

TO:
Rule 28 Distribution
Carol Mitchell

ATTACHMENT*

Rule 35 Examination Requirements

(a) – (c) [No change in text.]

(d) Review by the Court.

1. *Petition for Review.* An applicant aggrieved by any decision of the Committee on Examinations may, within twenty (20) days after such decision, file a verified petition for review with this Court; however, the Committee on Examination's decision regarding any applicant's grade score is final and will not be reviewed by the Court absent extraordinary circumstances. The petition must succinctly state the facts that form the basis for the petition and the applicant's reasons for believing this Court should review the Committee's decision. A copy of the petition must be promptly served upon the Committee. The Committee will have thirty (30) days after service to file a response and transmit the applicant's file to this Court. Thereupon the Court will consider the matter and render a decision.

2. *Sealing the Record.* Any document filed under Rule 35(d) will be considered open to the public except that, upon request by any party or the Committee, the clerk of Court will seal medical or psychological reports and records. A party or the Committee may request that the Court seal a portion of any other materials submitted.

Rule 36. Procedure Before the Committee on Character and Fitness

(a) – (g) [No change in text.]

(h) Review by the Court.

1. [No change in text.]

2. Review on Court's Own Motion. All recommendations for conditional admission are subject to de novo review by the Court. The Committee on Character and Fitness, through the assigned panel, must file with the clerk its written decision recommending conditional admission and the terms of conditional admission. The Court may decline review, or it may grant review on its own motion. If the Court declines review, the panel's recommendation for conditional admission will be final and the panel will issue the Order of Conditional Admission. If the Court grants review, the Court may issue such orders as may be appropriate for its review, including remanding the matter to the Committee for further action, ordering transmittal of the

* Additions to text are indicated by underscoring and deletions by ~~strikeout~~.

applicant's file, ordering additional briefing and/or setting the matter for oral argument. After receiving all the appropriate pleadings and record, the matter will be deemed submitted to the Court for its decision. ~~A party or the panel may request that the Court seal a portion of the materials submitted for de novo review.~~

3. Sealing the Record. Any document filed under Rule 36(h) will be considered open to the public except that, upon request by any party or the panel, the clerk of Court will seal medical or psychological reports and records. A party or the panel may request that the Court seal a portion of any other materials submitted.