

1 **Rule 14-206. Officers.**

2 (a) President. The president-elect shall automatically succeed to the office of  
3 president pursuant to Article 1, Integration and Management.

4 (b) President-elect; qualifications; voting procedures.

5 (b)(1) A lawyer commissioner who wishes to be considered as a candidate or a  
6 commissioner who wishes to recommend the name of another lawyer in good standing  
7 on active status to be considered as a candidate shall notify the Board in writing no later  
8 than January 1. The Board also may consider additional candidates at its discretion.

9 (b)(2) The Board shall nominate at least one candidate to run for the office of  
10 president-elect from among the names submitted to the Board as set forth above. The  
11 Board, by vote, shall nominate those running for the office of president-elect at a  
12 regularly scheduled meeting. Balloting for nomination to run for the office of president-  
13 elect shall be by secret ballot except that commissioners not in attendance at the  
14 meeting may submit their vote in writing to the president or executive director.

15 (b)(3) A lawyer elected president-elect shall succeed to the office of president and  
16 shall then serve as president with authority to represent the Bar and preside at all  
17 meetings of the Board and the Bar even though the president-elect may not be serving  
18 in a term as an elected commissioner. A president and president-elect who are not  
19 elected commissioners have the authority to vote on matters brought before the Board.  
20 In the event of a tie vote, the matter at hand shall fail to pass.

21 (b)(4) Ballots shall be ~~mailed~~provided to all active members of the Bar containing  
22 the alphabetized names of the candidates. The ballots shall be provided electronically  
23 via email, and if by mail, mailed to active members at their business mailing address at  
24 least 15 days prior to the date on which ballots will be counted. In the event that there is  
25 only one candidate for the office of president-elect, the ballot shall be considered as a  
26 retention vote and a majority of those voting shall be required to reject the sole  
27 candidate.

28 (b)(4)(A) The ballot, together with a ballot envelope and a cover envelope in which  
29 the voting member shall identify himself or herself, shall be included ~~in said mailing~~if the  
30 ballot was mailed.

31 (b)(4)(B) ~~Balloting may be returned by mail or in person.~~ Ballots shall state the date  
32 upon which they are due and shall be ~~delivered returned to the Bar offices, or mailed by~~  
33 ~~voters~~ so as to reach the Bar offices, whether by mail, in person or electronically no  
34 later than 5:00 p.m. on the day prior to the date ballots will be counted. Balloting shall  
35 close at 5:00 p.m.

36 (b)(4)(C) The candidates may submit in writing the names of two persons to act as  
37 ballot counters, and arrange to have counters at the Bar offices or such other place as  
38 the executive director shall determine on the date and time for counting ballots.

39 (b)(4)(D) The executive director shall designate the time, date and place for the  
40 counting of ballots, and shall arrange for the counting for those ballots not cast  
41 electronically.

42 (b)(4)(E) The successful candidate shall be notified by the president who shall then  
43 call a meeting of the Board prior to the end of the annual meeting for the purpose of  
44 reorganizing the Board. Public announcement of election result shall be made at the  
45 discretion of the president.

46 (b)(4)(F) The term of the new president-elect shall begin when he or she is seated at  
47 the reorganization meeting of the Board.

48 (b)(4)(G) If any day or date set forth above shall fall on a Saturday, Sunday or  
49 holiday, the act required or time fixed shall occur on or run from the next working day.

50 (b)(5) If there is a dispute as to the validity of the election it shall be resolved by the  
51 Board at its first meeting after the election. Any Board member involved in the dispute  
52 shall not be entitled to vote. The executive director shall give written notice to each  
53 candidate of the hearing on the contested election and each candidate shall have the  
54 right to be personally present, to be represented by counsel and to present proof at  
55 such hearing. The Board shall have the right to examine the ballots and to inquire into  
56 their validity and into all matters germane to the election and dispute.

57 (b)(5)(A) The Board may designate a committee from among its members to hear  
58 disputed election matters, but decisions of the committee shall not be effective until  
59 approved by the Board. In every contested election hearing, the Board shall have the  
60 right to prescribe rules and regulations for the conduct.

61 (b)(5)(B) The decision of the Board shall be final.

62 (c) Seating new commissioners and officers. The reorganization meeting of the  
63 Board shall be called to order by the outgoing president. He or she shall first conduct  
64 any unfinished business to come before the existing Board. Thereafter, the newly-  
65 elected commissioners who have been found qualified and declared elected shall be  
66 seated as members of the Board. The outgoing president shall recognize and seat the  
67 new president and president-elect.

68 (d) Terms of office. The terms of office of the president and president-elect shall run  
69 concurrently and shall begin at the commencement of the annual convention and run  
70 until their successors have been seated. Notwithstanding the running of the president's  
71 term of office, all official functions of the annual convention shall be presided over by the  
72 outgoing president.

73 (e) Duties and temporary absences. The president shall preside at all meetings of  
74 the Bar and of the Board, and in the event of any temporary absence, the president-  
75 elect shall perform the duties of the president. The president shall represent the Bar at  
76 all appropriate functions and shall perform such other duties and otherwise represent  
77 the Bar and the Board as directed by the Board.

78 (f) Vacancies. A vacancy occurs in the office of president or president-elect by  
79 reason of death, resignation, incapacity, retirement, removal, change of residence from  
80 Utah, or upon the incumbent ceasing to be an active member of the Bar in good  
81 standing. A vacancy shall be filled by the Board from among its members upon a  
82 majority vote by secret ballot of the remaining Board members. Commissioners not in  
83 attendance at the meeting may submit their vote in writing to the executive director. If a  
84 vacancy occurs in the office of president-elect a president-elect shall be nominated and  
85 stand for election under Article 1, Integration and Management and paragraph (b)  
86 above.

87 (g) Removal. The president or president-elect may be removed from office by:

88 (g)(1) the vote of nine of the current voting commissioners at a meeting of which  
89 advance notice of the removal vote is given as provided in 14-204(a)(2), provided that  
90 commissioners not in attendance at the meeting may submit their vote in writing to the  
91 executive director; or

92 (g)(2) the vote of a majority of the active members of the Bar voting in a special  
93 election held for the purpose of consideration of removal. Ballots shall be mailed, first  
94 class, 20 days after the filing of a petition calling for removal signed by 10% of the active  
95 members of the Bar. Ballots shall be due 17 days after mailing and the results tabulated  
96 and announced not more than 45 days after the filing of the petition.

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