



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

Sandbox Authorization Packet

Mina Legal Services

August 15, 2022

Contents

1. Utah Supreme Court Order for Authorization to Practice Law
2. Innovation Office Recommendation to the Court

Document 1

In the Supreme Court of the State of Utah

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In re: Application of Mina Legal Services

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 Mina Legal Services 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") for Mina Legal Services to be authorized to practice law.

Mina Legal Services is a non-lawyer owned entity seeking to serve predominantly European and Middle-Eastern clients with immigration issues through an Alternative Business Structure which will employ an attorney provider.

The Innovation Office has assessed the risk of harm to Mina Legal Services targeted consumers relative to the risk of harm they currently face and has determined that the risk of harm presented by Mina Legal Services' 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:

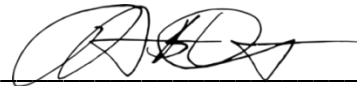
1. Mina Legal Services is authorized to offer legal services through the following methods:
 - a. Lawyer employed or managed by a nonlawyer
 - b. Nonlawyer ownership
 - c. Lawyers sharing profits with nonlawyers
2. Mina Legal Services is authorized to provide legal services across the following legal service areas, subject to the restrictions outlined below:
 - a. Immigration

3. Mina Legal Services shall conform to the Low Innovation reporting requirements imposed by the Innovation Office.
4. Mina Legal Services will prominently display the following disclosure requirements:
 - a. Innovation Office Badge
 - b. Nonlawyer ownership disclosure

If Mina Legal Services 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 Mina Legal Services 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



Sandbox Recommendation to the Court

App No.0070 - Mina Legal Services

August 10, 2022

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Executive Summary

Recommendation: Authorize ABS

The State of Utah cannot authorize non-lawyer providers to practice law if it is prohibited by federal regulation. In the context of immigration, the regulation of nonlawyer practice requires: the entity be a non-profit, an Accredited Representative, or have recognized status through DOJ/EOIR; educational and other qualifications; and may prevent the acceptance of fees for services provided.¹

Applicant: Mina Legal Services LLC

Proposed Model/Service: Mina Legal Services is owned by Nermin Aldemir, an attorney in her home country of Turkey. Ms. Aldemir seeks authorization to form an ABS which will employ a Utah immigration attorney. She currently consults with attorneys and provides them client referrals, who come to her through her community.

Target Consumer Market European and Middle-Eastern Individuals and families with immigration needs: seeking US citizenship, permanent residence, work or education visas, investor visas; small and medium businesses.

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

- Lawyer employed or managed by a nonlawyer
- Nonlawyer ownership
- Lawyers sharing profits with nonlawyers

Regulatory Objective Qualifier:² Mina Legal Services’s proposal meets the regulatory objective to provide accessible, affordable legal services in a consumer’s native language.

¹ <https://www.federalregister.gov/documents/2016/12/19/2016-29726/recognition-of-organizations-and-accreditation-of-non-attorney-representatives> 8 C.F.R 1.2 states, “Practice means the act or acts of any person appearing in any case, either in person or through the preparation or filing of any brief or other document, paper, application, or petition on behalf of another person or client before or with DHS. Preparation, constituting practice, means the study of the facts of a case and the applicable laws, coupled with the giving of advice and auxiliary activities, including the incidental preparation of papers, but does not include the lawful functions of a notary public or service consisting solely of assistance in the completion of blank spaces on printed DHS forms, by one whose remuneration, if any, is nominal and who does not hold himself or herself out as qualified in legal matters or in immigration and naturalization procedure. Representation before DHS includes practice and preparation as defined in this section.”

² 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)

Utah Qualifier: Adapted for Utah requirements

Implementation Ready for immediate implementation
Qualifier:

Innovation Assessment

General Assessment: Low

Specific Risks: As with any ABS there are common risks regarding:

1. Confidentiality
2. Non-lawyer oversight of services
3. Corporate interest in protecting profit

Mina Legal Services has appropriately addressed these concerns.

Sandbox Recommendation

We recommend the Court approve Mina Legal Services 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 The Innovation Office recommends that authority be granted for the duration of the existence of the Sandbox, or until exit and permanent licensure at the discretion of the Court. Any such licensure would be subject to the applicant complying with the conditions and requirements set forth below and also verification by the Innovation Office that the Entity has a record of compliance with all requirements and the company's services are not causing harm to consumers.

Recommended legal service models

1. Lawyer employed or managed by a nonlawyer
2. Nonlawyer ownership
3. Lawyers sharing profits with nonlawyers

Legal service models not recommended None

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| Recommended consumer service areas | 1. Immigration |
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| Recommended waivers | None |
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| Recommended qualitative compliance requirements | Standardized disclosure statements on website and in mobile applications (see Manual): <ol style="list-style-type: none">1. Badge2. Nonlawyer ownership disclosure Note: All lawyers employed by Mina Legal Services remain subject to the rules of professional conduct and the disclosure requirements imposed by Rule 5.4. |
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| Recommended data reporting requirements | Low Innovation data reporting requirements (see Manual) |
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