



UCOA Quarterly Aging Summit Agenda Thursday – May 12, 2022

12:00 PM - 01:30 PM

Community Partner and Member Networking Meeting

Join Zoom Meeting <https://zoom.us/j/640416337>

Or Dial 669 900 6833

Meeting ID: 640 416 337

(Zoom conference information will remain the same for all UCOA quarterly meetings)

Agenda

12:00 Welcome to members and partners
Thank you to first-time attendees

Andrew Jackson

12:05 Executive Director Report

- Website updates
- Future UCOA meetings
- Community calendars



Rob Ence

12:15 Conversation with Leadership

Utah Department of Health and Human Services

- DHHS Overview
- Division Details
 - Organizational directories
 - Implications for aging services
 - Other departmental relationships impacting aging
- DAAS Implications

Deputy Directory – Nate Checketts
Asst Dep Director – Tonya Hales

Nels Holmgren

01:00 Community Partner Projects

- State Plan for Family Caregiving
- State Aging Plan – Update for 2023
- UGS
- Partner open conversation

Rob Ence/All

Rebecca Utz

01:30 Adjourn

Next meeting August 11, 2022, at Noon – via Zoom

(Public and partner comment and input welcomed throughout. Session will be recorded.)



Homecare & Hospice
Association of Utah



GOING THE DISTANCE

MAY 17-18, 2022 @ SLCC SANDY CAMPUS

HHAU SPRING 2022 HOME HEALTH & HOSPICE CONFERENCE & EXHIBITION



OPENING KEYNOTE SPEAKER
GOLD MEDALIST OLYMPIAN BILLY DEMONG



CLOSING KEYNOTE SPEAKER
UTAH SPORTS HALL OF FAME HONOREE
DR. DAVID BARNES, M.D.

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We Can't Wait to See You!

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Early Bird/Regular Pricing \$315/\$350

Send 5 from Same Agency \$1,500

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Partial Program Virtual Option \$295

On-Demand Recordings Available

*Non-Member rates 2x member rates

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Exhibitor Booth (Spring) \$450

Spring/Fall Combo. \$700

(Spring Booth & Fall Virtual Sponsorship)

Premier Sponsorships \$2,500

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A La Cart Opportunities to participate in-person or virtually:

- Program Advertizing
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- Break-Out Session Sponsorships
- Snack & Meal Sponsorships
- Lanyards - and more!

*See website for non-member pricing



SURVIVING AND THRIVING DURING COVID

VIRTUAL CAREGIVING CONFERENCE AND UGEC RETREAT

May 18, 2022
from 5:30 pm - 7:00 pm (MST)

Key Note Speakers



Heather Snyder
PhD



Kathie Supiano
PhD, LCSW, FT, FGSA, APHSW-C

The University of Utah College of Nursing Utah Geriatric Education Consortium (UGEC) and the Family Caregiving Collaborative invite you to join us for a special virtual retreat showcasing the impact of COVID-19 on caregivers and the resilience tools of getting past COVID. You will also have an opportunity to share your own COVID stories.

Everyone is welcome to join this session.

Join us the next day, **May 19th, from 11:30 am - 2:30 pm (MT)** for more on resilience in the workforce and an update on long-COVID symptoms and treatments.

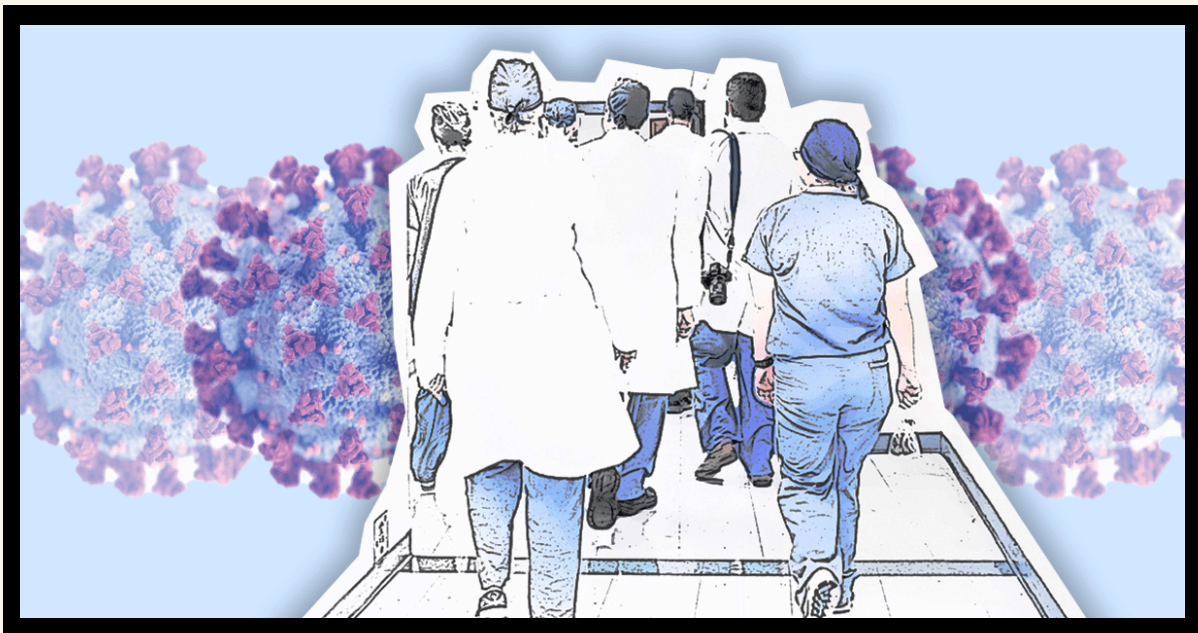
Register [HERE](#) or scan the QR code



SURVIVING AND THRIVING DURING COVID

UTAH GERIATRIC EDUCATION CONSORTIUM RETREAT

**May 19, 2022
from 11:30 am - 2:30 pm (MST)**



Join us for panels on long-COVID and workforce stories in primary care and long-term services and supports settings, as well as an example of how one long-term care organization is building the workforce since COVID.

