

**II.G. Discussion and Possible Action on a Subcommittee Recommendation
for a Draft Sandbox Application**

September 15, 2021 Wendy Musell:

The application also appears to encompass proposed categories for sandbox participants. I understood the mission of the sandbox to be determining ways to address access to justice for low income and historically underserved communities. The list of proposed areas appears expansive and not narrowly tailored to address the mission.

Further, as set forth above, rules that apply to sandbox participants should be transparent and up front. The application contemplates determining waiver of rules after the fact. It also contemplates waiver of statutory rights, which is an overreach and not likely legal. This also raises issues regarding separation of powers, as set forth above.

The application also contemplates “sharing or selling of consumer data in any form to third parties.” There is no discernable benefit to consumers to allow the selling of their most private data. This is also anathema to what I understand to be my duty as an attorney.

Further, certain data is governed by statutory protections and constitutional law. I recognize and applaud the recommendation regarding data security, which as I understand it, would not generally allow piercing of the confidentiality for pecuniary gain. If my understanding is incorrect, I do not support commodification of client files and data. This is anathema to consumer protection and the practice of law.