

11-701 Purpose

The Supreme Court created the Office of Legal Services Innovation and the Legal Services Innovation Committee to assist the Supreme Court in overseeing and regulating nontraditional legal services providers and the delivery of nontraditional legal services through a pilot legal regulatory sandbox. The Office of Legal Services Innovation will be housed at the Utah State Bar and is responsible for operating the legal regulatory sandbox in accordance with the policies adopted by the Supreme Court. The Office of Legal Services Innovation Committee is a Supreme Court advisory committee that makes policy-based recommendations for action by the Court.

Effective November 1, 2024

Advisory Committee Note 1.

[Utah Supreme Court Standing Order #15](#) established the Office of Legal Services Innovation. Detailed information about the operations of the Office of Legal Services Innovation and the Legal Services Innovation Committee can be found in the publicly available [Innovation Office Manual](#).

Note adopted November 1, 2024

11-702 Legal Services Innovation Committee Composition

(a) **Composition.** The Legal Services Innovation Committee must have at least ten members and include the following:

1. one elected Utah State Bar Commissioner;
2. one member of the Utah State Bar's Access to Justice Commission;
3. the director of the Utah State Court's Self Help Center or the director's designee;
4. two experts in relevant fields, such as legal regulation, consumer legal needs, or data collection and analysis;
5. two Utah attorneys experienced in areas of law directly serving consumers;
6. one Utah licensed paralegal practitioner; and
7. one non-attorney member experienced in working with traditionally underserved communities.

(b) **Terms.** Members are appointed for staggered three-year terms, unless the Supreme Court determines that a different term length is appropriate for the needs of the Committee. The Supreme Court will appoint the chair and vice-chair. No Committee member may serve more than two full consecutive terms unless appointed as the chair, vice-chair, or when justified by special circumstances. The Committee may also have up to two non-voting emeritus members. An emeritus member has the same authority and duties as other Committee members, except that the member does not have authority to vote. An emeritus member may serve two full terms in addition to the terms served as a member.

(c) **Application and recruitment of committee members.** In the event of a committee vacancy, the Supreme Court, after consulting with the Committee chair, will appoint a new Committee member from the same category as the prior Committee member, if

applicable. The new Committee member serves for the remaining unexpired term and thereafter is eligible to serve two additional consecutive terms.

(e) **Absences.** In the event a Committee member fails to attend three Committee meetings during a calendar year, the chair may notify the Supreme Court of those absences and may request that the Supreme Court replace that Committee member.

(f) **Administrative assistance.** The Utah State Bar will provide administrative assistance to the Committee.

(g) **Staff.** The Office of Legal Services Innovation's Program Director will serve as staff and chief advisor to the Committee. The Program Director will be appointed by the Utah Supreme Court with the advice of the Utah State Bar.

Adopted November 1, 2024

1 **Rule 11-703. Disclosure, Recusal, and Disqualification.**

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5 (a) **Intent.** To establish procedures for the disclosure, recusal, or disqualification of a
6 Committee member's participation in any Committee action where a qualifying conflict
7 of interest exists.

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9 (b) **Disclosure.**

10 (1) A committee member must disclose any conflict of interest before the
11 Committee takes action on an item in which the member has a conflict of interest.

12 (2) Each Committee member must disclose to the Committee the member's
13 professional or personal relationship or other conflict of interest with a subject
14 party.

15 (3) Relationships that may affect an evaluation of the subject party include any
16 contact or association that might influence a Committee member's ability to
17 fairly and reasonably evaluate a subject party without bias or prejudice,
18 including but not limited to:

19 (A) a familial relationship with to a subject party within the third degree
20 of relationship;

21 (B) any business or personal relationship between the Committee member
22 and a subject party; and

23 (C) any personal litigation directly or indirectly involving a subject party
24 and the Committee member, the Committee member's family, or the
25 Committee member's business.

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27 (c) **Recusal.**

28 (1) As used in this rule, recusal is a voluntary act of self-disqualification from an
29 action item by a Committee member.

30 (2) After making a disclosure under paragraph (b), a Committee member may
31 recuse if the Committee member believes the relationship with the subject party
32 or other parties will affect the member's evaluation of the subject party.

33 (3) A Committee member need not recuse if the member believes the member
34 can be fair and unbiased.

35 (4) The Committee chair may order a Committee member be disqualified for
36 either a disclosed or undisclosed apparent conflict of interest.

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38 (d) **Disqualification procedures.**

39 (1) A subject party may move to disqualify a Committee member if such
40 member:

41 (A) makes a disclosure and does not voluntarily recuse, and that
42 member's impartiality might reasonably be questioned; or

43 (B) does not make a disclosure, but known circumstances suggest the
44 Committee member's impartiality might reasonably be questioned.

45 (2) A motion to disqualify a Committee member must be submitted to the
46 Committee staff member for review by the chair or vice chair before the
47 applicable Committee meeting.

48 *Effective November 1, 2024*

11-704 Legal Services Innovation Office and Committee Powers

(a) **Review of Sandbox Applications.** The Committee reviews entity applications and assesses whether the entity has met the requirements for admission to the Sandbox. The Committee may require the applicant to provide additional information, may deny an application, or may recommend that the Supreme Court approve the application.

1. **Denials.** If the committee denies an entity application, the applicant may submit a request for reconsideration to the Committee. If the Committee denies the request for reconsideration, the entity applicant may appeal the denial to the Supreme Court.

(b) **Policy Development.** The Committee is responsible for developing and recommending policies to the Supreme Court to ensure that consumers have access to a well-developed, high-quality, innovative, affordable, and competitive market for legal services.

(c) **Monitoring and Reporting.** The Committee monitors entity data, consumer complaints, and the results of pre-launch assessments and audits for evidence of consumer harm. The Committee reports its findings and recommendations to the Supreme Court on a regular basis.

(d) **Disciplinary Actions.** The Committee may suspend or terminate any entity's authorization as governed by the Innovation Office Manual.

1. **Appealing Disciplinary Status.** An entity may appeal its suspension or termination by submitting a request for reconsideration to the Committee. If the Committee denies the request for reconsideration, the entity may appeal the denial to the Supreme Court.

2. **Reinstatement after Suspension or Termination.**

A. **Suspension.** An entity may apply for reinstatement at any time by submitting an affidavit for reinstatement.

29 B. **Termination.** A previously terminated entity may apply for
30 reinstatement after three years from the termination date.

31 (e) **Withdrawal.** The Committee may approve an entity's request to withdraw from
32 the Sandbox. The Committee will notify the Supreme Court of the withdrawal.

33 *Effective November 1, 2024*

1 **11-705 Entity Data**

2 (a) **Private Data.** The data reported by Sandbox entities are classified as “protected
3 records” under the Utah Code of Judicial Administration (UCJA) Rule 4-202.02. The
4 data will not be released publicly, although the Supreme Court may share reported data
5 with external researchers who enter into research agreements with the Administrative
6 Office of the Courts.

7 *Effective November 1, 2024*