

## IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 23-0004

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IN RE PETITION OF CHANTEL  
SCHIMMING FOR REINSTATEMENT TO  
ACTIVE STATUS IN THE BAR OF  
MONTANA

FILED

AUG 28 2023

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

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**PETITION FOR REHEARING**

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Pursuant to Mont. R. App. P. 20, Chantel Schimming (“Petitioner”) respectfully petitions this Court reconsider its Order issued and filed on August 22, 2023, regarding the petition for reinstatement to active status in the bar of Montana submitted in this matter.

This Court will consider a petition for rehearing when it has “overlooked some fact material to the decision” Mont. R. App. P. 20(1)(a)(i).

In the Petition submitted by Ms. Schimming for reinstatement, she specifically stated that she **IS** actively practicing law in the state of Nevada and has been since May 28, 2004.<sup>1</sup> This Court, in its Order filed August 22, 2023, stated as follows:

“Schimming chose inactive status on March 5, 2018. Schimming **has not been actively practicing in another jurisdiction** or serving as a law clerk. It is the Court’s practice in such cases, **given the amount of time since Schimming has been on active status**, to require a

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<sup>1</sup> Petitioner is also currently licensed and in active status in the state of Arizona.

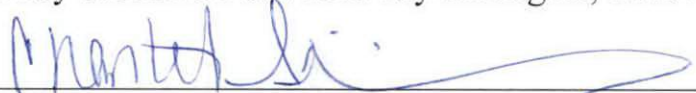
character and fitness review and the completion of continuing education.” (emphasis added).

While it is accurate that Petitioner voluntarily chose inactive status in the state of Montana on March 5, 2018, this court overlooked the material fact that Petitioner was still actively practicing in another jurisdiction. Petitioner voluntarily chose inactive status in Montana because Petitioner was working for a firm in Nevada that was restricted to doing exclusively Nevada work. During that entire time period, Petitioner was actively practicing in Nevada and has fully completed her Nevada continuing legal education requirements each of the relevant years.

Based on the Order, had this Court not overlooked Petitioner’s active status in Nevada, that material fact may have changed this Court’s decision. To the extent this Court still believes the amount of time Petitioner was on inactive status in Montana warrants a character and fitness review and the completion of continuing education, Petitioner has no problem submitting to any such requirements and/or investigations. That said, to the extent the Court determined a character and fitness review was necessary because it mistakenly overlooked the fact that Petitioner has been actively practicing in another jurisdiction and actively participating in continuing legal education in that jurisdiction, Petitioner asks this Court to reconsider its Order and simply grant the petition for reinstatement to active status without the need for a character and fitness review and the completion of extra continuing legal education.

Based on the above, Petitioner respectfully requests this Court reconsider its *Order* so as to correct the overlooked fact regarding Petitioner's active status in Nevada. This Court can then determine, with all the accurate facts in front of it, whether Schimming will still need to submit to a character and fitness review before reinstatement to active status.

Respectfully submitted this 23rd day of August, 2023.

By:   
Chantel M. Schimming

**CERTIFICATE OF SERVICE**

I, Chantel Schimming, hereby certify that I served via United States Mail, postage prepaid, on August 23, 2023, true and accurate copies of the foregoing Petition for Rehearing to the following:

Montana Supreme Court Clerk's Office  
P.O. Box 203003  
Helena, MT 59620

State Bar of Montana  
P.O. Box 577  
Helena, MT 59624

/s/ Chantel Schimming  
Chantel M. Schimming

