

**LPP Steering Committee**  
**Minutes**  
**October 17, 2023**

**Attendees:**

Judge Amber Mettler (Chair)  
Monte Sleight  
Jacqueline (Jackie) Morrison  
Leslie Staples  
Matthew Page  
Tonya Wright  
John Seegrist (Secretary)  
Melissa Parache  
Anastasia Boyko  
Brooke Byall

**Bar Staff:**

Emily Lee, Admissions Deputy Counsel (guest)  
MariBeth LeHoux, General Counsel (guest)  
Kirsten Shumway, LPP Administrator

**Excused:**

Steve Johnson (End of Term)  
Scotti Hill  
Julie Emery (End of Term)

LPP Chair Judge Amber Mettler calls the meeting to order.

1. **Action** - Approval of draft meeting minutes for September 19, 2023,
  - a. Leslie Staples motioned to approve the minutes, Tonya Wright seconded, and the motion carried.
2. **Announcements**
  - a. Reminder that because this Committee is a Supreme Court Committee, certain members cannot vote. This includes ex officio members, the secretary, and emeritus members.
  - b. Arizona Paralegal Summit/Conference: Discussion that there may be a fee waived for members of the LPP Steering committee
3. **Announcement** – Two Members of the LPP Steering Committee Are Leaving - Ending Term
  - a. Steve Johnson
  - b. Julie Emery
4. **Action** - Recommendations for new LPP Steering committee members
  - a. Lindsey Brandt
    - i. Nominated by Brooke Byall seconded by Tonya Wright.
    - ii. Approved by committee.
    - iii. Offer to be extended by Kirsten Shumway.

- b. Possible new Committee member: Peter Vanderhooft who is an LPP
    - i. Resume to be requested for committee review.
- 5. Discussion - What is the Current Charge of the LPP Steering Committee?**
- a. Now that we are a few years into the LPP Program, what should this Committee be working on? How do does the Committee grow and expand? How does the LPP Program Expand?
  - b. This Committee alone is not enough to support the LPP Program. Committee members are volunteers, and the Committee has no resources to move forward.
  - c. The Committee needs guidance from the court. We should start on a memo to the Court asking for clarification on what this Committee should focus on, what needs to happen for the program to grow, and who is responsible for which part.
  - d. We should also consider what skill sets are needed for the work the Committee needs to do going forward.
- 6. Discussion - Should there be other subcommittees?**
- a. The Innovation Subcommittee historically has focused on coming up with creative ways to move the program forward, but these days it has become more of a rules subcommittee.
  - b. The Committee discussed possible new subcommittees including Education, Program Maintenance, Developing, Improving, and Educating new LPPs.
- 7. Discussion - Defining the scope of the LPP Steering Committee and sub-committees.**
- a. Matthew Page said that when the Committee was first created, it was given the task to expand the scope of the LPP license and had direction to move forward with that. He agrees that the Committee should ask the Supreme Court to define the scope of the LPP Steering Committee.
  - b. Monte Sleight responded that originally there were more subcommittees, and everyone was on at least one committee. The subcommittees came together to talk about what they were working on. The Innovation Subcommittee would move back to focusing on new ways to move the program forward.
  - c. Judge Mettler asked, how does the Committee come up with changes and implement them? This can be done by rule changes.
  - d. Monte Sleight responded that this is where the entanglements are because it is all interrelated. We do not want to put too great a burden on the Bar. The Committee needs to work with the Bar to find practical solutions. We cannot foresee all of the complications, but maybe we create the rules and then figure out how to implement them. The Bar has been great to work with.
  - e. Emily Lee said The Committee is well within its charge to make changes and help the Bar understand how to help move things forward. The Bar does not have endless resources but could ask the Court for more. The Bar would identify the mandate, the rules, and what the Bar needs to make it happen. The Court can then decide.

- f. Judge Mettler stated that the Committee has become somewhat stagnant because of how enormous this task is. We have talked about expanding the scope of the LPP license to new areas, but we get tied up in the implementation piece and end up doing nothing.
- g. Emily Lee said that the Bar could ask the Court for more resources. We could go to the court with a well-reasoned plan and the rule, and then we can conference with them regarding what to do.
- h. Judge Mettler responded that we should include what is needed to implement a new rule. For example, if we change the rule to permit some adoptions, there is not currently a training course for it. However, this might incentivize one of the colleges or other organizations to create something.

**8. Discussion - LPP training vs exams**

- a. What areas can we allow training instead of another exam? Expungement training developed for the attorneys exists and could be used for the LPPs.
- b. Monte Sleight stated that the Court and the Bar have been good about getting the resources needed to move the LPP Program forward. Test experts came in to teach Committee members how to write questions. We can go to the Court regarding the proposed Rule 15-712 regarding expungement and say, this is what we need. We would need video training on expungement and keep it up to date. UVU came forward and created their LPP classes. If we continue to make the changes, it incentivizes us and our partners.
- c. The test must be practical and use test experts for the exam questions.
- d. Would the colleges have an interest in writing courses if they generated tuition?
- e. Melissa Parache stated that the Committee needs an incentive to encourage people to apply for the LPP license. Some people hesitate because of the scope of the LPP license, if it will be around in a few years, etc. We need to clarify these so that we can move forward with adding new rules.
- f. Monte Sleight responded that if we can bring in more LPPs, then the annual dues will add up, and there will be funding for the LPP Program from that source. This is what the Bar does for attorneys. One way to get more LPPs is expanding the practice areas of the LPP license which will allow them to help their clients in more areas.

