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## ARIZONA ATTORNEY GENERAL

Opinion No. 64-7-L  
R-70  
January 23, 1964

REQUESTED BY: BRUCE PARKINSON  
Employment Security Commission of Arizona

OPINION BY: ROBERT W. PICKRELL  
The Attorney General

QUESTION: When several claimants have petitioned the Superior Court for a review of a decision of the Employment Security Commission, will the Court's decision be applicable only to those claimants who have filed a petition to review, or would it also be applicable to those claimants who did not petition for a review of the Commission decision ?

ANSWER: The Court's decision is applicable only to those claimants who filed a petition for review.

Arizona Revised Statutes, Section 23-672, states in part:

"The Commission shall promptly notify the interested parties of its findings and decisions, which shall become final unless petition for judicial review is filed within the time and in the manner provided in section 23-681."

Arizona Revised Statutes, Section 23-681, (A), provides in part:

"A. A person aggrieved by a final decision of the commission, . . . is entitled to judicial review of the decision."

Arizona Revised Statutes, Section 23-681 (B) provides in part:

"B. Proceedings for review shall be instituted by filing a petition for review in the

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superior court within thirty days after service of the final decision of the commission."

The language of these statutes shows the intent of the Legislature to give finality to the decisions of the Commission. This is comparable to the judicial doctrine of res judicata; and as the Commission sits as a quasi-judicial body, the Legislature apparently intended the same rule to apply. All claimants aggrieved by a decision of the Commission have a right to petition for a review of that decision, and when they fail to exercise that right, they waive it.

This opinion is consistent with Opinion No. 59-3-ESC of the Attorney General

  
ROBERT W. PICKRELL  
The Attorney General

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