

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

JULY 16, 2020

VIDEO CONFERENCE MEETING

- In Attendance:** President Herm Olsen and President-elect Heather Farnsworth.
Commissioners: John Bradley, Mary Kay Griffin, Marty Moore, Mark Morris, Mark Pugsley, Michelle Quist, Tom Seiler, Cara Tangaro, and Heather Thuet.
- Ex-Officio Members:** Nate Alder, Erik Christiansen, Torie Finlinson, Candace Glead, Camila Moreno, Ashley Peck (for Women Lawyers), Rob Rice, Dean Gordon Smith.
- Not in Attendance:** Steven Burt, Chrystal Mancuso-Smith, and Katie Woods. Ex-Officio Members: Kate Conyers, Amy Fowler, Jiro Johnson, Margaret Plane, and Dean Elizabeth Kronk-Warner.
- Also in Attendance:** Commissioners-elect: Traci Gunderson, Rick Hoffman, and Andrew Morse. Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, General Counsel Elizabeth A. Wright and Supreme Court Liaison Larissa Lee.

Minutes: 9:05 a.m. start

1. President's Report: Herm Olsen.

- 1.1 Welcome & Meeting Safety Discussion.** Mr. Olsen welcomed new Commissioners Traci Gunderson, Rick Hoffman, and Andrew Morse. Mr. Olsen also reported on much needed repairs to the Law and Justice Center that are taking place while the building is closed due to the COVID-19 pandemic. The building is being painted, re-carpeted, and concrete on the front and back entrances is being repaired. Additionally, Mr. Olsen reported on news from other bars.
- 1.2 Review 2020-2021 Schedule.** Heather Farnsworth reported that the Fall Forum would have a modified format because of COVID-19 restrictions and would be offered remotely. Ms. Farnsworth reported the theme of the convention would be "Whole New World" to encompass regulatory reform, police reform and changes resulting from the pandemic.
- 1.3 Review Retreat Schedule.** Heather Farnsworth reported that there would not be an annual Commission retreat this Fall because of budget and COVID-19 restrictions. Ms. Farnsworth will send a survey to Commissioners regarding plans for an alternate type of retreat.

2. Action Items.

- 2.1 Bar Survey Planning.** Mark Morris reviewed the results from the Bar survey that showed that the percentage of diverse lawyers has not changed in the 10 years since the last survey. The percentage of women lawyers has gone up slightly. The Commission discussed ways it could increase the diversity of the bar. The Commission also discussed how to present the survey to members and that the survey should be presented with a statement to give context to the results.
- 2.2 2020 Fall Forum Planning.** See 1.2 above.
- 2.3 2021 Spring Convention Planning.** Heather Thuet reported that it is too early to determine if the Spring 2021 convention will be an in-person event. **Heather Thuet moved to appoint Magistrate Judge Paul Kohler and Abby Dizon-Maughan to serve as Co-Chairs of the 2021 Spring Convention. Tom Seiler seconded the motion which passed unopposed.**
- 2.4 2021 Summer Convention Planning.** Mr. Olsen reported it is too early to decide about Summer 2021 and that the issue would be addressed at a subsequent meeting.
- 2.5 Utah Implementation Task Force on Regulatory Reform Report.** The Honorable Christine Durham joined the meeting to discuss regulatory reform. Justice Durham addressed the issues raised in the July 8, 2020 memo from the Bar's Committee on Regulatory Reform. The memo addresses concerns or questions about regulatory reform and is the result of the Committee's review of the Court's regulatory reform proposal, surveys and responses from judges and members of the Bar. Bar Regulatory Reform Committee Co-Chair Erik Christiansen summarized the memo. Mr. Christiansen reported the Committee generally supported regulatory reform and the goal of access to legal services. However, the Committee reported six concerns with the reforms as presented. Justice Durham addressed each of the concerns raised in the memo. **Marty Moore moved to adopt the findings and recommendations of the Bar's Committee on Regulatory Reform and to submit those findings and recommendations to the Utah Supreme Court. John Bradley seconded the motion which passed unopposed.**
- 2.6 Bar Regulatory Reform Committee Report.** See 2.5 above.

3. Discussion Items

- 3.1 Term Limits for Bar Commissioners, Committee Chairs and Members.** Herm Olsen reported that the Court raised the issue of term limits for Commissioners and Bar Committee members. Mr. Olsen asked the Commission to consider the idea for future discussion.

4. **Commission Reorganization.** Chief Justice Matthew Durrant joined the meeting to swear in new Commissioners and Officers.
 - 4.1 **New Commissioners Swearing In.** Justice Durrant swore in **Traci Gunderson, Rick Hoffman, and Andrew Morse** as Bar Commissioners.
 - 4.2 **Bar President-Elect Swearing In.** Justice Durrant swore **Heather Thuet** in as Bar Commission President Elect.
 - 4.3 **Bar President Swearing In.** Justice Durrant swore in **Heather Farnsworth** as Bar Commission President.
 - 4.4 **Appoint *Ex Officio* Members.** **Mark Pugleys** moved to **appoint** the following *ex officio* Commission members for the 2020-2021 year: the Immediate Past Bar President (**Herm Olsen**); the Bar's Representatives to the ABA House of Delegates (**Nate Alder and Erik Christiansen**); the Bar's YLD Representative to the ABA House of Delegates (**Camila Moreno**); Utah's ABA Members' Representative to the ABA House of Delegates (**Margaret Plane**); the Utah Minority Bar Association Representative (**Raj Dhaliwal**); the Women Lawyers of Utah Representative (**Ashley Peck**); the LGBT and Allied Lawyers of Utah Representative (**Amy Fowler**); the Paralegal Division Representative (**Sarah Stronk**); the J. Reuben Clark Law School Dean (**Gordon Smith**); the S.J. Quinney College of Law Dean (**Elizabeth Kronk-Warner**); and the Young Lawyers Division Representative (**Grace Pusavat**). **Tom Seiler** seconded the motion which passed unopposed.
 - 4.5 **Approve Executive Committee.** **Heather Thuet** moved to appoint **Heather Farnsworth, Heather Thuet, Marty Moore, Mark Morris, Michelle Quist, and Katie Woods** as members of the Executive Committee. **John Bradley** seconded the motion which passed unopposed.
 - 4.6 **Adopt Resolution on Bank Signatures.** **Marty Moore** moved to approve members of the Executive Committee to serve as signatories on the Bar's checking account. **Mark Pugsley** seconded the motion which passed unopposed.

NEW ITEM: Mary Kay Griffin reported that the Bar's financials are healthy even with losses resulting from COVID-19.

5. **Recognize Retiring Commissioners.** Commissioners thanked Herm Olsen for his service as Bar President. The Commission recognized Heather Farnsworth for six years of service as a Commissioner and Mary Kay Griffin for 17 years of service as a Commissioner.
6. **Executive Session.**

The meeting adjourned for the day at 12:30 p.m.

Consent Agenda

1. Approved Minutes from the June 5, 2020 Commission Meeting.