

# IN THE SUPREME COURT OF TEXAS

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Misc. Docket No. 18-9082

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## FINAL APPROVAL OF AMENDMENTS TO ARTICLE IV OF THE STATE BAR RULES

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**ORDERED** that:

1. Article IV of the State Bar Rules is amended as set forth in this order. The amendments are effective immediately.
2. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this order to each elected member of the Legislature; and
  - d. submit a copy of the order for publication in the *Texas Register*.

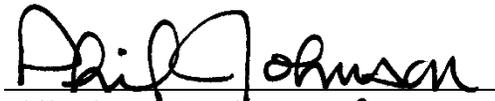
Dated: June 12, 2018.



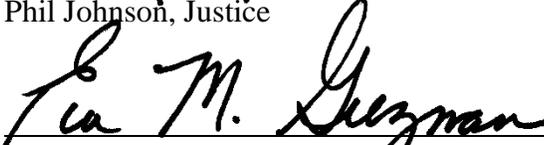
Nathan L. Hecht, Chief Justice



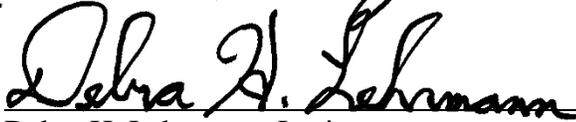
Paul W. Green, Justice



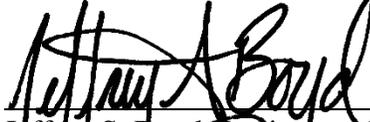
Phil Johnson, Justice



Eva M. Guzman, Justice



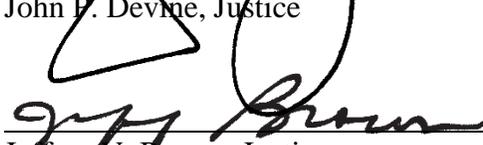
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John F. Devine, Justice



Jeffrey V. Brown, Justice



James D. Blacklock, Justice

**ARTICLE IV  
ADMINISTRATION**

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**Section 7. Nominees for Office of Elected Director**

- A. An active member's name may be placed in nomination for the office of elected director by a written petition in form prescribed by the board and 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 (100) of such members, which petition must be received in the office of the executive director on or before March 1 of the year of the election. 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. The executive director shall promptly review the petition to verify the eligibility of the nominee. If from the petition it appears the nominee is eligible, that person's name shall be listed upon the ballot. If from the petition the executive director finds the nominee to be ineligible, that fact shall immediately be communicated to the nominee. Any nominee desiring to appeal the findings of the executive director shall ~~forthwith~~promptly notify the executive director, who shall ~~forthwith~~promptly convene the executive committee to hear and determine the matter. The executive committee shall have final authority to determine questions of eligibility of the nominee and the validity of the nominating petition and shall do so within ten (10) days of the notice to the executive director.
- B. The petitions may be in counterparts, and it shall be sufficient that the signatures on all the counterparts aggregate the required number of signatures.
- C. If no valid petition nominating an eligible person shall have been received by the executive director by March 1 in respect to a district in the year in which such district is to elect a director, or if all persons who have been nominated in the foregoing manner shall have died or become disqualified from serving at any time prior to the printing of the ballot in such election, then the president of the State Bar with the advice of the person then serving as elected director from that district shall name a qualified person to stand for election as director from that district.
- D. If an elected director fails to qualify, such position shall be deemed vacant.

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## Section 11. President-Elect, Nominations and Elections

- A. At its ~~first~~ regularly scheduled quarterly meeting ~~next following the first day of each calendar-organizational~~ year, the board of directors shall nominate two (2) or more members of the State Bar of Texas to stand for election to the office of president-elect for the ensuing ~~bar-organizational~~ year. Such nomination shall be by majority vote of the board.
- B. Any other member of the State Bar of Texas shall also be privileged to stand for election to the office of president-elect when a written petition in form prescribed by the board of directors, signed by no fewer than five percent (5%) of the active members of the State Bar of Texas in good standing, is ~~filed with~~ received in the office of the executive director ~~or on or~~ before March 1 ~~next preceding the election to be held for the office of president-elect for the ensuing year of the year of the election. 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.~~
- C. The petitions may be in counterparts, and it shall be sufficient that the signatures on all the counterparts aggregate the required number of signatures.
- CD. The names of all nominees for the office of president-elect shall be published in the Texas Bar Journal and otherwise publicized by such other practical means as the board shall determine.
- ~~DE.~~ In making nominations to the office of president-elect, both the board of directors and those persons who may be nominated by petition pursuant to Section 11(B) herein, shall be bound by the following geographical rotation: A geographical rotation governs the office of president-elect. To be eligible for the office, candidates—whether nominated by the board or by petition as described in Section 11(B)—must have their principal place of practice in a county that meets the requirements of the election year in the following rotation:
1. nominees from metropolitan counties in the first year of rotation, a Metropolitan County, which means either Bexar, Dallas, Harris, Tarrant, or Travis county;
  2. nominees from other than metropolitan counties in the second year of rotation, a county that is not a Metropolitan County;
  3. in the third year, nominees from any county during the third year of rotation.

~~Any person nominated by either the board or by petition who does not meet the requirements of this rotation shall be ineligible to stand for election in the year nominated.~~ For purposes of this rule, the first year of rotation shall be the election for president-elect for ~~1988~~the organizational year beginning in 2018.

- EF.** The ballot shall be distributed to each member of the State Bar of Texas entitled to vote at the same time as ballots for the election of elected directors are distributed. A combined ballot for the office of president-elect and for the office of director may be used in those bar districts in which an election for director is to be conducted.
- FG.** If no candidate for president-elect receives a majority of the votes, a run-off election shall be held at such time as the board shall prescribe between the two candidates receiving the greatest number of votes. The person receiving a majority of the votes in either the general election or the run-off election shall be declared to be elected to the office of president-elect.
- GH.** The office of president shall be filled by the succession of the president-elect to such office at the expiration of the term for which such person was elected to serve as president-elect.