

**MINUTES OF THE SUPREME COURT'S
ADVISORY COMMITTEE ON THE RULES OF PROFESSIONAL CONDUCT**

November 18, 2019

The meeting commenced at 5:02 p.m.

Committee Members Attending:

Daniel Brough (via telephone)
Simón Cantarero, Chair
Hon. Michael Edwards
Hon. James Gardner
Steven G. Johnson (emeritus)
Joni Jones
Philip Lowry (via telephone)
Alyson Carter McAllister
Hon. Trent Nelson (emeritus) (via telephone)
Vanessa Ramos
Austin Riter (via telephone)
Gary Sackett (emeritus)
Cory Talbot
Katherine Venti
Billy Walker (via telephone)

Guests:

None

Members Excused:

Amy Oliver (jury duty)
Padma Veeru-Collings

Not Present

Adam Bondy
Tim Conde
Cristie Roach
Hon. Darold McDade

Staff:

Keisa Williams

Recording Secretary:

Jurhee Rice

Committee Webpage: <http://www.utcourts.gov/committees/RulesPC/>

I. Welcome and Approval of Minutes

Mr. Cantarero determined quorum and welcomed the committee.

Motion:

Mr. Talbot moved to approve the minutes from the September 16 meeting. Ms. Venti seconded the motion. The motion passed unanimously.

II. Rule 5.4: Report from Subcommittee

The Rule 5.4 subcommittee, chaired by Cory Talbot, believes that the amendments to Rule 5.4 may require an additional amendment to Rule 1.5(e). The Subcommittee feels that changes to Rule 5.4 is likely in anticipation to the implementation of the Sandbox but would not be applicable to those firms not changing their current practice. The Subcommittee would like to review Rule 1.5(e) regarding reasonable fees. The Subcommittee will meet and discuss concerns regarding Rule 5.4 with Justice Himonas. The Subcommittee will follow up at next meeting in February.

III. Rule 8.4 and 14-301: Review of Standard 3 and accompanying comment for internal consistency: discuss the use of “Rules” versus “Standards”

The subcommittee recommended that court personnel be added but removed venue as it is not necessary. The subcommittee will review Rule 8.4 and 14-301 to find uniformity and determine whether each numbered section should be called a standard. Subcommittee will follow up with update at next meeting in February.

IV. Rule 6.5: Review of Subcommittee Proposal

No meeting of subcommittee. Will table this review until next meeting.

Reconstitution of subcommittee to include: Hon. Michael Edwards, Phillip Lowry, Vanessa Ramos, Joni Jones, and Katherine Venti.

Hon. Michael Edwards will serve as chair for this subcommittee.

The subcommittee will meet and provide an update including proposals ready to vote on and ready to present to the Court at the next meeting in February.

V. Other business

None

VI. Scheduling of Future Meetings

February 03, 2020 at 5:00 p.m.

March 16, 2020 at 5:00 p.m.

VII. Adjournment

The meeting adjourned at 6:29 p.m.