

# Licensed Paralegal Practitioner Steering Committee

## Meeting Minutes

August 16, 2022

Zoom Meeting

4:00 p.m. – 5:00 p.m.

*Judge Mettler, presiding*

### Attendees:

Judge Amber Mettler  
Matthew Page  
Scott Hill  
Nancy Sylvester  
Monte Sleight  
Jacqueline Morrison  
Tonya Wright  
Carolyn Clark  
Matthew Page  
Leslie Staples

**Staff:** A.J. Torres, Utah State Bar

Chairperson Judge Amber Mettler called the meeting to order at 4:04 p.m.

1. **Action—Welcome and approval of the draft meeting minutes:** *(Judge Mettler)*

*Judge Mettler welcomed everyone to the meeting and asked for approval of the minutes.*

*Jacqueline Morrison moved to approve the minutes. Seconded by Tonya Wright. Minutes approved.*

2. **LPPs on current casework and projects.**

*All LPPs in attendance acknowledged they were still very busy.*

*Alex and Anna Carpenter are presenting at the October 18<sup>th</sup> meeting about the white paper they are working on; they should have a draft before the meeting; they will provide it in advance and present/answer questions at the October meeting*

3. **Discussion—Update from LPP Innovation Subcommittee.** *(A.J. Torres)*

*Tonya – discussion on Rule 2.4: Rule 2.4 allows for an attorney, to act as mediator – attorney does not represent either one; sign waiver at the beginning of mediation; able to resolve differences; attorney prepared a stipulation for them and they agreed to allow the*

*attorney/mediator to draft their documents and file with the Court – efile; provide service by flat fee; mediators name is at the top; pro se parties*

*Wants to explore allowing LPPs to do it, but protect the profession; there is a mediator training programs that attorneys are required to take to be on the court's roster*

*Nancy – LPPs now can be mediators since anyone can be a mediator; generally wanting to be able to prepare/file documents that attorneys are allowed to file pursuant to Rule 2.4 draft/file documents with the Court on behalf of the pro se parties*

*Carolyn – agrees that it would be helpful if LPPs could do this*

*Tonya – mediator training course was great, and provided a lot of information – perhaps that could be required*

*Scotti – also heard feedback and had attorneys asking if LPPs could do it; would training be after the LPP exam?*

*Carolyn: does not matter the order that it is done*

*Tonya: lots of things you have to do to stay on the roster each year*

*Judge Mettler: she likes the idea and thinks it would be good*

*Nancy: may be an update to 2.4, but may be an update to the Rules of Professional Conduct 14-802; happy to chat with anyone about the possible changes and how to be effectuate the change*

*Discussion where it would best fit in Rule 2.4 or the Utah Rules of Professional Conduct*

*Nancy: not sure this is not allowed, but wants to dig into it to ensure that no rules are being violated; will take a closer look to ensure we are not overlooking something*

*Carolyn: believes everyone would have the requirement to take the course; but will leave it up to the Committees discretion*

*Discussion on ethics/ethics courses and requirements*

*Judge Mettler: do we need to update the Supreme Court*

*Nancy: could give an update, if giving an update anyway; this is a clear access to justice tool; does not see a prohibition; start advertising and let people start pushing back; let LPPs start doing it*

*Consensus that LPPs are allowed to mediate and draft/file settlement agreements/final divorce documents on behalf of pro se parties*

*\*\*\*\**

*AJ: 14.802 change has been submitted to the Supreme Court; submitted timely for 8/24<sup>th</sup> hearing; could be pushed to September 21<sup>st</sup>; he will let us know*

#### **4. Discussion—Update from Bar. (Matthew Page)**

*Matt: wanted to chat about how famous AJ is getting; article in the Denver Post quoting AJ about the LPP program; interviewed today by NBC; people are watching what we are doing; been fortunate to have the support of the Supreme Court – other states do not have that piece; continue to work about driving people to become LPPS; not a lot of impetus to try and get more clients; focus is trying to get people to enter into the program; that is the focus for the marketing; wants to get the word out about how good the Utah program is, how well it is working, and how well it is received; a lot of interest out there on what we are doing*

*Nancy: California is struggling because Supreme Court and legislature divide responsibilities to govern law; difficult to advocate for an LPP program*

*Matt: started billboard rotation in the 5th and 6th districts; encouraging people to look into the LPP program as a career; 1st month ends in a week and he will share the results with this committee*

*Judge Mettler: asked if anyone had an update on the access to justice*

*Discussion what is happening with the IAJ*

*Nancy: access to justice is the argument for mid-level providers; does not solve every issue, but does solve some*

*AJ: amendments and corrections to 15-703; did not include unapproved law school*

*Nancy: ABA unapproved, but state approved – allowed to go through and take mini bar exam, then take full bar exam; small percentage graduate and smaller percentage actually graduate from the bar; CA recognizes it and very few would qualify although education is good and similar to what they would get in regular school*

*Discussion about changes to 15-703*

*Judge Mettler: Definition of “unapproved law school”*

*Discussion that the definition is already in 15-701*

*Discussion on subparagraph (d) applying to applicants who did not graduate from law school/un approved law school, but need credit; need to clarify the language so it is clear it applies to those that have not graduated*

*Tonya motioned to approve concept with some minor language tweaks; Matt seconded the motion; no one opposed*

5. **Discussion—Update on rural outreach:** *(Steve Johnson)*

*No updates on the Rural Outreach*

6. **Discussion—Update on outreach efforts:** *(Monte Sleight)*

*No updates on outreach efforts*

7. **Discussion - Other Business:**

*Tonya: where are we with expungements and low level probate?*

*AJ: probably need a subcommittee*

*Judge Mettler: thinks we need a subcommittee or maybe a CLE to discuss expungements; now have automatic expungements that may take up some of the expungement work*

*Education subcommittee going to meet and chat about changes to 14.802; can also discuss expungements and low level probate*

8. **Adjournment and next meeting:**

*The meeting adjourned at 4:49 p.m. The next meeting will be held on September 20, 2022, at 4:00 p.m. - 5:00 p.m. via Zoom. Judge Mettler will be absent and someone will need to chair in her spot.*