



THE STATE BAR OF CALIFORNIA
COMMITTEE OF BAR EXAMINERS/OFFICE OF ADMISSIONS

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PROCEDURES GOVERNING INFORMAL CONFERENCES

Pursuant to the provisions of Title 4, Division 1, Chapter 4, of the *Rules of the State Bar of California* (Admissions Rules), ~~the Subcommittee on Moral Character ("Subcommittee") of the Committee of Bar Examiners ("Committee") of The State Bar of California may invite~~ an applicant ~~for admission to practice law who has submitted an Application for Determination of Moral Character may be invited to participate in an informal conference with members of the Committee of Bar Examiners (Committee) to discuss issues in the applicant's background that call into question whether the applicant is of the good moral character required for admission to practice law in California.~~ ~~to meet with one or more designated members~~ The Committee delegates the decision to offer an invitation for an informal conference to the Senior Director, Admissions or his/her designee. ~~in an informal setting when it has received information which brings into question the applicant's suitability for certification to the Supreme Court. When the Committee has denied a positive determination it will offer applicants an opportunity to meet with one or more designated members in an informal setting to discuss the reasons for the denial.~~ All informal conferences will be governed by the following regulations:

- A. An informal conference will not be scheduled sooner than fourteen (14) days after the invitation to confer has been issued unless ~~both~~ the applicant ~~and the Subcommittee~~ agrees in writing to an earlier conference. The applicant will be requested to confirm in writing that he or she does or does not wish to accept the invitation to confer within ten (10) days of the date the invitation is mailed. The invitation will specify a date by which the invitation will be deemed to have been declined if no response has been received. In that event, the conference will be removed from the schedule.
- B. The applicant is not required to accept the invitation to confer, and ~~neither the Subcommittee nor the~~ Committee will not draw any inference from the applicant's decision to not confer.
- C. The primary issues ~~which the Subcommittee wishes to be~~ discussed during the informal conference will be set forth in the invitation to confer, but the discussion may extend to whether, generally, the applicant is of good moral character as required by Section 6060 of the California Business and Professions Code and Title 4, Division 1, Chapter 4 of the Admissions Rules and issues that may arise during the conference.
- D. The informal conference is intended to be informative and neither the applicant nor the ~~Subcommittee~~ Committee will be bound by strict rules of evidence; ~~however, a conference requested by an applicant subsequent to denial of a positive determination will be limited to the matters set forth in the statement denying the positive determination.~~

- E. The conference will be recorded, and if the applicant makes a written request within ninety (90) days of the conference, he or she will be provided with a duplicate recording of the conference.
- F. All members of ~~the Subcommittee, or those members of~~ the Committee ~~designated to represent the Subcommittee,~~ may participate in the conference; normally, however, two members will have been named to lead the discussion.
- G. Conferences are confidential and attendance will be limited to the applicant and his or her counsel, two (2) or more members (no more than four) of the ~~Subcommittee or other members of the~~ Committee designated to participate, necessary staff as designated by the Senior Director, Admissions, the Committee's counsel and attorneys from the Office of Chief Trial Counsel. ~~Staff,~~ ~~†~~The Committee's counsel and attorneys from the Office of Chief Trial Counsel will not participate in the discussion.
- H. ~~Presence of Counsel~~—An applicant may attend with counsel. The Committee permits counsel to attend as a matter of courtesy; however, counsel is not permitted to participate in the conference. An applicant may confer with his or her counsel at any time, off the record. Only the applicant will provide oral or written statements and may present documentary evidence in support of his or her application. Where counsel fails to abide by this policy, the Committee may take steps including, but not limited to, requiring counsel to leave the room or suspending the conference. No person other than applicant's counsel may be present with the applicant at an informal conference.
- I. Conferences will normally last approximately forty 40 minutes but are not limited to that time frame.
- J. After having been advised of the scheduled date for his or her informal conference, an applicant may, upon written request, elect to postpone his or her informal conference date no more than ninety (90) days from the date of the originally scheduled informal conference. If an applicant fails to attend the informal conference within the specified time frame, the Subcommittee may make its determination on his or her moral character determination application from the information before it. An applicant may request no more than two postponements.
- K. Requests for postponement of informal conferences must be received at least five (5) days before the scheduled conference. If a request for postponement is received less than five (5) days before the scheduled conference, the Subcommittee may make its determination on an applicant's moral character determination application from the information before it, unless the applicant demonstrates good cause for not having requested the postponement sooner.
- L. When the Committee requests additional information from an applicant, he or she must provide the information within ninety (90) days. Failure to do so will

constitute an abandonment of an application for determination of moral character.