

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

**JULY 29, 2015**

**SUN VALLEY, IDAHO**

**In Attendance:** President James D. Gilson, President-elect Angelina Tsu; Commissioners: Steven Burt, H. Dickson Burton, Kenyon Dove, Mary Kay Griffin, Heather Farnsworth, John Lund, Janise Macanas, Herm Olsen, Rob Rice and by phone and later in person Susanne Gustin.

**Ex-Officio Members:** Dean Robert Adler, Heather Allen, Katherine Judd, Susan Motschieder, Jesse Nix, Margaret Plane, Dean James Rasband and Lawrence Stevens

**Not in Attendance:** Honorable Mike Leavitt and Tom Seiler. Ex-Officio Members: Nate Alder and Curtis Jensen. Assistant Executive Director Richard Dibblee,

**Also in Attendance:** Kate Conyers, Liisa Hancock, Michelle Mumford and Katie Woods. Executive Director John C. Baldwin, General Counsel Elizabeth A. Wright, Sean Toomey, Utah State Bar Communications Director.

**Minutes: 1:15 p.m. start**

**1. President's Report:**

1.1. **Welcome and Review Schedule.** Jim Gilson welcomed the newly elected Commissioners Kate Conyers, Liisa Hancock, Michelle Mumford and Katie Woods.

**New Item:** Access to Justice Coordinator Michelle Harvey gave an overview of all the programs under the umbrella of her office. She also provided a handout with a description of each program.

**2. Action Items:**

**2.1 Approve 2015-2016 Final Budget.**

**John Lund moved that the Commission approve the 2015-2016 budget with the understanding that it can be amended later if needed. H. Dickson Burton seconded the motion which passed unopposed.**

**2.2 Approve Admissions Rule Changes.**

Elizabeth Wright explained that the Court made changes to the proposed admissions rules the Commission approved at its December 5, 2014 meeting. Notably, the Court added a rule under which applicants who have passed the Bar or been admitted by motion can be sworn in by a District Court Judge before the swearing in ceremony. This will allow solo

practitioners and others to begin practicing without having to wait a month or more for the ceremony to take place. **Dickson Burton moved that the Commission approve the Court's changes to the proposed admissions rules. Rob Rice seconded the motion which passed with none opposed.**

### **3. Discussion Items:**

**3.1 Futures Commission Report: John Lund.** John Lund provided a handout outlining the Futures Commission recommendations and described them to the Commission. The recommendations are: 1. Make lawyers more available and accessible; 2. Better educate and train law students about how to run a business; 3. Keep improving judicial case management; 4. Take control of technology; and 5. Support reestablishment of the Court's Access to Justice Commission. The Commission discussed the importance of the report and the need to act on the recommendations.

**3.2 AAA Task Force Report: Angelina Tsu and Rob Rice.** Rob explained that the AAA Task Force's purpose is to increase legal services to the middle class by utilizing the skills of unemployed or under employed lawyers. Goal is to have a short-term component that can be implemented by January 1, 2016. The Task Force has 5 specific areas of focus. Angelina noted how well the work of the AAA Task Force dovetails with the work of the Futures Commission.

**3.3 NLTP Review Committee Report: Kenyon Dove.** Kenyon reported that the review committee determined the NLTP is still meeting its goals as set forth in the original petition to the Court to establish the program. The committee also found that the program is financially self-sustaining and valuable to the new lawyers. The committee proposed some suggestions for improving the program having mostly to do promotion of the program and with keeping mentors enthused and engaged.

**3.4 Budget and Finance Review Committee Report: Margaret Plane.** Margaret reported that the committee looked closely at the budget except as it relates to programs subject to other reviews. They also did not examine employee compensation because they are not compensation experts. Overall, the committee determined that Bar is spending its money wisely. The committee did recommend that the Commission examine the cost of the admissions ceremony and the cost of printing and mailing the Bar Journal. They also recommend that sections be required to roll their funds back into the general fund if they are not spent after a certain amount of time.

**3.5 OPC Review Committee Report: Larry Stevens.** Larry reported that the committee's report is not completed because of an issue with obtaining access to confidential records. Committee members Tim Shea, Larry Stevens and Susanne Gustin reported that in an effort to resolve the access to confidential records, the Review Committee found that the rules governing OPC are not as clear as they could be. The Commission discussed the possibility of reviewing and amending OPC rules. Margaret Plane pointed out that the ABA has a committee tasked with assisting bars in conducting such rule reviews. The Commission discussed the fact that the Review Committee should not rush its report to

meet a deadline, but rather should take the all the time necessary to conduct a complete review.

**3.6 Convention Review Committee Report: Dickson Burton.** Dickson reported that the committee will not be able to make a report until the figures for the Summer 2015 convention are available.

#### **4. Commission Reorganization:**

##### **4.1 Welcome New Commissioners.**

##### **4.2 Appoint Ex Officio Members.**

**Heather Farnsworth** moved to appoint the following *ex officio* members for the 2015-2016 year: the Immediate Past Bar President **James Gilson**; the Bar's Representatives to the ABA House of Delegates **Larry Stevens**; Utah's ABA Members' Representatives to the ABA House of Delegates **Nate Alder and Margaret Plane**; the Utah Minority Bar Association Representative **Melinda Bowen**; the Women Lawyers of Utah Representative **Susan Motschieder**; the Paralegal Division Representative **Heather Allen**; the J. Reuben Clark Law School Dean **James Rasband**; the S.J. Quinney College of Law Dean **Robert Adler**; and the Young Lawyers Division Representative **Chris Wharton**. **Dickson Burton seconded the motion which passed with none opposed.**

##### **4.3 Approve Executive Committee.**

**Kenyon Dove** moved to appoint the following Executive Committee members for 2015-2016: **Angelina Tsu, H. Dickson Burton, Margaret Plane, Herm Olsen, Heather Farnsworth, and Rob Rice**. **John Lund seconded the motion which passed unopposed.**

##### **4.4 Adopt Resolution on Bank Signatures.**

**Mary Kay Griffin** moved to approve members of the Executive Committee to serve as signatories on the Bar's checking accounts for 2015-2016. **Susanne Gustin seconded the motion which passed unopposed.**

##### **4.5 Review 2015-2016 Meeting Schedule and Retreat Information.**

**4.6 Sign Conflict of Interest Disclosures.** Commissioners were asked to sign conflict of interest disclosures and return them to Elizabeth Wright ASAP.

#### **HANDOUTS DISTRIBUTED AT MEETING:**

1. Access to Justice Handout
2. Futures Commission Report
3. Budget and Finance Review Committee Report

**ADJOURNED:** 4:45 p.m.

**CONSENT AGENDA:**

1. Approve Minutes of June 12, 2015 Commission Meeting.