

INSTRUCTIONS FOR APPLICATION FOR DETERMINATION OF MORAL CHARACTER AND APPLICATION FOR EXTENSION OF DETERMINATION OF MORAL CHARACTER

Please carefully read these instructions. Each applicant is required to be aware of all requirements which follow and to comply with each one that is applicable. The completed application form **must be typewritten or legibly printed in ink.**

In answering questions appearing on the Application for Determination of Moral Character, applicants should consider the following:

Rule X of the *Rules Regulating Admission to Practice Law in California (Rules)* states that:

Every applicant shall be of good moral character. The term "good moral character" includes the qualities of honesty, fairness, candor, trustworthiness, observance of fiduciary responsibility, respect for and obedience to the laws of the state and the nation and respect for the rights of others and for the judicial process. The applicant has the burden of establishing that he or she is of good moral character.

Rule VI, Section 2(b) of the *Rules* states that:

An attorney...who is not in good standing...because of having been suspended or disbarred from practice as a result of a disciplinary proceeding may not file an Application for Determination of Moral Character while so suspended or disbarred.

RULES REGULATING ADMISSION TO PRACTICE LAW IN CALIFORNIA

The Application for Determination of Moral Character and Application for Extension of Determination of Moral Character will be processed in accordance with the *Rules*. Current *Rules* are available upon request from the Office of Admissions.

SUBMITTING THE APPLICATION

After completing and signing the application form, the form, fingerprint cards, any necessary attachments and correct fees in the form of a personal check, cashier's check or money order payable to The State Bar of California must be mailed in an envelope to the following address:

State Bar of California
Department 7143
Los Angeles, CA 90088-7143

If an applicant wishes to send the materials with special handling, e.g. certified with return receipt, the envelope should be sent to the following address:

Office of Admissions
The State Bar of California
1149 South Hill Street
Los Angeles, CA 90015-2299

REGISTRATION

Applicants submitting an Application for Determination of Moral Character must have registered as a law student or as an attorney applicant with the Committee of Bar Examiners (Committee) **prior** to submitting the application. If an applicant has not done so, a separate form entitled "**Registration**" must be completed and filed with the appropriate registration fees. Both registration forms can be obtained through the Office of Admissions. Only a law student registration form can be obtained through California law schools. The registration form may be filed simultaneously with the application.

FEES AND FILING INFORMATION

Q Application for Determination of Moral Character	\$ 335.00
Q Application for Extension of Determination of Moral Character	\$ 159.00

Payment coupons must be detached from the application form and completed. The applicant's name, social security number, and amount paid must be written on the coupon. The coupon must be placed in the envelope compartment with the check. Neither the check nor the coupon should be placed with the completed application form.

Checks should be made payable to *The State Bar of California*.

RETURNED CHECKS

A charge of \$20.00 will be assessed when checks are not negotiated and are subsequently returned. **Stopping payment on a check or dishonoring a check does not constitute withdrawing an application. Applicants who do so will be required to return the fees and pay any additional fees required with a money order or cashiers check prior to being allowed to file any application in the future.**

ADMINISTRATIVE PROCESSING FEE

Applications submitted with incorrect fees will be held and will not be processed until the required fees are received by the State Bar's Office of Admissions. If the applicant does not submit the appropriate amount within 15 days of notification, the application will be returned. The applicant will receive a refund of fees submitted minus an administrative processing fee of \$25.00.

APPLICATION FOR EXTENSION

When an Application for Determination of Moral Character is about to expire, in order to avoid completing that form again, an applicant must submit an Application for Extension of Determination of Moral Character (extension application). An extension application must be filed by an applicant no sooner than every 18 months and no later than every 24 months after an initial determination of good moral character has been made by the Committee, and after each subsequent determination, until such time as the applicant is certified for admission to practice law in California. The extension application must be accompanied by the fee specified in the schedule of fees published by the Committee and by two sets of fingerprints. The extension application must be submitted in substantially complete form as defined by the Committee, and must be received in the San Francisco or Los Angeles Office of Admissions **on or before** the expiration date, or be **postmarked on or before** the expiration date.

REAPPLICATION SUBSEQUENT TO RECEIPT OF AN ADVERSE MORAL CHARACTER DETERMINATION OR WITHDRAWAL UNDER RULE X OF THE RULES

Following the expiration of the designated time period, applicants who have received an adverse moral character determination or withdrew their application under Rule X of the *Rules* (moral character) must file a complete Application form with two (2) fingerprint cards and the appropriate fee. The completed form and fee must be forwarded to the San Francisco Office of Admissions to the attention of the Director for Moral Character Determinations.

