STATE BAR OF TEXAS
ELECTION 2012

STATE BAR ELECTION SCHEDULED

The State Bar Election for 2012–2013 president-elect, Texas Young Lawyers Association president-elect, and State Bar and TYLA directors will be held in April. This year, candidates for State Bar president-elect will be selected from any one of the five metropolitan counties of the state (Bexar, Dallas, Harris, Tarrant, or Travis).

Guidelines for Election of State Bar President-elect

2.01 ELECTION OF PRESIDENT-ELECT

2.01.01 General. The following guidelines are adopted pursuant to the State Bar Act and the rules promulgated thereunder. The relevant provisions of that act and those rules (Texas Government Code, Title 2, Subtitle G, Chapter 81; State Bar Rules, Art. IV, Sec. 11) are incorporated within these guidelines.

2.01.02 Definitions.

(A) *Subcommittee:* The Nominations and Elections Subcommittee of the Executive Committee of the State Bar of Texas.

(B) *Potential Nominee.* Any person whose name is submitted, pursuant to the provisions of Subsection 2.01.07 below, for consideration by the Subcommittee as a Nominee to stand for election to the office of President-elect for the following year, and any person seeking Executive Director certification under Subsection 2.01.05.

(C) *Nominee.* Any person selected by the Nominations and Elections Subcommittee to be voted on by the Board, and anyone who has obtained Executive Director certification pursuant to the provisions of Subsection 2.01.05 below.

(D) *Candidate:* Any person approved by the Board as a candidate, and anyone who has obtained Executive Director certification pursuant to the provisions of Subsection 2.01.05 below.

(E) *Campaign.* Any activities and communications in any form by or on behalf of a Potential Nominee, Nominee, or Candidate for the purpose of gaining votes for the election as President-elect.

(F) *Campaign Period:* The period beginning when Candidates are approved by the Board and ending on the date the ballots are distributed.

(G) *Professional Acquaintance.* A member of the State Bar, including those on inactive status, who a soliciting attorney or Potential Nominee, Nominee, or Candidate knows personally, has met personally during the Campaign Period, or who are in the same Professional Affiliation. An attorney who individually and directly contacts a Candidate requesting information about the Candidate's campaign or position will be considered a Professional Acquaintance of the Candidate. Mere knowledge of the attorney by name or reputation or membership in the same professional, social or alumni organization, specialty bar, section and similar organization does not qualify as a Professional Acquaintance.

(H) *Professional Affiliation.* The firm, company, or employer of the person.

(I) *Endorsement*. A statement (verbal or in writing) and/or any electronic communication, by a member of the State Bar of Texas stating or publishing support for a Potential Nominee, Nominee, or Candidate. Endorsement does not include a member of the State Bar of Texas identifying the person for whom he or she will vote if asked by another.

2.01.03 Election. The President-elect shall be elected by vote of a majority of those members of the State Bar who voted in such election. Such election shall be held in April or May of each year. The person so elected shall assume the office of President-elect at the next annual meeting following the succession of the then President-elect to the office of President.

2.01.04 Qualifications. Any member of the State Bar who meets the eligibility requirements for Officers set forth in the State Bar Act and the State Bar Rules is eligible for nomination for President-elect, provided such member is not currently serving as a Board Member.

2.01.05 Nominations. At its regularly scheduled second quarterly meeting each 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. 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 Nominations and Elections Subcommittee in accordance with Subsection 2.01.17 and the State Bar Rules.

