

## Rules of Professional Conduct Consistency and Public Record Checklist

Before a rule amendment is approved by the Advisory Committee on the Rules of Professional Conduct for submission to the Supreme Court, the following steps must be taken to ensure consistency within the rule itself and with the broader Rules of Professional Conduct, and to ensure that a public record is made regarding any comments to rules and committee discussions therefrom:

1. Check for consistency in the rule language and in the title of the rule.
2. Check to ensure that substantive language is in the rule itself, rather than the comments. The comments should give examples, but should not contain black-letter law. An example should contain the language “may,” rather than “shall.”
3. Check for impact on other rules, especially the definition sections and comments in other rules.
4. Check to see if the Licensed Paralegal Practitioner rules also need to be changed to correspond with the current rule changes.
5. Check to see if a comment needs to be added for purposes of noting differences between Utah’s rules and the ABA Model Rules.
6. Once a rule is back from comment, the Committee shall make a public record regarding its responses to the comments.
7. Carefully proofread for grammar, syntax and consistency of spelling (e.g., judgment v. judgement), symbols (e.g., ( ) v. [ ]), capitalization (e.g., Rule v. rule) and subsection designation or numbering (Rule X.Y(b)(3)).
8. Use preferable grammar style (e.g., use of active v. passive voice).
9. Check consistency of Oxford comma (or none).
10. Add [Effective {date}.] once the Supreme Court approves the rule as final.