

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

**AUGUST 28-29, 2015**

**DEER VALLEY, UTAH**

**In Attendance:** President Angelina Tsu, President-elect Rob Rice; Commissioners: Steven Burt, H. Dickson Burton, Kate Conyers, Kenyon Dove, Mary Kay Griffin, Susanne Gustin, Liisa Hancock, John Lund, Michelle Mumford, Herm Olsen and Katie Woods.

**Ex-Officio Members:** Nate Alder, Heather Allen, James D. Gilson, Michelle Kennedy, Margaret Plane, Dean James Rasband and Chris Wharton.

**Not in Attendance:** Heather Farnsworth and Ex-Officio Members: Dean Robert Adler, Susan Motschieder and Lawrence Stevens.

**Also in Attendance:** Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, and General Counsel Elizabeth A. Wright.

**Minutes: 12:15 p.m. start**

**1. President's Report:**

**1.1. Committee Chair Appointments. John Lund** moved to appoint the 2015-2016 Bar Committee Chairs listed below. **Steve Burt seconded the motion which passed unopposed.**

Admissions: Steven T. Waterman, TBD Co-chair; Bar Examiner: David K. Broadbent, Co-chair, Tanya N. Peters, Co-chair; Bar Test Accommodation: Joan M. Andrews, Chair; Bar Journal: William D. Holyoak, Chair; Budget & Finance: TBD; Character and Fitness: Andrew M. Morse, Co-chair, Kimberly A. Neville, Co-chair; CLE Advisory: Jonathan Hafen, Chair; Disaster Legal Response: Brook Ashton, Co-chair, Andrea Valente Arthur, Co-chair; Ethics Advisory Opinion: John A. Snow, Chair; Fee Dispute Resolution: William M. Jeffs, Chair; Fund for Client Protection: David R. Hamilton, Chair; Governmental Relations: John H. Bogart, Co-chair Cameron Beech, Co-chair; Member Resource: Robert L. Jeffs, Chair; New Lawyer Training: TBD; Unauthorized Practice of Law: Benjamin P. Harmon, Co-chair, Jonathan H. Rupp; 2015 Fall Forum: Amy Fowler, Co-chair, Gabe White, Co-chair; 2016 Spring Convention: Trystan Smith, Chair; 2016 Summer Convention: Aida Neimarlija, Co-chair Kate Conyers, Co-chair.

**1.2. Sponsorship of National Association of Women Judges Conference.** Kate Conyers presented information about the National Conference of Women Judges (NAWJ) meeting in Utah this year. It is an honor to have NAWJ meet in our state. This is the first year NAWJ is allowing non-judges to attend. Other state bars sponsored NAWJ when the conference was held in their jurisdictions. **Kate Conyers moved to have the Bar donate \$5000 to the conference. Rob Rice seconded the motion which passed unopposed.**

**1.3. Appoint Chairs of Exploratory Committees:** Angelina Tsu explained that she would like Committees to implement programs or ideas for each of the proposed committees listed below. **Michelle Mumford moved to set up the following committees chaired by the following people. John Lund seconded the motion which passed unopposed.**

Bar Review: Angelina Tsu

Technology CLEs: John Lund, Dickson Burton

Veteran's Mobile Clinic: Kate Conyers

Expungement Seminar: Susanne Gustin, Kate Conyers, Jim Gilson

Assistance to Former Members of Fundamentalist Communities: Katie Woods, Chris Wharton

Leadership Academy: Liisa Hancock, Kate Conyers

Mentoring Awards "Breakfast of Champions": Michelle Mumford, Chris Wharton

Committees should meet, come up with ideas and, if necessary, a budget. Committee chairs should be prepared to report at the September 18, 2015 Commission Meeting.