2012 STATE BAR OF TEXAS DIRECTORS ELECTION CHART

BAR DISTRICT	NUMBER OF SIGNATURES REQUIRED	INCUMBENT DIRECTOR	COUNTIES IN DISTRICT*
1	100	**Susan Fisher**, *Sherman*	Bowie, Camp, Cass, Collin, Delta, Fannin, Franklin, (**Grayson**), Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Panola, Rains, Red River, Rockwall, Titus, Upshur, Van Zandt, Wood
4, Place 3	100	**W. Thomas "Tommy" Proctor**, *Houston*	Harris
4, Place 5	100	**Damon D. Edwards**, *Houston*	Harris
4, Place 6	100	**Travis Sales**, *Houston*	Harris
5	100	**Bethew "Bert" Jennings III**, *Pearland*	Austin, (**Brazoria**), Colorado, Fayette, Fort Bend, Galveston, Grimes, Jackson, Lavaca, Matagorda, Waller, Wharton
6, Place 2	100	**Beverly B. Godbey**, *Dallas*	Dallas
7, Place 1	100	**Mark G. Daniel**, *Fort Worth*	Ellis, Hill, Johnson, Tarrant
10, Place 1	100	**Allan K. DuBois**, *San Antonio*	Bexar
13	41	**Kyle Lewis**, *Dumas*	Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, King, Knox, Lamb, Lipscomb, (**Moore**), Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler
16	64	**David W. Copeland**, *Midland*	Andrews, Borden, Dawson, Fisher, Gaines, Garza, Howard, Kent, Lubbock, Lynn, Martin, (**Midland**), Mitchell, Nolan, Scurry, Stonewall, Terry, Yoakum

*** Counties in parentheses and in bold print are ineligible for campaign during the 2012 elections. See State Bar Rules Article IV, Section 5(A)(5), which addresses the issue of succession, and Article I(5), which defines metropolitan areas.**

2.01.06 Candidate Pools. The Potential Nominees for President-elect shall be selected from three different Candidate pools that rotate on a three-year cycle. In the first year of that cycle, the Potential Nominees shall be selected from State Bar members whose principal office is in Bexar, Dallas, Harris, Tarrant, and Travis counties. In the second year of the cycle, the Potential Nominees shall be selected from State Bar members whose principal office is outside the five metropolitan counties cited above. In the third or "open" year of the cycle, the Potential Nominees shall be selected from the Candidate pool of all State Bar members, without regard for the county of their principal office. In any year of any three-year cycle the Board may nominate two or more Nominees from the same county.

2.01.07 Selection of Candidates. The Board shall select President-elect Candidates as follows:

(A) In August preceding the Second quarterly meeting at which the Board selects Candidates, the Subcommittee chair(s) shall notify Texas bar associations representing the State Bar's diverse membership and State Bar sections, divisions, and committees that the Nominee selection process has begun. The chair(s) of the Subcommittee shall request from those groups the names and background information of Potential Nominees, explaining the criteria for selection described in Subsection (C).

(B) The Subcommittee shall state its intent to solicit Potential Nominees by distributing notice on the State Bar website and by publishing notice in the September issues of the *Texas Bar Journal*, the *Texas Lawyers' Civil Digest*, and the *Texas Lawyers' Criminal Digest*. The publication shall contain the criteria for Nominee selection described in Subsections 2.01.04, 2.01.06 and 2.01.07(C). Anyone submitting a name for consideration should first obtain that person's written consent to have his or her name submitted.

(C) Subject to Subsections 2.01.04 and 2.01.06, any member in good standing with the State Bar is eligible for nomination, provided such member is not currently

serving as a Board Member. The Subcommittee shall select qualified Nominees, and choose its Nominees with the objective of ensuring that, over a period of years, the office of the President includes men and women, ethnic and racial diversity, lawyers from large, medium and small firms and solo practitioners, and members from urban and rural areas of the State. In doing so, the Subcommittee shall consider a potential Candidate's involvement in State Bar committee work, knowledge of State Bar operations, participation in local and specialty bar associations, and other activities demonstrating leadership ability, and sincere interest and competence in dealing with issues concerning the State Bar of Texas. Although prior membership on the Board is not a prerequisite to nomination, it should be considered in determining whether a lawyer is a qualified Potential Nominee.

(D) The Subcommittee may also solicit Potential Nominees whose names have not been submitted through the process described in Subsections 2.01.07(A) and (B) Persons solicited as Potential Nominees must meet the criteria described in Subsection 2.01.07(C).

(E) As part of the selection process, each Potential Nominee should be asked to submit a resume and a brief statement indicating the reasons for his or her interest in serving as President. The Subcommittee may interview Potential Nominees. The travel expenses incurred by a Potential Nominee in attending such interview will be reimbursed by the State Bar.

(F) The Subcommittee shall submit to the Board the names of two or more qualified nominees for President-elect.

