

**PARALEGAL PRACTITIONER  
STEERING COMMITTEE  
MEETING**

**Minutes  
Thursday, August 18, 2016  
Executive Dining Room  
Matheson Courthouse  
Salt Lake City, Utah**

**Judge Kate Toomey, Presiding**

**ATTENDEES:**

Jacqueline Morrison for Dean Robert W. Adler  
John Baldwin  
Allison Belnap  
Adam Caldwell (by phone)  
Terry Conaway  
Sue Crismon  
James Deans  
Julie Emery  
Dixie Jackson  
Jim Jardine

**STAFF:**

James Ishida  
Jody Gonzales  
Rick Schwermer

**GUESTS:**

Emy Cordano

**ATTENDEES:**

Comm. Kim Luhn  
Daniel O'Bannon  
Rob Rice  
Judge Kate Toomey  
Senator Stephen Urquhart  
Elizabeth Wright

**EXCUSED:**

Justice Deno Himonas  
Dean Robert W. Adler  
Thomas Clarke  
Judge Royal Hansen  
Scott Jensen  
Steven Johnson  
Ellen Maycock  
Monte Sleight

**1. WELCOME AND APPROVAL OF MINUTES: (Judge Royal Hansen)**

Judge Toomey welcomed everyone to the meeting. She mentioned that Adam Caldwell joined the meeting by phone and other members of the committee may join later.

She welcomed Mr. James Ishida, the new Appellate Court Administrator to the meeting.

Mr. Ishida provided his background and work experience.

Judge Toomey reported that Ms. Mary Jane Ciccarello has resigned as a committee member, but she will assist the committee on an ad hoc basis. She welcomed Ms. Emy Cordano, a solo practitioner, to the meeting.

**Motion:** Ms. Jackson moved to approve the June 16 committee minutes as amended. Mr. Rice seconded the motion, and it passed unanimously.

## **2. SUBCOMMITTEE UPDATES:**

### **Admissions and Administration Subcommittee:**

Mr. Rice highlighted the following relative to the Admissions and Administration Subcommittee's work:

Mr. Rice asked for clarification as to who will approve the recommendations prepared by the subcommittees. Judge Toomey noted that she thought that approval of subcommittee recommendations would be made by the steering committee as a whole, but she would like to get clarification from Justice Himonas and Judge Hansen at the next meeting.

- Review and revisions are taking place in the following areas: 1) character and fitness, 2) admissions rules, and 3) grandfathering rules.
- Bar Commission policy issues being addressed by the Admissions and Administration Committee: 1) will the licensed paralegal practitioners be able to take advantage of the Blomquist Hale Employee Assistance Program, 2) will the licensed paralegal practitioners be able to adopt contingency fee arrangements with their clients, and 3) will the licensed paralegal practitioners be able to participate in the licensed lawyer referral website.

Mr. Rice noted that the Bar will consider these policy issues at their next Bar Commission meeting.

Follow-up took place as to whether anyone from the steering committee discussed the matter of requesting the Honors College of the Eccles School of Business to create a capstone course, practice lab, or some type of senior project to conduct market research on behalf of the steering committee with Mr. Brent Johnson, the courts general counsel. It was unknown if this discussion has taken place.

Discussion took place.

### **Education Subcommittee:**

Dean Allison Belnap highlighted the following relative to the Education Subcommittee's work regarding their recommendations for exemption provisions of the education requirements:

- A paralegal with an associate's degree in any field of study who has been working as a paralegal for seven out of the last ten years will be exempted from the prior education requirements. The applicant who has worked as a paralegal for seven out of the ten years will have two years from the start of the licensed paralegal practitioner program to apply for exemption of the education requirements. Once the applicant has been granted a waiver, they will have two years to complete their remaining licensure requirements.

Dean Belnap provided a response to the subcommittee's reasoning for limiting the time to apply for exemption of the educational requirements by the paralegals.

- The juris doctorate applicants would be exempted from passing the NALA or NALS exam. Paralegal applicants who have not taken the NALA or NALS exam prior to licensure, would be required to sit for the exam.
- Internships in paralegal study programs, law school internships, clinical programs and clerkships count toward the requirement for 1500 hours of experience. Paralegal applicants who have received an exemption for the education requirement will automatically meet the majority of the requirement of 1500 hours of experience through their work as a paralegal for seven out of the last ten years. However, all applicants must complete 500 hours in the relevant specialty area to be licensed.
- The juris doctorate applicants would be exempted from receiving the required three credits in professional ethics as required of the licensed paralegal practitioner, but it is recommended to pass the licensing exam.
- The juris doctorate applicants would be exempted from receiving the required five credits of specialized instruction in each specialty area as required of the licensed paralegal practitioner, but it is recommended to pass the licensing exam.

Dean Belnap noted that the learning objectives for the specific core areas are still to be finalized.

Consideration of the appropriate format for offering the course information was discussed—formal semester courses, seminar type courses or workshop type courses.

- No exemptions are being recommended relative to passing the appropriate licensing exams.

Clarification was provided on the type of accreditation (regional accreditation) for the schools providing the program coursework.

The question was asked regarding out-of-state applicants who move to Utah and miss the exemption period. Dean Belnap mentioned that the subcommittee will need to discuss the matter further and determine the best course of action.

Discussion took place throughout.

### **Ethics and Discipline Subcommittee:**

Judge Toomey highlighted the following relative to the Ethics and Discipline Subcommittee's work:

- The Ethics and Discipline Subcommittee continued making line-by-line revisions to the appropriate rules.
- The Ethics and Discipline Subcommittee requested feedback from members of the steering committee on whether the licensed paralegal practitioner in their role as being authorized to use court-approved forms to help court patrons with domestic relations matters, will that include helping a minor petition for a protective order.

Discussion took place.

**Executive Subcommittee:**

Judge Toomey noted that feedback on the Executive Subcommittee's work was included in the meeting materials.

She highlighted Dr. Clarke's report on the activities of the Washington State Supreme Court regarding their LTTT Program.

Discussion took place.

A suggestion was made to set up the licensed paralegal practitioner courses as continuing education courses rather than semester type courses.

**3. OTHER BUSINESS**

No new business was brought up at this time.

**4. ADJOURN**

The meeting was adjourned.