

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

**MAY 1, 2015**

**MARRIOT CITY CREEK  
SALT LAKE CITY, UTAH**

**In Attendance:** President James D. Gilson, Commissioners: Steven Burt, H. Dickson Burton, Kenyon Dove, Heather Farnsworth, Mary Kay Griffin, Susanne Gustin, Hon. Michael Leavitt, John Lund and Rob Rice. (President-elect Angelina Tsu attended by telephone only for the item 3.2 discussion of Legal Access for Middle Class Committee.)

**Ex-Officio Members:** Nate Alder, Dean Robert Adler, Heather Allen, Curtis Jensen, Aida Neimarlija, Jesse Nix, Margaret Plane, Young Lawyers Representative Chris Wharton, and Supreme Court Liaison Tim Shea.

**Not in Attendance:** Janise Macanas, Herm Olsen and Tom Seiler. Ex-Officio Members: Katherine Judd, Dean James Rasband, Lawrence Stevens and Assistant Executive Director Richard Dibblee.

**Also in Attendance:** Executive Director John C. Baldwin, General Counsel Elizabeth A. Wright, Commissioner-elect Michelle Mumford, and Sean Toomey, Utah State Bar Communications Director.

**Minutes: 9:15 a.m. start**

**1. President's Report:**

- 1.1. **Report on Western States Bar Conference.** Jim Gilson and John Baldwin reported on the Western States Bar Conference that took place in Hawaii in March and the inherent value of meeting with other Bar leaders.
- 1.2. **Review Law Day Luncheon.** Young Lawyers President-elect Kyle Witherspoon encouraged Commissioners to attend the lunch and program at the Marriot immediately following the Commission Meeting.
- 1.3. **Report on Magna Carta Activities.** Jim Gilson summed up all of the Magna Carta activities and thanked all who made the events a success.
- 1.4. **Report on Meeting with Chief Justice Durrant.** Jim Gilson, Angelina Tsu and John Baldwin met with Justices Durrant and Lee. Tim Shea was also present. Among issues discussed, was Court's decision that the Committee established to study implantation of a LLLT program will be a Supreme Court Committee.

1.5. **Invitation to Jack Rabbit Bar.** This annual Bar meeting is for states that have Jack Rabbits. Utah is host this year. Commissioners were invited to attend on June 46-, 2015 in Park City.

## 2. Action Items:

2.1 **Reappointment of John Lund to Judicial Council.** After a discussion of John Lund's past efforts and value as the Bar Commission representative on the Judicial Council, **Mike Leavitt moved to re-appoint John Lund to serve as the Bar Commission representative on the Judicial Council. Susanne Gustin seconded the motion which passed unopposed.**

2.2 **Expand Fall Forum to Two Full Days.** Fall Forum 2015 Co-Chair Amy Fowler proposed that the Fall Forum be expanded to two full days. Historically the Fall Forum has been a one-day event. The Commission discussed the fact that the Fall Forum has become the best attended of the Bar's three conventions. The Bar also makes a small profit on the Fall Forum. There was a discussion of the cons of changing an event that is successful and the pros of using the Fall Forum's popularity to draw in a larger and more varied cross-section of Bar members. There was also a discussion of the budget considerations of almost doubling the cost of the event and whether or not there would be enough attendance to justify the added expense. Amy Fowler reported that the Co-chairs intend to seek sponsorships so they will not have to raise the registration fee. The Commission decided it did not have enough financial information to make an informed decision.

**Mike Leavitt** moved that the Commission be provided with financial information and, after reviewing the financial projections, have a telephonic meeting at 8:30 a.m. on May 15, 2015 to vote on whether or not to expand the Fall Forum to two full days. **John Lund seconded the motion which passed unopposed.**

## 4.Out of Order Information Items:

4.3 **Out of Order – Judicial Council: John Lund.** John Lund reported that the next Judicial Performance evaluation cycle begins this summer. The Council hopes to spread the word to the legal community about how the process works and the importance of the reviews. The Council intends to send a letter to all Bar members and have an article in the Bar Journal.

Council hopes to increase the salaries of Court Commissioners by 6%.

John reported that the Supreme Court Committee on Self-Represented Parties presented to the Judicial Council. John provided a handout with figures showing the large increase in self-represented parties from 2005 to 2014. John outlined the efforts the Committee is working on to increase legal assistance for self-represented people. The Commission noted the overlap of efforts on the part of the Bar and the Self-Represented Parties Committee and discussed ways to combine the efforts of the two.