Register [HERE](#) or scan the QR code



SURVIVING AND THRIVING DURING COVID

UTAH GERIATRIC EDUCATION CONSORTIUM RETREAT

May 19, 2022
from 11:30 am - 2:30 pm (MST)

Schedule:

11:30 am - 11:45 am	Welcome!	Linda Edelman, PhD, MPHIL, RN UGEC Program Director
11:45 am - 12:50 pm	Post-Acute COVID Sequelae Discussion with experts from Cardiology/Pulmonary, Neuropsychology, Geriatrics, and Patient Perspectives	Kathie Supiano, PhD, LCSW Jeanette P. Brown, MD, PhD Kelly Davis Garrett, PhD Josie Stone, RN, CPNP
12:50 pm - 1:10 pm	Jamboard Session & Break	Audience participation
1:10 pm - 1:30 pm	COVID Workforce Success Stories Panel Discussion with experts from Long Term Services and Supports, Primary Care, and Providers	Susan Butterworth, PhD, MS QConsult Founder, Principal, MI Instructor Cameron Peterson, MD Amy Hartman, RN Scott Monson, Partner/CEO SAL Management Group Andrea Harris, RN, MS, Care Manager for the University of Utah Geriatric Clinic
1:30 pm - 2:00 pm	Share your Experiences	Audience participation
2:00 pm - 2:15 pm	Building the Workforce in the "New World" presentation	Daniel Bahrt Director of Clinical Sciences at Cascades Healthcare
2:15 pm - 2:25 pm	Wrap-up	Linda Edelman, PhD, MPHIL, RN UGEC Program Director



CAREGIVER CONFERENCE

Care With Purpose & Passion

May 20 & 21, 2022
8am to 3pm

Alta View Hospital
Blanch Family Education Center
9660 S 1300 E, Sandy, UT 84094

Limited Seating. To learn more and register, visit:

www.lyndenlegacy.com

Lynden Legacy, in partnership with Jewish Family Service, Alzheimer's Association of Utah and Utah Geriatric Education Consortium, is proud to host the inaugural 2022 Caregiver Conference. The conference is specifically designed to help you connect with other caregivers and family members who are supporting those with Alzheimer's and other dementia related illnesses. The conference will include interactive discussion, self-care suggestions, presentations from local experts, up-to-date resources and uplifting messages. For more information about the mission and vision of Lynden Legacy, visit: www.lyndenlegacy.com.

Questions? Please contact Katie Blanch at (801) 230-8902.

Cognitive Resilience Across the Translational Research Spectrum

15th Annual Research Retreat

May 25, 2022
8:00am – 4:00pm

The Alumni House
155 S Central Campus Drive
Salt Lake City, UT 84112

Keynote Speakers



Demetrius Maraganore, MD, FAAN

Tulane University

“Pragmatic Study of Older Persons with Superior Cognitive
Performance Over Age 90”
and

“Paradigm Shift: From Palliating to Preventing Cognitive Decline
and Dementia”



Timothy Hohman, PhD

Vanderbilt University

“Genetic Drivers of Resilience to Alzheimer’s Disease”

University of Utah Presentations

Nikki Camp, PhD

Overview of the Utah Population Data Base

Basic Science and Biomarkers – Dr. Tony Donato, Moderator

Clinical – Dr. Mark Supiano, Moderator

Cardiovascular and Physical Activity

Sensory and Sleep

Neuropsychological

Caregiver – Dr. Caroline Stephens, Moderator



2ND ANNUAL UTAH ELDER ABUSE AWARENESS DAY

Virtual Conference 2022

*Wednesday, June 15
10 AM -12 PM*

*REGISTER:
<https://bit.ly/UTEAAD22>*



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utah department of
human services
AGING AND ADULT SERVICES



UtahAging.org
Utah Commission on Aging



Utah Association of Area Agencies on Aging





Creating an Age-friendly Ecosystem

Keynote address
Dr. Terry Fulmer, RN, FAAN
Director
John A. Hartford Foundation



Virtual Symposium September 22-23, 2022

The Age-Friendly Communities Symposium brings together individuals from the Intermountain West to identify innovations and opportunities that will transform how neighborhoods, campuses, and health environments foster the independence, productivity, and wellbeing of older adults.



Learn more about Dr. Terry Fulmer, RN, FAAN:

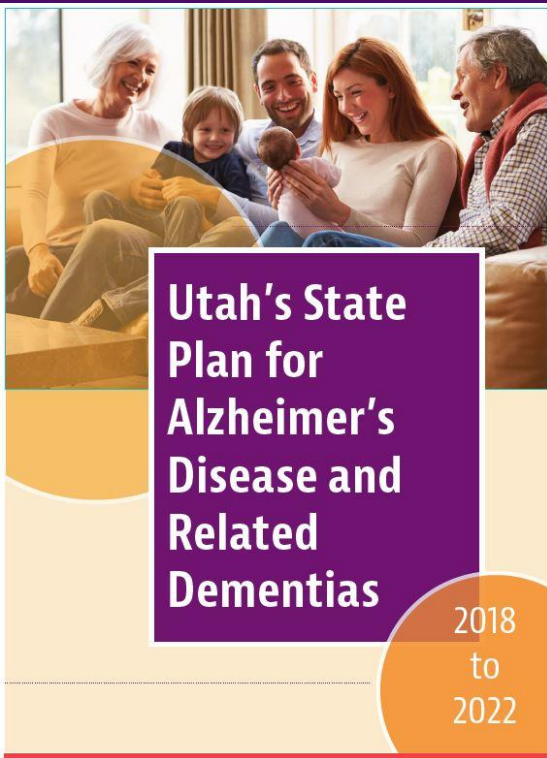
Terry Fulmer, PhD, RN, FAAN, is President of The John A. Hartford Foundation in New York City, a national philanthropy dedicated to improving the care of older adults. She serves as the chief strategist for the Foundation and her vision for better care of older adults is catalyzing the Age-Friendly Health Systems social movement. She is an elected member of the National Academy of Medicine and recently served on the independent Coronavirus Commission for Safety and Quality in Nursing Homes. She previously served as Dean of Health Sciences at Northeastern University and Founding Dean of the New York University College of Nursing. Dr. Fulmer is nationally and internationally recognized as a leading expert in geriatrics and is also known for conceptualization and development of the national NICHE program and research on the topic of elder abuse and neglect. She is the first nurse to have served on the board of the American Geriatrics Society. She is also the first nurse to have served as President of the Gerontological Society of America, which awarded her the 2019 Donald P. Kent Award for exemplifying the highest standards for professional leadership in the field of aging.

The Age-Friendly Communities Symposium website is still under construction but you can view it here and save the link for later:

<https://utahgwep.org/age-friendly-communities-symposium>

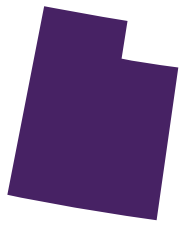


Utah's State Plan for Alzheimer's Disease and Related Dementias



GOALS

1. A Dementia-Aware Utah
2. Support and Empower Family and Other Informal Caregivers
3. Dementia-Competent Workforce
4. Expanded Research in Utah



Utah

Alzheimer's Statistics



Prevalence

NUMBER OF PEOPLE
AGED 65 AND OLDER
WITH ALZHEIMER'S

Year	TOTAL
2020	34,000
2025	42,000

ESTIMATED % CHANGE

23.5%



Workforce

25

of geriatricians

356.0%

% increase needed to meet
the demand in 2050

13,040

of home health and
personal care aides

49%

% increase needed to meet
demand in 2028



Caregiving (2021)

97,000

Number of Caregivers

\$1,985,000,000

Total Value of Unpaid Care

22.3%

% of caregivers
with depression

119,000,000

Total Hours of Unpaid Care

69.0%

% of caregivers
with chronic
health conditions

10.7%

% of caregivers
in poor physical
health



Health Care

HOSPICE (2017)

2,506

of people in hospice
with a primary diagnosis
of dementia

19%

% in hospice with a primary
diagnosis of dementia

HOSPITALS (2018)

1,194

of emergency department
visits per 1,000 people
with dementia

16.7%

dementia patient hospital
readmission rate

MEDICAID

\$185M

Medicaid costs of caring
for people with Alzheimer's
(2020)

27.0%

projected change in costs
from 2020 to 2025

MEDICARE

\$24,093

per capita Medicare spending on people
with dementia (in 2021 dollars)



Mortality

OF DEATHS FROM ALZHEIMER'S DISEASE (2019)

980

186.5% increase in
Alzheimer's deaths since 2000

More than **6 million Americans** are living with Alzheimer's, and over **11 million** provide their unpaid care. The cost of caring for those with Alzheimer's and other dementias is estimated to total **\$321 billion** in 2022, increasing to nearly **\$1 trillion** (in today's dollars) by mid-century.

