

LPP Steering Committee

AGENDA

September 19, 2023

4:00 p.m.–5:00 p.m.

Via Zoom

<https://us02web.zoom.us/j/89236569981?pwd=REMvdjViNGZtMzIwdXQ4WUljN3NxZz09>

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| Item 1 | Announcements: <ul style="list-style-type: none">A. Welcome New Committee Members:<ul style="list-style-type: none">▪ Anastasia Boyko, S.J. Quinney▪ Brooke Byall, LPPB. Jackie Morrison is new chair of Innovation Subcommittee | | |
| Item 2 | Action —Approval of draft meeting minutes August 15, 2023. | TAB 1 | Judge Amber Mettler |
| Item 3 | Discussion —Need nomination for an LPP Representative on the Office of Legal Services Innovation (LSI), aka the “Sandbox” | | Judge Amber Mettler |
| Item 4 | Discussion — Second Annual Legal Paraprofessional Summit at University of Arizona in Tucson. February 9, 2024. | | Judge Amber Mettler |
| Item 5 | Discussion/Action <ul style="list-style-type: none">▪ Vote on Committee member candidate Melissa Parache (item not previously voted on).▪ Need new members for Innovation Subcommittee.▪ Need new members for the LPP Admissions Committee. | | Judge Amber Mettler |
| Item 6 | Discussion —Update from the LPPs on current casework and projects | | Tonya Wright, Meredith Farrell, Leslie Staples, Brooke Byall |
| Item 7 | Discussion —Update from LPP Innovation Subcommittee. | | Jackie Morrison, Scotti Hill, Monte Sleight |
| Item 8 | Discussion —Update on rural outreach | | Steve Johnson |
| Item 9 | Discussion —Update on outreach efforts | | Julie Emery, Monte Sleight |
| Item 10 | Discussion —Update from the Bar | | Matthew Page, Kirsten Shumway |
| Item 11 | Discussion —Old business/new business Supreme Court Committee Rule Changes | | Kirsten Shumway |

TAB 1

LPP Steering Committee Minutes August 15, 2023

Attendees:

Judge Amber Mettler, Chair
Steve Johnson
Monte Sleight
Jacqueline Morrison
Leslie Staples
John Seegrist (secretary)
Matthew Page
Tonya Wright
Scotti Hill
Carolyn Clark

Guests:

Elizabeth Wright, Executive Director of the Utah State Bar
Nathanael Player, The Office of Legal Services Innovation

Staff:

Kirsten Shumway, Utah State Bar

Chairperson Judge Mettler calls the meeting to order.

1. **Action**—Approval of draft meeting minutes June 20, 2023. Judge Amber Mettler
2. **Presentation** - Nathanael Player from The Office of Legal Services Innovation (LSI)
 - a. Nathanael Player:
 - i. OCAP for LPP use will be discontinued soon. The forms for divorce will be the first section removed. There are certain forms that LPPs use that are only available in OCAP. Main issue is that these forms need to be made available for LPPs once OCAP is discontinued.
 - ii. New developments in MyCase will replace current capabilities over an extended period of time. The new development will focus on pro se capabilities.
 1. Templates will be created from the scripts in OCAP for LPP use.

2. These templates will create forms with all possible options.
 - b. Need to figure out how to provide OCAP forms in a format that is accessible.
 - c. Judge Mettler reported that the court feels good giving the forms to the LPPs
 - d. Discussion on the format of these forms and how they should be delivered.
 - i. Who should be given access to the forms?
 - e. Elizabeth Wright from the Utah State Bar will be looking into the cost of the Bar creating and maintaining the LPP forms.
 - f. Kirsten Shumway is on the Forms Committee which is responsible for keeping court forms current. She could keep the LPPs updated.
 - g. LPPs preference is to have the forms in MS Word format.
 - h. Discussion on communicating changes to the Forms Committee.
 - i. Matt Page recommended sending the updates on a list server.
 - i. This structure is already in place and ready to use.
 - j. Nathaniel Player suggested that the court could host the forms if they needed to be made available publicly.
3. **Update** Carolyn Clark will be stepping down as the Director of S.J. Quinney's Master of Legal Studies program to focus full-time of mediation. Her replacement is Anastasia Boyko. Carolyn has to run to another meeting.
4. **Discussion** Innovation Subcommittee
 - a. Tonya Wright is leaving the Subcommittee but will remain on the LPP Steering Committee
 - b. Judge Mettler raised the question of the Subcommittee structure and a possible need for review.
5. **Discussion** on UCJA Rule 15-703 and possibly adding Unapproved Law School
 - a. "Unapproved Law School" needs to be defined in UCJA Rule 15-701.
 - i. Discussion on the definition of non-accredited law school should be.
 - b. The Bar does not allow attorneys to apply if they have not graduated from an ABA-approved law school. One exception currently allows for those who have practiced for at least ten of the last 11 years in front of the highest court in that jurisdiction to apply to take the Bar exam.
 - c. Need to be sure that there is language specifying that if someone attending a non-approved law school is allowed to take the LPP exam, that does not mean the door has been opened for attorneys from non-approved schools to apply beyond what the rule now states.
6. **Question** on how the various proposed rule changes should be sent to the Utah Supreme Court.
 - a. Should the various recommended rule changes and additions be presented to

- the Court in parts or as a whole package?
 - b. Steve Johnson and Scotti Hill feel it would be more efficient to present the changes as a whole package.
 - i. They need to present the changes in a logical manner.
 - c. Who will present the changes to the court?
 - i. At least Judge Mettler, Kirsten Shumway, and the general counsel from the Bar.
 - d. Changes for the Court should be presented in a final clean version along with a redlined copy.
 - e. These proposed changes should be discussed by the Innovation Subcommittee, and then they can come back with their recommendations.
- 7. **Discussion** of Proposed UCJA Rule 15-705 Foreign Law Degree.
 - a. Discussion on organizations that evaluate and verify foreign degrees.
 - b. More research needs to be done on the different organizations that provide this service.
 - c. Who will pay for this evaluation and verification?
 - d. What are the law degrees available in each country?
 - e. Discussion on common law v. civil law and other types of law.
 - i. Do we want to differentiate between applicants with law degrees from countries based on English Common Law and those based on civil law or other law?
 - ii. There are arguments to be made that it should not matter what law the foreign country has.
 - iii. Many immigrants are from civil law countries
- 8. **Discussion** on The Office of Legal Services Innovation or LSI (aka the Sandbox) and Notarios
 - a. How will looking at other paths for LPP apply to Notarios?
 - b. LSI was hoping to use the Bar's LPP training and testing materials, but there are issues of copyright and non-disclosure which bar this.
 - c. John Lund has more insight into the Notario work being done.
 - d. This Committee needs to coordinate with LSI so that efforts are not duplicated.
- 9. **Discussion** of nomination of Brooke Byall to be a new Committee member
 - a. Her resume will be sent to Committee members to review.
 - b. Any objection to the resume of the new member needs to be presented by next Tuesday. Otherwise, she will be approved.

10. Request for Questions

- a. Kirsten Shumway will be presenting on LPPs at a Commissioners Retreat later this month.
- b. If members have any questions or issues they would like included in the presentation, they should send them on to her Kirsten.

11. Discussion on who can approve the LPP's Substantive Law-Related Experience (1500 hours)

- a. Who is allowed to make the decision of approving hours for LPP candidates? Is the supervising attorney the only one who can approve the hours? Can a senior paralegal approve hours?
- b. This issue should go before the LPP Admissions Committee rather than this Committee.

Meeting adjourned

Next meeting: September 19, 2023