COMPLETION OF INVESTIGATION

Applications for Determination of Moral Character and Applications for Extension of Determination of Moral Character generally will be processed in a **minimum of 180 days**, unless there are issues in an applicant's background that require further investigation.

Applicants who are in their last year of law study are encouraged to file their Application for Determination of Moral Character at the beginning of their last year of law study, and all applicants are encouraged to file at least eight (8) to ten (10) months prior to the date they wish to be admitted to practice law in California.

Failure to file your application in a timely manner will delay your admission to practice law.

During the course of each investigation the Committee routinely contacts many sources and outside agencies; therefore, staff is not in a position to provide information on the status of the investigation until approximately 120 days have elapsed. If in the

course of the investigation staff requires further information or documentation, applicants will be contacted prior to the completion of the investigation. All applicants will receive written notification when the investigation has been completed.

Any questions regarding the status of an application after the lapse of 120 days should be made in writing rather than by telephone.

COMPLETION OF APPLICATION

All questions on the application must be answered. If a certain question does not apply to an applicant, the applicant should so indicate this and explain. Before filing the application, it should be checked to ensure that all questions have been answered, all applicable forms have been completed and attached and the application is signed. All pages of the application, including any unused forms, must be returned. The application must be signed, the correct fee included, and two (2) completed fingerprint cards must be included. Any application not meeting these requirements is considered incomplete, and will not be considered filed until it is brought to a complete status. If an application is considered incomplete, an additional \$20.00 will be required in order to bring the application to a complete status. The application must be received in the Office of Admissions **within 30 days** of the date the application is signed. If it is not received within 30 days of the date the application was signed, the application will be returned to the applicant with a blank Authorization and Release form **that the applicant will be required to complete, sign and return to the Office of Admissions, along with the application.**

If the application form does not provide sufficient space for the response to any question, the response should be continued on a separate piece of paper and attached to the inside back cover of the application form.

Each applicant should retain a copy of his/her completed application for reference in the event that another application must be filed in the future.

ATTACHMENTS

All supporting documents must be attached to the inside back cover of the application form. All registration forms and petitions must be sent under separate cover. Other letters or requests of any kind must be sent under separate cover.

PROOF OF ADMISSION (All Attorney Applicants)

Proof of admission (a current original Certificate of Good Standing) from each jurisdiction (except federal courts) to which the applicant has been admitted must be filed with the initial Application for Determination of Moral Character and **each** Application for Extension. If the applicant is filing an initial application simultaneously with the attorney registration, only one Certificate of Good Standing need be submitted. The certificate must be issued by the jurisdiction within six (6) months of the date the Moral Character Application is filed in order to be considered current. Attorneys whose status is inactive must submit a letter from the jurisdiction confirming no disciplinary action.

APPLICATION UPDATING

Applicants for admission to practice law in California have a continuing duty to update responses to questions on the application whenever there is an addition to or change in information previously furnished. The applicant will not be eligible for certification until the file is current.

REFERENCES

Confidential Questionnaires and reference letters will be mailed by the Office of Admissions to references, employers and law schools listed on the application.

In order to decrease the likelihood of a possible administrative delay in certification, all confidential questionnaires and reference letters must be returned to the Office of Admissions as soon as possible.

Please note: Contacting employers is part of the administrative screening process required of all applicants pursuant to Rule X of the *Rules*. The application will not be accepted unless an applicant is willing to have his or her employers contacted.

APPLICATION ACKNOWLEDGMENT

An application acknowledgment letter will be sent within four weeks after receipt of an application. Applicants who do not receive an acknowledgment letter should contact the Office of Admissions.

LAW SCHOOL DECLARATION

A Law School Declaration form will be sent by the Office of Admissions to each law school an applicant has attended..

WITHDRAWAL OF APPLICATION

Withdrawal of Applications for Determination of Moral Character and requests for refunds received within 30 days after receipt of the application will be honored with a 60% refund of all fees paid in conjunction with the application.

An applicant may withdraw his or her application at any time prior to being notified that a determination of moral character cannot be made because of the need for further inquiry and analysis. An applicant may withdraw his or her application after receipt of such notice only with the consent of the Office of Admissions.