For more information, view the **2022 Alzheimer's Disease Facts and Figures** report at alz.org/facts.
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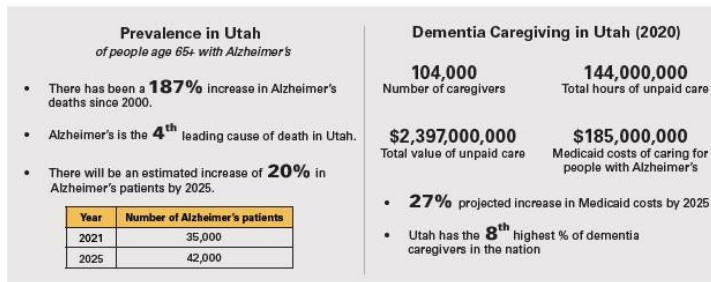


ADRD Research Center

Alzheimer's and Dementia Research Center 2022 Appropriation Request



Utah Alzheimer's Statistics



Significant benefits of an Alzheimer's and Dementia Research Center to the State of Utah include:

- Strengthened infrastructure throughout the state to study and support persons with Alzheimer's disease and related dementia (ADRD).
- Economic development in additional ADRD grants over the next 5 years, allowing access to over \$3 billion of available research funds from the National Institutes of Health (NIH).
- Fostering collaboration of all types of Alzheimer's research across multiple institutions, building an intermountain hub for ADRD research.
- Supporting people with ADRD and their families with increased access to services, resulting in substantial savings to the Medicaid program (\$36 million per year in long term nursing home costs).
- Increased awareness of and service to caregivers through community outreach and education.



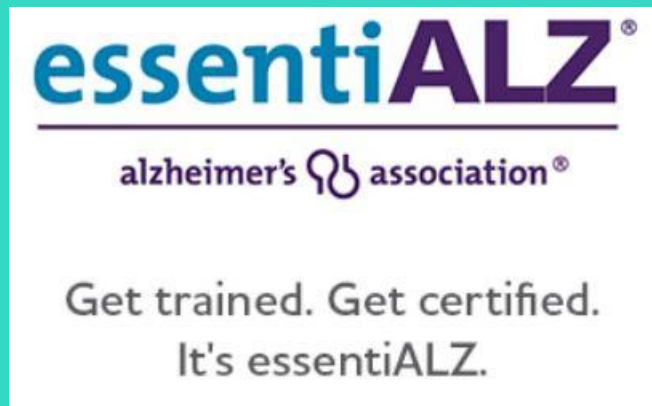
The fastest growing age group in Utah is **65-85**.

At age 85, **1 in 3 people** will have Alzheimer's disease.

- Build bridges between existing statewide research
- Become a catalyst to secure NIH funding throughout the state
- Focus on all aspects of ADRD research
- Entice faculty and student researcher teams to pivot their aims toward ADRD research
- USU facilitates the statewide Extension program
- USU can facilitate coordination and collaboration with other organizations
- This center will support the Utah State Plan for ADRD in its objective to expand ADRD research in our state

Professional Resources

- Dementia Practice Guidelines
- Curriculum Review
- EssentiALZ Certification



To learn more, visit alz.org/trainingandcertification.

2022 FACTS AND FIGURES REPORT



2022 Alzheimer's Disease Facts and Figures



1 in 3

seniors dies with Alzheimer's or another dementia

Over **11 million** Americans

provide unpaid care for people with Alzheimer's or other dementias



These caregivers provided more than 16 billion hours valued at nearly

\$272 billion



In 2020, COVID-19 contributed to a **17% increase** in Alzheimer's and dementia deaths

In 2022, Alzheimer's and other dementias will cost the nation

\$321 billion

By 2050, these costs could rise to nearly

\$1 trillion

Between 2000 and 2019, deaths from heart disease have decreased **7.3%**

It kills more than **breast cancer and prostate cancer combined**

while deaths from Alzheimer's disease have **increased 145%**

More than **80%** of Americans know little or are not familiar with mild cognitive impairment (MCI), which can be an early stage of Alzheimer's.

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2022 Datos y cifras sobre la enfermedad de Alzheimer



1 de 3

personas mayores muere con el Alzheimer u otra demencia

Más de **11 millones** de estadounidenses proporcionan cuidado no remunerado para personas con Alzheimer u otras demencias



Estos cuidadores proporcionaron más de 16 mil millones de horas valuadas en casi

\$272 mil millones



En 2020, el COVID-19 contribuyó a un **aumento de 17%** de muertes del Alzheimer y otras demencias



En 2022, el Alzheimer y otras demencias le costarán a la nación

\$321 mil millones

Por 2050, estos costos pueden subir a casi

\$1 billón

Entre 2000 y 2019, las muertes de enfermedades cardiovasculares han disminuido **7.3%**

Mata a más personas que **el cáncer de mama y el cáncer de próstata combinados**

mientras las muertes de la enfermedad de Alzheimer han **aumentado 145%**

Más de **80%** de estadounidenses saben poco o no están familiarizados con el deterioro cognitivo leve (MCI por sus siglas en inglés), lo cual puede ser una etapa temprana del Alzheimer

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2022 FACTS AND FIGURES SPECIAL REPORT



MORE THAN NORMAL AGING: UNDERSTANDING MILD COGNITIVE IMPAIRMENT

More than
80% of Americans know little or are not familiar
with mild cognitive impairment (MCI)

An estimated
10-15%
of individuals with MCI develop
dementia each year

About
1/3
of people with MCI develop
dementia due to Alzheimer's
disease within 5 years

Over
50%
of all Americans say MCI
sounds like "normal aging"

42%
of Americans say they worry
about developing MCI due to
Alzheimer's disease

Physicians and MCI

90%
say it's important to diagnose
MCI due to Alzheimer's
However, over 1/2 say they are
not fully comfortable diagnosing it

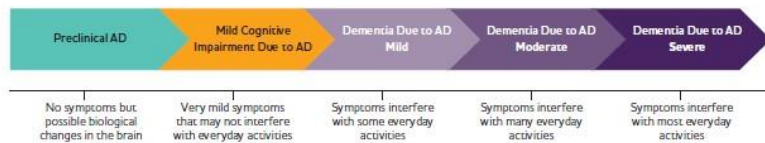
96%
say it's important to assess
patients aged 60 and older for
cognitive impairment
Yet assessments are conducted
for just 1/2 of their patients

What is MCI?

