

# UTAH STATE BAR COMMISSION MEETING

## MINUTES

**Friday, August 22, 2024**

**In Attendance:** President Cara Tangaro, Miriam Alred, Tom Bayles, Brett Chambers, Christian Clinger, Matt Hansen, Chrystal Mancuso-Smith, Shawn Newell, John Rees, Olivia Shaughnessy, Tyler Young.

**Ex-Officio Members:** Nate Alder, Erik Christiansen, Wayne Latu, Ezzy Khaosanga, Eli McCann.

**Not in Attendance:** Kim Cordova, Rick Hoffman, Mark Morris. Ex-Officio members Jennifer Carver, Brit Merrill, Dean Kronk Warner, Dean Moore, Margaret Plane, Nick Stiles.

**Also in Attendance:** Executive Director Elizabeth A. Wright, Assistant Executive Director Aubrey Schade, General Counsel Maribeth LeHoux, and Admissions Director Emily Lee.

### 1. President's Welcome and Retreat Schedule

Ms. Tangaro discussed the schedule for the day and speaker for the afternoon. After breakfast tomorrow, people are welcome to join the hike to Cecret Lake.

### 2. Action Items

#### 2.1 Appoint Commission Ex Officio Members

Ms. Tangaro presented the list of ex officio Commission members. She reported one of the two ABA Delegate positions is open and that the Commission has advertised for applicants and will select the new Delegate at the September meeting.

Ms. Tangaro made a motion to approve the ex officio members list. Mr. Clinger seconded, and the motion was unanimously approved.

#### 2.2 Appoint Jackrabbit Bar Committee Chairs

Ms. Tangaro discussed that Utah would be hosting the Jackrabbit Bar conference in 2025. Ms. Wright discussed the states that make up the Jackrabbit Bar. Dates would be approximately May 23, 2025 in St. George. Focus is traditionally on rural areas and legal issues, with water law as a potential focus for next year's meeting.

Mr. Bayles and Ms. Woods have been selected as committee chairs, as the event will be hosted in their home judicial district in southern Utah.

Ms. Tangaro made a motion to appoint Mr. Bayles and Ms. Woods as committee chairs for the Jackrabbit Bar conference. Mr. Christiansen seconded, and the motion was unanimously approved.

#### 2.3 Approve Purchase of a Table at the Legal Aid Society Gala

Legal Aid Society Gala is Friday, September 20, 2024 from 6-9 at Little America. Sponsor level \$1,500 allows 10 guests.

Ms. Tangaro made a motion to approve the purchase of a table for the Legal Aid Society Gala. Mr. Christiansen seconded, and the motion was unanimously approved.

## **2.4 Approve Changes to Admissions Rules and Updates on Alternative Path to Licensure**

Ms. Lee presented on proposed rule changes to the Admissions Rules. She went over the more substantive changes. This included removing the late filing fees/late deadline and moving deadline up so the Committee has adequate time to review character and fitness reports prior to exam registration deadlines. Reinstatement for resigned attorneys currently requires applicants to reapply, including taking the bar, or show that they've been practicing in another state. The Committee wants to no longer require the bar exam for formerly admitted attorneys. Graduates of foreign law school have to show 2 years of practice in an English common law jurisdiction. The proposed change would be practice 3 of the last 5 years, not just any time in the past. Ms. Lee then discussed reciprocity and the growing trend for alternative paths to licensure. The recommendation is to modify reciprocity rules to allow someone who was admitted in another state can be admitted even if they were admitted via an alternative path.

Discussion ensued regarding the alternative paths being used in other states. On October 24, Oregon is hosting a CLE on the topic and all invited. Mr. Hanson stated Utah doesn't always need to be cutting edge and that he believes we should wait till other states have more data on alternate path programs. Ms. Shaughnessy stated that the bar exam is a minimum test of competence, and that we can't rely on law school classes, which don't teach black letter law.

The Commission discussed adopting most of the rules changes now, with a later implementation date for the rule about reciprocity for alternate paths from other states until our alternative path is implemented officially by the court.

The Commission also discussed the proposed increase in fees for admissions, including how much it costs to administer the bar exam and run the department.

Mr. Rees motion to amend all rules, and to delay adoption of reciprocity for alternative path until court approves ours. Ms. Allred seconded. Mr. Hansen opposed, the rest of the Commission approved, so the motion carried.

Ms. Tangaro motion to approve increase in fees for applicants. Mr. Chambers seconded and the motion was unanimously approved.

## **3. Reports**

### **3.1 National Conference of Bar Presidents Meeting**

Ms. Tangaro presented on the NCBP Meeting which was in Chicago earlier this month. The conference included discussions of Pomeroy and other *Keller*-based litigation facing other states.

### **3.2 Admission Ceremony**

Ms. Tangaro reminded the Commission that the Admission Ceremony will October 3 at noon at the Salt Palace.

### **3.3 Access to Justice Summit**

Ms. Schade presented on the Access to Justice Summit, which will be October 4 at the Utah Law and Justice Center. She discussed the schedule and keynote speakers, and that they are still looking for sponsors.

### **3.4 Fall Forum**

Ms. Tangaro discussed the Fall Forum, which will be November 14-15 at the Little America. Christy will reach out to help register Commissioners.

### **3.5 Lawyer-Legislature Breakfast**

Ms. Tangaro discussed plans to increase legislator invitees this year to include non-lawyers from judicial committees. This year's event will be 7:30 at State Capitol on Wednesday, November 20<sup>th</sup>.

The Commission discussed how lawyers can be resources to the legislators.

### **3.6 Committee Volunteers Needed**

Ms. Tangaro stated that several committees need volunteers, including Character and Fitness, Bar Awards, and Bar Exam Grading.

### **3.7 ABA House of Delegates Meeting and ABA Annual Meeting**

Mr. Christiansen presented on the ABA and the annual meeting. The House of Delegates is made up of 600 lawyers that meet twice a year and vote on resolutions that will become policy positions.

### **Adjournment.**

The Commission adjourned at 11:48 am.

### **Consent Agenda.**

The Commission approved by consent the following items:

- Minutes of the June 21, 2024 Commission Meeting
- Approve Fund for Client Protection Recommendations