

1 **Rule 14-715. Requests for Review.**

2 ~~Effective: 11/12/2020~~

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

9 (1) a decision issued by the Test Accommodations Committee in accordance with [Rule](#)  
10 [14-706\(a\)](#);

11 (2) a decision issued by the Character and Fitness Committee after a formal hearing  
12 in accordance with [Rule 14-708\(c\)\(4\)](#); [or](#)

13 (3) a decision denying an application in accordance with [Rule 14-709\(a\)](#).

14 ~~(b)~~ **Review process.** Upon receipt of a Request for Review, Deputy General Counsel will  
15 forward the request to the Admissions Committee, who will convene a review panel. An  
16 Applicant's appearance at the review will only be permitted if deemed necessary. The  
17 review will be a closed proceeding and will be limited to consideration of the record, the  
18 Applicant's memorandum, and the Bar's responsive memorandum, if any. Requests for  
19 review setting forth common issues may be consolidated in whole or in part. After the  
20 completion of the review, a written decision ~~shall~~ [will](#) be issued.

21 (1) **Payment of ~~t~~ranscript.** An Applicant appealing a decision of the Character and  
22 Fitness Committee issued after a formal hearing is responsible for paying for and  
23 submitting a duly certified copy of the transcript of the formal hearing proceedings  
24 or other electronic record copy made by means acceptable in the courts of Utah.

26 (2) Memoranda. After filing a written request for review, an Applicant must file a  
27 written memorandum citing to the record to show that the evidence does not support  
28 the decision. The issues in the memorandum must be limited to matters contained in  
29 the record. The review panel will not consider issues raised for the first time in the  
30 request for review. The memorandum must be filed within 30 calendar days of the  
31 filing of the request for review. The Bar may file a response, but no reply  
32 memorandum will be permitted.

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

34 (d**e**) **Burden of p**P**roof.** The Applicant bears the burden of proof by clear and convincing  
35 evidence. Harmless error does not constitute a basis to set aside the decision. On appeal,  
36 the decision may be affirmed, modified, or reversed. The decision, whether based on  
37 testimony or documentary evidence, ~~shall~~will not be set aside unless clearly erroneous,  
38 and deference ~~shall~~will be given to those making the decision to judge the credibility of  
39 witnesses.

40 ~~(d) Review process. An Applicant's appearance at the review will only be permitted if~~  
41 ~~deemed necessary. The review will be a closed proceeding and will be limited to~~  
42 ~~consideration of the record, the Applicant's memorandum, and the Bar's responsive~~  
43 ~~memorandum, if any. Requests for review setting forth common issues may be~~  
44 ~~consolidated in whole or in part. After the completion of the review, a written decision~~  
45 ~~shall be issued.~~

46 ~~(1) Payment of Transcript. An Applicant appealing a decision of the Character~~  
47 ~~and Fitness Committee issued after a formal hearing is responsible for paying for~~  
48 ~~and submitting a duly certified copy of the transcript of the formal hearing~~  
49 ~~proceedings or other electronic record copy made by means acceptable in the~~  
50 ~~courts of Utah.~~

51 ~~(2) Memoranda. After filing a written request for review, an Applicant must file a~~  
52 ~~written memorandum citing to the record to show that the evidence does not~~

~~support the decision. The issues in the memorandum must be limited to matters contained in the record. The review panel will not consider issues raised for the first time in the request for review. The memorandum must be filed within 30 calendar days of the filing of the request for review. The Bar may file a response, but no reply memorandum will be permitted.~~

(e) **Supreme Court appeal.** Within 30 calendar days of the date on the panel's written decision, the Applicant may appeal to the Supreme Court by filing a notice of appeal with the clerk of the Supreme Court and serving a copy upon the General Counsel for the Bar. At the time of filing the notice of appeal, the Applicant ~~shall~~will pay the prescribed filing fee to the clerk of the Supreme Court. The clerk will not accept a notice of appeal unless the filing fee is paid.

(1) **Record of proceedings.** The Bar will prepare ~~Aa~~ record of the proceedings ~~shall be prepared by the Bar~~ and ~~shall~~will ~~be filed~~file the record with the ~~clerk of the~~ Supreme Court clerk within 21 calendar days following the filing of the notice of appeal.

(2) **Appeal petition.** An appeal petition ~~shall~~must be filed with the Supreme Court 30 calendar days after a record of the proceedings has been filed with the Supreme Court. The appeal petition ~~shall~~must state the name of the petitioner and ~~shall~~will designate the Bar as respondent. The appeal petition must contain the following:

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

(B) a statement of the facts necessary to an understanding of the issues presented by the appeal;

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

(D) a certificate reflecting service of the appeal petition upon the General Counsel.

(3) **Format of appeal and response petitions.** Except by permission of the Court, the appeal petition and the Bar's response ~~shall~~must contain no more than 14,000 words ~~or, if it uses a monospaced face, it shall contain no more than 1,300 lines of text.~~

79 (4) **Response petition.** Within 30 calendar days after service of the appeal petition on  
80 the Bar, the Bar, as respondent, ~~shall~~must file its response with the clerk of the  
81 Supreme Court. At the time of filing, a copy of the response ~~shall~~must be served upon  
82 the petitioner. The petitioner may file a reply brief. A reply brief must be limited to  
83 responding to the facts and arguments raised in the Bar's response and will contain  
84 no more than 7,000 words.

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

88 Effective May 1, 2025