2.01.08 Notification of Nomination.

(A) Insofar as it is possible, the Nominees recommended by the Subcommittee should be notified at the same time.

(B) The Candidates nominated by the Board should be notified at the same time.

2.01.09 Announcement of Nominations. As soon as reasonably practicable after the Candidates for President-elect are selected by the Board, the names of the Candidates, the counties of their principal offices, and their biographical information, together with the procedure for additional nominations by petition under the State Bar Rules, shall be published on the State Bar website and in the *Texas Bar Journal*, the *Texas Lawyers' Civil Digest*, and the *Texas Lawyers' Criminal Digest*.

2.01.10 Campaign Activities.

(A) Potential Nominees may discuss the prospective candidacy with any partners or management in their law firm, as needed, to be sure that the Potential Nominees will agree to be a Candidate, if approved by the Board.

(B) Potential Nominees or Nominees recommended by the Subcommittee may not Campaign before their official nominations by the Board.

(C) Potential Nominees or Nominees may confirm to others that they are Potential Nominees or Nominees prior to actual nomination by the Board.

(D) The Nominees may not Campaign until they have met with the Subcommittee as required in Subsection 2.01.11 or immediately following the adjournment of the Board meeting at which they are nominated, whichever is the latest, and must cease Campaigning on the date the ballots are distributed (the "Campaign Period"). Once the Campaign Period ends, candidates may not continue to contact State Bar members, or solicit or encourage others to do so.

(E) Candidates may not Campaign outside their offices before March 1 or after the ballots are distributed, except for meetings held outside of their offices but within the counties of their principal offices for the purposes of planning future campaign activities.

(F) Candidates may confirm to others that they are Candidates at any time prior to the out-of-office Campaign period when the Candidate is out of the office conducting normal and customary business.

(G) Candidates may not solicit, approve, or condone communications by local bars, specialty bars, law school alumni associations, bar association sections or committees, or other bar-related groups seeking support and/or Endorsement.

(H) No Candidate, or anyone acting on the Candidate's behalf, may solicit votes by mailings, faxes, or emails to selected groups within the Bar, or by mailings, faxes, or emails to local or specialty bars, unless every member of such selected group within the Bar and/or such local or specialty bars is a Professional Acquaintance of the person making the contact.

(I) Candidates may not solicit, approve, or condone solicitations in any publications other than the State Bar website and the *Texas Bar Journal*. When Candidates are aware that non-State Bar publications have covered or plan to cover the election, in the interest of fairness the Candidates should ask the publication to provide equal time to both candidates.

(J) Paid solicitations through the use of telephone, email or other methods of communication is prohibited.

(K) Candidates may not solicit or publicize endorsements from local or specialty bar groups, Board members, employees of the State Bar, or any public official.

(L) Members of the Board, in their official capacity, and State Bar staff may not endorse nor express support for a Candidate for President-elect.

(M) Nothing herein shall prohibit a Potential Nominee, Nominee, or Candidate from establishing a steering committee or group consisting of Professional Acquaintances of the Potential Nominee, Nominee, or Candidate for the purpose of assisting the Potential Nominee, Nominee, or Candidate in the Campaign prior to the commencement of, or during, the Campaign period. Prior to the time an individual has been designated by the Board as a Candidate, steering committees shall be limited to no more than 50 Professional Acquaintances of the potential nominee or nominee.

(N) One-to-one, individualized telephone calls, letters, facsimiles, or emails expressing support for a Candidate to Professional Acquaintances of the individual caller or sender are permitted during the Campaign Period. Telephone calls made by a Candidate to any individual attorneys are permitted during the Campaign Period List-serves and group emails are not allowed unless every person on the list-serve or email group is a Professional Acquaintance of the sender.

(O) Any Board Member may answer questions posed to the Board Member about a Candidate's qualifications.

(P) Attendance by Nominees at the TYLA Board of Directors meeting, local and/or specialty bar association meetings, or other events is allowed, if all Nominees are invited and if approved by the Subcommittee.

(Q) In exceptional circumstances, such as invitations to speak made by the TYLA Board of Directors, local and/or specialty bar associations, or other events, the Candidates may jointly apply to the Subcommittee for a dispensation to undertake campaigning outside the office before March 1.

