

AGENDA

Licensed Paralegal Practitioner Committee

November 5, 2019
 12:00 p.m. – 1:30 p.m.
 Scott M. Matheson Courthouse
 Court of Appeals Conference Room, 5th Floor
 450 S. State Street
 Salt Lake City, UT. 84111

Welcome and introductions ACTION —Approval of draft meeting minutes October 17, 2019	Tab 1	Justice Deno Himonas
ACTION —Utah Rules of Civil Procedure Rule 86(c)	Tab 2	Justice Deno Himonas, Larissa Lee
DISCUSSION —Update from Bar (malpractice, IOLTA, NLTP-lite)		Elizabeth Wright, Carrie Boren, Matthew Page
DISCUSSION —Continuing education		Monte Sleight
DISCUSSION —Evaluation Project (cont'd)		Anna Carpenter (Guest)

Committee Webpage: <https://www.utcourts.gov/utc/limited-legal/>

Meeting schedule:

November 26, 2019
 December 17, 2019
 January 21, 2020
 February 18, 2020
 March 17, 2020
 April 21, 2020
 May 19, 2020
 June 16, 2020
 July 21, 2020
 August 18, 2020
 September 15, 2020
 October 20, 2020
 November 17, 2020
 December 15, 2020

Tab 1

**Licensed Paralegal Practitioner
Steering Committee
Meeting Minutes (DRAFT)**

**October 17, 2019
Council Room
Matheson Courthouse
450 S. State St.
Salt Lake City, Utah 84111
12:00 p.m. – 2:00 p.m.**

Justice Deno Himonas, Presiding

Attendees:

Justice Deno Himonas, Co-Chair
Judge Amber Mettler, Co-Chair
Carrie Boren
Elizabeth Wright
Heather Farnsworth (by phone)
Julie Emery
Monte Sleight

Excused:

Matthew Page
Steve Johnson
Ashley Mendoza

Staff:

Larissa Lee
Nancy Sylvester
Marina Kelaidis, Recording Secretary

Guests:

Anna Carpenter, Director of Clinical Programs at SJ Quinney College of Law

1. **Welcome and introductions:** (Justice Himonas)

Justice Deno Himonas welcomed everyone to the meeting. All of those present introduced themselves and their role within the committee.

2. **Discussion—Role of newly formed working group and timing of meetings:** (Justice Himonas)

Justice Himonas reported on the first cohort of LPPs who were licensed and sworn in on October 15, 2019. Justice Himonas gave a brief overview of the LPP Steering Committee and what the focus of this group will be moving forward, including: providing support to

the participants of the program, growing the program, and making adjustments to the program as it moves forward.

3. **Discussion—Update from the Bar on admissions:** (Carrie Boren)

Carrie Boren reported six new LPP applications awaiting review and will likely receive more before the application deadline at the end of October. Ms. Boren reported a recent increase in interest in the program.

Ms. Boren reported that the newly licensed LPPs have asked about developing a mentorship program for upcoming LPPs. Justice Himonas reported that he has also received interest from current attorneys in mentoring LPPs. Ms. Boren proposed to have the committee design an LPP training program similar to but smaller in scope than the New Lawyer Training Program currently offered by the Bar for new attorneys.

Ms. Wright has been reviewing malpractice insurance opportunities for LPPs and will follow up with a contact. The Bar is also reaching out to banks regarding IOLTA accounts for LPPs.

4. **Discussion—Update on outreach/marketing and advertising:** (Justice Deno Himonas)

Justice Himonas discussed the committee's need to focus on marketing. Thus far, marketing of LPPs and their services has been achieved through publicizing the rules and the rulemaking process, multiple speaking engagements, meetings, and word of mouth. The Bar has spent only negligible funds in marketing LPPs. Monte Sleight proposed having the Bar create a report on program spending in the interest of transparency.

The committee wants to expand the education and marketing beyond the initial audience of attorneys and paralegals and onto the general public as potential clients. Elizabeth Wright reported that the Bar is developing a marketing plan aimed at potential LPPs and potential clients, including possibly sending targeted mailings to all nationally registered paralegals in the state.

Ms. Wright reported on the ways in which LPPs can be researched and contacted by potential clients via the Bar's website and search directory. The Bar's website will include information on LPPs including practice areas and services.

