



Utah Supreme Court Oversight Committee for the Office of Professional Conduct

Meeting Minutes

October 13, 2021

Via Webex

4:00–5:30 p.m.

Judge Diana Hagen, presiding

Attendees:

Judge Diana Hagen, Chair
Roger Smith
Art Berger

Staff:

Marina Kelaidis, Recording Secretary

Guests:

Billy Walker, Office of Professional Conduct
Christine Greenwood, Ethics and Discipline Committee

Excused:

Magistrate Judge Brooke Wells
Margaret Plane
Elizabeth Wright, Ex-officio member
Nick Stiles, Staff, Appellate Court Administrator

1. Welcome and approval of the May 24, 2021 minutes: (Judge Diana Hagen)

Judge Diana Hagen welcomed everyone to the meeting and asked for approval of the minutes.

Judge Hagen moved to approve the May 24, 2021 minutes. Roger Smith seconded the motion, and it passed unanimously.

2. Discussion—Discuss proposed changes to rule 11-510 and 11-511: (Judge Diana Hagen, Christine Greenwood)

Rule 11-510:
Ethics and Discipline Committee composition:
No further recommendations.

Rule 11-511:
Screening panel composition; responsibilities:

Judge Hagen proposed amending paragraph (b) by replacing the consent provision with “, including a panel chair or vice chair and a public member.” and removing “must be present at each screening panel hearing.”

Roger Smith recommended amending paragraph (d) by removing the second and third sentences.

Judge Hagen recommended rejecting the proposed changes to paragraph (e), to which the Committee agreed. Judge Hagen also recommended rejecting the proposed change, “they obtain or that is timely presented by a complainant, respondent, witness, or the OPC”, in paragraph (g)(1), to which the Committee agreed.

Judge Hagen moved to approve the proposed changes to Rule 11-510 and Rule 11-511(a), (b), (d), and (g)(1). Art Berger seconded the motion, and it passed unanimously.

3. **Discussion—Update on proposed sanction rules:** (Judge Diana Hagen)

Judge Hagen gave a brief overview of the sanction comparison chart, prepared by Christine Greenwood. This chart provides a comparison between the prior sanction rules and the proposed rules before the Court.

4. **Other business—Schedule next meeting:**

Judge Hagen will contact the Committee via email to schedule the next meeting.

5. **Adjournment:**

The meeting adjourned at 4:50 p.m.