



Utah Supreme Court's Oversight Committee for the Office of Professional Conduct

Draft Meeting Minutes

March 25, 2026

Meeting held through Webex and in person

Matheson Courthouse

Judicial Council Room

450 S. State St.

Salt Lake City, UT 84111

4:30–5:30 p.m.

Arthur B. Berger, presiding

Attendees:

Arthur Berger, Chair

Mark Hindley

Eric Jenkins

Judge Laura Scott

Roger Smith

Lara Swensen

Elizabeth Wright, Ex-officio member

Guests:

Christine Greenwood, Office of Professional Conduct

Beth Kennedy, Ethics and Discipline Committee

Staff:

Nick Stiles, Appellate Court Administrator

Amber Griffith, Recording Secretary

Excused:

Aeryn Murphy

Margaret Plane

1. Welcome, Annual Disclosure, and Approval of December 9, 2025 minutes: (Arthur Berger)

Arthur Berger welcomed everyone to the meeting. Mr. Berger informed the Committee that the Supreme Court has moved the rules that govern this committee and those of the OPC from the Utah Code of Judicial Conduct (UCJA) to the newly named Supreme Court Rules of Practice (SCRП). Then in accordance with SCRП 1-503(a)(2) the committee members introduced themselves and disclosed their general practice area.

Following those quick items of business Mr. Berger asked for approval of the minutes from the December 9, 2025 meeting.

Mark Hindley moved to approve the minutes. Eric Jenkins and Judge Scott seconded that motion, and the minutes were unanimously approved.

2. Discussion—OPC Annual Report (Christine Greenwood)

Christine Greenwood provided an overview of the OPC's annual report for 2025 noting that the number of complaints increased by over 500, therefore increasing the number of pending cases. Ms. Greenwood reported that the OPC currently has 6 lawyers handling over 1,000 cases and although, as the report shows, many cases are dismissed it still takes a lot of time to go through each complaint.

The annual report also includes the performance metrics for the OPC. Ms. Greenwood noted that the time between when OPC receives a complaint to notice is over a year on average and stated that the OPC is continuing to work on shortening how long it takes. Lara Swensen questioned if there was a breakdown during of this timeframe to see where the holdup is occurring and wondered if adding paralegals or staff could help the issue. Ms. Greenwood replied that currently the OPC needs lawyers to help with the caseload, their paralegals are all caught up and have drafts ready for the attorneys to review.

Mr. Jenkins commented that the report shows this is an immense amount of work for a short-staffed office and questioned what has caused the increase in cases. Ms. Greenwood noted that one explanation is the increases in licensed attorneys each year. With more attorneys there are more to file complaints on.

Mr. Hindley asked if the number of meritorious claims is also increasing at the same rate. Ms. Greenwood is unsure how they would measure that, but it would be good to see if there was a way to do so. The report does show that the number of dismissed complaints was similar to previous years, but they do have less cases currently in the court system. Ms. Greenwood believes this is due to a lack of staffing, not a lack of cases.

There was then a discussion on attorneys who are no longer able to handle their cases, such as if they passed away. Ms. Greenwood informed the committee that the OPC is currently in charge of handling these situations. Elizabeth Wright added that over the next year the bar intends to begin working with lawyers on succession planning. They will work with the Supreme Court to see if there should be a rule requiring attorneys to designate someone.

Roger Smith asked if there was any tracking on which type of law practices receive the most complaints. Ms. Greenwood stated that family lawyers are close to the top because of the heightened emotional situation the clients are in, next is criminal, and lastly sole practitioners.

Mr. Hindley wondered if there was a way to decrease the number of dismissals by preventing the complaints from occurring in the first place. Ms. Greenwood stated that it may be helpful to have the paralegals dismiss some cases on their own but doesn't feel comfortable with that. Additionally, when taking over as Chief Disciplinary Counsel Ms. Greenwood instituted making the dismissals tailored to each case but also noted that the process could be more streamlined. Another process change that occurred was having all attorneys partaking in the review of all incoming cases, previously three attorneys

handled the incoming cases and then assigned them as needed. It may be beneficial to return to the previous practice.

Ms. Greenwood also noted that once a case is referred to the court there is a delay occurring there, but the source of that delay has not been identified.

Mr. Hindley recalled that the OPC previously had enacted a diversion program and asked if it was still available. Ms. Greenwood acknowledged that it was, but it is only applicable for a small portion of attorneys and doesn't believe it is the best use of OPC's resources. Ms. Swensen agreed that it isn't as robust as it should be and asked if the diversions take more time due to supervising those on it. Ms. Greenwood stated that it does as there is more paperwork involved.

3. Action—SCR 1-530: (Christine Greenwood and Beth Kennedy)

The Committee reviewed the additional changes made to Rule 1-530 since the previous meeting. Elizabeth Wright noted that the UCJA rule numbers needed to be changed to the SCR numbers.

Following this review Mr. Jenkins moved to approve the proposed amendments. Mr. Hindley seconded that motion, and it unanimously passed. The rule will be submitted to the Supreme Court on recommendation that it be published for public comment.

4. New/old business: (all)

Ms. Greenwood reported on an increase in complainants becoming vexatious and would like to discuss the issue at a future meeting.

Mr. Berger also informed the Committee that we have received some public input from an individual who lives and travels internationally. The individual has reported trouble accessing the Bar's website while out of the country and that has made it harder for them to file complaints. Mr. Berger suggested that we could have an individual from the Bar's IT department attend our next meeting to explain the geofencing issue.