

3.1 Action on Revised Moral Character Administrative Review Procedures Pursuant to Rule  
4.46.1 of the Rules of the State Bar



# The State Bar *of California*

---

## **OPEN SESSION**

## **AGENDA ITEM**

**3.1 JUNE 2025**

## **COMMITTEE OF BAR EXAMINERS**

**DATE:** June 20, 2025

**TO:** Members, Committee of Bar Examiners

**FROM:** Tara Clark, Program Director, Office of Admissions

**SUBJECT:** Action on Revised Moral Character Administrative Review Procedures  
Pursuant to Rule 4.46.1 of the Rules of the State Bar

---

### **EXECUTIVE SUMMARY**

On April 23, 2025, the California Supreme Court issued an order granting in part and denying in part the State Bar's request for approval of proposed revisions to the rules that govern the moral character process. The revised rules take effect on June 23, 2025.

Rule 4.46.1 of the Rules of the State Bar was revised, as requested, to require that the State Bar notify the applicant of the Committee of Bar Examiners' (CBE) decision within 10 days of the decision. The amendment requires a conforming change to the Procedures Regarding Requests for Administrative Review by the Committee of Bar Examiners of Adverse Determinations of Moral Character (Procedures Regarding Requests for Administrative Review), which currently require notification within 15 days of the CBE's decision.

---

### **RECOMMENDED ACTION**

Staff recommends that the CBE approve the changes to the Procedures Regarding Requests for Administrative Review set forth in Attachments A–B, effective June 23, 2025.

## DISCUSSION

Generally, the amendments to rule 4.46.1 (formerly rule 4.47.1) mirror the current Procedures Regarding Requests for Administrative Review. For reference, the redline version of the rule follows.

### **Rule 4.476.1 Request for Review ~~by~~ the Committee ~~of~~ Following an Adverse Moral Character Determination**

- (A) An applicant notified of an adverse moral character determination by the State Bar ~~of moral character~~ may request ~~a~~ review of the determination by the Committee. The request must be submitted to the Office of Admissions within 30 days of ~~the date of receipt of the notice~~ notification of the State Bar's determination. The applicant may submit supplemental information ~~material~~ with the request.
- (B) The Committee must establish procedures for review of an adverse moral character determination issued by the State Bar, which must include that a review by a panel of two Committee members will occur within 60 days of receipt of the request for review and the panel will make a recommendation to the Committee at its next regularly scheduled meeting. The Committee may adopt the recommendation of the panel or take any other action it deems appropriate. The State Bar must notify the applicant of the Committee's decision within 10 days of the decision. ~~Within 60 days of receipt of the request for a review, the Committee will conduct a review of the record, which may include a review of the transcript or recording of the informal conference. The Committee may request additional information from the applicant or from the State Bar. The Committee must notify the applicant of its final determination within 30 days of its decision.~~

*Rule 4.47.1 adopted effective September 1, 2019; amended effective June 23, 2025.*

The amendments to rule 4.46.1 reduced the current time for an applicant to be notified of the CBE's decision upon administrative review from 30 days in the prior iteration of the rule, and 15 days pursuant to the current procedures, to 10 days in the revised rule. Staff and the working group requested this change to reflect the current process of notifying the applicant of the CBE's decision as soon as possible after the meeting. Accordingly, paragraph I of the Procedures Regarding Requests for Administrative Review has been revised to require notification within 10 days of the CBE's decision. Additional minor changes have been made to the procedures to mirror the revised rules and make grammatical changes.

## **PREVIOUS ACTION**

June 21, 2024, CBE meeting [Item VI](#), and July 18-19, 2024, Board meeting [Item 4.4](#), describing the proposed amendments to the Rules of the State Bar that govern the moral character process.

## **FISCAL/PERSONNEL IMPACT**

None

## **AMENDMENTS TO RULES**

None

## **STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS**

None – core business operations

## **RESOLUTIONS**

Should the Committee of Bar Examiners concur, it is:

**RESOLVED**, that the Committee of Bar Examiners approves the proposed revisions to the Procedures Regarding Requests for Administrative Review by the Committee of Bar Examiners of Adverse Determinations of Moral Character set forth in Attachments A–B, effective June 23, 2025.

