

1 Rule 15-715. Requests for Review.

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3 (a) Request for Review. An Applicant may request a review of final decision made
4 regarding a Test Accommodation, Character and Fitness and denial of an application. A request
5 for review of a final decision, along with the prescribed filing fee, must be filed with the Bar in
6 writing within 10 calendar days of the date on the written notice of the decision. The request for
7 review shall be addressed to the LPP Admissions Committee and contain a short and plain
8 statement of the reasons that the Applicant is entitled to relief.

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

10 (c) Burden of Proof. The Applicant bears the burden of proof by clear and convincing
11 evidence. Harmless error does not constitute a basis to set aside the decision. On appeal, the
12 decision may be affirmed, modified, or reversed. The decision, whether based on testimony or
13 documentary evidence, shall not be set aside unless clearly erroneous, and deference shall be
14 given to those making the decision to judge the credibility of witnesses.

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

20 (d)(1) Payment of Transcript. An Applicant appealing a decision of the LPP Admissions
21 Committee issued after a formal hearing is responsible for paying for and submitting a duly
22 certified copy of the transcript of the formal hearing proceedings or other electronic record copy
23 made by means acceptable in the courts of Utah.

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

30 (e) Supreme Court appeal. Within 30 calendar days of the date on the panel's written
31 decision, the Applicant may appeal to the Supreme Court by filing a notice of appeal with the

32 clerk of the Supreme Court and serving a copy upon the General Counsel for the Bar. At the
33 time of filing the notice of appeal, the Applicant shall pay the prescribed filing fee to the clerk of
34 the Supreme Court. The clerk will not accept a notice of appeal unless the filing fee is paid.

35 (e)(1) Record of proceedings. A record of the proceedings shall be prepared by the Bar
36 and shall be filed with the clerk of the Supreme Court within 21 calendar days following the
37 filing of the notice of appeal.

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

42 (e)(2)(A) a statement of the issues presented and the relief sought;

43 (e)(2)(B) a statement of the facts necessary to an understanding of the issues presented by
44 the appeal;

45 (e)(2)(C) the legal argument supporting the petitioner's request; and

46 (e)(2)(D) a certificate reflecting service of the appeal petition upon the General Counsel.

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

50 (e)(4) Response petition. Within 30 calendar days after service of the appeal petition on
51 the Bar, the Bar, as respondent, shall file its response with the clerk of the Supreme Court. At the
52 time of filing, a copy of the response shall be served upon the petitioner. No reply memorandum
53 will be permitted.

54 (e)(5) The clerk of the Supreme Court will notify the parties if any additional briefing or
55 oral argument is permitted. Upon entry of the Supreme Court's decision, the clerk shall give
56 notice of the decision.