(R) After the end of the Campaign Period, if a person contacts a Candidate seeking information concerning the Candidate, his position, or Campaign, the Candidate may only refer the person to the *Texas Bar Journal* article, the State Bar website, the Candidate's brochure, or the Candidate's campaign website or campaign Facebook page.

2.01.11 Meeting with the Subcommittee. The Candidates shall meet jointly with members of the Subcommittee to discuss election rules and procedures before the beginning of the Campaign period. Travel and lodging expenses for the Candidate and his or her spouse to attend this meeting will be reimbursed by the State Bar independently of campaign expenditures described in Subsection 2.01.14.

2.01.12 Distribution of Ballots. A combined ballot for the office of President-elect and for the office of Director may be used in bar districts in which an election for Director is to be conducted. On April 1, or on the first working day following April 1 if April 1 falls on a weekend, an official ballot listing the names of all Candidates for President-elect and candidates for Director shall be distributed to each member of the State Bar who is entitled to vote.

2.01.13 Campaign Brochures. Each Candidate is responsible for the design and content of a single Campaign brochure, which shall be used as the Candidate's sole handout or electronic attachment during the election. (A one-page resume may be used for appearances permitted under these guidelines if the campaign brochure is not available.) The State Bar will print the brochures in a four-color process, using the same size and quality of paper for each Candidate's brochure.

(A) In designing the brochures, Candidates should:
1. seek to be as informative as possible;
2. limit photographs to pictures of the Candidate and his or her family; and
3. neither refer to nor cite endorsements of the Candidate by groups or individuals.

(B) The Subcommittee will approve all brochures before printing to ensure compliance with the guidelines.

(C) Brochures used in the election for President-elect shall be distributed on the State Bar website and paper copies will be mailed at State Bar expense, along with any official paper ballots, to voting members who have not voted electronically.

(D) The State Bar of Texas shall pay, in addition to the printing expense of the brochures included with the paper ballots, the cost of printing such reasonable amount of such extra brochures as the Subcommittee may determine is appropriate.

(E) Candidates may purchase additional copies of the brochures, for their own use, at cost. A copy of the brochures will be distributed with the electronic ballot and a paper copy will be included with any paper ballots.

2.01.14 Campaign Expenditures. Each Candidate for the office of President-elect shall not expend more than $20,000 in Campaign expenses, including expenses for transportation and lodging during the Campaign. The Candidates may agree on a different amount not to exceed $25,000. The State Bar shall reimburse each Candidate up to $15,000 for actual out-of-pocket Campaign expenditures, which may include transportation and lodging costs for the Candidate and his or her spouse. This reimbursement is in addition to, and not in lieu of, Campaign expenses paid directly by the State Bar, provided, however, that if in any year more than two Candidates are nominated for the office of President-elect, the aggregate amount of reimbursements by the State Bar shall not exceed a total of $30,000 for all Candidates, and no one Candidate will be entitled to a reimbursement exceeding a per capita share. Candidates shall submit verified reports of all Campaign

expenditures, including expenses for transportation and lodging, within 90 days after the Campaign ends.

2.01.15 Online Campaign Activities. Candidates may Campaign online during the Campaign Period by use of a personal campaign website and/or campaign Facebook page.

(A) The Candidate's campaign website and/or campaign Facebook page may include only the information and pictures published in the Candidate's pre-approved Campaign brochures as described above; information regarding scheduled appearance dates at State Bar of Texas, local bar association or private meetings; and any Campaign information that is distributed on the State Bar website or printed in the *Texas Bar Journal* regarding the Candidate. During the Campaign Period, a Candidate may respond to questions or comments posted on the Candidate's campaign Facebook page, subject to subsection (D) below.

(B) All information to be published on a campaign website or campaign Facebook page must be submitted to the chair(s) of the Subcommittee for approval before publication.

(C) A Candidate who has maintained a firm or individual website or online presence for professional purposes prior to becoming a Potential Nominee may continue to maintain that website or online presence for conducting normal and customary business, but not for the purpose of campaigning during the Campaign Period.

