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## COMMITTEE OF BAR EXAMINERS' REFUND OF FEES POLICY

### INTRODUCTION

An applicant who withdraws one of the following applications may be eligible for a refund of fees as set forth in this policy: Application for Registration, an Application for the California Bar Examination, an Application for the First-Year Law Students' Examination, an Application for Determination of Moral Character, or an Application for Extension of Determination of Moral Character.

The Office of Admissions does not transfer fees from one examination to another. No portion of credit card processing fees will be refunded.

### I. WITHDRAWALS

#### A. Application to Take the California Bar Examination or First-Year Law Students' Examination

1. Requests for withdrawal of applications received within **30 days** after the applicable deadline for timely filing, for both first-time and immediate repeater applicants, will be honored with a 60 percent refund of application and late fees paid in conjunction with the subject exam.
2. Requests by applicants, other than immediate repeaters, for withdrawal of applications received within **45 days** after the deadline for timely filing will be honored with a 30 percent refund of application and late fees paid in conjunction with the subject exam.
3. Requests for withdrawal of applications received within **35 days** after the deadline for timely filing, for immediate repeater applicants, will be honored with a 30 percent refund of application and late fees paid in conjunction with the subject exam.
4. Stopping payment on a check, dishonoring a check, or disputing a credit card charge does not constitute withdrawing from an exam.
5. Only timely submitted withdrawals will be considered for refunds.
6. Withdrawal requests must be submitted through the Applicant Portal.

#### B. Application for Determination of Moral Character or Application for Extension of Determination of Moral Character

Withdrawal of Applications for Determination of Moral Character or Applications for Extension

of Determination of Moral Character and requests for refunds received within 30 days of the online submittal date or the received date for paper applications will be honored with a 60 percent refund of application fees paid in conjunction with the moral character application. Any requests received after 30 days will not be entitled to a refund.

## **II. INELIGIBILITY**

### **A. Registration**

Applicants for registration found to be ineligible due to a lack of pre-legal education will receive a 100 percent refund of all fees paid in conjunction with registration, excluding credit card processing fees.

Once an Application for Registration is approved, the application cannot be withdrawn, and no refund will be issued.

### **B. Attorneys' Exam**

Attorney applicants who apply to take the Attorneys' Exam and are found to be ineligible due to a lack of the requisite qualifications will receive a 60 percent refund of application and late fees paid in conjunction with the examination if all required Certificates of Good Standing are received by the Office of Admissions no later than the published deadlines for establishing eligibility.

### **C. General Bar Exam**

Applicants who apply to take the General Bar Examination and are found to be ineligible due to a lack of the requisite legal education will qualify for a 60 percent refund of application and late fees paid in conjunction with the exam.

### **D. First-Year Law Students' Examination**

Applicants who apply to take the First-Year Law Students' Examination and are found to be ineligible due to a lack of the requisite legal education will qualify for a 60 percent refund of application and late fees paid in conjunction with the examination.

## **III. DEATH, SERIOUS ILLNESS, DISABLING INJURY, CATASTROPHIC EVENTS, OR STATE OF EMERGENCY**

A. Refunds in the amount of 50 percent of all fees paid, excluding credit card processing fees, in conjunction with the subject exam will be honored due to the death or physical incapacity of an applicant or their immediate family under the circumstances described below:

1. Death, serious illness, or disabling injury of a member of the applicant's immediate family that occurred after submission of an application for the exam but before the exam is

administered and which death, illness, or injury is certified on the Request for Refund of Fees form. Immediate family members include only those family members for whom an employee may take family care and medical leave under the California Family Rights Act (Gov. Code § 12945.2); or

