Sheet (or Statement of Financial Position) and were deposited into a separate bank account that is segregated from other operating funds. Following each payroll, qualified payroll expenses will be deducted from the separate account so that the use of the funds can be easily tracked. The PPP program allows entities to submit an application for forgiveness sometime between 8-24 weeks following receipt of the funds once they can prove the funds were spent on qualified payroll expenses, which include: salaries, wages capped at \$100,000/annually per employee, employee benefits such as costs associated with retirement plans, group health insurance, vacation time, sick and medical leave, and parental and family leave, and state and local taxes on compensation. It is estimated that the funds will support between three and three and half months of qualified payroll expenses; at which time an application for forgiveness will be submitted.

**Year-to-Date (YTD) Net Profit – Accrual Basis:**

	<b>Actual</b>	<b>Budget</b>	<b>Fav(unfav) \$ Variance</b>	<b>Fav(unfav) % Variance</b>
YTD revenue	5,707,975	6,224,266	(516,291)	-8%
YTD expenses	4,194,715	4,865,883	671,168	14%
<b>YTD net profit/(loss)</b>	<b>1,513,260</b>	<b>1,358,383</b>	<b>154,877</b>	<b>11%</b>

YTD net income is \$1,513,260 and is \$154,877 over budget.

**YTD Net Profit –Cash Basis:** Adding back year-to-date depreciation expense of \$125,000 and deducting capital expenditures of \$301,000, the cash basis year-to-date net profit is approximately \$176,000 lower.

**Explanations for Departments with Net Profit Variances \$10k and 5% Over/Under Budget and/or significant activity:**

**Admissions:** YTD Admissions revenue is \$376,000, which is \$8,700 (2%) over budget and \$15,000 more than last year's revenue at this time. The higher-than-expected revenues mostly relate to Attorney Motions (reciprocity admissions), which are difficult to estimate and therefore the variance from the budget is not unusual. Admissions expenses are also slightly under budget, mostly due to the lower-than-expected

**UTAH STATE BAR**  
**Budget and Finance Committee**  
**Financial Results as of March 31, 2021**  
**and for the nine month period then ended**

program services expenses; which is due to less examinees at the Fall Bar exam than in prior years. As the Bar prepares for the February 2021 Bar Exam, which will be administered virtually, we expect additional program services costs to related to this new examination format to come in in the months just after the exam.

**NLTP:** YTD NLTP net spending is approximately \$16,300 more than budgeted and is mostly due to a timing issue related to how salaries and wages expense was spread over the twelve month budget period. The NLTP manager is also in the process of collecting approximately \$3,500 from current year participants of the NLTP program.

**CLE:** The CLE department's revenue is currently reporting \$236,000 less than budgeted and expenses are reporting \$257,000 less than budgeted. CLE Registrations is the most significant revenue item for this department, which is underreporting by \$225,000; and is due to the Bar not holding in-person CLE events due to COVID pandemic. Since the CLE department is not holding in-person events, its expenses are also underreporting and significantly less than budgeted.

**Fall Forum:** The Forum that was held in October, generated \$56,000 in registration revenue, which is less than budgeted. However, the online format of the Fall Forum resulted in relatively limited expenses. As such, the Fall Forum is currently reporting a \$30,000 net profit, which is \$30,000 over budget.

**Spring Convention:** The 2021 Spring Convention was moved from an in-person event to a virtual event due to COVID and the restrictions on large gatherings. The event generated \$55,000 of registration revenue, which is about 75% of what was budgeted for an in-person event. Also note that the online format will not have sponsors so there will be no sponsor or vendor revenue, which was budgeted to bring in more than \$20,000 in revenues. Similar to the Fall Forum, it is expected that the online format of the event will result in significantly lower expenses and expenses will mostly relate to staff time spent to facilitate the event.

**Member Services:** Member Services YTD net spending is \$169,000 compared to budgeted net spending of \$222,000. Lower net spending is the result of higher than budgeted advertising revenue for the Bar Journal; and lower than expected expenses related to meeting expenses, salaries and wages and other administrative costs. We note that approximately \$5,000 was budgeted for meetings (meeting rooms, supplies and food) that have not occurred in person and instead have been held virtually due to the pandemic. Additionally, a position in Section Support was vacated in September and has not been filled, therefore reducing total salaries and wages for the past five months. Finally, we note some administrative costs were budgeted related to computer maintenance and copy/printing; although the related expenses have not occurred yet, they may be charged in future months thus increasing net spending and aligning net spending closer to budget.

**Public Services:** Public Services YTD net spending is \$390,000, which is \$20,500 less than budgeted. The lower net spending is mostly the result of lower-than-budgeted program expenses, which is expected as the Tuesday Night Bar program has been taken virtually and required less program expenditures (like room rentals, beverage costs and off-duty police officer pay). The lower expenses trend will most like proceed through the end of the fiscal year.



**UTAH STATE BAR**  
**Budget and Finance Committee**  
**Financial Results as of March 31, 2021**  
**and for the nine month period then ended**

**Bar Operations:** Bar Operations' revenue of \$63,600 is underreporting by \$112,000 compared to budget of \$175,000, which is the result of investment income underreporting due to low interest rates.

**Facilities:** As a result of the state-wide ban on large gatherings due to COVID-19, Bar meeting room facilities have been underutilized, which has resulted in lower-than-budgeted revenues and expenses.

**ADDITIONAL COMMENTS**

**Board Designated Reserves:** In consultation with Bar management and the Budget & Finance Committee, the Commission informally targeted the following reserve amounts:

Operations Reserve (3 months' operations)	\$1,581,302
Capital Replacement Reserve (equipment)	200,000
Capital Replacement Reserve (building)*	<u>372,930</u>
Total	\$2,154,232
Estimated cash reserve at March 31, 2021	<u>\$5,052,281</u>
Excess of current cash reserve over board-designated reserve	<u><u>\$2,898,049</u></u>

\*During the June 6, 2020 Commission Meeting, the Board approved building improvements to include interior painting and carpet, and repairs to external concrete areas. During the first six months of the current fiscal year, \$277,070 was spent for concrete, painting and carpet, thus depleting the \$650,000 reserve to \$372,930, shown above.

**Utah State Bar  
Income Statement  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
Licensing	15,760	28,735	17,776	10,959	162%	4,449,480	4,536,980	4,433,431	103,549	102%	4,433,431	102%
Admissions	87,100	107,610	84,318	23,292	128%	360,975	375,626	366,920	8,706	102%	366,920	102%
NLTP	5,100	2,400	5,590	(3,190)	43%	47,400	43,709	51,920	(8,211)	84%	51,920	84%
OPC	5,040	-	11,625	(11,625)	0%	12,996	28,846	28,128	718	103%	28,128	103%
CLE	20,440	2,906	12,025	(9,119)	24%	324,443	227,292	463,447	(236,155)	49%	463,447	49%
Summer Convention	-	-	-	-	#DIV/0!	218,585	-	-	-	#DIV/0!	-	#DIV/0!
Fall Forum	-	-	-	-	#DIV/0!	83,224	56,368	79,903	(23,536)	71%	79,903	71%
Spring Convention	(101,288)	30,642	21,632	9,010	142%	15,260	55,042	92,750	(37,708)	59%	92,750	59%
Member Services	39,931	29,743	40,912	(11,169)	73%	235,833	246,300	239,395	6,905	103%	239,395	103%
Public Services	925	875	1,194	(319)	73%	9,644	6,073	48,897	(42,824)	12%	12,085	50%
Bar Operations	(15,621)	7,818	20,456	(12,638)	38%	121,568	63,616	175,422	(111,806)	36%	175,422	36%
Facilities	11,653	4,591	16,531	(11,940)	28%	167,994	28,548	244,053	(215,505)	12%	244,053	12%
<b>Total Revenue</b>	<b>69,041</b>	<b>215,321</b>	<b>232,059</b>	<b>(16,738)</b>	<b>93%</b>	<b>6,047,401</b>	<b>5,668,399</b>	<b>6,224,266</b>	<b>(555,867)</b>	<b>91%</b>	<b>6,187,454</b>	<b>92%</b>
<b>Expenses</b>												
Licensing	6,963	8,022	11,731	3,708	68%	91,458	135,917	130,789	(5,128)	104%	130,789	104%
Admissions	53,228	52,740	58,902	6,162	90%	445,124	380,099	397,785	17,685	96%	397,785	96%
NLTP	8,200	8,716	9,307	591	94%	59,208	77,216	69,087	(8,129)	112%	69,087	112%
OPC	111,542	124,403	111,075	(13,328)	112%	1,122,265	1,080,707	1,088,953	8,246	99%	1,088,953	99%
CLE	94,061	24,304	119,999	95,695	20%	394,845	200,456	457,638	257,182	44%	457,638	44%
Summer Convention	173	1,495	-	(1,495)	#DIV/0!	276,967	4,602	9,649	5,047	48%	9,649	48%
Fall Forum	-	4,310	-	(4,310)	#DIV/0!	75,596	26,701	79,903	53,202	33%	79,903	33%
Spring Convention	30,274	3,793	36,200	32,407	10%	44,480	7,573	72,019	64,446	11%	72,019	11%
Member Services	60,239	48,610	52,675	4,065	92%	498,149	416,060	461,881	45,820	90%	461,881	90%
Public Services	38,368	38,997	39,299	302	99%	438,592	435,420	459,131	23,712	95%	459,131	95%
Bar Operations	136,342	125,215	128,160	2,945	98%	1,387,539	1,161,663	1,197,952	36,289	97%	1,197,952	97%
Facilities	33,501	22,088	31,909	9,821	69%	386,684	268,301	441,097	172,796	61%	441,097	61%
<b>Total Expenses</b>	<b>572,892</b>	<b>462,694</b>	<b>599,256</b>	<b>136,562</b>	<b>77%</b>	<b>5,220,907</b>	<b>4,194,715</b>	<b>4,865,883</b>	<b>671,168</b>	<b>86%</b>	<b>4,865,883</b>	<b>86%</b>
<b>Other</b>												
Grant Income	-	-	-	-	#DIV/0!	-	39,576	-	-	#DIV/0!	-	#DIV/0!
<b>Net Profit (Loss)</b>	<b>\$ (503,851)</b>	<b>\$ (247,373)</b>	<b>\$ (367,197)</b>	<b>\$ 119,824</b>	<b>67%</b>	<b>\$ 826,494</b>	<b>\$ 1,513,260</b>	<b>\$ 1,358,383</b>	<b>\$ 154,877</b>	<b>111%</b>	<b>\$ 1,321,571</b>	<b>115%</b>
Depreciation	16,632	14,355	17,748	3,393	81%	150,281	124,728	161,075	36,347	77%	161,075	
Cash increase (decrease) from operations	(487,219)	(233,019)	(349,449)	116,430	139%	976,776	1,637,988	1,519,458	118,530	108%	1,482,646	
Changes in operating assets/liabilities	(12,641)	49,602	49,602	-	-25%	(2,966,800)	(2,225,726)	(2,225,726)	-	100%	20,000	
Capital expenditures	(2,458)	-	(4,167)	4,167	59%	(43,627)	(300,910)	(314,570)	13,660	96%	(157,000)	
<b>Net change in cash</b>	<b>\$ (502,318)</b>	<b>\$ (183,417)</b>	<b>\$ (304,014)</b>	<b>\$ 120,597</b>	<b>60%</b>	<b>\$ (2,033,651)</b>	<b>\$ (888,648)</b>	<b>\$ (1,020,838)</b>	<b>\$ 132,190</b>	<b>87%</b>	<b>\$ 1,345,646</b>	<b>-66%</b>

