



OFFICE OF LEGAL SERVICES INNOVATION
An Office of the Utah Supreme Court

Amended Sandbox Authorization Packet

Herbert/Greenwald Law Group, L.L.C.

August 15, 2022

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2. Innovation Office Recommendation to the Court

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In the Supreme Court of the State of Utah

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In re: Application of Herbert/Greenwald Law Group, L.L.C.

AMENDED ORDER FOR AUTHORIZATION TO PRACTICE LAW

Based upon the Utah Supreme Court's plenary and constitutionally granted authority to regulate the practice of law in Utah, and the tenets of Standing Order 15, the Utah Supreme Court orders that Herbert/Greenwald Law Group, L.L.C. is authorized to practice law within the regulatory sandbox and subject to the restrictions outlined below.

The Court has reviewed the recommendation of the Office of Legal Services Innovation ("Innovation Office") dated March 9, 2022, for Herbert/Greenwald Law Group, L.L.C. ("Herbert/Greenwald Law") to be authorized to practice law.

The entity seeks to establish a traditional personal injury law firm augmented by the capacity of a non-attorney partner who brings 25 years of experience managing and providing medical care to injury victims.

The Innovation Office has assessed the risk of harm to consumers targets by Herbert/Greenwald Law in their proposed model relative to the risk of legal harm consumers currently face and has determined that the risk of harm presented by Herbert/Greenwald Law service is Low.

In light of the Court's responsibility to the public to effectively regulate the practice of law in Utah and in keeping with the tenets of Standing Order 15, the Court now orders as follows:

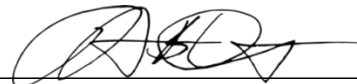
1. Herbert/Greenwald Law is authorized to offer legal services through the following models:
 - a. Lawyer employed or managed by a nonlawyer
 - b. Nonlawyer ownership

- c. Lawyers sharing profits with nonlawyers
2. Herbert/Greenwald Law is authorized to provide legal services across the following legal service areas, subject to the restrictions outlined below:
 - a. Accident / Injury
3. Herbert/Greenwald Law shall conform to the Low Innovation reporting requirements imposed by the Innovation Office.
4. Herbert/Greenwald Law will prominently display the following disclosure requirements:
 - a. Innovation Office Badge
 - b. Nonlawyer ownership disclosure

If Herbert/Greenwald Law wishes to alter these conditions or requirements, it must submit any such change to the Innovation Office for further assessment. The Innovation Office will assess the proposed change and may permit the change if it deems the change does not materially increase the risks to consumers. If the Innovation Office finds a material increase in risk then it will present the issue to the Court for further consideration.

This authorization is granted for the duration of the existence of the Sandbox, or until exit and permanent licensure at the discretion of the Court. Authorization is subject to Herbert/Greenwald Law's compliance with the conditions and requirements set forth in the Innovation Office Manual and the Innovation Office Recommendation to the Court and to a verification by the Innovation Office that the company's services are not causing material harm to consumers.

DATED this 10th day of August, 2022.



Matthew B. Durrant
Chief Justice

Document 2



Recommendation to the Court

App No.0058 - Herbert/Greenwald Law Group, L.L.C.

Mar 9, 2022

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Executive Summary

Recommendation: Authorize

Applicant: Herbert/Greenwald Law Group, L.L.C.

Proposed Model/Service: The entity seeks to establish a traditional personal injury law firm augmented by the capacity of a non-attorney partner who brings 25 years of experience managing and providing medical care to injury victims.

Target Consumer Market: All Utah injury victims, including those with limited economic resources, educational background, English speaking abilities, and knowledge of the laws, procedures, and available services related to protecting and pursuing one’s legal rights in matters concerning injury cases.

Sandbox Qualifiers: This business model/service qualifies for the Sandbox because it would feature the following characteristics:

- Lawyers employed or managed by nonlawyers
- Lawyers sharing profits with nonlawyers
- Nonlawyer ownership (less than 50%)

Regulatory Objective Qualifier:¹ This Alternative Business Structure (“ABS”) creates a strong and invested presence of needed non-attorney expertise necessary and reasonable for an injury law firm to provide superior legal services to the injury-victim residents of Utah.

Utah Qualifier: Adapted for Utah requirements

Implementation Qualifier: Ready for immediate implementation

Risk Assessment

General Assessment: Low Innovation

Specific Risks: Utah attorneys will be employed by Herbert/Greenwald, which will be a majority attorney owned entity. A minority ownership share will be held by the non-attorney managing partner. As with any ABS, there is always a risk that the corporate interests will supersede consumer interests.

¹ Regulatory Objective: To ensure consumers have access to a well-developed, high-quality, innovative, affordable, and competitive market for legal services. (Standing Order No. 15)

Sandbox Recommendation

We recommend the Court authorize Herbert/Greenwald Law Group, L.L.C. to offer legal services in the state of Utah, subject to such requirements as the Innovation Office may impose.

Scope of Recommended Authorization

Term of authorization	<p>The Innovation Office recommends that the authority be granted for an initial period of 48 months from the date of service launch with the possibility of extension and/or permanent authorization. Any request for extension is subject to the applicant complying with the conditions and requirements set forth below.</p> <p>Any request for permanent authorization requires a showing that the entity meets the exit criteria, specifically, that Herbert/Greenwald Law Group, L.L.C. has a record of compliance with all requirements and the entity's services are not causing harm to consumers. The Innovation Office, with the approval of the court, has discretion to authorize exit for the scope of services tested in the sandbox, as stated above, and continual regulatory authority.</p>
Recommended legal service models	<p>This section presents a numbered list of the recommended service models.</p> <ol style="list-style-type: none">1. Lawyer employed or managed by a nonlawyer2. Less than 50% nonlawyer ownership3. Lawyers sharing profits with nonlawyers
Legal service models not recommended	None
Recommended consumer service areas	<ol style="list-style-type: none">1. Accident / Injury
Recommended waivers	None
Recommended qualitative compliance requirements	<p>Standardized disclosure statements on website and in mobile applications (see Manual):</p> <ol style="list-style-type: none">1. Badge2. Nonlawyer ownership disclosure <p>Note: All lawyers employed by Herbert/Greenwald Law Group, L.L.C. remain subject to the rules of professional conduct and the disclosure requirements imposed by Rule 5.4.</p>

Recommended data reporting requirements Low Innovation data reporting requirements (see Manual)