

1 **Rule 4-715. Requests for Review; Supreme Court Petition for Review.**

2 (a) ~~Request for review~~Decisions subject to review. The following decisions qualify as  
3 final and are therefore subject to review by the Admissions Committee:~~A request for~~  
4 ~~review of a final decision, along with the prescribed filing fee, must be filed with the~~  
5 ~~Deputy General Counsel in writing within 10 calendar days of the date on the written~~  
6 ~~notice of the decision. The request for review must be addressed to the Admissions~~  
7 ~~Committee and contain a short and plain statement of the reasons that the Applicant is~~  
8 ~~entitled to relief. Any of the following decisions qualify as final and are therefore subject~~  
9 ~~to appeal:~~

10 (1) a decision issued by the Test Accommodations Committee in accordance with Rule  
11 14-706(a);

12 (2) a decision issued by the Character and Fitness Committee after a formal hearing  
13 in accordance with Rule 14-708(c)(4); ~~or~~

14 (3) a decision denying an application in accordance with Rule 14-709(a); or

15 (4) a decision denying an application for failure to complete the requirements of the  
16 Alternate Pathway.;

17 (b) ~~Review process~~Request for review; fee; record; memoranda.

18 (1) Request for review. An Applicant may request review of a final decision by filing  
19 a request, in writing, with the Deputy General Counsel within ten calendar days of  
20 the date on the written decision. The request for review must be addressed to the  
21 Admissions Committee and contain a short and plain statement of the reasons that  
22 the Applicant is entitled to relief. The Applicant may not include issues in the request  
23 for review that were not previously raised and, because the Admissions Committee  
24 does not have the authority to waive rules, the Applicant may not seek a rule waiver  
25 in the request for review.

26 (2) Fee. The Applicant must pay a \$100 filing fee to the Bar at the time the Applicant  
27 submits the request for review.

28 (3) Record. Within seven days of receipt of a request for review, the Deputy General  
29 Counsel will forward to the Applicant the documents forming the record of the  
30 decision being reviewed, including the transcript of a formal hearing, if any.

31 (4) Memoranda. Within 30 calendar days of filing the request for review, the  
32 Applicant must file with the Deputy General Counsel a written memorandum citing  
33 to the record and marshalling the evidence to show an error of law or that the evidence  
34 does not support the decision. The Bar may file a responsive memorandum within 14  
35 days of its receipt of the Applicant's memorandum. No reply memorandum will be  
36 permitted unless specifically requested by the Admissions Committee.

37 (c) Review process.

38 (1) Upon receipt of a Request for Review and any memoranda, the Deputy General  
39 Counsel will forward to the Admissions Committee the record, the  
40 request, the Applicant's memorandum, and the Bar's responsive memorandum, if any.  
41 ~~, who will convene a review panel.~~

42 (2) The review will be a closed proceeding and will be limited to consideration of the  
43 record, the Applicant's memorandum, and the Bar's responsive memorandum, if any.

44 An Applicant's appearance at the review will only be permitted if ~~deemed~~  
45 ~~necessary~~ requested by the Admissions Committee. ~~The review will be a closed~~  
46 ~~proceeding and will be limited to consideration of the record, the Applicant's~~  
47 ~~memorandum, and the Bar's responsive memorandum, if any.~~

48 (3) The Admissions Committee may consolidate, in whole or in part, multiple requests  
49 for review setting forth common issues. ~~Requests for review setting forth common~~  
50 ~~issues may be consolidated in whole or in part. After the completion of the review, a~~  
51 ~~written decision will be issued.~~

52 (d) Decision on review. The Admissions Committee will:

53 (1) review factual findings for plain error and will give deference to any credibility  
54 determinations; and

55 (2) review the decision, including any interpretation of law, de novo.

56 (3) After completing the review, the Admissions Committee will issue a written  
57 decision in which it affirms, modifies, or reverses the decision.

58 ~~(1) **Payment of transcript.** An Applicant appealing a decision of the Character and~~  
59 ~~Fitness Committee issued after a formal hearing is responsible for paying for and~~  
60 ~~submitting a duly certified copy of the transcript of the formal hearing proceedings~~  
61 ~~or other electronic record copy made by means acceptable in the courts of~~  
62 ~~Utah.(2) **Memoranda.** After filing a written request for review, an Applicant must file~~  
63 ~~a written memorandum citing to the record to show that the evidence does not~~  
64 ~~support the decision. The issues in the memorandum must be limited to matters~~  
65 ~~contained in the record. The review panel will not consider issues raised for the first~~  
66 ~~time in the request for review. The memorandum must be filed within 30 calendar~~  
67 ~~days of the filing of the request for review. The Bar may file a response, but no reply~~  
68 ~~memorandum will be permitted.~~