Mild cognitive impairment is an early stage of memory loss or other cognitive ability loss in individuals who are able to perform most activities of daily living.

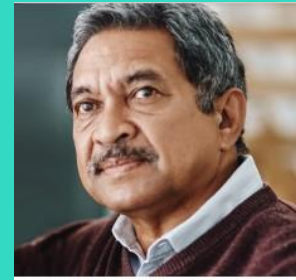
MCI can be an early stage of the Alzheimer's disease continuum if the hallmark changes in the brain are present.

Alzheimer's Disease (AD) Continuum



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MÁS QUE EL ENVEJECIMIENTO NORMAL: ENTENDER EL DETERIORO COGNITIVO LEVE

Más del
80% de los estadounidenses saben poco o no están familiarizados
con el deterioro cognitivo leve (MCI por sus siglas en inglés)

Se estima que el
10-15%
de individuos con MCI desarrolla
la demencia cada año

Alrededor de
1/3
de las personas con MCI desarrollan
la demencia debida a la enfermedad
de Alzheimer dentro de 5 años

Más de
50%
de estadounidenses dicen que el MCI
suena como "el envejecimiento normal"

42%
de estadounidenses dicen que se
preocupan por desarrollar MCI debido
a la enfermedad de Alzheimer

Los médicos y el MCI

90%
dicen que es importante
diagnosticar el MCI debido al
Alzheimer

Sin embargo, más de la mitad dicen
que no se sienten completamente
cómodos diagnosticándolo

96%
dicen que es importante evaluar a
los pacientes de la edad de 60 años y
mayores para el deterioro cognitivo
Sin embargo las evaluaciones
se realizan sólo para la mitad
de sus pacientes

¿Qué es el MCI?

El deterioro cognitivo leve (MCI por sus siglas en inglés) es una etapa temprana de la pérdida de memoria u otra habilidad cognitiva en individuos que son capaces de hacer la mayoría de las actividades cotidianas.

El MCI puede ser una etapa temprana del continuo de la enfermedad de Alzheimer si los cambios distintivos en el cerebro están presentes.

El continuo de la enfermedad de Alzheimer (AD por sus siglas en inglés)



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Utah Bar Foundation Report on Debt Collection and Utah's Courts

Released April 2022



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Message from the Executive Director

In 2019, the Utah Bar Foundation (UBF), in conjunction with the Utah Foundation, commissioned an unmet legal needs study that was completed in February 2020. The final report from that study, titled *The Justice Gap: Addressing the Unmet Legal Needs of Lower-Income Utahns*,¹ was released in April 2020. That report showed that some of the highest unmet legal needs in Utah center around debt collection, in both District and Justice Courts, as well as the eviction process, handled in District Court. Most concerning was that the majority of plaintiffs have attorney representation in the eviction and debt collection matters, while less than 5% of defendants (renters and/or debtors) had attorney representation. The Utah Bar Foundation wanted to take a deeper look into ways to improve this legal system for all parties involved.



**Kim Paulding, Director
Utah Bar Foundation**

In support of its mission to increase knowledge and awareness of the law in the community, improve the administration of justice, and serve law-related public purposes, the Utah Bar Foundation (UBF) has undertaken a months-long effort to explore issues arising from the prevalence of debt collection litigation in Utah and to identify opportunities for systemic improvement. Nationwide, state courts are increasingly burdened with high-volume, low-dollar debt claims brought by plaintiffs with legal representation and defendants with no legal help. For various reasons, defendant participation rates in the legal system can be low, leading to a high rate of default judgments. Utah's courts are not immune to these problems. The Utah Bar Foundation has taken a data-driven, non-partisan approach to studying these issues. Support for this project was provided by The Pew Charitable Trusts.

We appreciate the assistance from the Utah State Courts in fulfilling our court data requests, the many hours of time freely given by numerous community stakeholders with expertise in the eviction and debt collection legal system in Utah, members of The Pew Charitable Trusts Civil Legal System Modernization (CLSM) team and to the members of the Utah Bar Foundation Working Committee for making this project a success.

Members of the Utah Bar Foundation Working Committee include:

Kim Paulding, Executive Director, Utah Bar Foundation
David McNeill, PhD, MBA, Lead Researcher
Suzanne Brown-McBride, M.Ed., Consultant, Impossible6, LLC
Joél Arvizo-Zavala, PhD, Consultant
Erika Rickard, JD, Project Director, The Pew Charitable Trusts CLSM
Lester Bird, Manager, The Pew Charitable Trusts CLSM
Charlotte Stewart, JD, Principal Associate, The Pew Charitable Trusts CLSM
Natasha Khwaja, Associate I, The Pew Charitable Trusts CLSM

Members of the Data Research Team include:

David McNeill, PhD, MBA, Lead Researcher
Landon Troester, Lead Court Records Analyst
Ryan Helm, Data Analyst
Briana R Cummings, JD, Statistical Advisor
Joél Arvizo-Zavala, PhD, Researcher
Ryan Williams, Court Records Analyst
Joshua Jewett, Court Records Analyst

Overview

This project sought to understand debt collection activities and the processes and outcomes tied to two levels of the judiciary in Utah: Justice Courts, which hear small claims debt cases, and District Courts, which hear cases involving third-party debt collection, evictions, and eviction-related debt. The project researchers found the following:

- ◆ Some policies, including statutes and court rules, serve to disincentivize defendant participation in debt lawsuits. In some cases, policies around attorney fees and court-awarded damages lead to worse outcomes for defendants who do engage with the courts than for defendants who do not participate in their cases and receive a default judgment.
- ◆ Civil courts are primarily being used by financial institutions and their subsidiaries to collect debts. As a result, individuals and/or small business owners represent a minority of plaintiffs even in Justice Court small claims.
- ◆ In Utah, six plaintiffs account for roughly 50% of all debt collection cases in District Court and nine plaintiffs account for roughly 50% of small claims filed in Justice Court.
- ◆ The size of debt being pursued in District Court is very similar to that pursued in Justice Court (median amounts in controversy are approximately \$1,200), but outcomes for defendants are very different due to contrasting policies.
- ◆ While the rules for small claims² in Justice Courts are easier to navigate for debtors, the rules for District Court were written assuming both parties involved in a case would have legal representation.³ Defendant confusion around their rights and obligations can discourage participation with a case.
- ◆ When it comes to evictions, Utah's policies are among the least renter-friendly in the nation; only two other states have a three-day "pay or vacate" window coupled with treble damages, which may be assessed in addition to any back rent owed, for residential evictions.⁴

Additionally, we identified several overarching themes related to the debt litigation process in the state:

- 1 Court is expensive (for all parties).**
- 2 Court processes are difficult to navigate without specialized training.**
- 3 Court is a less efficient vehicle for resolving debt claims than upstream solutions.**
- 4 People seldom understand their rights and obligations.**
- 5 The length of time between case initiation to judgment is a significant factor in defendant outcomes.**

Utah's courts have a unique opportunity to improve adjudication of debt collection and eviction lawsuits. This report proposes policy solutions to modernize, streamline, and improve the eviction and debt collection system for all parties.

