

Arizona Supreme Court No. R-24-0034
Page 2 of 3

TO:

Rule 28 Distribution
Lisa M Panahi

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 59. Review by the Court

(a)-(b) [No change]

(c) Stay Pending Appeal.

1. Request and Response. A respondent may seek a stay of the decision of the hearing panel by filing a request with the hearing panel within ten (10) days of the date the decision was filed. Within five (5) days of a respondent filing an application for stay pending appeal, the state bar may file a response with the hearing panel.

2. Required Showing. A respondent seeking a stay pending appeal must establish the following elements:

- A. a strong likelihood of success on the merits;
- B. irreparable harm if the stay is not granted;
- C. the harm to the respondent outweighs the harm to the party opposing the stay; and
- D. public policy favors the granting of the stay.

3. Conditions of Supervision. The application for stay pending appeal shall be granted subject to appropriate conditions of supervision, except when an interim suspension has been ordered or when the hearing panel, in its discretion, determines no conditions of supervision will protect the public while the appeal is pending.

4. Costs and Expenses. No stay of the sanction shall be granted if the only issue on appeal is the assessment of costs and expenses.

(d)-(k) [No change]

¹ Additions to the text of the rule are shown by underscoring.