

1       **Rule 14-103. Organization and management of the Bar.**

2       ~~\_(a) Qualification for admission. All persons who have been heretofore and~~  
3 ~~all persons who shall hereafter be duly admitted to practice as an attorney at~~  
4 ~~law in Utah , and who are not the subject of an order of the Supreme Court~~  
5 ~~prior to July 1, 1993, or a district court thereafter which terminates, suspends~~  
6 ~~or restricts the right to practice law in Utah, are qualified to be members of the~~  
7 ~~Bar subject to the provisions of these rules.~~

8       ~~(b̄a)~~ Board of Commissioners, number, term and vacancies, powers and  
9 duties.

10       ~~(b̄a)~~(1) There shall be a Board of Commissioners of the Bar consisting of  
11 no fewer than 13 but no more than 15 voting members, including 11 elected  
12 lawyers and two non-lawyers appointed by the Supreme Court. The initial  
13 term of office of one of the non-lawyer commissioners shall be for two years.  
14 Except as otherwise provided, the term of office of each commissioner shall  
15 be three years and until a successor is elected and qualified. If a lawyer  
16 vacancy on the Board occurs prior to the expiration of the completed term of  
17 office, the remaining commissioners shall:

18       ~~(b̄a)~~(1)(A) conduct a special election;

19       ~~(b̄a)~~(1)(B) appoint a successor from among the active members of the Bar  
20 whose business mailing addresses on the records of the Bar are in the  
21 division from which the commissioner was elected, who shall serve until the  
22 following annual election; or

23       ~~(b̄a)~~(1)(C) fill the vacancy through the next regular annual election.

24       ~~(b̄a)~~(2) If a lawyer vacancy on the Board is filled by either a special or  
25 regular election, the Board may establish the term of the successor to be  
26 either a one, two or full three-year term, provided that there would be not more

27 than three but not fewer than two commissioners from the Third Division  
28 whose terms expire in any one year and not more than five but not fewer than  
29 four commissioners on the Board whose terms expire in any one year.

30 (ba)(3) A President's unexpired Commission term shall be filled in the  
31 regular election cycle immediately preceding the time he or she succeeds to  
32 the office of President.

33 (eb) The Board is granted and may exercise all powers necessary and  
34 proper to carry out the duties and responsibilities of the Bar and the purposes  
35 of these rules and shall have all authority which is not specifically reserved to  
36 the Supreme Court. The Court specifically reserves the authority to:

37 (eb)(1) approve Bar admission and licensure fees for attorneys and  
38 Licensed Paralegal Practitioners;

39 (eb)(2) approve all rules and regulations formulated by the Board for  
40 admission, licensure, professional conduct, client security fund, fee arbitration,  
41 procedures of discipline and disability, legislative activities, unauthorized  
42 practice of law, and Bar Examination review and appeals; and

43 (eb)(3) establish appropriate rules and regulations governing mandatory  
44 continuing legal education.

45 (ec) Territorial divisions. The First Judicial District shall be known as the  
46 First Division; the Second Judicial District shall be known as the Second  
47 Division; the Third Judicial District shall be known as the Third Division; the  
48 Fourth Judicial District shall be known as the Fourth Division; and the Fifth,  
49 Sixth, Seventh and Eighth Judicial Districts shall be know as the Fifth Division.

50 (ed) Number of lawyer commissioners from each division. There shall be  
51 one lawyer member of the Board from each of the divisions, except the Third  
52 Division from which there shall be seven lawyer commissioners. No more than

53 one lawyer commissioner from any division except from the Third Division,  
54 and no more than seven lawyer commissioners from the Third Division, shall  
55 serve on the Board at the same time.

56 (fe) Nomination and eligibility of lawyer commissioners. Lawyers whose  
57 business mailing addresses on the records of the Bar are in a particular  
58 division shall alone have the right to nominate persons for the office of  
59 commissioner from that division. To be eligible for the office of commissioner  
60 in a division, the nominee's business mailing address must be in that division  
61 as shown by the records of the Bar. Nomination to the office of commissioner  
62 shall be by written petition of ten or more members of the Bar in good  
63 standing. Any number of candidates may be nominated on a single petition.  
64 Nominating petitions shall be provided to the executive director within a period  
65 to be fixed by the rules made by the Board.

66 (gf) Election of commissioners.

67 (gf)(1) The lawyers on the Board shall be elected by the vote of the resident  
68 active members of the Bar as follows:

69 (gf)(1)(A) in the year 1983 and every third year thereafter, one member  
70 from the Second Division and two members from the Third Division, except  
71 that in the year 1983 only, there shall be four members elected from the Third  
72 Division;

73 (gf)(1)(B) in the year 1984 and every third year thereafter, one member  
74 from the First Division and three members from the Third Division; and

75 (gf)(1)(C) in the year 1985 and every third year thereafter, two members  
76 from the Third Division and one each from the Fourth and Fifth Divisions.

77 (gf)(2) The candidate from any division, and the three or two candidates  
78 from the Third Division, receiving the greatest number of votes of that division

79 shall be the commissioner from such division. For the year 1983, the  
80 candidate from the Third Division receiving the fourth greatest number of  
81 votes shall be the commissioner for a two-year term. A member is limited to  
82 voting for candidates for commissioner from the division in which his or her  
83 business mailing address is located as shown by the records of the Bar. The  
84 ballots shall be returned to the Bar offices in accordance with its rules. There  
85 shall be an annual election by the resident active members of the Bar for the  
86 purpose of filling vacancies. The Board shall fix the time for holding the annual  
87 election and prescribe rules and regulations in regard thereto not in conflict  
88 with this chapter. The Board shall, in accordance with its rules, give notice of  
89 the annual election by mail at least 90 days prior to the date on which ballots  
90 will be counted.

91 (~~gf~~)(3) Those persons holding office as commissioners at the time of the  
92 adoption of these rules or who were elected under the existing statute will  
93 continue in office for the period of time elected to serve.

94 (~~hg~~) Nomination and election of president-elect. The Board shall nominate  
95 two lawyers in good standing on active status to run for the office of president-  
96 elect to be elected by the vote of the active members of the Bar. The  
97 president and the president-elect shall hold office until their successors are  
98 elected and seated. A secretary and such other assistants as the Board may  
99 require, may be selected from within or without the Board to hold office at the  
100 pleasure of the Board and to be paid such compensation as the Board shall  
101 determine.

102 (~~ih~~) Officers and organization of Board. The Board shall be organized and  
103 authorized to conduct business by the seating of elected commissioners, and  
104 a president and president-elect of the Bar. The president-elect for the previous  
105 year shall automatically succeed to the office of president. A president and a

106 president-elect who are not elected commissioners have the authority to vote  
107 on matters brought before the Board. In the event of a tie vote, the matter at  
108 hand shall fail to pass.

109 (jj) Annual and special meetings notice. There shall be an annual meeting  
110 of the Bar, presided over by the president of the Bar, open to all members in  
111 good standing, and held at such time and place as the Board may designate,  
112 for the discussion of the affairs of the Bar and the administration of justice.  
113 Special meetings of the Bar may be held at such times and places as the  
114 Board may designate. Notice of all meetings shall be given by mail to all  
115 members of the Bar not fewer than 15 days prior to the date of such meeting.

116 (kj) Bylaws. The Board shall have power to adopt Bylaws, not in conflict  
117 with any of the terms of these rules, concerning the selection and tenure of its  
118 officers, the creation of sections and committees and their powers and duties,  
119 and generally for the control and regulation of the business of the Board and  
120 of the Bar.