Introduction

Beginning in July 2021, the UBF began gathering data from the Utah Administrative Office of the Courts on eviction and debt collection lawsuits. The scope also included dozens of stakeholder interviews on their experiences with small claims, District Court debt claims, and evictions in the legal system. This report describes the scope of these lawsuits as they move through Utah's District and Justice Courts as well as their impact on courts, the parties involved, and Utahns generally. It concludes with recommendations for reform at various stages of the debt collection litigation process from the initial notice and filing of a lawsuit through the post-judgment enforcement of a claim. These recommendations aim to promote a more open, fair, and efficient justice system.

Debt Collection

As of 2013, debt collection lawsuits – which include unpaid auto loans as well as medical and credit card bills – have become the single most common type of civil litigation, according to The Pew Charitable Trusts (Pew). In its 2020 report on individual debt, Pew also found that the number of debt cases nationwide rose from fewer than 1.7 million to about 4 million between 1993 and 2013. That leap corresponds with Consumer Financial Protection Bureau (CFPB) national survey data that found nearly 1 in 20 adults with a credit report were sued by a creditor or debt collector in 2014.

While courts are an important resource for businesses needing to collect debts owed by their customers or renters, civil dockets in state courts, including Utah's, are dominated by corporate plaintiffs. Companies attempting to collect consumer debt are often able to use serial filing⁵ to integrate the civil court process into their collections processes. Nationwide, these companies file millions of lawsuits⁶ each year, and commonly receive default judgments, meaning they are granted court authority to garnish a defendant's wages and assets without the defendant ever engaging with the lawsuit or court process.⁷ A majority of these filings are attributable to debt buyers who purchase debt from original creditors such as banks or hospitals for a fraction of their worth⁸ but sue consumers for the full amount plus collection costs.⁹

Much of the debt being collected by these plaintiffs can be classified as household debt, meaning it was incurred primarily as a result of expenses such as paying for rent and utilities, medical bills, or credit card usage. Nationally, household debt has exceeded \$15 trillion¹⁰ and the COVID-19 pandemic initially exacerbated the growing housing and financial instability of the past decade.¹¹ Utah has not been immune to these trends. While the state has experienced rapid economic growth with a 37% increase in GDP from 2010 to 2020 – one of the fastest in the nation¹² – Utah still has one of the highest debt-to-income ratios in the country.¹³ As of December 2020:

- ◆ 21% of Utah's population had some form of debt in collections, with a median amount of \$1,992.
- ◆ 41% of consumers in communities of color have some form of debt in collections.
- ◆ Medical debt represents the highest share of past due bills, at 14% – above student loan, auto/retail, and credit card debt.¹⁴

Eviction

In recent years, evictions have garnered significant attention from policymakers nationwide, leading several states to adopt policy and process reforms to serve the needs of all court users.¹⁵ In addition to substantive changes to landlord-and-tenant law, states are updating court processes around notice, service of process, and court forms.¹⁶ The COVID-19 pandemic and exacerbated threat of housing instability in particular has focused policymaker and public attention toward judgments on eviction.¹⁷ This focus has led to both local¹⁸ and national¹⁹ innovation and expansion of resources, many of which could be adapted in Utah, especially given the recent adoption of the judiciary's regulatory sandbox.²⁰

In 2016, Utah's eviction rate, or the percentage of renters who are removed from occupancy through the court process, was 0.93% – significantly lower than its adjacent and southern neighbors, and only slightly higher than Idaho and Wyoming to the north.²¹ From the years 2013-2020, more than 56,000 eviction cases were filed with the Utah Courts.²²

Utah is one of three states in the nation that combine a three-day notice period with the availability of treble damages for landlords in residential eviction cases; of these three states, Utah is the only state where the award of treble damages is mandatory and not in the discretion of the court.²³ The combination of these eviction policies can leave Utah renters scrambling for new housing while burdened with crushing housing-related debt judgments and garnishments, which can hinder efforts to secure a new place to live.

Treble Damages

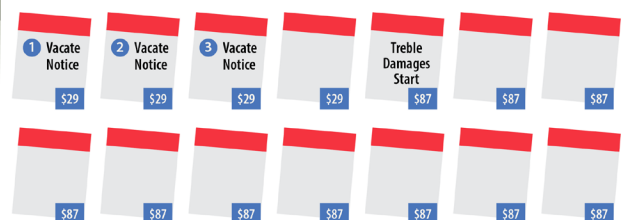
In Utah, nonpayment of rent can lead a landlord to demand that a renter either “pay or vacate” the premises within three business days. If the renter doesn’t comply, the landlord will initiate an action for “unlawful detainer” (eviction).²⁴ Evictions are structured as rent collection proceedings, but with different notice requirements and other policies from debt collection cases. Utah is unique in its explicit statutory allowance for plaintiffs (landlords) to seek mandatory treble damages, which are additional damages for each day the defendant occupies a property after the three-day notice to pay or vacate has expired.²⁵ The wording of the statute requires these damages to be awarded by the court, without discretion, to plaintiffs who request them as part of an eviction. We believe that policy change around these two statutes could continue to achieve the landlord’s goal of removing a renter who is not paying rent but could also be improved so that the renter is not left with crushing debt and the inability to find new housing as a result of their eviction.

The following diagram illustrates how quickly this debt can add up for a renter who is already behind on rent.

How TREBLE DAMAGES are Calculated

Monthly rent: \$875

Case Study – The Jones family received an eviction notice on Monday, here are how treble damages is calculated if they move out within two weeks.



Totals:

Past Due Rent (2 months and 4 days)	\$1,866
Attorney's fees and collection costs	\$300
Treble Damages (10 days)	\$870
TOTALS	\$3,036

Policy change could also help address rental debt and racial disparities around evictions in the state. Approximately 23.9% of Utah's population are people of color,²⁶ but the Utah Division of Multicultural Affairs found that over 80% of evictions in Utah take place in zip codes where the majority of residents are people of color.²⁷

When an eviction is filed against the renter, it can significantly impair their ability to secure quality, affordable rental housing²⁸ and employment down the line.²⁹ Understanding what happens when debts come to court and how the policies and processes governing these lawsuits – which were intended for a very different structure of court usage and civil legal need – can make case outcomes more fair and help prevent further economic instability of low-income Utahns.³⁰