(D) A candidate who chooses to maintain a campaign Facebook page is responsible for monitoring all posts and comments on that page, both during and after the Campaign Period, with the objective of assuring civility and professionalism in the campaign, and should

Board of Directors Sample Nominating Petition

The petition form below is suggested for the convenience of persons who want to nominate a member for the State Bar Board of Directors. The election will be held in April.

The guidelines for election of president-elect and directors are printed on the previous pages. If you wish to become a candidate for president-elect or director and need additional information, contact Candiss Held, Officer/Director Services, State Bar of Texas, P.O. Box 12487, Austin 78711-2487; call (512) 427-1416 or (800) 204-2222, Ext. 1416; or fax (512) 427-4108. Pursuant to the rules governing the State Bar of Texas, nominating petitions must be received no later than 5 p.m. March 1. Names on the petition should be either typed or printed and the bar card number of each individual should be provided. Completed petitions should be mailed to Office of Executive Director, Attn: Candiss Held, State Bar of Texas, P.O. Box 12487, Austin 78711-2487.

PETITION FOR ELECTION

We, the undersigned, being at least five percent of the members of the State Bar whose principal place of business is in the _____ bar district, or 100 of such members, whichever is less, do hereby nominate _____ of _____ as a candidate for director of the State Bar of Texas from that district and request that his or her name be placed on the official ballot for 2012, pursuant to Article IV, Section 7, of the State Bar Rules.

The proposed candidate meets the requirements for director as stipulated in Article IV — Administration, Section 5, Qualification of Officers and Directors, parts (A), (1) through (10) of the State Bar Rules.

SIGNATURE	PRINTED NAME	BAR CARD NUMBER

promptly remove content or comments that are offensive, contain vulgar language, or include personal attacks of any kind, or which are repetitive or intrusive and might be considered spam.

(E) After the end of the Campaign Period, a Candidate's campaign website and/or campaign Facebook page may remain online; provided, however, that a Candidate may not post any additional information on the campaign website or campaign Facebook page after the end of the Campaign Period.

2.01.16 Campaign Conduct. The Candidates and their supporters shall make a reasonable effort to conduct the Campaign in a professional and dignified manner. In communicating with State Bar members, whether by letter, card, fax, email or telephone, Candidates and their supporters shall concentrate on the merits of their candidacy.

2.01.17 Campaign Oversight. Candidates shall consult with the chair(s) of the Subcommittee concerning the interpretation of these rules, and the chair(s) shall render a decision concerning such matters. If a Candidate wishes to appeal a decision of the Subcommittee chair(s), such appeal must be made to the Nominations and Elections Subcommittee in writing within two business days of the Subcommittee chair(s)' decision. Except as otherwise provided in this Policy Manual, the Nominations and Elections Subcommittee shall supervise the guidelines, eligibility, nominations, campaign, election, and election results to ensure compliance with the rules and shall resolve all such disputes and decide all penalties. Decisions and interpretations made by the Subcommittee hereunder shall be final.

(A) In the event of any violation of the rules by or on behalf of a Potential Nominee, Nominee, and/or Candidate, the Subcommittee shall determine if the violation is minor or major.

2012 STATE BAR OF TEXAS DIRECTOR ELECTION BIOGRAPHY INFORMATION

NAME *(Print name as shown on your Bar membership card)* BAR DISTRICT # PLACE BAR CARD NO. SPOUSE'S NAME

(Please email to cheld@texasbar.com or enclose a recent photograph of yourself plus one recent photograph of you and your spouse (if applicable) together. Prints 5x7 or smaller are acceptable.)

Office Address

FIRM NAME

STREET ADDRESS MAILING ADDRESS

CITY ZIP EMAIL

PHONE FAX

ASSISTANT'S NAME PHONE EMAIL

Home Address

STREET ADDRESS MAILING ADDRESS

CITY ZIP PHONE

Education

COLLEGE/UNIVERSITY DEGREE YEAR GRADUATED

LAW SCHOOL DEGREE YEAR GRADUATED

HONORS AND AWARDS

Other Professional Organizations and Honors *of which you are (were) a member with appointive or elective positions (include dates).*

Child(ren)'s Name(s) — *Please identify if lawyer or law student.*

Please feel free to attach a copy of your resume or any other pertinent information.