2. Applicant's death, serious illness, or disabling injury that occurred after submission of an application for the exam but before the exam is administered and which illness or injury or condition is certified on the Request for Refund of Fees form under penalty of perjury.
- B. Refunds in the amount of 100 percent of all fees paid, excluding credit card processing fees, in conjunction with the subject exam will be honored due to significant events beyond the applicant's control, such as displacement caused by fire, flood, earthquake, or other severe disasters resulting in a declared state of emergency by local, state, or federal government authorities, or loss of freedom due to terrorist attacks. These events must have begun on or after the final filing deadline, pursuant to Business and Professions Code section 6060.3 (January 1 for the February exam and June 1 for the July exam) for the bar exam or rule 4.58 of the Rules of the State Bar (May 15 for the June exam and September 15 for the October exam) for the First-Year Law Students' Exam, and through the administration of the exam. At least one of the following criteria must be met to be eligible for the refund:
1. The applicant was evacuated or displaced and has not been able to reside in their primary residence for a total of two weeks or more due to the disaster.
  2. The applicant's primary residence was destroyed, uninhabitable, or significantly damaged by the disaster.
  3. The applicant is providing temporary housing in their primary residence for an immediate family member, as defined in paragraph (III)(A)(1) of this policy, whose home was destroyed, uninhabitable, or significantly damaged by the disaster.
  4. Death, serious illness, or disabling injury of the applicant or an immediate family member, as defined in paragraph (III)(A)(1) of this policy, caused by the disaster.
- C. Official documentation must accompany any request for a refund pursuant to (III)(A)–(B) of this policy. Official documentation consists of the following:
1. Serious illness of the applicant or their immediate family member: The request for a refund must be accompanied by a letter from the treating physician on their official letterhead. The letter must include their license number and verify the information provided on the request form, including the applicant's or family member's diagnosis, first onset, duration of illness and/or hospital stay, and date of the last visit/evaluation.
  2. Death of the applicant or a member of the applicant's immediate family: The request for a refund must be accompanied by a copy of the death certificate.

3. Disabling injury of the applicant or a member of the applicant's immediate family: The request for a refund must be accompanied by a letter from the treating physician on their official letterhead. The letter must include their license number and verify the information provided on the request form, including the applicant's or family member's diagnosis, first onset, duration of illness and/or hospital stay, and date of the last visit/evaluation.
4. Catastrophic event, state of emergency, or other severe disaster: The request must be verified by appropriate, relevant documentation, such as insurance claims, a letter from the Federal Emergency Management Agency (FEMA), etc.

Requests must be received no later than 90 days after the first day of the examination for which a refund is being requested.

#### **IV. SERVICE IN THE ARMED FORCES**

Refunds in the amount of 95 percent of all fees paid in conjunction with the subject exam will be made where either of the following prevents an applicant from preparing for or taking the First-Year Law Students' Exam or the California Bar Exam.

- A. An unanticipated call to active duty in the armed forces; or
- B. An unanticipated change in military orders.

Requests must include supporting documentation, such as military orders.

#### **V. APPLICATION ABANDONMENT**

Pursuant to rule 4.16(B) of the Rules of the State Bar, Applications for Registration will be deemed abandoned if all required documentation and fees have not been received within sixty days of submittal, and no refund will be issued for an abandoned Application for Registration.

First-Year Law Students' Examination and California Bar Examination applications not brought to a complete and filed status by the final filing deadline will be abandoned. This includes but is not limited to: (1) applications not signed, (2) application declarations not received, (3) incomplete applications, and (4) approved registrations not on file. First-Year Law Students' Examination and California Bar Examination applications without eligibility determinations by the final eligibility deadline will be deemed abandoned. (State Bar Rules 4.58(C)–(D), 4.61(C).)

Applications with rejected or insufficient payments must be resolved within 14 days from notification of insufficient payment. If acceptable payment is not received, the application will be abandoned. If an application is abandoned, applicants may still apply for the exam if the deadline has not passed and the application is submitted with a valid payment.

Moral character applications deemed incomplete will be provided with an incomplete notice

describing the deficiencies. The applicant will have 60 days from the date of notice to cure the deficiencies. If the applicant fails to cure the deficiencies, the application will be deemed abandoned, pursuant to rule 4.43(A)(1) of the Rules of the State Bar.

No refund of fees will be paid in the event an application is abandoned. If the application has an outstanding balance at the time of the abandonment, the outstanding balance must be paid before any future application is processed.

## **VI. NET REFUND AMOUNT**

If an applicant qualifies for a refund in accordance with this policy but they have an outstanding balance due, that outstanding balance will be subtracted from the amount of the refund provided to the applicant.

Adopted by the Committee of Bar Examiners on January 31, 2025.