

**PROPOSED POLICY MANUAL REVISION
QUALIFICATIONS OF OFFICERS AND DIRECTORS**

For State Bar Board Consideration – June 2018

~~1.03.05 Eligibility Requirements~~ Qualifications of Officers and Directors. No person may serve as an Officer or member of the Board who does not meet the qualifications to serve as set forth in the State Bar Rules Article IV, sections 5 and 10. The Board is the judge of a candidate's qualifications.÷

~~(A) has not taken the official oath by the second regular Board meeting following the commencement of the term for which he was elected or appointed;~~

~~(B) as to an elected or *ex officio* member of the Board or an Officer, is not an active member in good standing;~~

~~(C) as to an elected or *ex officio* member of the Board or an Officer, has ever been suspended or disbarred from the practice of law;~~

~~(D) as to an Elected Director, does not maintain in the district from which elected, his principal place of practice;~~

~~(E) as to an Elected Director, has his principal place of practice in the same county as the last preceding Elected Director from that district, except for an Elected Director in a metropolitan county or in El Paso County;~~

~~(F) as to an Elected Director, has previously served at least one and a half (1-1/2) years of the immediately preceding Director's term;~~

~~(G) is, or becomes, incapacitated from performing the duties of such office for all or a substantial portion of such term;~~

~~(H) as to a member of the Board, fails to attend without good cause, any two (2) consecutive regular meetings of the Board or any four (4) meetings of the Board;~~

~~(I) as to a public Director, has failed confirmation by the Senate of the State of Texas;~~

~~(J) is an elected official paid by the State of Texas, except that such prohibition shall not apply to public Directors or liaisons; or~~

~~(K) as to a director or a director's spouse, is an officer, employee, or paid consultant of a Texas Trade Association in the field of board interest as defined in State Bar Act §81.028.~~

**PROPOSED POLICY MANUAL REVISION
DISASTER RESPONSE**

For State Bar Board Consideration – June 2018

7.01.03 Disaster Response Plan. In an attempt to prevent solicitation of disaster victims and to assure all citizens equal access to justice ~~by unethical attorneys,~~ the Board directs Bar staff to maintain a Disaster Response Plan that is reviewed ~~the Bar's Disaster Response Plan annually and updated it as needed.~~ ~~adopted a disaster-response plan during its December 2-3, 1988, meeting.~~

7.01.04 Disaster-Response Team.

~~(A) The disaster-response team should be made up of the following:~~

~~(1) The President or, if the President is unavailable, the President-elect;~~

~~(2) Chair of the Commission for Lawyer Discipline, or if the chair is unavailable, the vice chair;~~

~~(3) Executive Director or authorized designee;~~

~~(4) The Chief Disciplinary Counsel or authorized designee;~~

~~(5) The public information director or authorized designee; and~~

~~(6) The TYLA president, or authorized designee.~~

~~(B) The Executive Director or authorized designee shall be the coordinator of the disaster-response team. In the absence or unavailability of the President or President-elect to make the decision regarding implementation of the disaster-response plan for a particular event, the coordinator shall then and only then be authorized to make the decision to implement the disaster-response plan.~~

~~(C) The Chief Disciplinary Counsel is responsible for the investigation of all complaints and will report as necessary to the coordinator the general nature of the complaints and their frequency.~~

~~(D) It shall be the responsibility of the coordinator to conduct annual educational programs about the disaster-response plan.~~

7.01.05 General Policy and Objectives.

~~(A) Rapid Response.~~

~~(1) It is essential to establish an awareness and sensitivity to the disaster situations by all State Bar employees, volunteers and Board.~~

~~(2) The disaster response plan will be disseminated through the *Texas Bar Journal* and continuing legal education programs.~~

~~(3) The disaster response team shall be properly trained to respond to initial inquiries and appear at the site.~~

~~(4) The disaster response team will provide victims and/or their families with written materials when requested.~~

~~(B) *Effective Mobilization of Resources.*~~

~~(1) Individual assignments of responsibilities shall be made to members of the team.~~

~~(2) The disaster response team will establish immediate telephone contact with involved parties.~~

~~(3) Travel arrangements will be made as quickly as possible.~~

~~(4) The coordinator shall confirm the individuals who will make up the disaster response team. The coordinator will add to the team a person who is bilingual if the disaster occurs in an area where one is needed.~~

~~(C) *Publicity.*~~

~~(1) It is important to focus on the fact that disaster response is a public relations effort.~~

~~(2) An appropriate press release shall be prepared and disseminated.~~

~~(3) The disaster response team shall ensure approval and dissemination of press releases.~~

~~(4) The public information director will be used for press contacts.~~

~~(5) It is important to ensure that the press release indicates that the State Bar is a resource designed to assist victims *if requested*.~~

~~(D) *On-Site Representation.*~~

~~(1) It is crucial for the disaster response team to arrive at the site of the disaster within three hours.~~

~~(2) If the press, insurance adjusters, and plaintiffs' lawyers can get to the site of the disaster quickly, then the State Bar should be able to get there.~~

~~(3) The President or President-elect will conduct press interviews.~~

~~(4) The availability of State Bar at the site of the disaster should be made known to victims.~~

~~(5) The disaster-response team shall establish a liaison with Red Cross, Salvation Army, and victims' organizations to provide assistance to victims and furnish written materials to these organizations.~~

~~(6) It is crucial that the disaster-response team not become identified with either side of the potential controversy.~~

~~(7) All members of the disaster-response team must avoid making comments on the merits of claims that may arise from the disaster.~~

~~*(E) Dissemination of Information to Affected Individuals.*~~

~~(1) The team shall emphasize in all public statements that the State Bar's major and only legitimate concerns are for those persons affected by the disaster and the public interest.~~

~~(2) The State Bar's role is limited to monitoring compliance with its disciplinary rules and requesting reports of any violation needing immediate investigation.~~

~~**7.01.06 Report on Results.**~~

~~(A)—As soon as possible, the coordinator will convene a meeting to be attended by all groups involved in the disaster to obtain input about the effectiveness of the plan in that particular disaster.~~

~~(B)—The coordinator shall prepare a written report of all that occurred at the site of the disaster.~~

~~(C) The written report shall be submitted to the Board as well as to other involved organizations.~~

PROPOSED POLICY MANUAL REVISION
EXPENSE REIMBURSEMENTS
(New provision – existing provisions will be renumbered as necessary)

For State Bar Board Consideration – June 2018

3.07 Reimbursement of Expenses

3.07.01 General

A. Policies and Procedures. Prior to June 1 of each year, the Executive Director shall prepare State Bar business expense reimbursement policies and procedures for the upcoming Fiscal Year, and shall submit such policies and procedures to the Board Audit and Finance Committee for approval.

B. Applicability. Subject to the provisions of this Policy Manual, the expense reimbursement policies and procedures shall apply to travel and other business related expenses incurred by State Bar staff, Board Members, standing committee members, special committee members, task force members, other entities funded by the State Bar, and State Bar volunteers acting on behalf of and at the direction of the Bar.