(B) In the event of a minor violation, the Subcommittee may allow the other Candidates to engage in like activity.

(C) In the event of a major violation, the Subcommittee may publicly censure the Candidate committing the violation through a communication on the State Bar website. Such public censure may also be written by the Subcommittee and distributed with any ballot to the members of the State Bar in whatever manner the committee deems appropriate.

Guidelines for Election To the Board of Directors

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.

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.

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

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

(D) 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.

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

(F) 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.

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

(H) 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.

1.03.04 Candidate Certification Form. Candidates for Elected Director shall be required to sign a candidate certification form, which must be received in the office of the Executive Director at the same time as the petition. The certification form shall set forth the eligibility requirements and shall contain the following:

> As a candidate for the office of director, I, _____, certify that I understand the following criteria as contained in the State Bar Rules, Article IV, §5(A), relating to serving as a director of the State Bar of Texas, and that after reviewing the criteria, I am eligible to serve as a director. I further certify that I have read and agree to be bound by the provisions of the State Bar Board of Directors Policy Manual regarding the rules and restrictions relating to campaigns for the office of director and regarding the role of the Nominations and Elections Subcommittee in such campaigns.
>
> _____
>
> Signature Date

1.03.05 Eligibility Requirements. No person may serve as an Officer or member of the Board who:

(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.

1.03.06 Failure to Qualify. If an Elected Director fails to qualify, the Elected Director shall be deemed to have vacated the position.

1.03.07 Sample Petition Form.

Petition for Election

We, the undersigned, being at least five percent of the members of the State Bar whose principal place of practice is in the _____ bar district, or one hundred of such members, whichever is less, do hereby nominate _____ of _____ as a candidate for director of the State Bar of Texas from that district and request that his or her name be placed on the official ballot for (year), pursuant to Article IV, §7 of the State Bar Rules.

The proposed candidate meets the requirements for director as stipulated in Article IV – Administration, §5, Qualifications of Officers and Directors, parts (A), (1) through (11) of the State Bar Rules.

_____

Signature Printed Name Bar Card Number

1.03.08 State Bar District Director Campaign

(A) *Definitions*

1. *Director Candidate.* Any person whose eligibility as a candidate has been certified by the Executive Director or the Executive Committee pursuant to subsection 1.03.03 or who has been appointed by the President to stand for election pursuant to subsection 1.03.03(H).
2. *Campaign.* Any activities and communications in any form by or at the direction of a Director Candidate for the purpose of gaining votes for the election as Elected Director.

(B) *Activities.* Director Candidates must cease campaigning on the date the ballots are distributed.

(C) *Conduct.* Director Candidates shall make a reasonable effort to conduct the Campaign in a professional and dignified manner. In communicating with State Bar members, whether by letter, card, fax, email or telephone, Director Candidates shall concentrate on the merits of their candidacy. Director Candidates may not publish websites or social media pages for their campaigns.

(D) *Campaign Supporters.* Throughout the course of the Campaign, Director Candidates shall inform their supporters regarding these campaign guidelines and restrictions, and shall encourage their supporters to follow these guidelines and restrictions to the extent applicable in an effort to enhance and maintain the integrity of the Campaign and election process. Director Candidates may not request their supporters to undertake Campaign activities that the Director Candidates themselves are not permitted to undertake. In the event a Director Candidate learns that a supporter of his or her candidacy has undertaken any such Campaign activity, the Director Candidate shall notify the chair(s) of the Nominations and Elections Subcommittee as soon as possible.

(E) *Oversight.* Director Candidates shall consult with the chair(s) of the Nominations and Elections Subcommittee concerning the interpretation of these rules, and the chair(s) shall render a decision concerning such matters. If a Director Candidate wishes to appeal a decision of the Subcommittee chair(s), then the appeal must be submitted in writing to the Nominations and Elections Subcommittee within two business days of the Subcommittee chair(s)' decision. Except as otherwise provided in this Policy Manual, the Nominations and Elections Subcommittee shall supervise the guidelines, eligibility, nominations, campaign, election, and election results to ensure compliance and shall resolve all disputes and decide all penalties. Decisions and interpretations made by the Subcommittee hereunder shall be final.