

PROCEDURES REGARDING REQUESTS FOR ADMINISTRATIVE REVIEW BY THE COMMITTEE OF BAR EXAMINERS OF ADVERSE DETERMINATIONS OF MORAL CHARACTER

- A. An applicant notified of an adverse determination of moral character by staff may file a written request for administrative review by the Committee of Bar Examiners (“Committee”) within 30 (thirty) days of the date of the notice of the State Bar’s determination.
- B. The request for administrative review must be sent to:

Moral Character Determinations Unit
Office of Admissions
The State Bar of California
180 Howard Street
San Francisco, CA 94105
ATTN: PROGRAM MANAGER, MORAL CHARACTER DETERMINATIONS
- C. An applicant’s request for administrative review by the Committee must contain a concise statement (1) describing the applicant’s relevant background and the moral character issues raised by staff , (2) expressing the reasons why the determination by staff should be reviewed, and (3) describing the applicant’s rehabilitative efforts.
- D. Upon receipt of the request for administrative review, the Program Manager, Moral Character Determinations, will promptly deliver to the Chair of the Moral Character Subcommittee the applicant’s request for administrative review, a complete copy of applicant’s moral character application, and a copy of the informal conference recording.
- E. The Chair of the Moral Character Subcommittee (“Subcommittee”) will designate a panel of two members of the Moral Character Subcommittee or of the Committee of Bar Examiners if members of the Moral Character Subcommittee are unavailable (the panel”) to conduct a review of the record. One of the members of the panel will be a licensee of the State Bar of California. The panel will consider the entirety of the record including the informal conference recording, if any, and any supplemental material the applicant may provide.
- F. Within sixty (60) days of receipt of the request for review the panel will review the record. The panel may request additional information from the applicant or the State Bar’s Moral Character unit. Administrative reviews by the Committee are intended to be

limited to a review of the record. In exceptional circumstances, however, the panel may conduct another informal conference with the applicant. One member of the panel will be selected by the panel as the lead interviewer. The Moral Character Determinations unit will facilitate and coordinate any informal conferences initiated by the panel. The Program Manager, Moral Character Determinations unit, may attend any informal conference initiated by the panel. Informal conferences conducted by staff or by the Committee will be audio or video recorded.

- G. The panel will present its findings and recommendation to the Committee for determination at the next regularly scheduled meeting of the Committee. The Committee may adopt the findings and recommendation of the panel or take any other action it deems appropriate.
- H. Within 15 days of the Committee's determination, the Program Manager, Moral Character Determinations, will notify the applicant of the Committee's determination. Notices of denials of good moral character must be sent to applicants by certified mail with proof of service.
- I. These guidelines and procedures also apply to applicant requests for review by the Committee of staff decisions to abandon an application (*Admissions Rule*, Rule 4.43) and staff decisions to deny an applicant's request for an extension of a moral character determination (*Admissions Rule*, Rule 4.52) subject to the specific filing requirements provided by these rules and with the exception of Guideline F, above, as it refers to informal conferences.
- J. An applicant notified of an adverse determination of moral character by the Committee may file a request for hearing on the determination with the State Bar Court pursuant to the applicable Admissions Rules (*Admissions Rules*, rule 4.47) and the Rules of Procedure of the State Bar (*Rules Proc. of the State Bar*, rule 5.460 et seq.).