

1 Rule 11-535.(f) Appeal of Appealing a final Committee determination to the Supreme
2 Court.

3 (a)(1) Within ~~30~~28 days after the Committee chair ~~services of~~ a final, written
4 ~~determination-disposition, of the Committee chair under subsection (e),~~ the
5 ~~Respondent or~~ the OPC may ~~file a request for review~~ appeal the disposition to the
6 Supreme Court and ask the Court ~~by the Supreme Court seeking to~~ reversale or
7 modification of the final Committee determination-disposition of the Committee. ~~A~~
8 ~~request for review~~ An appeal under this ~~subsection~~ rule ~~shall is~~ only be available in
9 cases where exceptions have been filed, ~~under subsection (e).~~ Until the time for filing an
10 appeal expires, ~~D~~ dissemination of disciplinary information ~~pursuant to Rules 14-~~
11 ~~504(b)(13) or 14-516 shall~~ will be automatically stayed ~~during the period within which a~~
12 ~~request for review may be filed under this subsection.~~ If a timely request for
13 review appeal is filed, the stay ~~shall~~ will remain in place pending the Supreme Court's
14 resolution ~~by the Supreme Court~~ unless the Court orders otherwise ~~orders~~.

15 (b)(2) ~~A request for review~~ An appeal under this ~~subsection (f)~~ rule will be subject to the
16 procedures set forth in Title III of the Utah Rules of Appellate Procedure. Documents
17 submitted under this ~~r~~ Rule ~~shall~~ must conform to the requirements of Rules 27(a) and
18 27(b) of the Utah Rules of Appellate Procedure.

19 (c)(3) A party requesting a transcription of the record below ~~shall~~ will bear the costs.
20 The party obtaining the transcript ~~shall~~ must file it with the appellate clerk ~~Clerk of the~~
21 Court, together with ~~an affidavit~~ an unsworn declaration establishing the transcript's
22 chain of custody ~~of the record~~.

23 (d)(4) The Supreme Court ~~shall~~ will conduct a review of the matter on the record.

24 (e)(5) The party requesting review ~~shall have~~ has the burden of demonstrating that the
25 Committee action was:

26 (15)(A) ~~B~~ based on a determination of fact ~~that is~~ not supported by substantial
27 evidence when viewed in light of the whole record before the Court;

28 ~~(25)(B)~~ An abuse of discretion;

29 ~~(35)(C)~~ Arbitrary or capricious; or

30 ~~(45)(D)~~ Contrary to Chapter 11, Articles 5 and Chapter 14, Article 6 of ~~Chapter~~
31 ~~14~~ of the Supreme Court Rules of Professional Practice ~~of the Supreme Court~~.

32 Effective December 15, 2020