

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

DECEMBER 5, 2014

UTAH LAW AND JUSTICE CENTER

In Attendance: President James D. Gilson and President-elect Angelina Tsu. Commissioners: Steven Burt, H. Dickson Burton, Kenyon Dove, Heather Farnsworth, Mary Kay Griffin, Susanne Gustin, John Lund, Hon. Michael Leavitt, Janise Macanas, Rob Rice and Tom Seiler.

Ex-Officio Members: Dean Robert Adler, Nate Alder, Heather Allen, Curtis Jensen, Katherine Judd, Aida Neimarlija, Margaret Plane and Lawrence Stevens.

Not in Attendance: Commissioner Herm Olsen and Ex-Officio Members: Jesse Nix and Dean James Rasband.

Also in Attendance: Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, General Counsel Elizabeth A. Wright, Supreme Court Liaison Tim Shea and Sean Toomey, Utah State Bar Communications Director. For the first 15 minutes of the meeting: Deputy General Counsel for Admissions Joni Seko and Admissions Committee Co- Chair Steven T. Waterman.

Minutes:

1. President's Report:

1.1. Admissions Rule Changes. Deputy General Counsel for Admissions Joni Seko and Admissions Committee Co- Chair Steven T. Waterman presented proposed changes to the Admissions Rules for approval by the Commission. Changes are mostly clarifications and a consolidation of all appeal procedures into to one rule. One substantive change is the requirement that lawyers applying for admission on motion have been practicing in the jurisdiction where they are licensed. The Bar needs a history of practice and possible discipline on which it can rely. **Dickson Burton moved to approve the proposed rule changes and Steve Burt seconded the motion which then passed unopposed.**

2.2 (Out of Order) 2016 Summer Convention Site. Aida Neimarlija announced that Kate Conyers will be co-chair of the 2016 Summer Convention Committee. Aida then presented a slide show and prices for the Lowes Coronado in San Diego, California. Lowes was the best option of sites investigated with a \$75,000 food and beverage minimum, \$10 parking, free wifi and a \$239 room rate for the week of July 6th. Commission then discussed the date of the July 2016 Summer Convention. **John Lund moved to approve that the 2016 Summer Convention will begin on July 6, 2016 and**

will be held at the Lowes Coronado in San Diego. Heather Allen seconded the motion which then passed unopposed.

- 1.2. Legislative Session Preparation. Beginning February 3, 2015, the Governmental Relations Committee will meet telephonically every Tuesday at 4:00 p.m. during the legislative session. All voting Commissioners are invited to attend. Scott Sabey is the Bar's lobbyist and will lead the meetings. All Sections are also encouraged to attend. The Commission discussed the history, cost and value of the Bar's Lobbyist.

While discussing the legislature, John Lund and Tim Shea added that the Judicial Compensation Committee will recommend that the legislature increase the District Court Judge salary in order to continue attracting highly qualified candidates. Committee is also recommending two new judicial positions and money for diversion programs like drug courts and veteran's courts.

- 1.3. Report on Futures Commission. Purpose of the Committee is to gather input and study the future delivery of legal and law related services to individuals and small businesses Jim Gilson reported that the Futures Commission had first meeting on November 20, 2014. Goal is to have a report to present at the July 2015 Summer Convention with 5 concrete proposals. Futures Commission hopes that the Futures Commission will continue beyond this year. Futures Commission was divided into three groups. One will study how lawyers are trained. One will study how technology and other factors will change the job of a lawyer. One will study clients and marketplace.

Dean Adler noted that the Futures Commission charge does not include language about the training of future lawyers. Janise Macanas noted the charge does not reflect the proactive nature of the Futures Commission. It was agreed that the Futures Commission would amend the language of its charge at its next meeting to reflect training of new lawyers and proactive nature of the Commission.

- 1.4. Magna Carta Celebration Report. Exhibit will be in Utah for two weeks in April 2015 and travel throughout the state. Program will involve schools and perhaps essay competitions. Gala event planned for April 14, 2015. Lawyers and community leaders will be invited to gala. Cost of exhibit and events around the exhibit will be \$55,000. Jim Gilson asked the Commissioners to come up with fundraising and partnership ideas to defer the cost of the celebration. Nate Alder suggested hiring a professional fundraiser. Commissioners agreed that a 501(c)(3) was needed so that any donations would be tax deductible to the donor. Because much of the Magna Carta event involves school children, it was agreed that the Bar should ask Law Related Education to accept the donations for tax deduction purposes. **Janise Macanas moved to have the Bar approach Law Related Education about accepting donations to the Magna Carta event. Mike Leavitt seconded the motion which then passed unopposed.**

Performance Review Committees broke out for meetings at 10:50 a.m. Commission meeting resumed at 11:45.

- 2.2 Inactive Pro Bono Rule Change. Rob Rice reported that the Pro Bono Commission would like to amend the Inactive Pro Bono Attorney Rule 14-803 to allow inactive attorneys to do pro bono work for an approved entity without the supervision of a practicing attorney. Also, the proposed rule would allow non-Utah attorneys living in Utah to do pro bono legal work under the rule. Steve Burt pointed out problems with allowing non-Utah attorneys to practice Utah law. Commission discussed benefits of having a supervising attorney. **John Lund moved approved the proposed pro bono rule changes. Dickson Burton seconded the motion which then passed with Steve Burt opposed.**
- 3.1 Judicial Council Report. John Lund is the Bar Commission representative on the Judicial Council. Judicial Council is currently focused on pre-trial release procedures and technology. Court's data storage will be full in a few years. Two new veteran's courts will be established in the 3rd and 4th Districts. Court's will be able to connect defendant veterans with the resources of the V.A. Judicial Council will not be able to have its meeting in conjunction with 2015 Bar Sun Valley meeting. Hope to coordinate again for future meetings.

HANDOUTS DISTRIBUTED AT MEETING:

1. Performance Review Committee Assignments.
2. Magna Carta handout.

ADJOURNED: 12:55 p.m.

CONSENT AGENDA:

1. Approve Minutes of October 10, 2014 Commission Meeting.