**Utah State Bar  
Licensing  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4010 - Section/Local Bar Support fees	-	-	-	-	#DIV/0!	16,940	17,180	16,914	266	102%	16,914	102%
4004 - Admissions - Laptop Fees	-	-	-	-	#DIV/0!	-	575	-	575	#DIV/0!	-	#DIV/0!
4006 - Transfer App Fees	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
4011 - Admissions LPP	400	1,005	340	665	296%	2,300	2,255	1,954	301	115%	1,954	115%
4021 - Lic Fees > 3 Years	3,400	7,535	3,413	4,122	221%	3,679,910	3,737,360	3,693,872	43,488	101%	3,693,872	101%
4020 - NLTP Fees	-	-	-	-	#DIV/0!	-	750	-	750	#DIV/0!	-	#DIV/0!
4022 - Lic Fees < 3 Years	-	520	-	520	#DIV/0!	191,260	194,640	199,635	(4,995)	97%	199,635	97%
4023 - Lic Fees - House Counsel	-	540	-	540	#DIV/0!	43,240	46,640	47,125	(485)	99%	47,125	99%
4025 - Pro Hac Vice Fees	11,050	17,900	12,895	5,005	139%	98,500	155,400	114,946	40,454	135%	114,946	135%
4024 - Lic Fees LPP	-	-	-	-	#DIV/0!	800	2,150	800	1,350	269%	800	269%
4026 - Lic Fees - Inactive/FS	(300)	(370)	(298)	(72)	124%	120,205	116,260	119,346	(3,086)	97%	119,346	97%
4027 - Lic Fees - Inactive/NS	(525)	(525)	(526)	1	100%	213,675	219,135	214,146	4,989	102%	214,146	102%
4029 - Prior Year Lic Fees	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
4030 - Certs of Good Standing	1,520	1,700	1,925	(225)	88%	18,690	13,040	23,670	(10,630)	55%	23,670	55%
4095 - Miscellaneous Income	15	30	27	3	111%	560	200	1,023	(823)	20%	1,023	20%
4096 - Late Fees	200	400	-	400	#DIV/0!	63,400	31,395	-	31,395	#DIV/0!	-	#DIV/0!
<b>Total Revenue</b>	<b>15,760</b>	<b>28,735.00</b>	<b>17,776</b>	<b>10,959</b>	<b>162%</b>	<b>4,449,480</b>	<b>4,536,980</b>	<b>4,433,431</b>	<b>103,549</b>	<b>102%</b>	<b>4,433,431</b>	<b>102%</b>
<b>Expenses</b>												
Program Services	-	450	3,042	2,592	15%	95	18,548	27,475	8,928	68%	27,475	-
Salaries & Benefits	6,895	6,822	6,283	(539)	109%	63,842	87,798	70,899	(16,899)	124%	70,899	124%
General & Administrative	(987)	(109)	1,456	1,565	-7%	20,838	22,397	25,424	3,027	88%	25,424	88%
Building Overhead	1,055	860	950	90	91%	6,684	7,175	6,991	(184)	103%	6,991	103%
<b>Total Expenses</b>	<b>6,963</b>	<b>8,022</b>	<b>11,731</b>	<b>3,708</b>	<b>68%</b>	<b>91,458</b>	<b>135,917</b>	<b>130,789</b>	<b>(5,128)</b>	<b>104%</b>	<b>130,789</b>	<b>104%</b>
<b>Net Profit (Loss)</b>	<b>\$ 8,797</b>	<b>\$ 20,713</b>	<b>\$ 6,046</b>	<b>\$ 14,667</b>	<b>343%</b>	<b>\$ 4,358,022</b>	<b>\$ 4,401,063</b>	<b>\$ 4,302,643</b>	<b>\$ 98,421</b>	<b>102%</b>	<b>\$ 4,302,643</b>	<b>102%</b>

Note: Includes LPP staff time and exam expense.

**Utah State Bar  
Admissions  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4001 - Admissions - Student Exam Fees	35,200	37,400	36,078	1,322	104%	135,575	102,850	138,957	(36,107)	74%	138,957	74%
4002 - Admissions - Attorney Exam Fees	19,550	22,950	18,691	4,259	123%	45,800	57,525	43,788	13,737	131%	43,788	131%
4003 - Admissions - Retake Fees	850	3,050	531	2,519	574%	22,850	25,100	14,284	10,816	176%	14,284	176%
4004 - Admissions - Laptop Fees	12,600	20,200	20,654	(454)	98%	47,700	56,600	78,189	(21,589)	72%	78,189	72%
4005 - Admissions - Application Forms	-	1,000	-	1,000	#DIV/0!	3,000	8,200	2,499	5,701	-	2,499	-
4006 - Transfer App Fees	3,050	1,800	3,735	(1,935)	48%	37,550	31,500	45,983	(14,483)	69%	45,983	69%
4008 - Attorney - Motion	4,250	7,650	3,320	4,330	230%	34,850	61,200	27,226	33,974	225%	27,226	225%
4009 - House Counsel	-	1,700	-	1,700	#DIV/0!	11,200	11,050	13,414	(2,364)	82%	13,414	82%
4095 - Miscellaneous Income	75	260	1,309	(1,049)	20%	2,225	3,001	2,580	421	116%	2,580	116%
4096 - Late Fees	11,100	11,600	-	11,600	#DIV/0!	19,800	18,600	-	18,600	#DIV/0!	-	#DIV/0!
<b>Total Revenue</b>	<b>86,675</b>	<b>107,610</b>	<b>84,318</b>	<b>23,292</b>	<b>128%</b>	<b>360,550</b>	<b>375,626</b>	<b>366,920</b>	<b>8,706</b>	<b>102%</b>	<b>366,920</b>	<b>98%</b>
<b>Expenses</b>												
Program Services	16,746	13,046	16,715	3,669	78%	95,931	36,449	90,765	54,316	40%	90,765	40%
Salaries & Benefits	24,688	30,965	25,075	(5,890)	123%	235,543	274,174	239,422	(34,752)	115%	239,422	115%
General & Administrative	9,923	7,204	15,069	7,865	48%	98,032	56,753	50,371	(6,382)	113%	50,371	113%
Building Overhead	1,871	1,525	2,043	518	75%	15,618	12,723	17,227	4,504	74%	17,227	74%
<b>Total Expenses</b>	<b>53,228</b>	<b>52,740</b>	<b>58,902</b>	<b>6,162</b>	<b>90%</b>	<b>445,124</b>	<b>380,099</b>	<b>397,785</b>	<b>17,685</b>	<b>96%</b>	<b>397,785</b>	<b>96%</b>
<b>Net Profit (Loss)</b>	<b>\$ 33,447</b>	<b>\$ 54,870</b>	<b>\$ 25,416</b>	<b>\$ 29,454</b>	<b>216%</b>	<b>\$ (84,574)</b>	<b>\$ (4,474)</b>	<b>\$ (30,865)</b>	<b>\$ 26,391</b>	<b>-86%</b>	<b>\$ (30,865)</b>	<b>14%</b>

