

IN THE SUPREME COURT OF THE STATE OF UTAH

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Standing Order No. 16 (Amended)

(Authorizing a Housing Stability Legal Advocate Pilot Program)

Effective March 9, 2023 (Amended May 15, 2025)

Unstable housing is a significant component of the access to justice gap nationally and in Utah. People facing eviction and foreclosure often have significant barriers to getting legal help and face [major negative consequences](#) from these life events. The [community repercussions](#) of housing instability are also significant and lasting. Allowing additional trained providers to help vulnerable populations facing housing instability could be an impactful means to address the justice gap and its long-term impacts.

In November 2022, the Office of Legal Services Innovation (“Innovation Office”) received an application for admission to the legal regulatory sandbox from Innovation 4 Justice (“i4J”), an access-to-justice lab associated with both the University of Arizona and the University of Utah. i4J sought approval in the sandbox not as an organization providing legal services, but rather for a pilot of a certification program for educating, training, and certifying nonlawyers working within other community-based organizations (“CBOs”) as Housing Stability Legal Advocates (“HSLAs”). Under i4J’s Housing Stability Initiative, i4J will offer a free HSLA curriculum, and certify HSLAs who complete the curriculum with satisfactory scores. Upon completion of the i4J educational curriculum and training and assessment protocol, HSLAs will provide free, limited-scope legal advice about legal issues related to housing. i4J would continue to provide a supporting role for the participating CBOs, including availability for legal mentoring (answering questions that come up from the HSLAs) and assisting the CBOs with their regulatory compliance requirements.

The Legal Services Innovation Committee, which oversees the Innovation Office and makes recommendations to the Court on individual applications, determined that the posture of i4J’s application presented significant challenges within the sandbox model. However, the Committee, recognizing the importance of the need for legal help within this substantive area and the high potential access impacts of i4J’s pilot, asked the Court to consider authorization of the pilot by the Court directly with the requirement that individual CBOs seeking to offer legal services through i4J-certified HSLAs be authorized within the legal sandbox. This approach ensures that the Court can develop

data around the quality of the legal services provided by i4J's pilot, thereby providing the Court with an empirical basis on which to make future policy decisions on HSLA certification.

By issuing this Standing Order, the Court is not itself certifying any individual HSLA. It is, rather, ensuring that the HSLA providers i4J certifies and their CBO employers are given safe harbor from enforcement based on the unauthorized practice of law and that i4J is not targeted for aiding, abetting, or providing unauthorized practice of law itself. This safe harbor is contingent upon compliance with this Standing Order, the regulatory requirements of the Office of Legal Services Innovation, and all other applicable state and federal statutes and regulations.

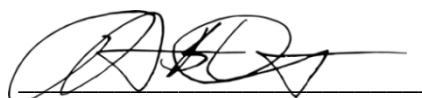
Therefore, in accordance with its plenary and exclusive authority and responsibility under article VIII, section 4 of the Utah Constitution to govern the practice of law, the Utah Supreme Court orders that:

1. The Housing Stability Legal Advocate Initiative of Innovation 4 Justice ("i4J"), an access-to-justice lab associated with both the University of Arizona and the University of Utah, is hereby established as a pilot initiative.
2. i4J is authorized to partner with Utah community-based organizations ("CBOs") to train and certify select CBO staff as Housing Stability Legal Advocates ("HSLAs") to provide free limited legal advice related to housing issues across the following four activities:
 - a. Issue spotting for housing stability issues at CBO client intake:
 - i. identifying housing legal issues and alerting clients to them;
 - ii. providing legal advice related to identified housing legal issues.
 - b. Providing legal advice and assistance with identified housing issues:
 - i. assisting tenants with responding to and completing legal forms; advising clients on housing-related legal issues, including the civil legal process and timelines;
 - ii. screening for legal defenses;
 - iii. assisting in negotiations to reach solutions;
 - iv. providing legal advice and assistance in preparation for court
 - v. assisting clients in court as outlined in [rule 14-810 of the Utah Supreme Court Rules of Professional Practice](#).
 - c. Providing legal advice and assistance with post-judgment procedures:
 - i. identifying whether there is cause for a post-judgment challenge,

- ii. advising tenants about post-judgment consequences such as garnishments or liens,
 - iii. assisting tenants with removing evictions from credit or housing reports.
- d. Providing legal advice and assistance related to other state and federal assistance programs:
 - i. identifying fair housing issues that may enable people to find replacement housing post-eviction.
- 3. HSLAs' authorization by this order is subject to any otherwise existing federal or state statutes, rules, or regulations.
- 4. i4J will only certify HSLAs who meet the educational and/or experiential, training, and assessment requirements set forth in its proposal (see Appendix A). If i4J wishes to make any material changes to the Housing Stability Initiative, whether to the educational, experiential, training, and assessment requirements, to the authorized legal activities or to substantive legal areas, i4J must notify the Court.
- 5. i4J will keep a current list of all certified HSLAs and contact information and will provide it to the Court if requested.
- 6. An individual who has been suspended from practicing law or disbarred by the highest court in any state or who has been denied admission to the practice of law in Utah whether as a lawyer or as a Licensed Paralegal Practitioner is not eligible to participate in this pilot program.
- 7. HSLAs certified by i4J must work within CBOs authorized by the Court within the legal regulatory sandbox and overseen by the Office of Legal Services Innovation. CBOs within the Housing Stability Initiative must independently apply for authorization within the legal regulatory sandbox.
- 8. i4J will be required to alert the Office as soon as possible should it learn of any significant consumer harm or other material compliance issues related to any HSLA or CBO within the Housing Stability Initiative.
- 9. Unless otherwise ordered by the Court, the safe harbor offered by this Order to HSLAs expires upon the occurrence of any of the following:
 - a. Termination of the Housing Stability Initiative authorized by this Order, whether by the Court or by i4J;
 - b. The HSLA leaving employment from an authorized CBO;

- c. Termination of the employer CBO from the sandbox.

DATED this 15th day of May, 2025

A handwritten signature in black ink, appearing to read 'MBD', is written over a horizontal line.

Matthew B. Durrant
Chief Justice
Utah Supreme Court