

**Rule 15-715. Requests for Review.**

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

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

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

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

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

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

28        (e) Supreme Court appeal. Within 30 calendar days of the date on the panel's written  
29 decision, the Applicant may appeal to the Supreme Court by filing a notice of appeal with the  
30 clerk of the Supreme Court and serving a copy upon the General Counsel for the Bar. At the

31 time of filing the notice of appeal, the Applicant shall pay the prescribed filing fee to the clerk of  
32 the Supreme Court. The clerk will not accept a notice of appeal unless the filing fee is paid.

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

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

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

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

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

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

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

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

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

Effective November 1, 2018