



# The State Bar *of California*

## In re Glass & Rehabilitation

In re Glass (2014) 58 Cal.4th 500.

Mark Torres-Gil, Assistant Director, Office of Admissions

Tara Clark, Program Manager, Moral Character Determinations

David Lane, Attorney, Moral Character Determinations



## PURPOSE OF REHABILITATION

- No act of misconduct is an absolute bar to admission to the practice of law.
- The Supreme Court, however, must be convinced an applicant “is no longer the same person who behaved so poorly in the past.” (In re Gossage (2000) 23 Cal.4th 1080, 1098.)
- Applicant must demonstrate a compelling showing of reform that will inspire public confidence that the applicant is fit to practice law.



## REHABILITATION TEST

Where there have been serious acts of misconduct, applicant must establish “a compelling showing of rehabilitation and truly exemplary conduct over an extended period that would suffice to demonstrate his fitness for the practice of law.” (Glass, p. 522.)



## REHABILITATION ELEMENTS

- 1) Seriousness of the misconduct: “The more serious the misconduct and the bad character evidence the stronger the applicant’s showing of rehabilitation must be.” (Gossage, p. 1096.)
- 2) Extended period of rehabilitation: “A substantial period of exemplary conduct following the applicant’s misdeeds.” (Gossage, p. 1096.)
- 3) Exemplary conduct: “Not only unblemished, but exemplary conduct.” (In re Menna (1995) 11 Cal.4th 975, 989.)
  - Community service
  - Restitution



## CASE STUDIES

- 1) In re Glass (2014) 58 Cal.4th 500.
- 2) In re Gossage (2000) 23 Cal.4th 1080.
- 3) In re Menna (1995) 11 Cal.4th 975.