**Utah State Bar  
NLTP  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4020 - NLTP Fees	5,100	2,400	5,498	(3,098)	44%	47,400	42,900	51,096	(8,196)	84%	51,096	84%
4081 - CLE - Registrations	-	-	-	-	#DIV/0!	-	619	-	619	#DIV/0!	-	#DIV/0!
4200 - Seminar Profit/Loss	-	-	92	(92)	0%	-	190	824	(634)	23%	824	-
<b>Total Revenue</b>	<b>5,100</b>	<b>2,400</b>	<b>5,590</b>	<b>(3,190)</b>	<b>43%</b>	<b>47,400</b>	<b>43,709</b>	<b>51,920</b>	<b>(8,211)</b>	<b>84%</b>	<b>51,920</b>	<b>84%</b>
<b>Expenses</b>												
Program Services	-	-	-	-	#DIV/0!	3,159	-	5,576	5,576	0%	5,576	0%
Salaries & Benefits	6,200	6,794	7,665	871	89%	41,017	59,297	50,519	(8,778)	117%	50,519	117%
General & Administrative	1,602	1,597	1,204	(393)	133%	11,616	15,208	9,190	(6,018)	165%	9,190	165%
Building Overhead	399	325	438	113	74%	3,415	2,712	3,802	1,090	71%	3,802	71%
<b>Total Expenses</b>	<b>8,200</b>	<b>8,716</b>	<b>9,307</b>	<b>591</b>	<b>94%</b>	<b>59,208</b>	<b>77,216</b>	<b>69,087</b>	<b>(8,129)</b>	<b>112%</b>	<b>69,087</b>	<b>112%</b>
<b>Net Profit (Loss)</b>	<b>\$ (3,100)</b>	<b>\$ (6,316)</b>	<b>\$ (3,717)</b>	<b>\$ (2,599)</b>	<b>170%</b>	<b>\$ (11,808)</b>	<b>\$ (33,507)</b>	<b>\$ (17,167)</b>	<b>\$ (16,341)</b>	<b>195%</b>	<b>\$ (17,167)</b>	<b>195%</b>

Utah State Bar  
OPC  
March 31, 2021

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4095 - Miscellaneous Income	350	-	571	(571)	0%	3,450	1,953	5,628	(3,675)	35%	5,628	35%
4200 - Seminar Profit/Loss	4,690	-	11,054	(11,054)	0%	9,546	26,893	22,500	4,393	120%	22,500	120%
Total Revenue	5,040	-	11,625	(11,625)	0%	12,996	28,846	28,128	718	103%	28,128	103%
<b>Expenses</b>												
Program Services	818	118	478	360	25%	23,346	1,221	6,330	5,109	19%	6,330	19%
Salaries & Benefits	95,147	104,631	95,246	(9,385)	110%	947,711	950,173	938,389	(11,784)	101%	938,389	101%
General & Administrative	8,642	14,003	7,889	(6,114)	177%	95,953	82,153	84,144	1,991	98%	84,144	98%
Building Overhead	6,935	5,652	7,462	1,810	76%	55,255	47,160	60,090	12,930	78%	60,090	78%
Total Expenses	111,542	124,403	111,075	(13,328)	112%	1,122,265	1,080,707	1,088,953	8,246	99%	1,088,953	99%
<b>Net Profit (Loss)</b>	<b>\$ (106,502)</b>	<b>\$ (124,403)</b>	<b>\$ (99,450)</b>	<b>\$ (24,953)</b>	<b>125%</b>	<b>\$ (1,109,269)</b>	<b>\$ (1,051,861)</b>	<b>\$ (1,060,825)</b>	<b>\$ 8,964</b>	<b>99%</b>	<b>\$ (1,060,825)</b>	<b>99%</b>

**Utah State Bar  
CLE  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4052 - Meeting - Sponsor Revenue	-	-	-	-	#DIV/0!	14,500	7,250	22,050	(14,800)	33%	22,050	33%
4053 - Meeting - Vendor Revenue	-	-	-	-	#DIV/0!	1,000	-	-	-	#DIV/0!	-	-
4054 - Meeting - Material Sales	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
4081 - CLE - Registrations	(20,430)	24,262	(32,964)	57,226	-74%	249,201	176,739	402,087	(225,348)	44%	402,087	44%
4082 - CLE - Video Library Sales	10,526	5,801	8,072	(2,271)	72%	74,204	82,136	56,905	25,231	144%	56,905	144%
4084 - Business Law Book Sales	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
4095 - Miscellaneous Income	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
4200 - Seminar Profit/Loss	30,344	(27,157)	36,917	(64,074)	-74%	(14,462)	(38,834)	(17,595)	(21,239)	221%	(17,595)	221%
Total Revenue	20,440	2,906	12,025	(9,119)	24%	324,443	227,292	463,447	(236,155)	49%	463,447	49%
<b>Expenses</b>												
Program Services	80,095	11,302	106,143	94,841	11%	235,946	74,271	296,854	222,583	25%	296,854	25%
Salaries & Benefits	8,850	9,955	8,564	(1,391)	116%	98,249	90,453	98,288	7,835	92%	98,288	92%
General & Administrative	3,758	1,792	3,933	2,141	46%	50,016	24,629	51,805	27,176	48%	51,805	48%
Building Overhead	1,358	1,255	1,358	103	92%	10,634	11,103	10,691	(412)	104%	10,691	104%
Total Expenses	94,061	24,304	119,999	95,695	20%	394,845	200,456	457,638	257,182	44%	457,638	44%
<b>Net Profit (Loss)</b>	<b>\$ (73,621)</b>	<b>\$ (21,398)</b>	<b>\$ (107,974)</b>	<b>\$ 86,576</b>	<b>20%</b>	<b>\$ (70,402)</b>	<b>\$ 26,836</b>	<b>\$ 5,809</b>	<b>\$ 21,027</b>	<b>462%</b>	<b>\$ 5,809</b>	<b>462%</b>



**Utah State Bar  
Summer Convention  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4051 - Meeting - Registration	-	-	-	-	#DIV/0!	181,985	-	-	-	#DIV/0!	-	#DIV/0!
4052 - Meeting - Sponsor Revenue	-	-	-	-	#DIV/0!	19,500	-	-	-	#DIV/0!	-	#DIV/0!
4053 - Meeting - Vendor Revenue	-	-	-	-	#DIV/0!	11,800	-	-	-	#DIV/0!	-	#DIV/0!
4055 - Meeting - Sp Ev Registration	-	-	-	-	#DIV/0!	5,300	-	-	-	#DIV/0!	-	#DIV/0!
Total Revenue	-	-	-	-	#DIV/0!	218,585	-	-	-	#DIV/0!	-	#DIV/0!
<b>Expenses</b>												
Program Services	-	-	-	-	#DIV/0!	241,401	15	6,692	6,677	0%	6,692	0%
Salaries & Benefits	-	1,495	-	(1,495)	#DIV/0!	20,887	4,387	2,957	(1,430)	148%	2,957	148%
General & Administrative	173	-	-	-	#DIV/0!	14,679	200	-	(200)	#DIV/0!	-	#DIV/0!
Building Overhead	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
Total Expenses	173	1,495	-	(1,495)	#DIV/0!	276,967	4,602	9,649	5,047	48%	9,649	48%
<b>Net Profit (Loss)</b>	<b>\$ (173)</b>	<b>\$ (1,495)</b>	<b>\$ -</b>	<b>\$ (1,495)</b>	<b>#DIV/0!</b>	<b>\$ (58,382)</b>	<b>\$ (4,602)</b>	<b>\$ (9,649)</b>	<b>\$ 5,047</b>	<b>48%</b>	<b>\$ (9,649)</b>	<b>48%</b>

**Utah State Bar  
Fall Forum  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4051 · Meeting - Registration	-	-	-	-	#DIV/0!	76,499	55,368	73,178	(17,811)	76%	73,178	76%
4052 · Meeting - Sponsor Revenue	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
4053 · Meeting - Vendor Revenue	-	-	-	-	#DIV/0!	4,950	1,000	4,950	(3,950)	20%	4,950	20%
4055 · Meeting - Sp Ev Registration	-	-	-	-	#DIV/0!	1,775	-	1,775	(1,775)	0%	1,775	-
Total Revenue	-	-	-	-	-	83,224	56,368	79,903	(23,536)	71%	79,903	71%
<b>Expenses</b>												
Program Services	-	-	-	-	#DIV/0!	64,336	18,732	68,507	49,775	27%	68,507	27%
Salaries & Benefits	-	-	-	-	#DIV/0!	4,160	1,825	4,160	2,335	44%	4,160	44%
General & Administrative	-	4,310	-	(4,310)	#DIV/0!	7,100	6,145	7,236	1,091	85%	7,236	85%
Building Overhead	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
Total Expenses	-	4,310	-	(4,310)	-	75,596	26,701	79,903	53,202	33%	79,903	33%
<b>Net Profit (Loss)</b>	\$ -	\$ (4,310)	\$ -	\$ (4,310)	-	\$ 7,628	\$ 29,666	\$ -	\$ 29,666	#DIV/0!	\$ -	#DIV/0!