## **2. Discussion Items:**

### **2.1 Reinstate Reimbursements for Commissioners attending Conventions and Expenses for President and President-Elect.**

Prior to 2014-2015, Commissioners were reimbursed for 3 nights lodging at the Summer Convention and two nights lodging at the Spring Convention. The Commissioners discussed the fact that they are expected to be in attendance at those conventions for 3 and 2 nights respectively so they should be reimbursed for those nights. Requiring Commissioners to pay for one night of lodging at conventions discourages solo, small-firm and government attorneys from participating in the Commission. **Herm Olsen moved to reinstate previous lodging reimbursement levels. Michelle Mumford seconded the motion which passed unopposed.**

Prior to 2014-2015, The Bar President was paid a stipend of \$1000 per month and the President-elect was paid \$500 per month. For 2014-2015 the payment was reduced to \$500 for President and \$250 for President Elect. Herm Olsen presented the reasons for reinstating the prior reimbursement amounts as encouraging solo, small firm and government attorneys to participate in Commission and run for office and to make up for the amount of time the positions require. It was pointed out that the Bar issues the President and President-elect 1099 Forms for the stipend payments. The Commission discussed the tax consequences of the payments and whether it is considered a stipend or a reimbursement. The Commission decided it should be called a stipend. All

commissioners, including the President and President-elect, should submit receipts for reimbursable expenses.

**Angelina TSU and Rob Rice recused themselves from the vote. Herm Olsen moved to reinstate the prior stipend levels. Kenyon Dove seconded the motion which passed with John Lund and Michelle Mumford opposed.**

**Kenyon Dove moved to change Commission Policies and Procedures to indicate the monthly payments to the President and President-elect are called stipends and not reimbursable expenses. Michelle Mumford seconded the motion which passed unopposed.**

**2.2 AAA Task Force Report.** Rob Rice reported on the following AAA subcommittees:

**Non-Profit Sub-Committee** is interested in “franchising” Open Legal Services. Shantelle Argyle is expanding Open Legal Services to Ogden on her own. The Sub-Committee would like to have the concept expanded to other cities and have other individuals open them.

**Communications Sub-Committee** is working on portal for lawyer referral website – one of the top two recommendations of the Futures Commission. It is a big task to have the ideal website and it will take time to accomplish the task. Sammi Anderson and Phil Wormdahl are chairing this sub-committee.

Charles Stormont is heading the **Non-Profit Legal Services Sub-Committee** effort to start an OCAP clinic. October 15, 2015 is the goal date for the roll-out.

**Legislative Committee** is working on increasing the small claims court amount to \$15,000 or \$20,000.

Different groups are working on the **Third Year Practice Rule**.

**2.3 Futures Commission Follow Up.** In an effort to be able to focus on the recommendations of the Futures Commission, Angelina asked the Board members to fill out a ballot indicating which recommendations the Commission should focus on going forward. The ballot was attached to the Commission materials. John Lund and Nate Alder pointed out that all the recommendations are important and intertwined. Rob Rice pointed out that the ballots are a way to help the Commission focus its efforts and resources. Ballots were collected and will be tallied.

**3. Blomquist Hale Presentation.** Sean Morris of Blomquist Hale gave a presentation about generational differences and how to better understand the viewpoints of each generation in order to foster productive working relationships among the generations.

**ADJOURNED:** 3:30 p.m.

**CONSENT AGENDA:**

1. Approve Minutes of July 29, 2015 Commission Meeting.
2. Reappoint Margaret Plane as ABA Delegate for 2015-2017.
3. Approve Rule Changes to Move Supervision of Ethics and Discipline Committee Secretary from Office of Professional Conduct to Office of Bar General Counsel.

4. Approve President's Appointment of Bar Exam Appeal Review Panel.

**SATURDAY AUGUST 29, 2015 AT 12:45 P.M.**

**Charlotte Miller addressed the Commission about leadership.**

4. **ABA Delegate's Report.** Utah ABA delegate Margaret Plane explained that the ABA House of Delegates is the policy-making body of the association. Action taken by the House of Delegates on specific issues becomes official ABA policy. The House of Delegates has 560 members. State Bar delegates are allocated by population. Margaret Plane and Nate Alder are Utah's two ABA delegates and are appointed by the Bar Commission. Larry Stevens is elected by the ABA members in Utah.

ABA is concerned that young lawyers are not joining the ABA. In an effort to encourage more young lawyers to join, the ABA changed the rules to allow state bars to each appoint one young lawyer delegate. Margaret Plane and Chris Wharton will create a proposal for the next Commission meeting regarding Utah's appointment of a young lawyer to the ABA House of Delegates.