



STATE BAR BOARD POLICY MANUAL

PART I. 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. 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. 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) 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 promptly notify the Executive Director, who shall promptly 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 guidelines 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 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.

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 of the State Bar Rules.

Signature: _____

Printed Name: _____

Bar Card Number: _____

Date: _____

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 on behalf of a Director Candidate for the purpose of gaining votes for election as Elected Director.

(3) Social Media. Websites and internet-based applications that enable users to create and share content and/or participate in social networking, including, but not limited to Facebook, LinkedIn, and Twitter.

(4) Subcommittee. The Nominations and Elections Subcommittee of the Executive Committee of the State Bar of Texas.

(B) Conduct. Director Candidates are urged conduct the Campaign in a professional and dignified manner. In communicating with State Bar members, whether by letter, card, fax, email, Social Media, telephone, or online, Director Candidates are encouraged to concentrate on the merits of their candidacy and to refrain from irrelevant personal attacks against other Director Candidates. Director Candidates are expected to comport themselves in compliance with all applicable provisions of The Texas Lawyer's Creed, A Mandate for Professionalism, promulgated by the Supreme Court of Texas and the Court of Criminal Appeals.

(C) Online Campaign Activities. Director Candidates are encouraged to monitor all posts and comments on their Campaign websites and Campaign Social Media, with the objective of assuring civility and professionalism in the Campaign. Director Candidates are urged to promptly remove content or comments that are offensive, contain vulgar language, or include irrelevant personal attacks.

(D) Oversight. Director Candidates will consult with the chair(s) of the Subcommittee concerning the interpretation of these guidelines, and the chair(s) (and other Subcommittee members, if consulted) will remain scrupulously impartial in rendering a decision concerning such matters or in selecting a remedy. If a Director Candidate wishes to appeal a decision of the Subcommittee chair(s), then the appeal must be submitted in writing to the Subcommittee within two business days of the Subcommittee chair(s)' decision. Except as otherwise provided in this Policy Manual, the Subcommittee shall supervise the guidelines, eligibility, nominations, campaign, election, and election results to ensure compliance and shall resolve all disputes and decide all remedies. Decisions and interpretations made by the Subcommittee hereunder will be final.