Methodology

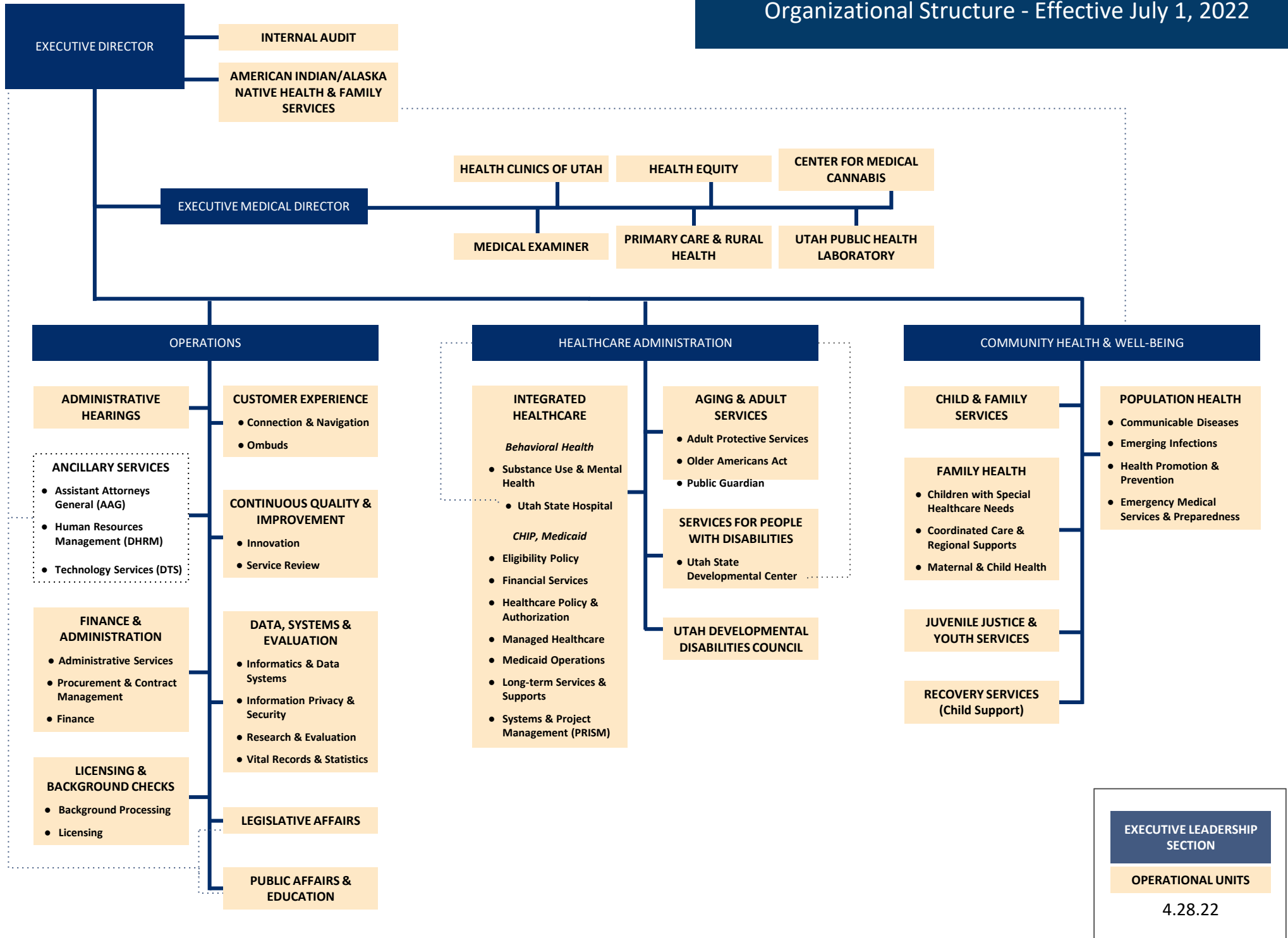
To understand how the national trends surrounding debt and the civil legal system manifest in Utah, we conducted a research study of quantitative data informed by stakeholder context. In addition to docket data provided by the Utah's Administrative Office of the Courts (cases filed from January 1, 2013, through September 30, 2021), hand samples of court documents, and data from the Utah Department of Financial Institutions' annual reports, researchers analyzed data collected via stakeholder interviews with judges, court staff, both plaintiff and defense attorneys, and community-based organizations as well as over 30 hours of virtual courtroom observations of District Court debt collection cases. We also conducted an inventory of the patchwork of statutes, court rules, and forms that govern debt collection, eviction, and small claims litigation in Utah. Judges and practicing attorneys were consulted throughout to contextualize our understanding of all this data. Additionally, some information about court procedures has been included in order to meaningfully situate research findings into the greater context of Utah's civil justice system.³¹ Detailed methodology, data analysis protocols, and court resources are included in the conclusion.

While the initial focus of this report was on debt collection claims in District Court and small claims in Justice Court, we chose to expand our analysis to include eviction cases, as most evictions are brought due to non-payment of rent, rather than for other reasons that might warrant a lease termination, and landlords seeking to collect rent-related debt can pursue these amounts as debt claims after the issue of occupancy has been determined. We include data on small claims cases, as they are part of a bigger picture of how debt collection lawsuits go through the court system, although Utah does not permit third-party debt buyers or collectors to file in small claims court.

The scope of this report is limited to the overlap between two trends: the changing civil courts and rising household debt. We do not discuss collection practices or landlord-renter interactions that take place before the court is involved, nor do we address questions surrounding why these debts allegedly incur and become delinquent.

The survey of unmet legal needs conducted immediately prior to the pandemic by the Utah Bar Foundation identifies this nexus of personal finances and the courts as the primary underserved civil legal issue being faced by low-income Utahns. The survey found that 26% of low-income Utah households were facing financial legal needs and more than two-thirds said they could not afford a lawyer if they needed one.³² While Utah has a wide range of civil legal aid services that are accessible for both urban and rural Utahns, the vast majority of these resources focus on family law, immigration, or domestic violence issues, often leaving debt collection and eviction defendants to navigate lawsuits on their own.³³

