

## PROPOSED POLICY MANUAL REVISION

### ABA DELEGATES

**Purpose:** To clarify and simplify the process of selecting and appointing State Bar delegates to the ABA, and to provide for the appointment of alternates.

**Background:** According to the ABA Constitution and Bylaws, there are 14 "types" of delegates serving in the ABA House of Delegates. One of these types is state bar association delegates. State bar delegates are selected in accordance with policies and procedures promulgated by a state bar. For state bars with more than 20,000 lawyer members, a state bar appoints 6 delegates.

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#### 1.20 American Bar Association Delegation

**1.20.01 Nominating Committee.** A ~~nine~~five-person nominating committee ~~shall~~will be appointed each year to designate State Bar ~~ABA~~American Bar Association (ABA) delegates. The President ~~shall~~will appoint ~~four~~two members, the Chair ~~shall~~will appoint ~~four~~two members, and the Immediate Past President ~~shall~~will chair the committee with the immediate past Chair standing by in the event the Immediate Past President is unable or unwilling to serve. ~~No appointees shall be from the current Board.~~

**1.20.02 ABA Criteria for Solicitation Guidelines.** ~~The committee will make nominations that will be acted on by the Board.~~The nominating committee will select ~~a delegation~~nominees and alternates to propose to the Board with various types of practices, from all sizes and geographic locations of firms, and with ethnic backgrounds reflective of the Bar membership. Except as provided below, no member of the nominating committee is eligible for nomination as a delegate or alternate. ~~The nominations deadline is April 1. In the event the committee determines that there is an insufficient number of nominees to fill the vacant ABA delegate positions, or that the nominees as a group are not reflective of the membership of the State Bar, the committee may solicit additional nominees for recommendation. Those additional nominees must be selected for consideration on or before May 1 of each year. Decisions will be made in early May.~~

**1.20.03 Diversity.** ~~Written criteria shall be adopted by the Board to serve as a guide for the special nominating committee so that it shall clearly understand that it is charged with the duty of achieving diversity in the Texas delegation.~~

**1.20.04 Committee Recommendation.** The nominating committee will present its nominees and alternates to the Board for approval at its third quarterly meeting. ~~The special nominating committee shall recommend a slate of ABA delegates to the Board for approval. The slate shall include the exact number of persons needed to fill the ABA delegate slots. If the slate is not approved by the Board, it shall will be remanded to the special nominating committee for immediate and further consideration and presentation of nominees and alternates for approval by the Board at its fourth quarterly meeting. No member of the nominating committee shall be eligible for appointment or reappointment as an ABA delegate.~~

**1.20.05 Applications.** The nominating committee will adopt Procedures-procedures shall be adopted to publicize the opening of ABA delegate positions so that applicants may submit their names to the special nominating committee. In addition, the special nominating committee ~~shall be~~is entitled to originate names of its own.

**1.20.06 Incoming President-elect, President-elect, President.** The ~~incoming President-elect, the President-elect, and the President~~Officers shall will hold three of the ABA delegate slots. In the event any Officer is unable or unwilling to serve, the Chair and/or the Immediate Past Chair, in that order, will serve in such Officer's stead.

**1.20.07 Term Limitation.** The maximum term of service of an ABA delegate is six consecutive years.

**1.20.08 Position Meeting.** Before each meeting of the ~~American Bar Association~~ABA, the Texas ABA delegates ~~shall will~~ convene to discuss positions to be taken ~~by the State Bar~~at the ABA meeting.

**1.20.09 State Bar Position on ABA Modification.** If the State Bar is provided with additional ABA delegates, the State Bar opposes any method or attempt by the ABA Committee on Constitution and Bylaws to modify the right of the Board of the State Bar to determine and set its own policies about who may serve as ABA delegates.

**1.20.10 Informing the Board.** The Chair ~~shall have~~has the duty to ensure that the Board is informed on matters of concern to the State Bar that may be pending before the ABA House of Delegates.