

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

2 (a) President. The president-elect ~~shall~~ automatically succeeds to the office  
3 of 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  
6 or a commissioner who wishes to recommend the name of another lawyer in  
7 good standing on active status to be considered as a candidate ~~shall~~ must  
8 notify the Board in writing no later than January ~~12~~. The Board also may  
9 consider additional candidates at its discretion.

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

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

24 (b)(4) Ballots ~~shall~~ will be provided to all active ~~members~~ lawyer licensees of  
25 the Bar containing the alphabetized names of the candidates. The ballots ~~shall~~  
26 will be provided electronically via email, ~~and if by mail, mailed~~ to active

27 ~~members~~ lawyer licensees at their email address on record with the Bar  
28 ~~business mailing address at~~ at least 15 days prior to the date on which the  
29 election closes. ~~date on which ballots will be counted. In the event that~~ if there  
30 is only one candidate for the office of president-elect, the ballot ~~shall~~ will be  
31 considered as a retention vote and a majority of those voting ~~shall~~ will be  
32 required to reject the sole candidate.

33 ~~(b)(4)(A) The ballot, together with a ballot envelope and a cover envelope~~  
34 ~~in which the voting member shall identify himself or herself, shall be included if~~  
35 ~~the ballot was mailed.~~

36 (b)(4)(~~BA~~) Ballots ~~shall~~ must state the date ~~upon which~~ they are due and be  
37 submitted ~~shall be returned so as to reach the Bar offices, whether by mail, in~~  
38 ~~person or electronically~~ no later than ~~59:00~~ 59 p.m. Mountain Time ~~on the day~~  
39 ~~prior to the date ballots will be counted. Balloting shall close at 5:00 p.m. the day~~  
40 the election closes.

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

45 ~~(b)(4)(D) The executive director shall designate the time, date and place for~~  
46 ~~the counting of ballots, and shall arrange for the counting for those ballots not~~  
47 ~~cast electronically.~~

48 (b)(4)(~~EB~~) The successful candidate ~~shall~~ will be notified by the president  
49 Executive Director. ~~The President who shall~~ must then call a meeting of the  
50 Board prior to the end of the annual meeting for the purpose of reorganizing the  
51 Board. Public announcement of election results ~~s~~ shall will be made at the  
52 discretion of the president.

53 (b)(4)(~~FC~~) The term of the new president-elect ~~shall~~will begin when he or  
54 she is seated at the reorganization meeting of the Board.

55 (b)(4)(~~GD~~) If any day or date set forth above ~~shall~~falls on a Saturday,  
56 Sunday or holiday, the act required or time fixed ~~shall~~will occur on or run from  
57 the next working day.

58 (b)(5) If there is a dispute as to the validity of the election it ~~shall~~will be  
59 resolved by the Board at its first meeting after the election. Any Board member  
60 involved in the dispute ~~shall~~will not be entitled to vote. The executive director  
61 ~~shall~~must give written notice to each candidate of the hearing on the contested  
62 election and each candidate ~~shall~~will have the right to be personally present,  
63 to be represented by counsel and to present proof at ~~such~~the hearing. The  
64 Board ~~shall have~~has the right to ~~examine the ballots and to~~ inquire into ~~their~~  
65 ~~validity and into~~ all matters germane to the election and dispute.

66 (b)(5)(A) The Board may designate a committee from among its members to  
67 hear disputed election matters, but decisions of the committee ~~shall~~will not be  
68 effective until approved by the Board. In every contested election hearing, the  
69 Board ~~shall~~will have the right to prescribe rules and regulations for the  
70 ~~conduct~~review or hearing.

71 (b)(5)(B) The decision of the Board ~~shall be~~is final.

72 (c) Seating new commissioners and officers. The reorganization meeting of  
73 the Board ~~shall~~must be called to order by the outgoing president. He or she  
74 ~~shall~~must first conduct any unfinished business ~~to come~~ before the existing  
75 Board. Thereafter, the newly-elected commissioners who have been found  
76 qualified and declared elected ~~shall~~must be seated as members of the Board.  
77 The outgoing president ~~shall~~must recognize and seat the new president and  
78 president-elect.

79 (d) Terms of office. The terms of office of the president and president-elect  
80 ~~shall~~must run concurrently and ~~shall~~must begin at the commencement of the  
81 annual convention and run until their successors have been seated.  
82 Notwithstanding the running of the president's term of office, all official functions  
83 of the annual convention ~~shall~~must be presided over by the outgoing president.

84 (e) Duties and temporary absences. The president ~~shall~~must preside at all  
85 meetings of the Bar and of the Board, and in the event of any temporary  
86 absence, the president-elect ~~shall~~must perform the duties of the president. The  
87 president ~~shall~~must represent the Bar at all appropriate functions and ~~shall~~  
88 must perform such ~~other~~ duties and ~~otherwise~~ represent the Bar and the Board  
89 as directed by the Board.

90 (f) Vacancies. A vacancy occurs in the office of president or president-elect  
91 by reason of death, resignation, incapacity, retirement, removal, change of  
92 residence from Utah, or upon the incumbent ceasing to be an active ~~member~~  
93 lawyer licensee of the Bar in good standing. A vacancy ~~shall~~must be filled by  
94 the Board from among its members ~~upon~~by a majority vote by secret ballot of  
95 the remaining Board members. Commissioners not in attendance at the  
96 meeting may submit their vote in writing to the executive director. If a vacancy  
97 occurs in the office of president-elect a president-elect ~~shall~~must be nominated  
98 and stand for election under Article 1, Integration and Management and  
99 paragraph (b) above.

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

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

106 (g)(2) the vote of a majority of the active ~~members~~ lawyer licensees ~~of the~~  
107 ~~Bar~~ voting in a special election held for the purpose of consideration of removal.  
108 Ballots ~~shall~~ must be emailed, ~~first class~~, 20 days after the filing of a petition  
109 calling for removal signed by 10% of the active ~~members~~ lawyer licensees ~~of~~  
110 ~~the Bar~~. Ballots ~~shall be~~ are due 17 days after emailing and the results tabulated  
111 and announced not more than 45 days after the filing of the petition.