

Ray Cantu

From: Ray Cantu
Sent: Monday, March 05, 2018 10:11 AM
To: Ann Greenberg; Laura Gibson; Tom Vick- Pres.; Philip Mack Furlow (philipmack@me.com); Baili Rhodes; Andrew Tolchin; Joe Longley; Erich Birch; Ricky Gonzalez; Sarah Keathley (sarah@keathleykeathley.com); Audrey Moorehead; Gary Nickelson; Sally Pretorius; Scott Sherwood; Rehan Alimohammad
Cc: Jennifer Reames; John Sirman; Frank Stevenson- Immediate Past Pres.; Joe Escobedo- Past Chair; Don Jones; Maryann Parris; Colleen- SKeathley; Chielsey Barber
Subject: Nominations/Elections Update
Attachments: FINAL DISTRICT CHART 2018.pdf

Nominations and Elections Subcommittee Members:

Attached is the list of candidates for the upcoming State Bar Election cycle.

Co-chairs Frank Stevenson and Joe Escobedo also wanted to inform you of a petition submitted by Robert Bennett of Houston, who seeks to run as a candidate for director for District 4, Place 3. In accordance with the Bar's governing documents, Executive Director Trey Apffel determined that, since Mr. Bennett had been recently suspended for disciplinary reasons, he is not eligible to run for this office.

As you know, the current State Bar Board took steps to liberalize the previous outright ineligibility of once-disciplined candidates under the Policy Manual and Rules. Revised Article IV Section 5 of the State Bar Rules now specifies that if an attorney has ever been suspended for professional misconduct, he or she must have been reinstated at least ten years before the term as director begins in order to be an eligible candidate. Mr. Bennett served a partially probated suspension consisting of two years and three days active suspension and six months probated that concluded 12/31/2017. That matter is currently under appeal.

Under Article IV, Section 7 of the State Bar Rules, any person deemed ineligible by the Executive Director may appeal the decision of the Executive Director to the Executive Committee. The Executive Committee has final authority to determine questions of eligibility of this nominee and the validity of the nominating petition and must do so within ten days of the notice to the Executive Director.

Mr. Apffel has notified Mr. Bennett of his ineligibility and his right to appeal. Subsequently, we received Mr. Bennett's appeal on Saturday, March 3. The matter will be considered by the Executive Committee at its regularly scheduled meeting on March 8, 2017. The Bar will be required to file an emergency posting to amend the Executive Committee agenda, as this issue arose after the agenda was posted with the Secretary of State's office.

The Nominations & Elections Subcommittee has no formal role in the situation involving Mr. Bennett. But because of our overall responsibility for the State Bar election process, Frank and Joe wanted you to have the latest information.

Please contact Frank or Joe should you have any questions.

Thanks.

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