**Utah State Bar  
Spring Convention  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4051 - Meeting - Registration	(89,205)	30,642	24,250	6,392	126%	(885)	55,042	72,750	(17,708)	76%	72,750	76%
4052 - Meeting - Sponsor Revenue	1,000	-	3,750	(3,750)	0%	14,750	-	11,250	(11,250)	0%	11,250	0%
4053 - Meeting - Vendor Revenue	(10,950)	-	2,250	(2,250)	0%	900	-	6,750	(6,750)	0%	6,750	0%
4055 - Meeting - Sp Ev Registration	(2,133)	-	(8,618)	8,618	0%	495	-	2,000	(2,000)	0%	2,000	0%
<b>Total Revenue</b>	<b>(101,288)</b>	<b>30,642</b>	<b>21,632</b>	<b>9,010</b>	<b>142%</b>	<b>15,260</b>	<b>55,042</b>	<b>92,750</b>	<b>(37,708)</b>	<b>59%</b>	<b>92,750</b>	<b>59%</b>
<b>Expenses</b>												
Program Services	15,958	-	13,018	13,018	0%	21,753	-	39,053	39,053	0%	39,053	0%
Salaries & Benefits	9,685	2,872	20,101	17,229	14%	10,836	5,595	22,493	16,898	25%	22,493	25%
General & Administrative	4,631	920	3,081	2,161	30%	11,891	1,977	10,473	8,496	19%	10,473	19%
Building Overhead	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
<b>Total Expenses</b>	<b>30,274</b>	<b>3,793</b>	<b>36,200</b>	<b>32,407</b>	<b>10%</b>	<b>44,480</b>	<b>7,573</b>	<b>72,019</b>	<b>64,446</b>	<b>11%</b>	<b>72,019</b>	<b>11%</b>
<b>Net Profit (Loss)</b>	<b>\$ (131,561)</b>	<b>\$ 26,849</b>	<b>\$ (14,568)</b>	<b>\$ 41,417</b>	<b>-184%</b>	<b>\$ (29,220)</b>	<b>\$ 47,469</b>	<b>\$ 20,731</b>	<b>\$ 26,738</b>	<b>229%</b>	<b>\$ 20,731</b>	<b>229%</b>

**Utah State Bar  
Member Services  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4010 Section/Local Bar Support fees	672	490	672	(182)	73%	83,209	82,904	83,217	(313)	100%	83,217	100%
4052 Meeting - Sponsor Revenue	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
4061 Advertising Revenue	36,860	26,898	37,841	(10,943)	71%	145,055	154,866	148,917	5,949	104%	148,917	104%
4062 Subscriptions	-	-	-	-	#DIV/0!	60	30	40	(10)	75%	40	75%
4071 Mem Benefits - Lexis	-	-	-	-	#DIV/0!	964	900	1,013	(113)	89%	1,013	-
4072 Royalty Inc - Bar J, MBNA, LM,M	2,399	2,355	2,399	(44)	98%	6,377	7,590	6,208	1,382	122%	6,208	122%
Total Revenue	39,931	29,743	40,912	(11,169)	73%	235,833	246,300	239,395	6,905	103%	239,395	103%
<b>Expenses</b>												
Program Services	13,767	17,187	13,783	(3,404)	125%	196,655	170,509	191,191	20,682	89%	191,191	89%
Salaries & Benefits	15,243	12,576	15,180	2,604	83%	143,417	128,878	141,722	12,844	91%	141,722	91%
General & Administrative	29,473	17,267	21,909	4,642	79%	143,913	102,861	114,309	11,448	90%	114,309	90%
Building Overhead	1,756	1,580	1,803	223	88%	14,164	13,812	14,659	847	94%	14,659	94%
Total Expenses	60,239	48,610	52,675	4,065	92%	498,149	416,060	461,881	45,820	90%	461,881	90%
<b>Net Profit (Loss)</b>	<b>\$ (20,308)</b>	<b>\$ (18,867)</b>	<b>\$ (11,763)</b>	<b>\$ (7,104)</b>	<b>160%</b>	<b>\$ (262,317)</b>	<b>\$ (169,761)</b>	<b>\$ (222,486)</b>	<b>\$ 52,725</b>	<b>76%</b>	<b>\$ (222,486)</b>	<b>76%</b>

**Utah State Bar  
Public Services  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4063 - Modest Means revenue	925	875	1,019	(144)	86%	8,600	8,975	9,479	(504)	95%	9,479	95%
4093 - Law Day Revenue	-	-	175	(175)	0%	-	-	1,575	(1,575)	0%	1,575	0%
4095 - Miscellaneous Income	-	-	-	-	#DIV/0!	40	20	27	(7)	74%	27	74%
4120 - Grant Income	-	-	-	-	#DIV/0!	3,000	39,576	36,812	2,764	108%	36,812	108%
4200 - Seminar Profit/Loss	-	-	-	-	#DIV/0!	1,004	(2,922)	1,004	(3,926)	-291%	1,004	-
<b>Total Revenue</b>	<b>925</b>	<b>875</b>	<b>1,194</b>	<b>(319)</b>	<b>73%</b>	<b>12,644</b>	<b>45,649</b>	<b>48,897</b>	<b>(3,248)</b>	<b>93%</b>	<b>48,897</b>	<b>93%</b>
<b>Expenses</b>												
Program Services	6,187	4,192	6,867	2,675	61%	145,883	102,277	158,323	56,046	65%	158,323	65%
Salaries & Benefits	27,209	30,504	27,238	(3,266)	112%	246,983	251,276	253,329	2,053	99%	253,329	99%
General & Administrative	3,702	3,267	3,823	556	85%	35,488	73,229	36,314	(36,915)	202%	36,314	202%
Building Overhead	1,270	1,035	1,372	336	75%	10,238	8,637	11,166	2,528	77%	11,166	77%
<b>Total Expenses</b>	<b>38,368</b>	<b>38,997</b>	<b>39,299</b>	<b>302</b>	<b>99%</b>	<b>438,592</b>	<b>435,420</b>	<b>459,131</b>	<b>23,712</b>	<b>95%</b>	<b>459,131</b>	<b>95%</b>
<b>Net Profit (Loss)</b>	<b>\$ (37,443)</b>	<b>\$ (38,122)</b>	<b>\$ (38,105)</b>	<b>\$ (17)</b>	<b>100%</b>	<b>\$ (425,949)</b>	<b>\$ (389,771)</b>	<b>\$ (410,234)</b>	<b>\$ 20,464</b>	<b>95%</b>	<b>\$ (410,234)</b>	<b>95%</b>

**Utah State Bar  
Bar Operations  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4031 - Enhanced Web Revenue	-	-	-	-	-	-	-	-	-	-	-	-
4052 - Meeting - Sponsor Revenue	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
4053 - Meeting - Vendor Revenue	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
4060 - E-Filing Revenue	-	9,239	-	9,239	#DIV/0!	12,432	24,853	33,639	(8,786)	74%	33,639	74%
4103 - In - Kind Revenue - UDR	401	-	-	-	#DIV/0!	2,069	23	(2)	25	-1145%	(2)	-1145%
4095 - Miscellaneous Income	70	70	74	(4)	95%	879	20,585	933	19,652	2206%	933	2206%
4200 - Seminar Profit/Loss	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	-
Investment Income	(16,092)	(1,491)	20,382	(21,873)	-79%	106,189	18,156	140,852	(122,696)	13%	140,852	75%
Total Revenue	(15,621)	7,818	20,456	(12,638)	38%	121,568	63,616	175,422	(111,806)	36%	175,422	69%
<b>Expenses</b>												
Program Services	8,792	2,674	2,749	75	97%	217,104	8,727	48,942	40,215	18%	48,942	18%
Salaries & Benefits	101,760	100,394	99,879	(515)	101%	915,877	940,264	902,992	(37,272)	104%	902,992	104%
General & Administrative	20,185	17,877	20,100	2,223	89%	210,563	173,500	201,930	28,430	86%	201,930	86%
In Kind	566	165	-	(165)	#DIV/0!	3,552	4,910	-	(4,910)	#DIV/0!	-	#DIV/0!
Building Overhead	5,038	4,106	5,432	1,326	76%	40,442	34,261	44,088	9,827	78%	44,088	78%
Total Expenses	136,342	125,215	128,160	2,945	98%	1,987,539	1,161,663	1,197,952	36,289	97%	1,197,952	97%
<b>Net Profit (Loss)</b>	<b>\$ (151,962)</b>	<b>\$ (117,397)</b>	<b>\$ (107,704)</b>	<b>\$ (9,693)</b>	<b>109%</b>	<b>\$ (1,265,971)</b>	<b>\$ (1,098,047)</b>	<b>\$ (1,022,530)</b>	<b>\$ (75,517)</b>	<b>107%</b>	<b>\$ (1,022,530)</b>	<b>107%</b>

