

For Adoption:

Policy for Consideration of Requests for Extension of Time Pursuant to Rule 4.17(b) and (c)

It is the responsibility of applicants for admission to take reasonable and necessary steps to complete all requirements for admission and get sworn in no later than five years from the first day of the administration of the California Bar Examination the applicant passes. An extension of the five-year time period may be granted for good cause.

Neither the State Bar nor the Committee shall refuse to issue an extension because the applicant delayed steps to complete the requirements for admissions so long as the applicant left an objectively reasonable period of time to complete those remaining steps and diligently attempted to complete those remaining steps before the expiration of the five-year period.

Example: An applicant passed the California Bar Exam but does not file an Application for Determination of Moral Character because they are moving out of California and do not anticipate needing a California license. Aware that the State Bar currently estimates a minimum of six months to process a moral character application and that they do not have anything in their background that would prolong the investigation, the applicant sets a calendar reminder for three years and 6 months to begin preparing the moral character application, with the intention of submitting it with one year left on the five-year time clock. The applicant periodically checks the State Bar website to confirm there are no changes to the time frame noted for concluding moral character investigation. The applicant submits the Application for Determination of Moral Character with exactly one year remaining. The State Bar informs the applicant they need hardcopy certified copies of an out-of-state driving record and a Certificate of Good Standing. The applicant immediately submits a request to the other jurisdiction for those hardcopy records. One week later, that jurisdiction experiences a statewide emergency affecting all state offices. Securing these hardcopies takes many months. The positive moral character determination is not made until the day after the five-year timeline has expired.

In evaluating the request for extension, the applicant's decision not to file the Application for Determination of Moral Character for the first four years shall not be held against them because one-year was an objectively reasonable period of time, under usual conditions, to secure the positive determination and get sworn in.

Adopted by the Committee of Bar Examiners: April 21, 2023