

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

July 28, 2021

**SUMMER CONVENTION
MEETING**

In Attendance: President Heather Farnsworth and President-elect Heather Thuet. Commissioners: John Bradley, Traci Gunderson, Greg Hoole (incoming), Chrystal Mancuso-Smith, Marty Moore, Mark Morris, Andrew Morse, Shawn Newell, Michelle Quist, Katie Woods, and Tyler Young (incoming).

Ex-Officio Members: Erik Christiansen, Kim Cordova, Grace Pusavat, Herm Olsen, Tonya Wright, and Dean Elizabeth Kronk-Warner.

Not in Attendance: Commissioners: Rick Hoffman, Mark Pugsley, Tom Seiler. Ex-Officio Members: Raj Dhaliwal, Amy Fowler, Camila Moreno, Margaret Plane, Rob Rice, Dean Gordon Smith.

Also in Attendance: Executive Director Elizabeth A. Wright, Assistant Executive Director Richard Dibblee, General Counsel Nancy J. Sylvester, and Supreme Court Liaison Nick Stiles.

Minutes:

1. Executive Session. The voting members met in executive session at 1:00 p.m. The regular meeting began at 1:30 p.m.

2. President's Report: Heather Farnsworth

2.1 Welcome and Review Schedule: Ms. Farnsworth welcomed the new commissioners and introduced Elizabeth Wright as the new executive director and Nancy Sylvester as the new general counsel. Ms. Farnsworth then reviewed the convention schedule.

2.2 Review 2021-2022 Meeting Schedule: Ms. Thuet noted that the Commission's meeting schedule for the next year is online.

2.3 Review Retreat Schedule: Ms. Thuet said the August retreat will be at the Sheraton in Park City. The photograph of the commission will be at the beginning of the retreat.

2.4 Review Schedule for October meeting in Moab: The October Commission meeting will be held in Moab. A luncheon will also be held, with lawyers from the 6th, 7th, and 8th Districts being invited.

3. Information Items

3.1 5th Division Commissioner Vacancy: Ms. Woods discussed the vacancy in the 5th Division.

She said that the newly elected 5th Division commissioner resigned due to her family moving out of state. Ms. Woods leaves a vacancy in the 5th Division due to becoming president-elect. She noted that there are a couple of options under the bylaws: a special election to fill the spot until the end of the year or appointing someone to fill the spot until the end of the year. There are pros and cons to both. She noted that the easiest thing to do would be to appoint Ms. Woods to the position for the remainder of the year. The October luncheon will be an opportunity to recruit other willing participants. If a person runs in the spring, they will have a normal term and this would save money on a special election. Michelle Quist moved to appoint Ms. Woods to the 5th Division for the year. Andrew Morse seconded: The motion carried.

3.2 Bar Representative on Judicial Council: Ms. Wright noted that Rob Rice is leaving the position of Bar Representative. Margaret Plane has expressed interest and members of the Judicial Council have expressed interest in Ms. Plane taking the position. Ms. Sylvester noted the commitment involved and joined the expressions of support for Ms. Plane taking the position. Mart Moore moved to appoint Ms. Plane to Bar Representative on the Judicial Council. Heather Thuet seconded. The motion carried.

3.3 Bar Representative on Court's Innovation Committees: Ms. Farnsworth explained that the Court's Innovation Committee consists of two committees: the executive committee and the general committee. Kate Conyers sits on the general committee and Ms. Farnsworth sits on the executive committee. Ms. Farnsworth noted the time-intensive nature of the Executive Committee. Ms. Farnsworth has agreed to stay on the executive committee as past-president. Ms. Thuet explained that she had some discomfort in the past about having a member of Bar Commission's executive committee involved in the Sandbox. She said she has a little more comfort now but would like to establish a tradition of the immediate past-president sitting on the Innovation executive committee, with a Bar commissioner or designee sitting on the general committee. Shawn Newell is also involved already. Ms. Farnsworth will reach out to Kate Conyers about staying on. Others also noted that Erik Christiansen may be interested in serving and would be a great addition. Michelle Quist moved to adopt the new tradition and Ms. Mancuso-Smith seconded. The motion carried.

3.4 October 23rd Event to Celebrate Diploma Privilege Pro Bono Hours: Ms. Farnsworth noted that local law graduates who took advantage of the diploma privilege program last year donated over 3,000 hours of pro bono service. A celebration of their contributions will be held on October 23rd, which is a Saturday.

4. Action Items

4.1 Repeal Rule 14-209 Bar Foundation membership. Ms. Sylvester explained that Rule 14-209 provides that members of the Utah State Bar are also automatically members of the Utah Bar Foundation. Ms. Sylvester recommended repeal of the rule since, in practice, it was not meaningful and only created confusion about the relationship between the Utah State Bar and the Utah Bar Foundation. Marty Moore moved to recommend repeal to the Utah Supreme Court and Michelle Quist seconded. The motion carried.

4.2 Reappoint Sam Alba to serve as the Bar's Rep on the Utah State Elected Official and Judicial Compensation Commission: Ms. Farnsworth recommended that Judge Sam Alba (retired) stay on the Utah State Elected Official and Judicial Compensation Commission. Mr. Morse noted the progress that had been made already said this would be a good year to put the Bar's weight behind these efforts. He also noted that Judge Alba had served well in the position. Andrew Morse moved to accept Ms. Farnsworth's recommendation. Marty Moore seconded. The motion carried.

5. Commission reorganization

5.1 Welcome New Bar Commissioners:

5.2 Appoint *ex officio* members For Action:

- Mr. Moore introduced Tonya Wright. Ms. Wright has been a paralegal for 10 years in Mr. Moore's office and is a newly licensed paralegal practitioner (LPP). She has served as chair of the Paralegal Section. She noted that there are 13 LPP's now. 4 applicants are waiting on national boards and 3 are taking the exam next month.
- Beth Kennedy is president of Women Lawyers of Utah (WLU). Kim Neville will be the *ex officio* member representing WLU moving forward.
- In August, will finalize other list.

5.3 Appoint Executive Committee For Action.

Ms. Thuet moved to have Heather Farnsworth, Katie Woods, Chrystal Mancuso-Smith, Mark Morris, Marty Moore, Shawn Newell, and Ms. Thuet herself comprise the Commission's Executive Committee. Katie Woods seconded. The motion carried.

5.4 Adopt resolution on bank signatures For Action:

Ms. Wright explained that the Commission should approve giving the Executive Committee authority to sign checks over \$1000 in the event that Ms. Wright or Ms. Thuet are not available. Andrew Morse moved to give this authority to the Executive Committee. Michelle Quist seconded. The motion carried.

6. Recognize retiring commissioners.

Ms. Farnsworth asked that the Commission recognize Tom Seiler and Mark Pugsley for their service to the Bar. She noted that Katie Woods was planning on retiring from the 5th Division but is now staying on both as president-elect and as the 5th Division representative (albeit temporarily for the latter). She noted the same of Margaret Plane with her appointment as the Bar representative to the Judicial Council. The Commission then recognized Heather Farnsworth for her service as Bar president and Richard Dibblee for his 30 years of service as Associate Director for the Bar. Ms. Farnsworth and Mr. Dibblee were awarded gifts from the Commission and Mr. Dibblee was awarded a resolution from the Commission and Bar staff.

7. Adjourn.

The Commission adjourned at 2:45 p.m.