Julie Emery reported that 3 of the 4 newly licensed LPPs are currently working at law firms and these law firms are also marketing their LPPs on their own websites.

5. **Discussion—Update on current students:** (Monte Sleight)

Mr. Sleight reported there were initially 13 students signed up. He does not know whether UVU has started marketing for the next course. Mr. Sleight proposed reaching out to the continuing education departments at some Utah universities for continuing education courses for LPPs. Mr. Sleight will write a proposal and meet with Southern Utah University.

6. **Discussion—Report on evaluation project:** (Anna Carpenter)

Anna Carpenter presented a proposed study to evaluate the LPP program. Ms. Carpenter and her research partner Alyx Mark envision this to be a longitudinal study that will be unique to Utah and this LPP program. The study will primarily focus on access to data, business models, and case outcomes. The target audience of the study will be the LPP Steering Committee, licensed LPPs, and states outside of Utah.

The committee approved Ms. Carpenter’s research proposal. Justice Himonas advised Ms. Carpenter to contact and interview each committee member depending on various research subjects and data goals moving forward.

7. **Other Business:**

Justice Himonas proposed adding a current LPP as a member to this standing committee. This LPP would need to attend each committee meeting and be an active participant. No members of the committee opposed and the proposition was approved unanimously.

8. **Adjournment and next meeting**

The meeting adjourned at 1:10 p.m. The next meeting will be held on November 5, 2019.

Tab 2

1 **Rule 86. Licensed Paralegal Practitioners.**

2 **(a) Application of the Rules of Civil Procedure to licensed paralegal practitioners.** To the extent
3 consistent with their limited license, licensed paralegal practitioners must be treated in the same manner
4 as attorneys for purposes of interpreting and implementing these rules. If a rule permits or requires an
5 attorney to sign or file a document, a licensed paralegal practitioner may do so only if there is an
6 applicable court-approved form available and the practice is consistent with the scope of the licensed
7 paralegal practitioner's license.

8 **(b) Terms "attorney" and "counsel."** Throughout these rules, where the terms "attorney," "lawyer,"
9 and "counsel" are used, they refer to legal professionals. Legal professionals include licensed paralegal
10 practitioners in the practice areas for which licensed paralegal practitioners are authorized to practice.
11 Those practice areas are set forth in [Utah Special Practice Rule 14-802](#) unless specifically carved out in
12 this rule.

13 **(c) Papers served under Rule 5.** If a party is represented by a licensed paralegal practitioner, a
14 paper served under [Rule 5](#) must be served upon both the party and the licensed paralegal practitioner.

15 **(d) Disclosures under Rules 26, 26.1, and 26.3.** Licensed paralegal practitioners are permitted to
16 prepare and serve initial, supplemental, and pretrial disclosures under [Rules 26](#), [26.1](#), and [26.3](#).

17 **(e) Licensed paralegal fees.** Where these rules refer to attorney fees, they also mean licensed
18 paralegal practitioner fees. Under [Rule 73](#), licensed paralegal practitioners may recover fees with a
19 supporting affidavit. Rule 73(f)(1)-(3) does not apply to licensed paralegal practitioners.

20 **(f) Limited appearance.** Under [Rule 75](#), a licensed paralegal practitioner whose agreement with a
21 party is limited to the preparation, but not the filing, of a pleading or other paper is not required to enter an
22 appearance.

23

Return of Electronic Notification

Recipients

MANGIE MOOSE - Notification received on 2019-10-18 09:09:17.79.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

NOTICE OF ELECTRONIC FILING [NEF]

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A filing has been submitted to the court RE: 190000051
Case Title: SCHMOE, JOE vs. WHITE, BETTY, et al.
Judge: JUDGE PENNY
Commissioner:
Official File Stamp: 10-18-2019 09:09:04
Court: ALBERTA - SALT LAKE
District
SLC test efilng
Document(s) Submitted: Civil Bench Warrant (Proposed) to test multiple parties
Filed by or in behalf of: MANGIE MOOSE

This notice was automatically generated by the courts auto-notification system.

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The following people were served electronically:

MANGIE MOOSE for JOE SCHMOE

The following people have not been served electronically by the Court. Therefore, if service is required, they must be served by traditional means:

SNOW WHITE

SHAUN WHITE

BETTY WHITE