FINGERPRINTS

State law requires the State Bar of California to "...require that an applicant for admission or reinstatement to the practice of law in California...be fingerprinted in order to establish the identity of the applicant and in order to determine whether the applicant or member has a record of criminal conviction...." An Application for Determination of Moral Character or Application for Extension will not be considered complete without the appropriately processed fingerprint cards. At times, there are delays in processing fingerprint cards by criminal justice agencies or delays due to fingerprint card rejection by those agencies, for which the Office of Admissions cannot accept responsibility and which may delay the processing of the application.

Applicants are required to submit two fingerprint cards with each application, which will be used solely to determine whether or not the applicant has a prior criminal record. The fingerprints must be taken by a law enforcement agency (i.e. police department, sheriff's station, etc.) or by an agency that requires you to provide appropriate identification. In the event the official taking the fingerprints has difficulty obtaining prints of acceptable quality because of the physical condition of the applicant's fingers (e.g., dermatitis, etc.), the official should be requested to explain (in writing) why the prints are the best obtainable. That explanation should accompany the fingerprint cards.

Fingerprints will be forwarded to the California Department of Justice and/or FBI for a record check. The Committee will request that those agencies return the fingerprint cards of all applicants and that the agencies neither copy the fingerprints nor disseminate them to others nor use them for any other purpose. Pursuant to Business and Professions Code Section 6054, the fingerprint cards of applicants who are admitted to practice law in California are retained for the limited purpose of criminal arrest notification.

Applicants must complete identifying information required on the fingerprint cards as indicated on the sample provided, using only the abbreviations listed below. Failure to provide all information will result in a delay in processing the application, along with the return of the fingerprint cards for completion and a \$20.00 completion fee charge.

HAIR COLOR	EYES	WEIGHT (WGT)	HEIGHT (HGT)	SEX
Bald	BAL	Black BLK	Express in Feet and Inches	Male M
Black	BLK	Blue BLU	respectively. (Do not use fractions	Female F
Blonde or		Brown BRN	of an inch; round off to the nearest	
Strawberry	BLN	Gray GRY	inch.)	
Brown	BRN	Green GRN	Example: 94 lbs	
Gray or Partially	GRY	Hazel HAZ	186 lbs	Example: 5'11"
Red or Auburn	RED	Maroon MAR		6'0"
Sandy	SDY	Pink PNK		7'0"
White	WHI			

The following questions are optional and do not require a response: race, citizenship, OCA number, FBI number, armed force number and miscellaneous number.

CHANGE OF ADDRESS

Please notify the Office of Admissions **in writing** of any address change.

FURTHER COMMUNICATION:

An official record of all communications is required; inquiries should be submitted in writing addressed to the Office of Admissions and sent to the appropriate address listed below. This will enable the staff to review your file prior to responding, and provide for precise rather than generalized responses. If your inquiry relates to a genuine emergency and requires immediate attention, the telephone numbers listed below are provided to assist you in such circumstances.

1149 South Hill Street
Los Angeles, CA 90015-2299

-or-

180 Howard Street
San Francisco, CA 94105-1639

	<u>Los Angeles</u>	<u>San Francisco</u>
Recorded General Information	(213) 765-1550	(415) 538-2300
Information Service Coordinator	(213) 765-1500	(415) 538-2303
Forms/study aids requests	(213) 765-1520	(415) 538-2303
Law Student Registration	(213) 765-1517	
Petitions	(213) 765-1500	
TDD Numbers	(213) 765-1566	(415) 538-2231

The Office of Admissions is open for the transaction of business between the hours of 8:45 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. In the Los Angeles Office of Admissions, cash, cashier's checks, travelers checks, money orders and personal checks will be accepted between 8:45 a.m. and 4:30 p.m. From 4:30 to 5:00 p.m., only personal checks will be accepted.

IMPORTANT

Before mailing your application, please check the following:

- Q Is the **correct** fee included?
- Q Are any necessary attachments fastened to the inside back cover of the application? The fingerprint cards are considered part of the application and **must** be submitted with the application. Supporting documents other than the **forms** may be submitted separately.
- Q Are the two fingerprint cards enclosed and **completed** in accordance with the instructions?
- Q Is each question answered fully and completely?
- Q Is the application signed and currently dated?
- Q Are all applicable **forms** completed and attached?
- Q Are you mailing the application more than 30 days after you signed the declaration? The application must be received within 30 days of the date it is signed or it will be returned.

See the section entitled "Completion of Application" for more information. A \$20.00 completion fee will be charged for any application that is found to be incomplete in any way.