

MINUTES OF THE SUPREME COURT'S  
ADVISORY COMMITTEE ON THE  
RULES OF PROFESSIONAL CONDUCT

Law and Justice Center  
645 South 200 East  
Salt Lake City, UT  
June 25, 2007  
5:00pm

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ATTENDEES

Robert Burton, Chair	Steve Johnson
Matty Branch	Kent Roche
Gary Chrystler	Paula Smith
Nayer Honarvar	Billy Walker
Judge Fred Howard	Earl Wunderli

EXCUSED

Judge Royal Hansen  
Judge Paul Maughan  
Judge Steven Roth  
Gary Sackett  
Stuart Schultz  
John Soltis

1. WELCOME AND APPROVAL OF MINUTES

Mr. Burton welcomed the members of the committee. Mr. Wunderli moved for adoption of the minutes of the meeting held on January 8, 2007. Mr. Johnson seconded the motion, and it passed unanimously.

2. REVIEW OF COMMENTS RECEIVED AS TO RULE 14-802(C)(3)

The committee considered the three comments that were submitted, as well as the Supreme Court's concern as to the broadness of the phrase "a form provided by a court." As to the comment submitted by Mr. Culas, the committee decided the recommended disclosure was not required because the rule already provides that no fee may be charged for providing the clerical assistance. As to Mr. Nelsen's comment, the committee did not think "clerical assistance" needed to be defined.

Judge Howard moved that the phrase “a form provided by a court” be amended to state “...a form provided by a municipal, state, or federal court located in the State of Utah...” Mr. Wunderli seconded the motion, and it passed unanimously. Mr. Burton will prepare a letter to Chief Justice Durham advising as to the committee’s recommendation.

3. PROPOSED AMENDMENT TO ATTORNEY’S OATH

Several committee members expressed concern as to whether the Attorney’s Oath should be amended to include adherence to the Utah Standards of Professionalism and Civility. Mr. Walker advised that presently a violation of the Attorney’s Oath is not a basis for disciplinary action. Mr. Burton asked whether the committee wanted to submit a formal comment opposing the proposed amendment. No support for such an objection was made, and Mr. Burton said no comment would, therefore, be submitted.

4. NEXT MEETING

Mr. Burton advised that there were no assignments currently pending before the committee. Therefore, the next meeting will be scheduled on an as-needed basis.