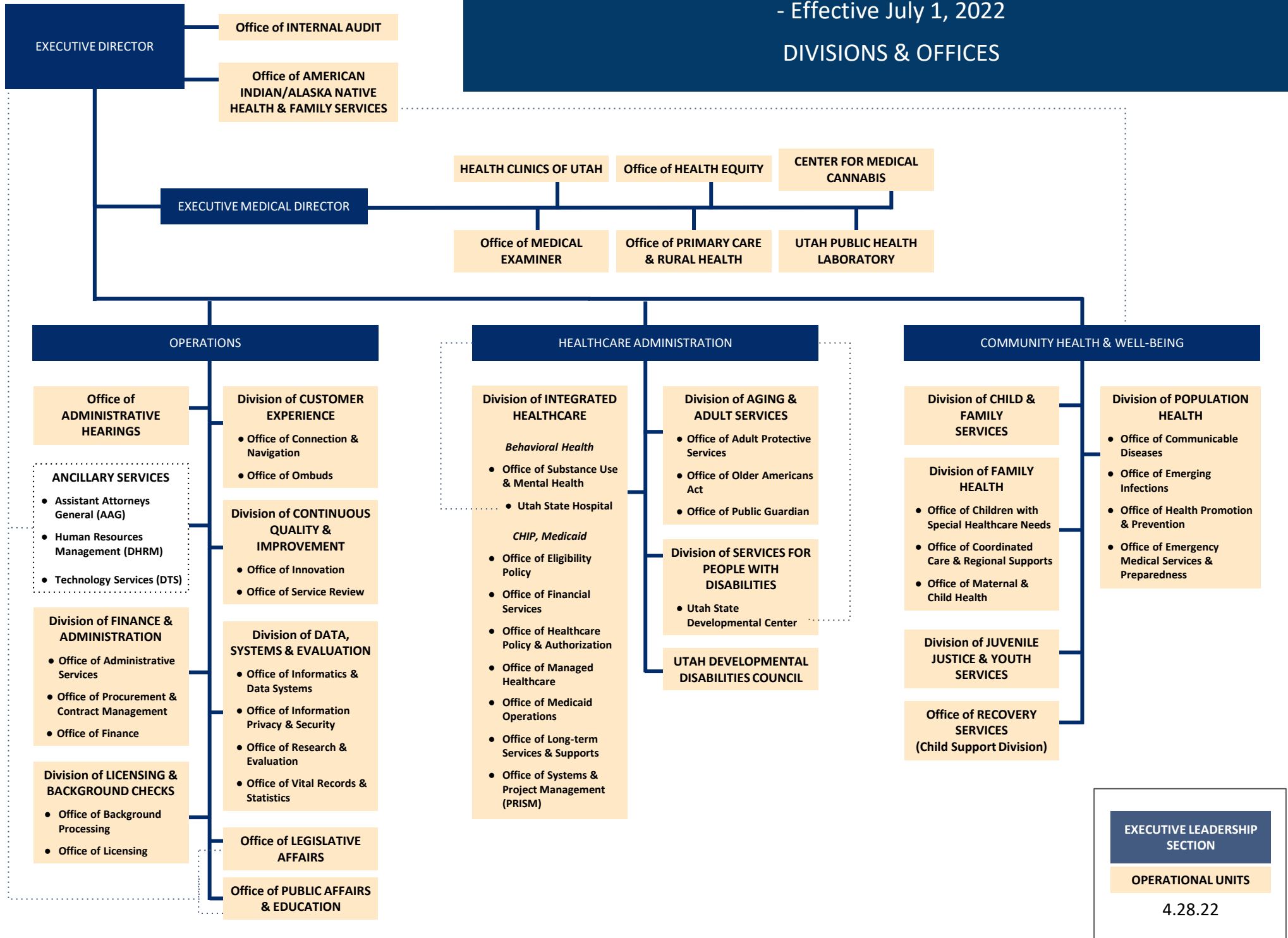
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DIVISIONS & OFFICES



Utah Department of Health & Human Services Organizational Structure

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HEALTH CLINICS OF UTAH
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HEALTH EQUITY
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**CENTER FOR MEDICAL
CANNABIS**
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MEDICAL EXAMINER
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**UTAH PUBLIC HEALTH
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ASST DEPUTY DIRECTOR - Amanda Slater

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- Human Resources Management - Monica Jimenez
- Technology Services - Tricia Cox

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Finance Director Don Moss

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- Procurement & Contract Management - Spencer Hall
- Finance - Kevin Anderson

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- Background Processing - Carmen Richins
- Licensing - Joel Hoffman

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- Innovation - Dean Weedon
- Service Review - TBD

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- Information Privacy & Security - David Carr
- Research & Evaluation - Rick Little
- Vital Records & Statistics - Linda Winiger

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- Utah State Hospital - Superintendent Dallas Earnshaw

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- Financial Services - John Curless
- Healthcare Policy & Authorization - Jim Stamos
- Managed Healthcare - Greg Trollan
- Medicaid Operations - Shandi Adamson
- Long-term Services & Supports - Josip Ambrenac
- Systems & Project Management (PRISM) - Jason Stewart

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- Older Americans Act - Jacob Murakami
- Public Guardian - Xia Erickson

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- Utah State Developmental Center - Superintendent Frank Rees

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- Emerging Infections - Nicole Bissonette
- Health Promotion & Prevention - Anna Fondario
- Emergency Medical Services & Preparedness - Dean Penovich