**9. Discussion - Other LPP programs in the region**

- a. Matt Page said that he met with some of the other jurisdictions with limited licenses. Arizona and Colorado are struggling with the same issues we have. He recommended there is a lot to be learned from reviewing their programs and sharing what we have learned.

**10. Discussion – Other Resources including Possible Access to Justice Grants**

- a. Matt Page said that Colorado has created some great courses. It would be nice if we could somehow use them. There might be other resources out there that we are

not looking at.

- b. Melissa Parache asked if there are any Access To Justice Grants.
- c. Matt Page responded that most of those grants are on research but not training. It is hard to find money for training.
- d. Where can we access grant writers?

#### **11. Discussion - Role of the LPP Steering Committee**

- a. Amber Mettler said that there probably is not a need for new Committee members and proposes the committee narrow its role to writing the rules. Further implementation such as course development and testing will need to be handled elsewhere. This Committee is taking on too much and as a consequence has not been able to move forward.
- b. Emily Lee responded that the Bar will figure out how to do all of this; if it cannot be done, then the Bar will let the Committee know. What the Committee is going through right now is how this process is supposed to work. The Committee does not have to take the burden of the entire LPP program.
- c. Judge Mettler stated that new rules might be inspirational and create new areas that are not fully developed.
- d. Emily Lee responded that if a rule is aspirational, it will invite questions and help move things forward.
- e. Jackie Morrison commented that if this Committee becomes focused on LPP rules, could we have a Bar committee that works on innovation? Or perhaps under the auspices of the Bar who then sends things to the Steering Committee
- f. Emily Lee responded that would probably be fine. Currently for attorneys, the Bar has a main Admissions Committee but also has a Test Committee, Character and Fitness Committee, and Test Accommodation Committees. The other Committees send their recommendations to the Admissions Committee. We could do something similar for the LPP Program with the Court's permission.
- g. Judge Mettler stated the Committee has been bogged down with the issues. A few members of this Committee will have a roundtable with Emily Lee and Elizabeth Wright who is the Executive Director for the Bar. They will discuss several of these issues and update the Committee.
- h. Leslie Staples suggested a pause in adding LPPs to the committee while we look at the scope and skills needed for the committee to function. She also suggested adding a court commissioner to the Committee.
- i. Judge Mettler agreed that it would be helpful to add a court commissioner and also mentioned that we need a co-chair for this Committee. Judge Mettler has thought about contacting Commissioner Sagers.
- j. The Committee agrees that it would be a good idea to add a commissioner as an assistant chair for the committee. Someone like Commissioner Joanna Sager or Marla Snow. Judge Mettler will reach out to Commissioner Sagers.

## **12. Update from the Bar**

- a. The Bar is still working on ways to provide OCAP documents to LPPs once OCAP goes away. Tonya Wright will meet with the Bar's IT head, David Clark, about this.
- b. Tonya Wright states that she gets a lot of calls from people asking about the LPP license. A consistent theme is that they would like to see more practice areas. It is essential to the growth of the program that it expands. Often the people she talks to do not realize they may only use court forms, and not being able to do discovery is an issue. Maybe the Court could create a discovery form with the top five areas that are most commonly seen in discovery such as verifying employment, education, if the person has been looking for a job, etc.
- c. Melissa Parache commented that she is only taking on uncontested cases because she cannot even ask for basic things which makes it more stressful. LPPs restriction on discovery is a burden.
- d. Monte Sleight responded that the Court was concerned about allowing LPPs to draft documents. Discovery can be very complicated.
- e. Melissa Parache advised that sometimes she will take on a Divorce that ends up being contested because the opposing lawyer knows she cannot ask for formal discovery.
- f. Judge Mettler responds that it would be nice to have a standard form, but how do you respond? What is privileged? What is appropriate? Discovery is very complicated, and it would be hard to narrow it down. And what about depositions?
- g. There is a need to define what can be done without opening a new area of liability.

## **13. Update from the Innovation Subcommittee**

- a. The Subcommittee is working on proposed new Rule 15-712. Practice areas not requiring testing. Right now, the only one on there is expungements. The Committee will be meeting again in a couple of weeks to continue working on it.

## **14. Item 6: Discussion—Previous Rule 15-703: Eligibility based on bachelor's degree plus paralegal certificate.**

- a. Did not discuss

## **15. Item 7: Discussion—Update from the LPPs on current casework and projects**

- a. Did not discuss

## **16. Item 8: Discussion—Update on rural outreach**

- a. Did not discuss

## **17. Item 9: Discussion—Update on outreach efforts**

- a. Did not discuss

## **18. Item 10: Discussion—Old business/new business Supreme Court Committee Rule Changes**

a. Did not discuss

**19. Adjourn**

**20. Next meeting:** November 21, 2023