### **3. Out of Order – Discussion Items**

**3.1 Convention and CLE Waiver.** There was not time to discuss this subject. It will be moved to the next agenda.

**3.2 Legal Access to Middle Class Committee.** Angelina Tsu participated by phone for this portion of the meeting. Rob Rice provided a handout describing the purpose, goals and structure of the Committee and sub-committees. Rob explained the Committee has been established to explore and act on providing legal services to the middle class. January 1, 2016 is the deadline for the Committee to have a plan of action. Rob Rice and Angelina Tsu will Co-Chair the Committee. Justice Durham will be the Judicial Liaison. There will be four sub-committees. Rob explained each of the four subcommittees. The sub-committees are: 1. Open Legal Concept, 2. Community Lawyering, 3. Legislative and 4. Law School. The Commission had a lengthy discussion about the goals and tasks for each sub-committee. Web information about affordable legal services was deemed very important. The Commission also noted the importance of getting the legislature involved including possible funding.

Commissioners were charged with providing Rob Rice with the names of potential committee members by Wednesday, May 6<sup>th</sup>.

### **4. Out of Order Information Items:**

**4.1 Meetings With Congressional Delegations.** Margaret Plane reported on the Utah American Bar Association Delegates' meetings with Utah's congressional delegation in Washington, D.C. Margaret and Paul Moxley attended. Among their goals was to encourage our congressmen to vote to fund legal services.

**4.2 Performance Review Committee Reports.** Reports are due the morning of July 17<sup>th</sup> and will be presented at the Commission Meeting on July 29, 2015 in Sun Valley.

**4.4 Pro Bono Hours on Licensing Form.** Commission unanimously voted to ask lawyers to voluntarily report pro bono hours on 2015-2016 licensing form.

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

1. Jack Rabbit Bar registration brochure.
2. Report of the Utah State Bar Lawyers' Fund for Client Protection.
3. Report on self-represented parties.
4. Affordable Legal Services Action Committee outline.

**ADJOURNED:** 11:55 p.m.

### **CONSENT AGENDA:**

1. Approve Minutes of March 12, 2015 Commission Meeting.
2. Bar Applicants for Admission.
3. 2015-2016 Client Security Fund Assessment.

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**MAY 15, 2015**

**TELEPHONIC MEETING**

**In Attendance:** President James D. Gilson and President-elect Angelina Tsu. Commissioners: H. Dickson Burton, Kenyon Dove, Heather Farnsworth, Susanne Gustin, Hon. Michael Leavitt, John Lund, Rob Rice, Tom Seiler and Ex Officio Member Curtis Jensen.

**Also in Attendance:** Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, General Counsel Elizabeth A. Wright, CLE Director Connie Howard and Fall Forum Committee Chair Gabe White.

**Minutes: 8:30 a.m. start**

The 2015 Fall Forum Committee would like to expand the Fall Forum to two full days. Gabe White explained the proposed budget and the benefits and reasons for adding an additional day to the convention. The Fall Forum is a very popular convention for solo and small firm lawyers who make up a large percentage of the Bar. A two day convention would give those members a larger convention with more quality CLE presenters. The Fall Forum Committee proposes to make up the added cost of a two day convention with \$40,000 in sponsorships from firms and vendors and by reducing the number of complimentary registrations.

The Commissioners discussed the budget considerations of the proposal. They also discussed the implications of sponsorship in exchange for CLE presentation opportunities.

Rob Rice, Dickson Burton and Kenyon Dove agreed to serve on the 2015 Fall Forum Committee in order to develop and implement guidelines for sponsorships.

**MOTION: Dickson Burton** moved that the 2015 Fall Forum be expanded to two full days subject to the condition that **Rob Rice, Kenyon Dove and Dickson Burton** work with the Fall Forum Committee to develop and implement guidelines for sponsorship and sponsors who provide CLEs. **Kenyon Dove seconded the motion which passed with Tom Seiler opposed.**

**HANDOUTS DISTRIBUTED BY EMAIL PRIOR TO MEETING:**

1. Proposed budget for two day 2015 Fall Forum
2. Financial report for 2014 Fall Forum

**ADJOURNED:** 9:20 p.m.