**Utah State Bar  
Facilities  
March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4039 - Room Rental-All parties	5,099	1,893	7,258	(5,365)	26%	71,383	8,539	101,602	(93,063)	8%	101,602	8%
4042 - Food & Beverage Rev-All Parties	4,747	892	7,514	(6,622)	12%	79,196	4,271	125,354	(121,083)	3%	125,354	3%
4043 - Setup & A/V charges-All parties	-	-	-	-	#DIV/0!	1,145	-	1,351	(1,351)	0%	1,351	0%
4090 - Tenant Rent	1,806	1,806	1,758	48	103%	16,254	15,668	15,822	(154)	99%	15,822	99%
4095 - Miscellaneous Income	1	-	1	(1)	0%	16	70	19	51	368%	19	368%
4103 - In - Kind Revenue - UDR	-	-	-	-	#DIV/0!	-	-	(95)	95	0%	(95)	0%
Total Revenue	11,653	4,591	16,531	(11,940)	28%	167,994	28,548	244,053	(215,505)	12%	244,148	12%
<b>Expenses</b>												
Program Services	4,567	1,213	7,159	5,946	17%	77,237	4,836	120,073	115,237	4%	120,073	4%
Salaries & Benefits	12,660	11,696	12,280	584	95%	124,691	127,895	120,941	(6,954)	106%	120,941	106%
General & Administrative	(4,796)	(7,368)	(10,349)	(2,981)	71%	12,693	(3,544)	10,741	14,285	-33%	10,741	-33%
In Kind	1,006	-	1,369	1,369	0%	12,460	190	16,950	16,760	1%	16,950	1%
Building Overhead	20,063	16,548	21,450	4,902	77%	159,603	138,923	172,392	33,469	81%	172,392	81%
Total Expenses	33,501	22,088	31,909	9,821	69%	386,684	268,301	441,097	172,796	61%	441,097	61%
<b>Net Profit (Loss)</b>	<b>\$ (21,848)</b>	<b>\$ (17,497)</b>	<b>\$ (15,378)</b>	<b>\$ (2,119)</b>	<b>114%</b>	<b>\$ (218,690)</b>	<b>\$ (239,753)</b>	<b>\$ (197,044)</b>	<b>\$ (42,709)</b>	<b>122%</b>	<b>\$ (196,949)</b>	<b>122%</b>