69 ~~(c) **Rule waivers.** The review panel does not have authority to waive admission rules.~~

70 ~~(d) **Burden of proof.** The Applicant bears the burden of proof by clear and convincing~~  
71 ~~evidence. Harmless error does not constitute a basis to set aside the decision. On appeal,~~  
72 ~~the decision may be affirmed, modified, or reversed. The decision, whether based on~~  
73 ~~testimony or documentary evidence, will not be set aside unless clearly erroneous, and~~  
74 ~~deference will be given to those making the decision to judge the credibility of witnesses.~~

75 (e) **Supreme Court ~~appeal~~petition for review.**

76 (1) **Deadline and fee.** Within 30 calendar days of the date on the ~~panel's~~Admission  
77 Committee's written decision, the Applicant may ~~appeal to~~seek review of that  
78 decision by the Supreme Court by filing a ~~notice of appeal~~petition for review with the  
79 Supreme Court clerk ~~of the Supreme Court~~ and serving a copy upon the Bar's General

80 Counsel ~~for the Bar~~. At the time of filing the ~~notice of appeal~~petition for review, the  
81 ~~Applicant~~petitioner will pay the prescribed filing fee to the ~~clerk of the~~ Supreme  
82 Court clerk. The clerk will not accept a ~~notice of appeal~~petition for review unless the  
83 filing fee is paid.

84 ~~(2)~~ **Record of proceedings.** The Bar will prepare a record of the proceedings and will  
85 file the record with the Supreme Court clerk within 21 calendar days following the  
86 filing of the ~~notice of appeal~~petition for review.

87 ~~(3)~~ **Appeal ~~petition~~ Petitioner's principal brief.** ~~An appeal petition~~The petitioner  
88 must ~~be filed~~file a principal brief with the Supreme Court within 30 calendar days  
89 after a record of the proceedings has been filed with the Supreme Court. The ~~appeal~~  
90 ~~petition~~brief must state the name of the petitioner and will designate the Bar as  
91 respondent. The ~~appeal petition~~brief must contain the following:

92 (A) a statement of the issues presented and the relief sought;

93 (B) a statement of the facts necessary to an understanding of the issues presented  
94 by the ~~appeal~~review, with citations to the record;

95 (C) the legal argument supporting the petitioner's request; ~~and~~

96 (D) a certificate reflecting service of the ~~appeal petition~~brief upon the Bar's General  
97 Counsel; and

98 (E) a certificate reflecting compliance with the word limitation stated in this rule.;

99 ~~(3) Format of appeal and response petitions. Except by permission of the Court, the~~  
100 ~~appeal petition and the Bar's response must contain no more than 14,000 words.~~

101 ~~(4) Response petition~~Bar's principal brief. Within 30 calendar days after service of  
102 the ~~appeal petition~~petitioner's principal brief on the Bar's General Counsel, the Bar,  
103 as respondent, must file its response with the ~~clerk of the~~ Supreme Court clerk. The  
104 Bar's principal brief must contain certificates reflecting service of the brief on the  
105 petitioner and compliance with the word limitation stated in this rule. ~~At the time of~~

106 ~~filing, a copy of the response must be served upon the petitioner. The petitioner may~~  
107 ~~file a reply brief. A reply brief must be limited to responding to the facts and~~  
108 ~~arguments raised in the Bar's response and will contain no more than 7,000 words.~~

109 (5) **Petitioner's reply brief.** Petitioner may file a reply brief within 30 calendar days  
110 after service of the Bar's principal brief on Petitioner. A reply is limited to responding  
111 to the facts and arguments raised in the Bar's principal brief, and it must contain  
112 certificates reflecting service of the brief on the Bar's General Counsel and compliance  
113 with the word limitation stated in this rule.

114 (6) **Length of briefs.** Except by permission of the Court, the principal briefs are each  
115 limited to 14,000 words; any reply brief is limited to 7,000 words.

116 (7) **Oral argument; notice of decision.** The Supreme Court clerk will notify the parties  
117 if any additional briefing or oral argument is permitted. Upon entry of the Supreme  
118 Court's decision, the clerk will give notice of the decision.

119 ~~(5) The clerk of the Supreme Court will notify the parties if any additional briefing or~~  
120 ~~oral argument is permitted. Upon entry of the Supreme Court's decision, the clerk~~  
121 ~~will give notice of the decision.~~

122 (f) **Rule waivers.** The review panel does not have authority to waive admission rules. An  
123 applicant seeking a rule waiver must file a petition with the Supreme Court pursuant to  
124 Rule 14-722. An applicant may not seek a request for review or a petition for review at  
125 the same time as or for the same issue as a rule waiver.

126 Effective ~~May 1, 2025~~ May 1, 2026