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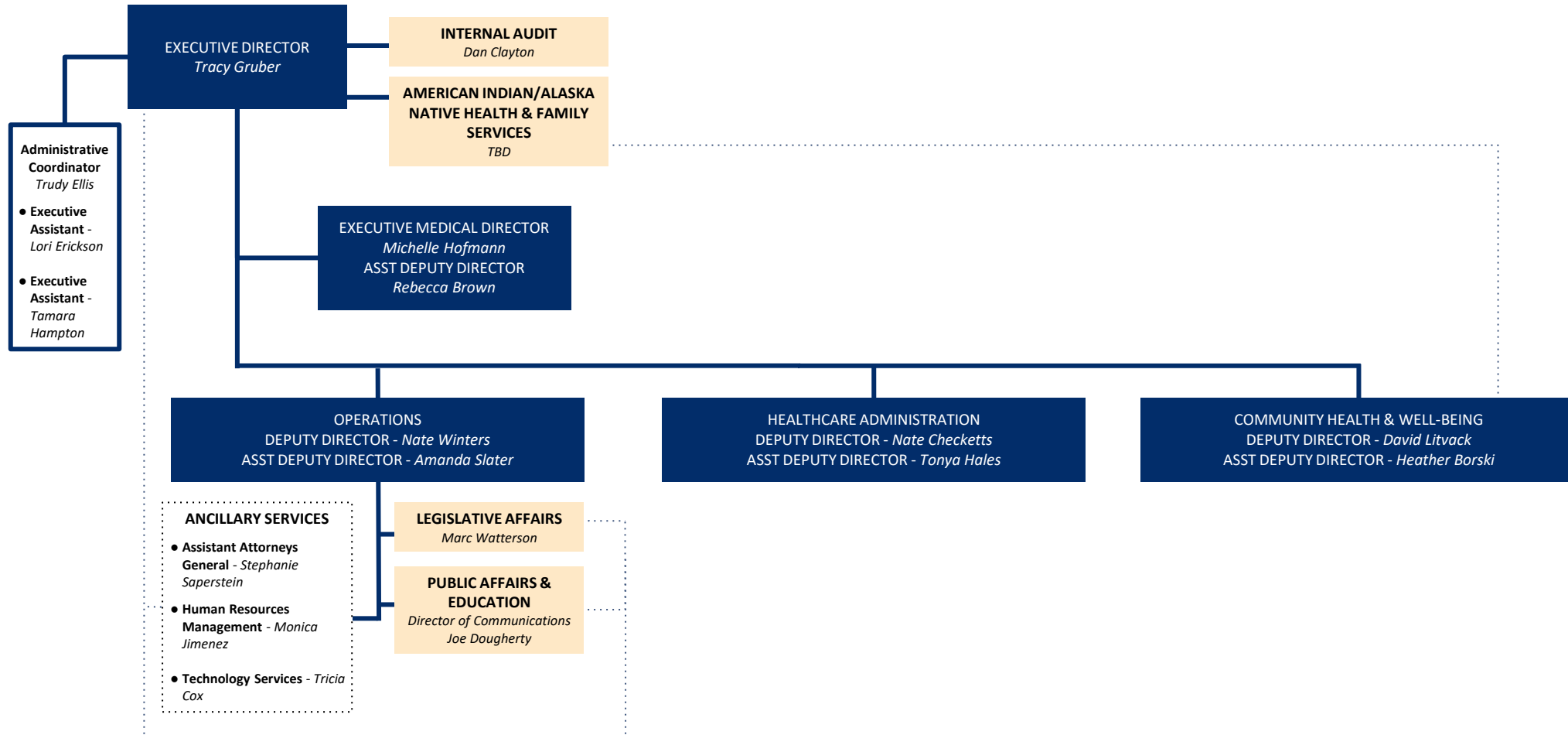
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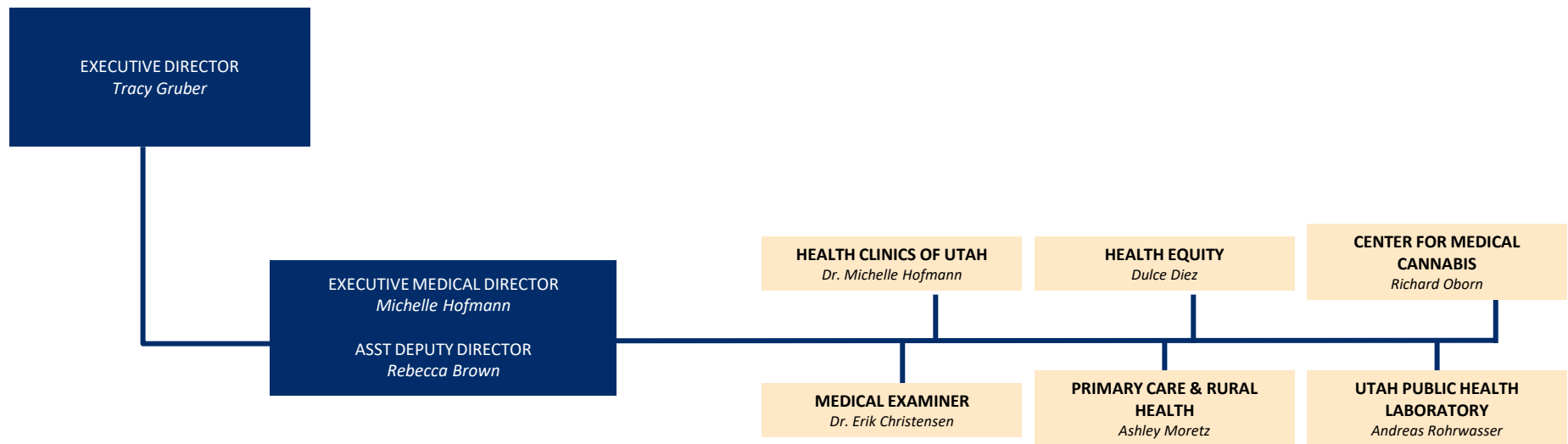
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ASST DEPUTY DIRECTOR - *Tonya Hales*

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Jennifer Strohecker
Asst Director Eric Grant
Asst Director Brent Kelsey
Asst Director Brian Roach*

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- **Utah State Hospital** - *Superintendent Dallas Earnshaw*

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- **Managed Healthcare** - *Greg Trollan*
- **Medicaid Operations** - *Shandi Adamson*
- **Long-term Services & Supports** - *Josip Ambrenac*
- **Systems & Project Management (PRISM)** - *Jason Stewart*

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- **Older Americans Act** - *Jacob Murakami*
- **Public Guardian** - *Xia Erickson*

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Asst Director Jamie Wuthrich*

- **Utah State Developmental Center** - *Superintendent Frank Rees*

UTAH DEVELOPMENTAL DISABILITIES COUNCIL

Executive Director Libby Oseguera

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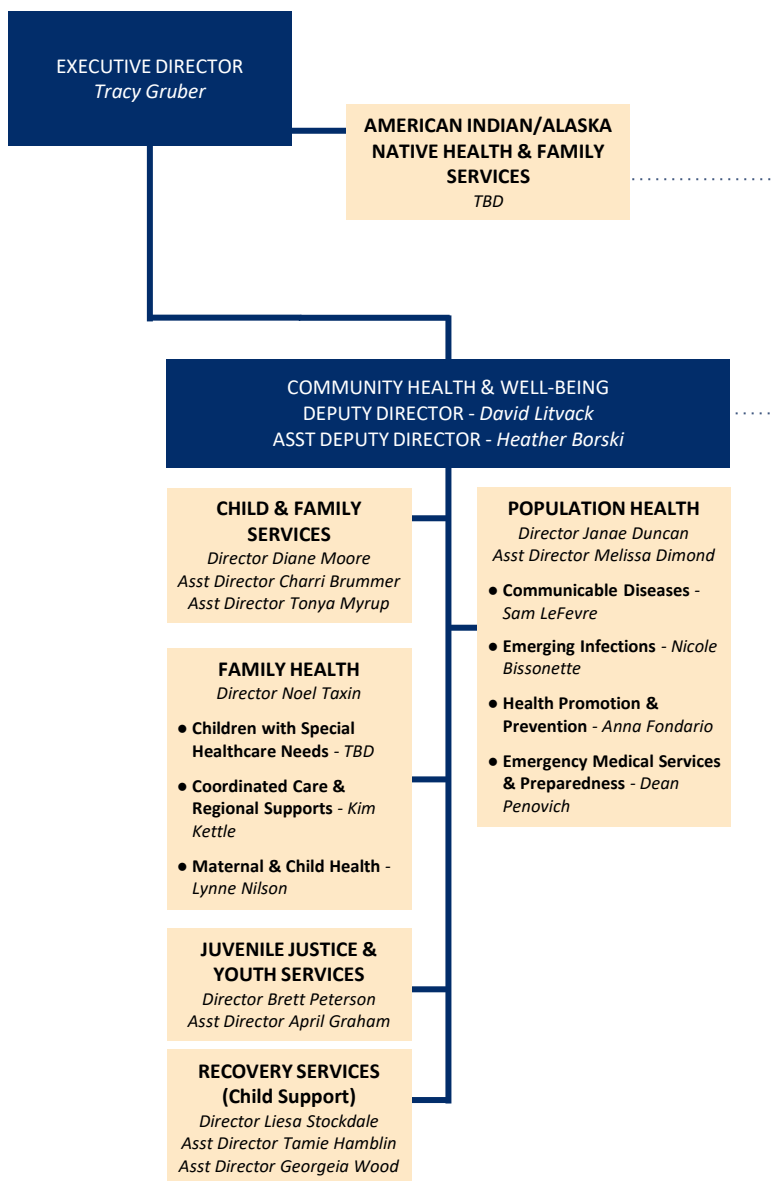
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