**Utah State Bar**  
**Income Statement - Consolidated By Account**  
**March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
<b>Revenue</b>												
4001 Admissions - Student Exam Fees	35,200	37,400	36,078	1,322	104%	135,575	102,850	138,957	(36,107)	74%	138,957	74%
4002 Admissions - Attorney Exam Fees	19,550	22,950	18,691	4,259	123%	45,800	57,525	43,788	13,737	131%	43,788	131%
4003 Admissions - Retake Fees	850	3,050	531	2,519	574%	22,850	25,100	14,284	10,816	176%	14,284	176%
4004 Admissions - Laptop Fees	12,600	20,200	20,654	(454)	98%	47,700	57,175	78,189	(21,014)	73%	78,189	73%
4005 Admissions - Application Forms	-	1,000	-	1,000	#DIV/0!	3,000	8,200	2,499	5,701	328%	2,499	-
4006 Transfer App Fees	3,050	1,800	3,735	(1,935)	48%	37,550	31,500	45,983	(14,483)	69%	45,983	69%
4008 Attorney - Motion	4,250	7,650	3,320	4,330	230%	34,850	61,200	27,226	33,974	225%	27,226	225%
4009 House Counsel	-	1,700	-	1,700	#DIV/0!	11,200	11,050	13,414	(2,364)	82%	13,414	82%
4010 Section/Local Bar Support fees	672	490	672	(182)	73%	100,149	100,084	100,131	(47)	100%	100,131	100%
4011 Admissions LPP	400	1,005	340	665	296%	2,300	2,255	1,954	301	115%	1,954	115%
4012 Admissions Military Spouse	-	-	-	-	-	425	-	-	-	#DIV/0!	-	#DIV/0!
4020 NLTP Fees	5,100	2,400	5,498	(3,098)	44%	47,400	43,650	51,096	(7,446)	85%	51,096	85%
4021 Lic Fees > 3 Years	3,400	7,535	3,413	4,122	221%	3,679,910	3,737,360	3,693,872	43,488	101%	3,693,872	101%
4022 Lic Fees < 3 Years	-	520	-	520	#DIV/0!	191,260	194,640	199,635	(4,995)	97%	199,635	97%
4023 Lic Fees - House Counsel	-	540	-	540	#DIV/0!	43,240	46,640	47,125	(485)	99%	47,125	99%
4024 Lic Fees LPP	-	-	-	-	-	800	2,150	800	1,350	269%	800	269%
4025 Pro Hac Vice Fees	11,050	17,900	12,895	5,005	139%	98,500	155,400	114,946	40,454	135%	114,946	135%
4026 Lic Fees - Inactive/F5	(300)	(370)	(298)	(72)	124%	120,205	116,260	119,346	(3,086)	97%	119,346	97%
4027 Lic Fees - Inactive/NS	(525)	(525)	(526)	1	100%	213,675	219,135	214,146	4,989	102%	214,146	102%
4029 Prior Year Lic Fees	-	-	-	-	-	-	-	-	-	#DIV/0!	-	#DIV/0!
4030 Certs of Good Standing	1,520	1,700	1,925	(225)	88%	18,690	13,040	23,670	(10,630)	55%	23,670	55%
4039 Room Rental-All parties	5,099	1,893	7,258	(5,365)	26%	71,383	8,539	101,602	(93,063)	8%	101,602	8%
4042 Food & Beverage Rev-All Parties	4,747	892	7,514	(6,622)	12%	79,196	4,271	125,354	(121,083)	3%	125,354	3%
4043 Setup & A/V charges-All parties	-	-	-	-	-	1,145	-	1,351	(1,351)	0%	1,351	0%
4051 Meeting - Registration	(89,205)	30,642	24,250	6,392	126%	257,599	110,410	145,928	(35,519)	76%	145,928	76%
4052 Meeting - Sponsor Revenue	1,000	-	3,750	(3,750)	0%	48,750	7,250	33,300	(26,050)	22%	33,300	22%
4053 Meeting - Vendor Revenue	(10,950)	-	2,250	(2,250)	0%	18,650	1,000	11,700	(10,700)	9%	11,700	9%
4054 Meeting - Material Sales	-	-	-	-	-	-	-	-	-	#DIV/0!	-	#DIV/0!
4055 Meeting - Sp Ev Registration	(2,133)	-	(8,618)	8,618	0%	7,570	-	3,775	(3,775)	0%	3,775	0%
4060 E-Filing Revenue	-	9,239	9,239	-	#DIV/0!	12,432	24,853	33,639	(8,786)	74%	33,639	74%
4061 Advertising Revenue	36,860	26,898	37,841	(10,943)	71%	145,055	154,866	148,917	5,949	104%	148,917	104%
4062 Subscriptions	-	-	-	-	-	60	30	40	(10)	75%	40	75%
4063 Modest Means revenue	925	875	1,019	(144)	86%	8,600	8,975	9,479	(504)	95%	9,479	95%
4071 Mem Benefits - Lexis	-	-	-	-	-	964	900	1,013	(113)	89%	1,013	-
4072 Royalty Inc - Bar J, MBNA, LM, M	2,399	2,355	2,399	(44)	98%	6,377	7,590	6,208	1,382	122%	6,208	122%
4081 CLE - Registrations	(20,430)	24,262	(32,964)	57,226	-74%	249,201	177,358	402,087	(224,729)	44%	402,087	44%
4082 CLE - Video Library Sales	10,526	5,801	8,072	(2,271)	72%	74,204	82,136	56,905	25,231	144%	56,905	144%
4084 Business Law Book Sales	-	-	-	-	-	-	-	-	-	#DIV/0!	-	#DIV/0!
4090 Tenant Rent	1,806	1,806	1,758	48	103%	16,254	15,668	15,822	(154)	99%	15,822	99%
4093 Law Day Revenue	-	-	175	(175)	0%	-	-	1,575	(1,575)	0%	1,575	0%
4095 Miscellaneous Income	511	360	1,982	(1,622)	18%	7,338	25,839	10,210	15,629	253%	10,210	253%
4096 Late Fees	11,300	12,000	-	12,000	#DIV/0!	83,200	49,995	-	49,995	#DIV/0!	-	#DIV/0!
4103 In - Kind Revenue - UDR	401	-	-	-	#DIV/0!	2,069	23	(97)	120	-24%	(97)	-24%
4200 Seminar Profit/Loss	35,034	(27,157)	48,063	(75,219)	-57%	(3,912)	(14,673)	6,733	(21,406)	-218%	6,733	-218%
Investment Income	(16,092)	(1,491)	20,382	(21,873)	-7%	106,189	18,156	140,852	(122,696)	13%	140,852	13%
<b>Total Revenue</b>	<b>68,616</b>	<b>215,321</b>	<b>232,059</b>	<b>(16,738)</b>	<b>93%</b>	<b>3,080,601</b>	<b>5,668,399</b>	<b>6,187,454</b>	<b>(519,055)</b>	<b>92%</b>	<b>6,187,454</b>	<b>92%</b>
<b>Program Service Expenses</b>												
5001 Meeting Facility-external only	(4,340)	-	1,600	1,600	0%	8,505	15	24,886	24,871	0%	24,886	0%
5002 Meeting facility-internal only	3,293	1,893	4,274	2,381	44%	44,665	8,019	59,564	51,545	13%	59,564	13%
5013 ExamsSoft	4,715	10,978	4,715	(6,263)	233%	19,110	14,542	19,110	4,568	76%	19,110	76%
5014 Questions	9,986	-	12,938	12,938	0%	35,998	24,954	63,376	38,423	39%	63,376	39%
5015 Investigations	50	150	62	(88)	242%	450	856	577	(279)	148%	577	148%
5016 Credit Checks	133	176	150	(26)	117%	975	1,520	1,098	(422)	138%	1,098	138%
5017 Medical Exam	-	-	-	-	#DIV/0!	160	-	320	320	0%	320	-
5020 Exam Scoring	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
5025 Temp Labor/Proctors	70	-	-	-	#DIV/0!	6,170	-	6,100	6,100	0%	6,100	0%
5030 Speaker Fees & Expenses	-	-	-	-	#DIV/0!	9,667	6,500	15,548	9,048	42%	15,548	42%
5031 Speaker Reimb. - Receipt Req'd	3,830	-	4,495	4,495	0%	16,612	-	18,713	18,713	0%	18,713	0%
5035 Awards	1,685	1,181	1,971	790	60%	4,866	5,094	5,491	397	93%	5,491	93%
5037 Grants/ contributions - general	3,000	-	3,000	3,000	0%	9,000	500	12,670	12,170	4%	12,670	4%
5040 Witness & Hearing Expense	(45)	37	57	20	65%	1,498	(2)	4,324	4,326	0%	4,324	0%
5041 Process Serving	250	-	238	238	0%	650	282	619	337	46%	619	46%
5046 Court Reporting	-	-	-	-	-	-	1,596	-	(1,596)	#DIV/0!	-	#DIV/0!
5047 Casemaker	4,354	4,528	4,583	55	99%	36,583	40,407	38,504	(1,903)	105%	38,504	105%
5055 Legislative Expense	-	5,000	108	(4,892)	4630%	41,719	45,000	37,517	(7,483)	120%	37,517	120%
5060 Program Special Activities	-	-	-	-	#DIV/0!	2,595	-	2,595	2,595	0%	2,595	-
5061 LRE - Bar Support	-	-	-	-	#DIV/0!	65,000	60,000	60,000	-	100%	60,000	100%
5062 Law Day	-	-	-	-	#DIV/0!	2,500	-	3,500	3,500	0%	3,500	0%
5063 Special Event Expense	383	-	600	600	0%	55,752	6,829	23,422	16,593	29%	23,422	29%
5064 MCLE Fees Paid	346	3,468	391	(3,077)	887%	22,519	19,500	17,766	(1,734)	110%	17,766	110%
5070 Equipment Rental	10,554	-	15,792	15,792	0%	62,252	-	37,565	37,565	0%	37,565	0%
5075 Food & Bev-external costs only	59,346	844	74,168	73,324	1%	369,380	9,112	340,429	331,317	3%	340,429	3%
5076 Food & beverage - internal only	3,112	1,689	3,673	1,984	46%	45,582	6,369	58,065	51,696	11%	58,065	11%
5079 Soft Drinks	391	315	477	162	66%	6,109	1,918	7,606	5,688	25%	7,606	25%
5085 Misc. Program Expense	132	-	286	286	0%	8,601	1,298	5,917	4,619	22%	5,917	22%
5090 Commission Expense	1,578	700	1,760	1,060	40%	25,762	26,062	28,731	2,669	91%	28,731	91%
5095 - Wills for Heroes	-	205	40	(165)	513%	482	205	1,106	901	19%	1,106	19%
5096 UDR Support	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
5099 Blomquist Hale	6,139	6,152	6,141	(11)	100%	55,286	55,341	55,303	(38)	100%	55,303	100%
5702 Travel - Lodging	21,184	-	19,075	19,075	0%	60,901	7,065	31,670	24,605	22%	31,670	22%
5703 Travel - Transportation/Parking	2,665	-	2,022	2,022	0%	19,439	279	4,539	4,259	6%	4,539	6%
5704 Travel - Mileage Reimbursement	1,523	-	600	600	0%	6,515	1,035	2,425	1,390	43%	2,425	43%
5705 Travel - Per Diems	427	-	100	100	0%	4,571	-	590	590	0%	590	0%
5706 Travel - Meals	-	-	-	-	#DIV/0!	109	-	-	-	#DIV/0!	-	#DIV/0!
5707 Travel - Commission Mtgs	1,550	-	158	158	0%	14,983	-	2,500	2,500	0%	2,500	0%
5805 ABA Annual Meeting	-	-	-	-	#DIV/0!	14,469	-	-	-	#DIV/0!	-	#DIV/0!
5810 ABA Mid Year Meeting	2,260	-	-	-	#DIV/0!	19,896	-	-	-	#DIV/0!	-	#DIV/0!
5815 Commission/Education	-	-	-	-	#DIV/0!	15,245	-	2,350	2,350	0%	2,350	0%
5820 ABA Annual Delegate	-	-	-	-	#DIV/0!	8,153	-	-	-	#DIV/0!	-	#DIV/0!
5830 Western States Bar Conference	965	-	-	-	#DIV/0!	7,133	205	-	(205)	#DIV/0!	-	#DIV/0!
5840 President's Expense	2,177	1,500	1,544	44	97%	20,852	13,663	14,791	1,128	92%	14,791	92%
5841 President's Reimbursement	-	-	-	-	#DIV/0!	2,899	-	3,532	3,532	0%	3,532	0%
5845 Reg Reform Task Force	94	-	-	-	#DIV/0!	4,571	-	-	-	#DIV/0!	-	#DIV/0!
5850 Leadership Academy	-	-	-	-	#DIV/0!	11,645	-	10,000	10,000	0%	10,000	0%
5855 Bar Review	-	-	-	-	#DIV/0!	431	-	-	-	#DIV/0!	-	#DIV/0!
5865 Retreat	-	-	-	-	#DIV/0!	20,089	-	5,000	5,000	0%	5,000	0%

