

**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  
April 29, 2013  
5:00 pm

---

ATTENDEES

Steve Johnson, Chair  
Tom Bruner  
Gary Chrystler  
Nayer Honarver  
Kent Roche  
Gary Sackett  
Paula Smith  
Leslie Van Frank  
Paul Veasy  
Earl Wunderli  
Diane Abegglen, Staff

EXCUSED

Simon Cantarero  
Judge Mark May  
Trent Nelson  
Stuart Schultz  
Billy Walker

ABSENT

John Bogart

1. WELCOME AND APPROVAL OF MINUTES

Steve Johnson welcomed the members of the committee to the meeting and asked if there were any corrections to the minutes of the March 25, 2013 meeting. The minutes were approved without changes.

2. UPDATE: RULE 1.10(f)

Mr. Johnson informed the committee that the Supreme Court will be sending the proposed amendments to Rule 1.10(f) out for public comment. The committee will review any comments received following the 45-day comment period.

Mr. Johnson also informed the committee that the Bar Commission will present its lawyer advertising petition to the Supreme Court on May 29, 2013. Mr. Johnson asked Diane Abegglen to make the Court aware that the ABA recently made some recommendations regarding lawyer advertising rules and the committee would

appreciate the opportunity to weigh in on the Bar Commission's petition at the appropriate time.

3. DISCUSSION: ABA'S ETHICS 20/20 PROJECT

Mr. Johnson initiated a discussion of the ABA's Ethics 20/20 Project by observing that many of the amendments to the Model Rules of Professional Conduct appear to be innocuous. Notwithstanding, several of the amendments are substantive and warrant careful consideration and discussion by the committee. Accordingly, Mr. Johnson formed the following subcommittees to compare Utah's Rules of Professional Conduct to the ABA amendments:

Rules 1.0, 1.4, and 4.4: Leslie Van Frank, chair, Paula Smith, and Kent Roche

Rules 1.1, 1.6, and 1.17: Tom Brunner, chair, Paul Veasy, and Gary Chrystler

Rules 1.18, 5.3, and 5.5: Nayer Honarver, chair, Earl Wunderli, and Steve Johnson

Rules 7.1, 7.2, and 7.3: To be assigned after the Bar Commission presents its lawyer advertising petition to the Supreme Court.

Mr. Johnson asked each subcommittee to meet prior to the May 20, 2013 meeting and provide a brief report of their subcommittee's work following the committee's discussion of Rule 8.4. Mr. Johnson asked Ms. Abegglen to provide committee members with fellow committee members' current email addresses, and to attempt to locate an electronic version of the ABA amendments. Ms. Van Frank volunteered to have a secretary in her law firm prepare an electronic version of Utah's Rules of Professional Conduct.

4. OTHER BUSINESS

The next meeting of the committee was set for Monday, May 20, 2013 at 5 p.m. at the Law & Justice Center. Mr. Johnson asked committee members to bring their calendars with them to the meeting so that summer meetings can be scheduled.