

**27 NCAC 01F .0110      REVIEW AND ORDER OF COUNCIL**

(a) Review by Council. The applicant shall compile a record of the proceedings before the hearing panel, including a legible copy of the complete transcript, all exhibits introduced into evidence at the hearing, all pleadings and all motions and orders, unless the applicant and counsel agree in writing to shorten the record. Any agreement regarding the record shall be included in the record transmitted to the council.

(b) Transmission of Record to Council. The applicant shall provide a copy of the record to the counsel not later than 90 days after the hearing unless an extension is granted by the president of the N.C. State Bar for good cause shown. The applicant shall transmit a copy of the record to each member of the council, at the applicant's expense, no later than 30 days before the council meeting at which the application is to be considered.

(c) Costs. The applicant shall bear all of the costs of transcribing, copying, and transmitting the record to the members of the council.

(d) Dismissal for Failure to Apply. If the applicant fails to comply fully with any provisions of this Rule, the counsel may file a motion with the secretary to dismiss the application.

(e) Appearance before the Council. In his or her discretion, the president of the State Bar may permit the counsel for the State Bar and the applicant to present oral or written argument but the council will not consider additional evidence not in the record transmitted from the hearing panel absent a showing that the ends of justice so require or that undue hardship will result if the additional evidence is not presented.

(f) Order by Council. The council will review the recommendation of the hearing panel and the record and will determine whether the applicant has met all of the requirements of Rules .0102 - .0104 of this Section. The council will make a written recommendation to the N.C. Supreme Court regarding whether the application should be granted. The council's recommendation will contain a statement of the reasons for the recommendation and shall attach to it the application.

(g) Costs. The council may tax the costs attributable to the proceeding against the applicant.

*History Note:*      *Authority G.S. 84-4;*  
                              *Eff. March 7, 1996.*