**Utah State Bar**  
**Income Statement - Consolidated By Account**  
**March 31, 2021**

	Actual Mar-20	Actual Mar-21	Budget Mar-21	Fav (Unfav) variance	% of Budget	Actual LYTD	Actual YTD	Budget YTD	Fav (Unfav) variance	% of Budget	Total Budget	YTD % of Tot Budget
5866 - Wellbeing Committee	4,451	4,192	4,375	183	96%	42,310	41,927	41,590	(337)	101%	41,590	101%
5867 - Bar Membership Survey	-	-	-	-	#DIV/0!	4,000	-	-	-	#DIV/0!	-	#DIV/0!
5868 - UCLI Support	-	-	-	-	#DIV/0!	50,000	-	-	-	#DIV/0!	-	#DIV/0!
5960 - Overhead Allocation - Seminars	-	-	-	-	#DIV/0!	-	(3,404)	(36,176)	(32,772)	9%	(36,176)	9%
5970 - Event Revenue Sharing - 3rd Pty	765	7,174	561	(6,613)	1279%	36,190	38,902	26,548	(12,354)	147%	26,548	147%
<b>Total Program Service Expenses</b>	<b>146,932</b>	<b>50,182</b>	<b>169,954</b>	<b>119,772</b>	<b>30%</b>	<b>1,322,848</b>	<b>435,586</b>	<b>1,059,781</b>	<b>624,195</b>	<b>41%</b>	<b>1,059,781</b>	<b>41%</b>
<b>Salaries &amp; Benefit Expenses</b>												
5510 - Salaries/Wages	242,370	249,587.04	247,851	(1,736)	101%	2,235,100	2,301,381	2,205,507	(95,874)	104%	2,205,507	104%
5605 - Payroll Taxes	19,967	19,972	20,611	639	97%	166,788	168,234	165,874	(2,360)	101%	165,874	101%
5610 - Health Insurance	21,935	23,244	23,632	388	98%	198,117	208,487	216,410	7,923	96%	216,410	96%
5620 - Health Ins/Medical Reimb	200	700	154	(546)	455%	2,525	5,400	4,100	(1,300)	132%	4,100	132%
5630 - Dental Insurance	1,186	1,336	1,353	17	99%	11,332	11,262	13,070	1,807	86%	13,070	86%
5640 - Life & LTD Insurance	1,496	1,600	1,628	28	98%	13,530	14,290	14,785	495	97%	14,785	97%
5645 - Workman's Comp Insurance	207	82	177	95	46%	1,909	1,869	1,637	(232)	114%	1,637	114%
5650 - Retirement Plan Contributions	21,636	21,930	22,284	354	98%	195,893	198,975	199,181	206	100%	199,181	100%
5655 - Retirement Plan Fees & Costs	-	-	8	8	0%	9,844	9,067	10,442	1,375	87%	10,442	87%
5660 - Training/Development	(660)	250	(187)	(437)	-134%	18,175	3,049	15,105	12,056	20%	15,105	20%
<b>Total Salaries &amp; Benefit Expenses</b>	<b>308,336</b>	<b>318,701</b>	<b>317,511</b>	<b>(1,191)</b>	<b>100%</b>	<b>2,853,212</b>	<b>2,922,015</b>	<b>2,846,111</b>	<b>(75,904)</b>	<b>103%</b>	<b>2,846,111</b>	<b>100%</b>
<b>General &amp; Administrative Expenses</b>												
7025 - Office Supplies	1,326	2,252	1,222	(1,030)	184%	20,371	10,610	19,064	8,454	56%	19,064	56%
7015 - Office Equip Repairs	-	-	-	-	#DIV/0!	-	600	-	(600)	#DIV/0!	-	#DIV/0!
7033 - Operating Meeting Supplies	732	190	952	762	20%	15,929	1,213	20,174	18,961	6%	20,174	6%
7035 - Postage/Mailing, net	48	58	(5,304)	(5,362)	-1%	43,777	39,961	40,025	64	100%	40,025	100%
7040 - Copy/Printing Expense	20,912	14,575	19,954	5,379	73%	129,625	82,413	128,288	45,875	64%	128,288	64%
7041 - Copy/Print revenue	(1,651)	(2,145)	(1,974)	171	109%	(15,572)	(11,092)	(20,027)	(8,935)	55%	(20,027)	55%
7045 - Internet Service	1,554	757	1,908	1,151	40%	7,278	9,096	9,513	417	96%	9,513	96%
7050 - Computer Maintenance	2,730	3,590	2,936	(654)	122%	40,639	30,066	42,762	12,696	70%	42,762	70%
7055 - Computer Supplies & Small Equip	27	389	28	(361)	1390%	13,436	12,954	14,542	1,588	89%	14,542	89%
7089 - Membership Database Fees	6,000	11,437	11,644	207	98%	18,910	38,437	25,357	(13,080)	152%	25,357	152%
7100 - Telephone	5,754	2,832	5,744	2,912	49%	41,329	48,040	41,871	(6,169)	115%	41,871	115%
7105 - Advertising	2,500	49	2,879	2,830	2%	26,176	3,195	5,132	1,937	62%	5,132	62%
7106 - Public Notification	-	12	-	(12)	#DIV/0!	-	290	-	(290)	#DIV/0!	-	#DIV/0!
7107 - Production Costs	500	-	83	83	0%	500	-	83	83	0%	83	0%
7110 - Publications/Subscriptions	781	3,294	646	(2,648)	510%	19,047	22,882	17,949	(4,933)	127%	17,949	127%
7115 - Public Relations	4,849	-	-	-	#DIV/0!	9,256	-	-	-	#DIV/0!	-	#DIV/0!
7120 - Membership/Dues	-	2	2	2	0%	10,444	9,868	10,370	502	95%	10,370	95%
7135 - Bank Service Charges	85	19	93	74	21%	697	591	854	263	69%	854	69%
7136 - ILM Service Charges	1,434	1,459	1,433	(26)	102%	14,247	13,648	14,237	589	96%	14,237	96%
7138 - Bad debt expense	-	-	-	-	#DIV/0!	0	-	-	-	#DIV/0!	-	#DIV/0!
7140 - Credit Card Merchant Fees	6,410	3,843	4,430	587	87%	51,653	51,823.63	47,034	(4,790)	110%	47,034	110%
7141 - Credit Card surcharge	(37)	(63)	(38)	25	166%	(19,960)	(24,277)	(20,336)	3,941	119%	(20,336)	119%
7145 - Commission Election Expense	2,693	2,717	2,699	(18)	101%	2,693	2,717	2,699	(18)	101%	2,699	101%
7150 - E&O/Off & Dir Insurance	4,329	4,484	4,320	(164)	104%	38,963	40,358	38,880	(1,478)	104%	38,880	104%
7160 - Audit Expense	-	-	-	-	#DIV/0!	34,265	35,435	34,265	(1,170)	103%	34,265	103%
7170 - Lobbying Rebates	13	78	19	(59)	413%	133	78	195	117	40%	195	40%
7175 - O/S Consultants	12,099	9,604	12,350	2,746	78%	144,863	128,937	96,267	(32,670)	134%	96,267	134%
7176 - Bar Litigation	-	-	-	-	#DIV/0!	13,869	-	6,227	6,227	0%	6,227	0%
7177 - UPL	954	-	232	232	0%	30,451	1,564	7,402	5,838	21%	7,402	21%
7178 - Offsite Storage/Backup	343	-	-	-	#DIV/0!	3,203	-	-	-	#DIV/0!	-	#DIV/0!
7179 - Payroll Adm Fees	247	250	246	(4)	102%	2,427	2,364	2,418	54	98%	2,418	98%
7180 - Administrative Fee Expense	226	177	215	38	82%	828	751	787	36	95%	787	95%
7190 - Lease Interest Expense	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
7191 - Lease Sales Tax Expense	-	-	-	-	#DIV/0!	-	-	-	-	#DIV/0!	-	#DIV/0!
7195 - Other Gen & Adm Expense	1,447	910	1,396	486	65%	13,333	2,993	15,930	12,937	19%	15,930	19%
<b>Total General &amp; Administrative Expenses</b>	<b>76,307</b>	<b>60,761</b>	<b>68,115</b>	<b>7,354</b>	<b>89%</b>	<b>712,783</b>	<b>555,509</b>	<b>601,937</b>	<b>46,428</b>	<b>92%</b>	<b>601,937</b>	<b>118%</b>
<b>In Kind Expenses</b>												
7103 - InKind Contrib-UDR & all other	1,572	165	1,369	1,204	12%	16,012	5,100	16,950	11,850	30%	16,950	30%
<b>Total In Kind Expenses</b>	<b>1,572</b>	<b>165</b>	<b>1,369</b>	<b>1,204</b>	<b>12%</b>	<b>16,012</b>	<b>5,100</b>	<b>16,950</b>	<b>11,850</b>	<b>30%</b>	<b>16,950</b>	<b>94%</b>
<b>Building Overhead Expenses</b>												
6015 - Janitorial Expense	2,194	1,186	2,675	1,489	44%	22,819	12,143	27,887	15,744	44%	27,887	44%
6020 - Heat	1,766	2,424	1,899	(525)	128%	14,696	16,689	15,834	(855)	105%	15,834	105%
6025 - Electricity	2,794	3,053	3,140	87	97%	33,567	31,145	37,917	6,772	82%	37,917	82%
6030 - Water/Sewer	305	306	315	9	97%	6,313	4,828	6,545	1,717	74%	6,545	74%
6035 - Outside Maintenance	6,430	2,801	6,629	3,828	42%	13,272	10,675	13,691	3,017	78%	13,691	78%
6040 - Building Repairs	1,351	859	1,686	827	51%	12,357	13,459	15,508	2,049	87%	15,508	87%
6045 - Bldg Mtncn Contracts	3,838	3,369	3,814	445	88%	26,451	21,832	26,409	4,577	83%	26,409	83%
6050 - Bldg Mtncn Supplies	-	-	66	66	0%	-	-	619	619	0%	619	0%
6055 - Real Property Taxes	2,882	2,838	2,760	(78)	103%	22,300	25,759	21,355	(4,404)	121%	21,355	121%
6060 - Personal Property Taxes	35	33	37	4	91%	316	301	333	32	91%	333	91%
6065 - Bldg Insurance/Fees	1,520	1,661	1,538	(123)	108%	13,679	14,948	13,933	(1,015)	107%	13,933	107%
6070 - Building & Improvements Depr	4,501	5,568	4,613	(955)	121%	40,510	50,111	41,678	(8,433)	120%	41,678	120%
6075 - Furniture & Fixtures Depr	746	255	856	601	30%	6,713	2,297	7,746	5,449	30%	7,746	30%
7065 - Computers, Equip & Sftwre Depr	11,385	8,532	12,279	3,747	69%	103,059	72,320	111,651	39,331	65%	111,651	65%
<b>Total Building Overhead Expenses</b>	<b>39,746</b>	<b>32,885</b>	<b>42,307</b>	<b>9,422</b>	<b>78%</b>	<b>316,052</b>	<b>276,506</b>	<b>341,106</b>	<b>64,599</b>	<b>81%</b>	<b>341,106</b>	<b>93%</b>
<b>Other</b>												
4300 - Gain (Loss) - Disposal Of Assets	-	-	-	-	n/a	-	-	-	-	#DIV/0!	-	#DIV/0!
4120 - Grant Income	-	-	-	-	n/a	3,000	39,576	(36,812)	(76,388)	-108%	(36,812)	-108%
	-	-	-	-	#DIV/0!	3,000	39,576	(36,812)	(76,388)	-108%	(36,812)	-108%
<b>Total Expenses</b>	<b>572,892</b>	<b>462,694</b>	<b>599,256</b>	<b>136,562</b>	<b>77%</b>	<b>5,217,907</b>	<b>4,155,139</b>	<b>4,902,695</b>	<b>747,556</b>	<b>85%</b>	<b>4,902,695</b>	<b>106%</b>
<b>Net Profit (Loss)</b>	<b>\$ (504,276)</b>	<b>\$ (247,373)</b>	<b>\$ (367,197)</b>	<b>\$ 119,824</b>	<b>67%</b>	<b>\$ (2,137,306)</b>	<b>\$ 1,513,260</b>	<b>\$ 1,284,759</b>	<b>\$ 228,501</b>	<b>118%</b>	<b>\$ 1,284,759</b>	<b>\$ [0]</b>