## **ATTACHMENTS LIST**

- A. Procedures Regarding Requests for Administrative Review (redline)
- B. Procedures Regarding Requests for Administrative Review (clean)



# The State Bar of California

## OFFICE OF ADMISSIONS

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

- A. An applicant notified of an adverse moral character determination ~~of moral character~~ by State Bar staff may submit a written request for administrative review by the Committee of Bar Examiners (Committee) within 30 days of receipt of notification ~~the date of the notice~~ of the ~~State Bar's~~ determination.
- B. The request for administrative review may be submitted via email, the Applicant Portal, or ~~sent by mail~~ to:
 

Moral Character Determinations Unit  
Office of Admissions  
The State Bar of California  
845 South Figueroa Street ~~180 Howard Street~~  
Los Angeles ~~San Francisco~~, CA 90017 ~~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. Supplemental materials may be included with the request.
- D. Upon receipt of the request for administrative review, the Program Manager will promptly deliver the applicant's request ~~for administrative review~~, a complete copy of the applicant's moral character application, and a copy of the informal conference recording, unless the applicant elected not to participate in an informal conference, to the chair of the Moral Character Subcommittee.
- E. The chair of the Moral Character Subcommittee will designate a panel of two members of the Moral Character Subcommittee, or ~~of~~ the Committee if members of the Moral Character Subcommittee are unavailable, to conduct the administrative review. At least one member of the panel will be a licensee of the State Bar of California.

- F. Within 60 days of receipt of the request for administrative review, the panel will review the entirety of the record, including the informal conference recording and any supplemental material provided by the applicant ~~with at the time of~~ the request for administrative review.
- G. The panel may request additional information from the applicant or the State Bar. Administrative reviews by the Committee are intended to be limited to a review of the record. In exceptional circumstances, however, the panel may invite the applicant to attend another informal conference. In such instances, 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 Moral Character Determinations unit's Program Manager and attorney counsel may attend any informal conference initiated by the panel. Informal conferences conducted by the Committee will be audio or video recorded.
- H. 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.
- I. Within ~~105~~ days of the Committee's ~~decision determination~~, the State Bar will notify the applicant of the Committee's ~~decision determination~~. A notice of denial of a positive moral character determination will be sent to the applicant by email with a proof of service.
- J. These ~~guidelines and~~ procedures also apply to an applicant's request for review by the Committee of a ~~State Bar staff~~ decision by State Bar staff to deem an ~~A~~ application for Determination of Moral Character abandoned under rule 4.43 of the Rules of the State Bar ~~Admissions Rule 4.43~~, with the exception of Guideline section G, above, as it refers to informal conferences.

Approved by the Committee of Bar Examiners on June 20, 2025, effective June 23, 2025 ~~December 2, 2022~~



The State Bar  
*of California*

OFFICE OF ADMISSIONS

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

- A. An applicant notified of an adverse moral character determination by State Bar staff may submit a written request for administrative review by the Committee of Bar Examiners (Committee) within 30 days of receipt of notification of the determination.
- B. The request for administrative review may be submitted via email, the [Applicant Portal](#), or by mail to:  
  
Moral Character Determinations Unit  
Office of Admissions  
The State Bar of California  
845 South Figueroa Street  
Los Angeles, CA 90017  
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. Supplemental materials may be included with the request.
- D. Upon receipt of the request for administrative review, the Program Manager will promptly deliver the applicant's request, a complete copy of the applicant's moral character application, and a copy of the informal conference recording, unless the applicant elected not to participate in an informal conference, to the chair of the Moral Character Subcommittee.
- E. The chair of the Moral Character Subcommittee will designate a panel of two members of the Moral Character Subcommittee, or the Committee if members of the Moral Character Subcommittee are unavailable, to conduct the administrative review. At least one member of the panel will be a licensee of the State Bar of California.
- F. Within 60 days of receipt of the request for administrative review, the panel will review the entirety of the record, including the informal conference recording and any supplemental material provided by the applicant with the request for administrative review.

- G. The panel may request additional information from the applicant or the State Bar. Administrative reviews by the Committee are intended to be limited to a review of the record. In exceptional circumstances, however, the panel may invite the applicant to attend another informal conference. In such instances, 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 Moral Character Determinations unit's Program Manager and attorney may attend any informal conference initiated by the panel. Informal conferences conducted by the Committee will be audio or video recorded.
- H. The panel will present its recommendation to the Committee at the next regularly scheduled meeting of the Committee. The Committee may adopt the recommendation of the panel or take any other action it deems appropriate.
- I. Within 10 days of the Committee's decision, the State Bar will notify the applicant of the Committee's decision. A notice of denial of a positive moral character determination will be sent to the applicant by email with a proof of service.
- J. These procedures also apply to an applicant's request for review by the Committee of a decision by State Bar staff to deem an Application for Determination of Moral Character abandoned under rule 4.43 of the Rules of the State Bar, with the exception of section G, above, as it refers to informal conferences.

Approved by the Committee of Bar Examiners on June 20, 2025, effective June 23, 2025