

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

2 (a) President. The president-elect ~~shall~~ automatically succeeds 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~~ must notify the Board in writing no
8 later than January ~~12~~. The Board also may consider additional candidates at its discretion.

9 (b)(2) The Board ~~shall~~ must 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~~ must 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~~ will 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~~ succeeds 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 ~~in~~
18 a term as an elected commissioner. A president and president-elect who are not elected
19 commissioners have the authority to vote on matters brought before the Board. In the
20 event of a tie vote, the matter at hand shall fail to pass.

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

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

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

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 the~~
38 ~~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)(~~EB~~) The successful candidate ~~shall~~must be notified by the ~~president~~Executive
43 Director. ~~The President who shall~~must then call a meeting of the Board prior to the end
44 of the annual meeting for the purpose of reorganizing the Board. Public announcement
45 of election results ~~shall~~will be made at the discretion of the president.

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

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

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

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

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

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

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

74 (e) Duties and temporary absences. The president ~~shall~~must preside at all meetings
75 of the Bar and of the Board, and in the event of any temporary absence, the president-
76 elect ~~shall~~must perform the duties of the president. The president ~~shall~~must represent

77 the Bar at all appropriate functions and ~~shall-must~~ perform such ~~other~~ duties and
78 ~~otherwise~~ represent the Bar and the Board as directed by the Board.

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

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

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

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

99

100 *Effective November 1, 2020.*