

Joint Resolution Amending Rules Relating to the Practice of Law

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor:

Sponsor:

LONG TITLE

General Description:

This joint resolution amends rules relating to the practice of law.

Highlighted Provisions:

This resolution:

- amends the Utah Code of Judicial Administration to address fees imposed by the Utah Supreme Court with regard to the practice of law.

Other Special Clauses:

This resolution provides a special effective date.

Utah Code of Judicial Administration Affected:

AMENDS:

Rule 14-102, Utah Code of Judicial Administration

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

As provided in Utah Constitution Article VIII, Section 4, the Legislature may amend rules of procedure and evidence adopted by the Utah Supreme Court upon a two-thirds vote of all members of both houses of the Legislature:

Section 2. **Rule 14-102**, Utah Code of Judicial Administration is amended to read: **Rule 14-102 . Regulating the practice of law.**

(a) Vested authority.

(1) The Supreme Court—by its constitutional power—authorizes and designates the Bar to administer rules and regulations that govern the practice of law in Utah, including regulating licensed paralegal practitioners. All persons authorized to practice law in Utah must be licensed by the Bar in accordance with this chapter and Chapter 15 of the Supreme Court Rules of Professional Practice.

(2) The Supreme Court recognizes a compelling state interest in using the Bar to assist

30 the Court in governing admission to the practice of law and improving the quality of legal
31 services in the state. The requirements imposed, the delegations made, and the authority
32 granted to the Bar provide the best ways to promote these compelling state interests and there
33 are no less restrictive alternatives available to achieve those results.

34 _____ (3) The Supreme Court may only impose a licensing fee on persons authorized to
35 practice law that is proportional to the costs and expenses incurred by the Bar to admit and
36 license persons authorized to practice law, to discipline and disbar persons licensed to practice
37 law, and to propose rules related to the practice of law.

38 _____ (4) Except as provided in paragraph (a)(5), the Supreme Court may not impose a fee on
39 persons authorized to practice law, or use any amount of a licensing fee described in paragraph
40 (a)(3), to fund a service for persons licensed to practice law or a service provided to the public.

41 _____ (5) The Supreme Court may allow the Bar to collect a voluntary fee from persons
42 authorized to practice law to fund a service described in paragraph (a)(4).

43 _____ (6) Any fee that the Bar charges or collects under this rule shall:

44 _____ (A) be reasonable and fair; and

45 _____ (B) reflect and be based on all of the Bar's direct and indirect costs and expenses for:

46 _____ (i) if the fee is a licensing fee, admitting and licensing persons authorized to
47 practice law, disciplining and disbarring persons licensed to practice law, and proposing rules
48 related to the practice of law; and

49 _____ (ii) if the fee is for a service described in paragraph (a)(4), providing the service
50 for which the Bar charges the fee.

51 **(b) Responsibilities of the Bar.** The Bar's purposes, duties, and responsibilities include:

52 (1) advancing the administration of justice according to law;

53 (2) aiding the courts in the administration of justice;

54 (3) regulating the admission of persons seeking to practice law;

55 (4) fostering and maintaining integrity, learning competence, public service, and high
56 standards of conduct among those practicing law;

57 (5) representing the Bar before legislative, administrative, and judicial bodies;

58 (6) preventing the unauthorized practice of law;

59 (7) promoting professionalism, competence, and excellence through continuing legal
60 education and other means;

61 (8) providing a service to the public, the judicial system, and Bar members;

62 (9) educating the public about the rule of law and responsibilities under the law; and

63 (10) assisting Bar members in improving the quality and efficiency of their practice.

64 (c) **Qualifications.** This chapter prescribes the qualifications, duties, and obligations of
65 lawyers, foreign legal consultants, and licensed paralegal practitioners licensed to practice law
66 in Utah. The Supreme Court is responsible for disciplining a Bar member or licensed paralegal
67 practitioner.

68 (d) **Licensure required.** Suspended or disbarred persons may not practice law in Utah or
69 hold themselves out as able to practice law in Utah. A person may only practice law in Utah if
70 that person is:

71 (1) a licensed lawyer and an active Bar member in good standing;

72 (2) an inactive member in good standing providing pro bono legal services for or on
73 behalf of a legal services organization approved by the Bar upon meeting certification and
74 performance standards, conditions, and rules established by the Board;

75 (3) a foreign legal consultant licensed by the Bar; or

76 (4) a licensed paralegal practitioner and an active licensee of the Bar in good standing.

77 Section 3. **Effective Date.**

78 As provided in Utah Constitution, Article VIII, Section 4, this resolution takes effect
79 upon a two-thirds vote of all members elected to each house.