

Nominations and Elections Subcommittee
8-17-2021 Draft

Board Policy Proposals Related to Nominations

Definitions

(20) “Principal Place of Practice” is defined by the zip code on an attorney’s office address provided to the State Bar of Texas. If no office address is provided by the attorney, the principal place of practice will be defined by the zip code on the attorney’s home address provided to the State Bar of Texas.

[Note: numbering for other definitions updated accordingly]

1.03 Elected Directors

1.03.01 General. Elected Directors shall be elected by a majority of the active and emeritus members of the State Bar voting who have their principal place of practice in the same bar district as the candidate. If no candidate receives a majority, a runoff between the two candidates receiving the greatest number of votes shall be held at a time the Board prescribes. The provisions of this Policy Manual concerning State Bar District Director Campaigns shall apply to the Campaign activities of the Director run-off candidates.

1.03.02 Term. Each person elected as a Director shall serve a three-year term.

1.03.03 Nominations. An active member's name may be placed in nomination for the office of Elected Director by a written petition in the form prescribed by the Board.

(A) The petition shall be signed by the lesser of five percent (5%) of the active members whose principal place of practice is within the district to be represented by the nominee if elected or one hundred of such members. An electronic signature may be used on the petition form. The electronic signature must be a digital impression, facsimile, or electronic replication of the signer’s own handwritten signature. A petition signature is invalid if it is not dated or the signer signed the petition before September 1 of the year before the election.

(B) The petition must be received in the office of the Executive Director on or before March 1 of the year of election.

(C) For State Bar elections, the principal place of practice is established no later than December 31. A nominee is ineligible to be certified as a candidate for director if he or she changes his or her principal place of practice from one State Bar district to another between December 31 and March 1 of the year of the election.

(D) The Executive Director shall promptly review the petition to verify the eligibility of the nominee.

(E) If from the petition it appears the nominee is eligible, the Executive Director shall certify such eligibility, and that nominee's name shall be listed on the ballot. If from the petition the Executive Director finds the nominee to be ineligible, that fact shall immediately be communicated to the nominee.

(EF) Any nominee desiring to appeal the findings of the Executive Director shall promptly notify the Executive Director, who shall promptly convene the Executive Committee to hear and determine the matter.

(FG) The Executive Committee shall have final authority to determine questions of the eligibility and certification of the nominee and the validity of the nominating petition and shall do so within ten days of the notice to the Executive Director.

(GH) The petitions may be in counterparts and signatures on counterparts are permissible.

(HI) If no valid petition nominating an eligible person in a district in the year in which such district is to elect a Director has been received by the Executive Director by March 1, or if all persons who have been nominated shall have died or become disqualified from serving at any time before the election ballot is printed, then the President, with the advice of the person then serving as Elected Director or Directors from that district, shall name a qualified person to stand for election as Director from that district.

2.01 Election of President-elect

2.01.05 Nominations.

(A) At its regularly scheduled first quarterly meeting each Organizational Year, the Board, on recommendation by the Subcommittee, shall nominate by a majority vote two or more members of the State Bar to be Candidates and to stand for election to the office of President-elect for the next Organizational Year. Any other qualified member shall also be privileged to stand for election to that office as a Candidate when a written petition, in a form prescribed by the Board and signed by no less than five percent of the active members of the State Bar who are in good standing, is filed by or on behalf of such member with the Executive Director on or before March 1 preceding the election for the ensuing Organizational Year and such petition is certified by the Executive Director. An electronic signature may be used on the petition form. The electronic signature must be a digital impression, facsimile, or electronic replication of the signer's own handwritten signature. A petition signature is invalid if it is not dated or the signer signed the petition before September 1 of the year before the election.

(B) The Executive Director shall either certify or reject such petition within five (5) business days following receipt of the petition by the Executive Director. Any disputes arising from the Executive Director's decision shall be resolved by the Executive Committee in accordance with the State Bar Rules. By either accepting the nomination of the Board or soliciting petition signatures, all potential Candidates and Candidates (including Director Candidates) certify that they have read and agree to be bound by the provisions of these guidelines relating to Campaigns for the office of President-elect or Director, respectively, and regarding the role of the Subcommittee.