INSTITUTIONAL LIQUIDITY  
MANAGEMENT

ILM-UT ST BAR (3176)

Dated: 04/06/2021

## Balance Sheet Classification

Base Currency: USD As of 03/31/2021

## CE

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
38141W273	GOLDMAN-FS GOVT INST	1,408,416.40	AAA	0.040	03/31/2021	0.040	0.040	1,408,416.40	0.00	1.0000	0.00	1,408,416.40
CCYUSD	Cash	58.35	AAA	0.000	03/31/2021	0.000	0.000	58.35	0.00	1.0000	0.00	58.35
53944VAP4	LLOYDS BANK PLC	200,000.00	A+	3.300	05/07/2021	0.187	0.632	200,830.76	-89.16	100.2658	2,640.00	203,171.60
55607KSR8	Macquarie Bank Limited	250,000.00	A-1+	0.000	05/25/2021	0.150	0.147	249,943.75	0.00	99.9775	0.00	249,943.75
---	---	1,858,472.75	AAA	---	04/11/2021	0.071	0.119	1,859,047.28	-89.16	---	2,640.00	1,861,588.19

## ST

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
89236TEU5	TOYOTA MOTOR CREDIT CORP	250,000.00	A+	2.950	04/13/2021	1.819	2.750	250,108.83	-55.33	100.0054	3,441.87	253,455.17
68371RP28	PACCAR FINANCIAL CORP	50,000.00	A+	3.100	05/10/2021	1.908	0.597	50,063.61	72.04	100.2713	607.08	50,742.73
74153WCH0	PRICOA GLOBAL FUNDING I	200,000.00	AA-	2.200	08/03/2021	2.480	0.327	199,911.14	732.86	100.3220	1,442.22	202,086.22
22532LAR5	CREDIT AGRICOLE SA (LONDON BRANCH)	250,000.00	AA-	2.375	07/01/2021	1.970	0.473	250,251.92	948.58	100.4794	1,484.38	252,882.08
89114Q3V8	TORONTO-DOMINION BANK	250,000.00	AA-	0.505	07/30/2021	1.410	0.230	249,255.28	989.99	100.0901	210.42	250,435.67
58217GBX8	METROPOLITAN LIFE GLOBAL FUNDING I	316,000.00	AA-	1.950	09/15/2021	1.936	0.363	316,019.80	2,281.06	100.7218	273.87	318,554.75
22546QAR8	CREDIT SUISSE AG (NEW YORK BRANCH)	337,000.00	AA-	3.000	10/29/2021	2.006	0.615	338,910.95	2,716.40	101.3731	4,268.67	345,896.01
48849LE1	JACKSON NATIONAL LIFE GLOBAL FUNDING	250,000.00	A	3.300	02/01/2022	1.518	0.317	253,694.78	2,505.97	102.4803	1,375.00	257,575.75
05579HAC8	BNZ INTERNATIONAL FUNDING LTD (LONDON BRANCH)	250,000.00	AA-	2.100	09/14/2021	0.184	0.435	252,158.61	-266.81	100.7568	247.92	252,139.92
084670BF4	BERKSHIRE HATHAWAY INC	250,000.00	AA	3.400	01/31/2022	0.142	0.288	250,788.71	-310.21	102.5906	1,440.28	257,918.78
89371RF75	PACCAR FINANCIAL CORP	166,000.00	A+	2.850	03/01/2022	2.022	0.262	167,390.44	3,013.49	102.3677	441.75	190,845.67
48248UAR7	KIWI	250,000.00	A-1+	0.000	01/25/2022	0.200	0.198	249,584.72	0.00	99.8339	0.00	249,584.72
00182EBC2	ANZ NEW ZEALAND INTL LTD (LONDON BRANCH)	200,000.00	AA-	2.875	01/25/2022	0.218	0.309	204,321.02	-124.62	102.0882	1,054.17	205,250.57
38141GGQ1	GOLDMAN SACHS GROUP INC	165,000.00	A	6.250	07/27/2021	0.248	0.590	167,635.78	-160.59	101.5001	1,540.00	169,015.17
83051GAK4	SKANDINAVISKA ENSKILDA BANKEN AB	200,000.00	AA	3.050	03/25/2022	0.240	0.305	205,502.77	-101.17	102.7008	101.67	205,503.27
---	---	3,454,000.00	AA-	---	10/17/2021	1.214	0.545	3,431,596.33	12,159.86	---	17,529.08	3,461,585.27

## LT

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
525ESC1Y5	LEHMAN ESCROW	300,000.00	NA	0.000	01/01/2049	0.000	---	0.00	3,150.00	1.0500	0.00	3,150.00
57829WCH4	MASSMUTUAL GLOBAL FUNDING II	250,000.00	AA+	2.250	07/01/2022	0.202	0.382	258,401.33	-520.33	102.3524	1,406.25	257,287.25
78013XG05	ROYAL BANK OF CANADA	250,000.00	A	2.800	04/29/2022	0.243	0.273	256,885.67	-71.42	102.7177	2,955.56	259,749.81
---	---	800,000.00	AA-	---	07/28/2022	0.223	0.317	813,267.00	2,558.25	---	4,361.81	820,187.08

## Summary

Identifier	Description	Current Units	Rating	Coupon	Effective Maturity	Book Yield	Yield	Base Book Value	Base Net Total Unrealized Gain/Loss	Market Price	Base Accrued Balance	Base Market Value + Accrued
---	---	6,062,472.75	AA	---	09/12/2021	0.761	0.389	5,803,910.59	14,618.95	---	24,920.88	5,843,450.42

\* Grouped by: BS Class 2 \* Groups Sorted by: BS Class 2 \* Weighted by: Base Market Value + Accrued, except Book Yield by Base Book Value + Accrued. \* Holdings Displayed by: Lot.



## Utah State Bar Balance Sheets

	3/31/2021	6/30/2020
<b>ASSETS</b>		
Current Assets		
Petty Cash	\$ 625	\$ 625
Cash in Bank	839,015	789,463
Invested Funds	5,843,460	6,089,850
Total Cash/Investments	6,683,100	6,879,938
Accounts Receivable	32,461	227,851
Prepaid Expenses	122,123	94,743
A/R - Sections	50,051	49,679
Total Other Current Assets	204,635	372,273
Total Current Assets	6,887,735	7,252,211
Fixed Assets		
Property & Equipment	4,944,721	4,643,811
Accumulated Depreciation	(4,154,394)	(4,029,666)
Land	633,142	633,142
Total Fixed Assets	1,423,468	1,247,286
<b>TOTAL ASSETS</b>	<b>\$ 8,311,204</b>	<b>\$ 8,499,498</b>
<b>LIABILITIES &amp; EQUITY</b>		
Liabilities		
Current Liabilities		
AP Trade	\$ 31,078	\$ 104,237
Other Accounts Payable	3,452	109,826
Accrued Payables	579,707	481,137
Cap Lease Oblig - ST	3,892	3,892
A/P - Sections	380	173,165
Deferred Revenue	21,731	2,158,156
Total Current Liabilities	640,240	3,030,412
Long Term Liabilities		
Capital Lease Oblig	920	4,112
PPP Loan	653,072	-
Total Long Term Liabilities	653,992	4,112
Total Liabilities	1,294,232	3,034,524
Equity		
Unrestricted Net Assets (R/E)	5,503,712	5,853,847
Fund Balance - Current Year	1,513,260	(388,874)
Total Equity	7,016,972	5,464,974
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>\$ 8,311,204</b>	<b>\$ 8,499,498</b>