

APR 25 2018

ADMIN. 2018-04-25

Jorge Navarrete Clerk

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**IN THE SUPREME COURT OF CALIFORNIA**

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STATE BAR NOMINATIONS FOR THE COMMITTEE OF BAR EXAMINERS

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Pursuant to rule 9.4 of the California Rules of Court, the court hereby orders the State Bar's adherence to the following nominations procedure for the Committee of Bar Examiners.

**PROCEDURE FOR NOMINATING CANDIDATES FOR SUPREME COURT  
APPOINTMENT TO THE COMMITTEE OF BAR EXAMINERS**

1. With the adoption of Rule 9.4, effective January 1, 2018, the Supreme Court of California is responsible for appointing ten examiners to the Committee of Bar Examiners.
  - a. The Supreme Court may fill any vacancies at any time.
  - b. At least one examiner must be a judicial officer in this state.
  - c. The other examiners must be California licensed attorneys, at least one of whom shall have been admitted to practice law in California within three years of the date of appointment.
  - d. Each examiner shall serve for a term of four years and may apply for reappointment by the Supreme Court for up to three additional full terms. Reappointments are at the discretion of the Supreme Court and subject to the limitation that the Committee of Bar Examiners must include at least one judicial officer in this state and at least one examiner who shall have been admitted to practice law in California within three years of the date of appointment.
  - e. The terms of the Chair and Vice Chair shall be one year.
  - f. Each examiner appointed by the Board of Trustees of the State Bar of California prior to January 1, 2018, may serve out the remainder of his or her term. The Supreme Court will appoint examiners to fill these positions upon vacancy or the expiration of the term, whichever occurs first.

2. The Board of Trustees will nominate candidates to fill the vacancies for Supreme Court appointment and provide a list of nominated candidates to the Supreme Court. The Supreme Court will make appointments from that list.
3. Unless the Supreme Court directs otherwise, the time line and process for the Board of Trustees to develop its list of nominated candidates for Supreme Court appointment to the Committee of Bar Examiners are as follows:
  - a. November/December – January/February: Recruitment for examiner positions for the Committee of Bar Examiners will be conducted in conjunction with the State Bar’s regular process for volunteer recruitment. Positions and application materials will be advertised on the State Bar website. Other outreach and publicity activities may include disseminating application information through the Board of Trustees, bar associations, California Lawyers Association, California Judges Association, California Bar Journal, social media, Law School Council, the Committee of Bar Examiners, and any other means likely to attract interested and qualified applicants.
  - b. February/March: The application period will close.
  - c. March/April: Appointments staff will conduct an administrative screening of applicants to determine:
    - i. Whether the applicant is a California judicial officer or a California licensed attorney.
    - ii. Whether the applicant submitted the required supporting documents with his or her application including a resume or biography, up to three letters of recommendation, and an authorization for the Appointments staff, the Board of Trustees, and the Supreme Court to obtain and review any prior discipline, including any private discipline, imposed on the applicant by the State Bar and/or the Commission on Judicial Performance. If not, Appointments staff will obtain these materials and authorization from the applicant.
    - iii. Whether the applicant has a record of prior discipline imposed by the State Bar or the Commission on Judicial Performance.
    - iv. Whether the applicant has a history of prior service on the Committee of Bar Examiners or a member of the applicant’s firm is already serving on the Committee of Bar Examiners.
  - d. April/May/June:
    - i. Application materials and information gathered in the administrative screening process will be forwarded by

Appointments staff to the Board committee responsible for overseeing the appointments process.

- ii. From the pool of applicants, the Board committee responsible for overseeing the appointments process will select candidates for consideration.
  - 1. To aid in the consideration of candidates, the Board committee responsible for overseeing the appointments process may request that the Appointments staff coordinate interviews of the candidates.
  - 2. To further aid in the consideration of candidates, the Board committee responsible for overseeing the appointments process may solicit an evaluation of the candidates from potentially knowledgeable persons including the Chair and Vice Chair of the Committee of Bar Examiners.
- iii. Appointments staff will solicit the examiners on the Committee of Bar Examiners for their interest in serving as the successor Chair or Vice Chair, and will instruct any examiner interested in serving to, by July 1:
  - 1. Submit a resume and a letter of interest to the Supreme Court stating his or her qualifications for the office; and
  - 2. Send an electronic copy of the submission to the Principal Attorney to the Chief Justice and Appointments staff.
- e. July: The Board of Trustees, upon recommendation of the Board committee responsible for overseeing the appointments process, will submit a list of nominated candidates to the Supreme Court, identifying, if possible, at least three candidates for each open position.
- f. August: The Supreme Court will appoint new examiners from the list of nominated candidates submitted by the Board of Trustees, and a successor Chair and Vice Chair, and will notify each appointee and officer of his or her selection.
- g. September/October: The newly appointed examiners and officers will begin their terms of office at the conclusion of the annual meeting.
- h. Upon a request from the Supreme Court, the State Bar will initiate the above-described process outside the prescribed time line to assist the Supreme Court in filling any vacancy that is created when a Supreme Court-appointed examiner or officer on the Committee of Bar Examiners leaves or becomes ineligible to serve before the expiration of his or her term.

It is so ordered.

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Chief Justice

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Associate Justice

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Associate Justice

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Associate Justice

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Associate Justice

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