

1                                   **RESOLUTION URGING REQUIREMENT OF**  
2                                   **BOND TO FILE A BAR COMPLAINT**

3                                   2001 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Terry R. Spencer**

6   **This resolution of the Senate urges the Utah Supreme Court and the Utah State Bar to**  
7   **require persons filing a complaint against an attorney to post a bond.**

8   *Be it resolved by the Senate of the state of Utah:*

9           WHEREAS, attorneys seeking payment for legal services from delinquent clients are  
10   occasionally threatened with a complaint through the Utah State Bar;

11           WHEREAS, these complaints are often spurious attempts to avoid paying legal fees;

12           WHEREAS, clients who file a complaint against their attorney should be required to post  
13   a bond in order to reduce the likelihood of a client filing a complaint as a means of pressuring an  
14   attorney into dropping their financial claim on the client;

15           WHEREAS, the time frame in which a client can file a complaint against their attorney  
16   should be limited to six or 12 months from the completion of legal services to further reduce the  
17   number of clients attempting to escape financial obligations for services rendered by the attorney;  
18   and

19           WHEREAS, these requirements would not limit the ability of a client to file a lawsuit in  
20   district court:

21           NOW, THEREFORE, BE IT RESOLVED that the Senate of the state of Utah urges the  
22   Utah State Supreme Court and the Utah State Bar to require any person filing a complaint against  
23   an attorney to post a bond.

24           BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah State  
25   Supreme Court and the Utah State Bar.

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**Legislative Review Note**  
**as of 1-18-01 1:52 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**