



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

Amended Sandbox Authorization Packet

Rasa Public Benefit Corporation

September 21, 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 Rasa Public Benefit Corporation

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 Rasa Public Benefit Corporation is authorized to practice law within the regulatory sandbox and subject to the restrictions outlined below.

The Court has reviewed the original recommendation of the Office of Legal Services Innovation ("Innovation Office"), dated November 6, 2020, and the amended recommendation dated August 10, 2022, for Rasa Public Benefits Corporation ("Rasa") to be authorized to practice law.

Initial authorization was for Sudbury Consulting and Code for America to develop a software platform to assist Utah consumers in determining whether they are eligible for expungement of their criminal record under Utah's Clean Slate law. The entity was authorized as a "software provider with lawyer involvement" at the moderate risk level. Code for America then left the project, and Sudbury Consulting was authorized as an ABS to hire Alternative Legal Providers to provide low-cost expungement assistance while under the oversight of a lawyer.

Now, the entity seeks authorization under the entity name Rasa Public Benefit Corporation, to clarify that its authorization for expungement includes 402 reductions, and to receive a waiver of Rule 1.15 and Rule 14-1001 requiring an IOLTA account.

The Innovation Office has assessed the risk of harm to Rasa's targeted consumers relative to the risk of harm they currently face and has determined that the risk of harm presented by Rasa's service is Moderate.

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. Rasa Public Benefit Corp. is authorized to offer legal services through the following models:

- a. Lawyers sharing profits with nonlawyers
 - b. Alternative Legal Provider with lawyer involvement
 - i. ALPs offering:
 - 1. Legal information and legal process assistance
 - 2. Legal advice related to expungement eligibility, 402 reductions, legal process, and legal documents.
 - 3. Assist individuals with form completion; draft and file expungement and 402 reduction pleadings;
 - 4. Discuss client cases with prosecutors and advocate for 402 reductions, in order to help clients become eligible for an expungement (does not include in court assistance).
 - ii. Lawyer involvement including:
 - 1. Create robust training materials and trainings for ALP trainees;
 - 2. Supervise and evaluate ALP trainees' skills assessment to ensure they understand the legal landscape and process, and can apply concepts with accuracy;
 - 3. Provide shadow opportunities for ALP trainees for the first three months of service provision, review all paperwork completed by ALPs before it is filed;
 - 4. Conduct periodic checks to ensure high quality work continues on an ongoing basis;
 - 5. Supervise ALPs and manage all Rasa cases to ensure the applicable filing requirements and deadlines are met;
 - 6. Complete regular performance reviews of ALPs to provide regular feedback and improve Rasa's services; and
 - 7. Promptly address any complaints received with the person who handled the matter.
 - c. Software provider with lawyer involvement
2. Rasa Public Benefit Corp. is authorized to provide legal services across the following legal service areas:
- a. Expungement
 - b. 402 reduction
 - c. Employment
3. The following Rules of Professional Conduct are waived:
- a. Rule 1.15 and Rule 14-1001 which require an attorney to maintain an IOLTA account. Rasa believes that using both the software platform and ALPs will enable the entity to offer to clear a person's record for approximately \$500; representation by a lawyer for the same task costs approximately \$2000-\$3000. Due to this business pricing structure, maintaining an IOLTA account is extremely time

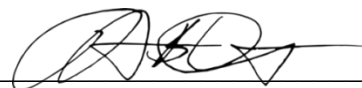
consuming and does not yield much interest as the money is put in and almost immediately moved to the operation account.

- b. Rasa is required to hold customer and/or client fees and/or expenses in an account that earns interest or dividends and remit the interest or dividends earned on those accounts, net any reasonable service fees or charges, to the Utah Bar Foundation. Rasa must remit the interest or dividend to the Foundation at least quarterly. Along with the remittance, Rasa must provide the Foundation with a report stating the name of the entity, the amount of the remittance, the rate and type of interest or dividend applied, and the average monthly balance on the account or accounts.
4. Rasa shall conform to the Moderate Innovation reporting requirements imposed by the Innovation Office.
 5. Rasa will prominently display the following disclosure requirements:
 - a. Innovation Office Badge
 - b. Nonlawyer service provider disclosure

If Rasa 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 Rasa'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 entity's services are not causing material harm to consumers.

DATED this 21st day of September, 2022.



Matthew B. Durrant
Chief Justice

Document 2



OFFICE OF LEGAL SERVICES INNOVATION

An Office of the Utah Supreme Court

Amended Recommendation to the Court

App No. 0027 - Rasa Public Benefit Corporation

September 21, 2022

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Executive Summary

Recommendation: Authorize

Applicant: Rasa Public Benefit Corporation (“Rasa”)

Proposed Model/Service: Rasa has developed a technological solution that provides information about Utah’s Clean Slate law and legal advice to people with criminal records in Utah. The service aims to help people with criminal records access their criminal history, understand what it means, learn whether they have been impacted by Utah’s Clean Slate law, and whether they might be eligible for petition-based expungement or 402 reductions to become eligible.

The proposed technology platform will provide individualized analysis and legal advice to consumers. Additionally, Rasa proposed using Alternative Legal Providers to assist consumers with their 402 reductions and expungement documents.

The proposed legal subject areas are:

- Expungement
- 402 reductions
- Employment

Target Consumer Market: This application model/service targets Utahns unlikely to have legal assistance or representation from lawyers.

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

- Lawyers sharing fees with nonlawyers
- ALP with lawyer involvement
- Software provider with lawyer involvement

Regulatory Objective Qualifier:¹ Rasa could significantly increase Utahans’ access to their rights under the Utah Clean Slate Act.

Utah Qualifier: Adapted for Utah requirements

Implementation Qualifier: While the service is not ready for immediate implementation, authorization is needed to continue platform development and engagement with necessary partners.

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)

Innovation Assessment

General Assessment: Moderate Innovation

Specific Risks:

1. Legal practice through technology
2. User communications

Sandbox Recommendation

We recommend the Court authorize Rasa to practice law 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 the authority be 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 Rasa Public Benefit'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.

Recommended legal service models

1. Software provider with lawyer involvement
2. Lawyers sharing fees with nonlawyers
3. ALP with lawyer involvement
 - a. ALPs offering:
 - i. Legal information and legal process assistance:
 1. Provide an overview of the expungement process and answer basic client questions about what to expect;
 2. Assist with document preparation
 - ii. Legal advice related to the expungement process and legal documents:
 1. With the assistance of the eligibility software, provide legal advice to individuals regarding their eligibility for an expungement and, if not eligible, whether there are potential things they can do to become eligible in the future;

Recommended qualitative compliance requirements	Standardized disclosure statements on website and in mobile applications (see Manual): <ol style="list-style-type: none">1. Badge2. Nonlawyer provider disclosure
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Recommended data reporting requirements	Moderate Innovation data reporting requirements (see Manual)
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