

Idaho Bar Commission Rules

Governing Admission to Practice and Membership in the Idaho State Bar

*As promulgated by the Board of Commissioners of the Idaho State Bar
and adopted by Order of the Supreme Court of the State of Idaho.*

***SECTION IX General Rules**

*(*Section IX rescinded and replaced 3-17-14 – effective 5-2-14)*

RULE 900. Election of Commissioners - Assuming Office.

There shall be an annual election of successors to any commissioner of the Board of Commissioners (hereinafter “Board”) whose term shall expire on the last day of the annual meeting of the Idaho State Bar. Within the Northern, Western, and Eastern Divisions where each commissioner represents two district bar associations, the district bar associations shall alternate in electing a commissioner within their division, i.e., although all members within a division are eligible to vote, the commissioner elected shall reside or maintain an office in the opposite district of the commissioner whose term is expiring. The following procedures shall be followed for such elections:

- (a) **Timing of Election.** The annual election shall be held on the first Tuesday in May of each year.
 - (b) **Notice of Election.** On the first Tuesday in March, the Executive Director shall give notice of the election and of the time for closing nominations to all members of the Idaho State Bar residing in, or maintaining an office from which they primarily practice law in, the division in which the term of office of commissioner shall expire.
 - (c) **Nomination.** A nomination for commissioner shall be in writing and shall require the concurrence of at least five (5) members of the Idaho State Bar in good standing and eligible to vote in that division. The nomination must be filed with the Executive Director by the close of the business day on the first Tuesday of April.
 - (d) **Ballots.** The Executive Director shall prepare an official ballot containing the names of all persons who have been nominated and send the ballot fifteen (15) days before the date of the election to each member in good standing of the Idaho State Bar who is eligible to vote in the division from which the commissioner is to be elected.
 - (e) **Election Procedure.** At the Board’s discretion, the election may be conducted by paper ballots and/or a secure electronic voting system (“electronic voting”). In the case of an election using both paper ballots and electronic voting, the Executive Director shall mail paper ballots to members of the Idaho State Bar who are eligible to vote but who do not have a valid email address on file with the Idaho State Bar. Such mailing shall include information regarding how to vote by electronic voting. On that same date, the Executive Director shall send ballots electronically to all other members of the Idaho State Bar who are eligible to vote and shall provide information about how to obtain a paper ballot instead of voting by electronic voting.
- (1) **Paper ballots.** Members voting by paper ballot shall mark the ballot and place it in a signed envelope. Paper ballots must be received by the Executive Director no later than 5:00 p.m. on the first Tuesday in May. Any ballots not enclosed in a signed envelope shall not be counted. All ballots shall be collected for canvassing by a board consisting of at least three (3) members in good standing of the Idaho State Bar, appointed by the President of the Board. The canvassing board shall remove the ballots from the envelopes, determine whether the person who signed the envelope is a member in good standing of the Idaho State Bar and eligible to vote in the district for which the election of a successor has been conducted, examine and count the ballots, and certify the election results.
 - (2) **Electronic voting.** Members voting electronically shall be provided a secure link to an online ballot. Electronic voting must be completed no later than 5:00 p.m. on the first Tuesday in May. Votes cast via electronic voting shall be verified and securely stored by the vendor.
- (f) **Election Results.** The candidate receiving the greatest number of votes shall be declared the elected commissioner. The Executive Director shall immediately announce the results of the election.
 - (g) **Assuming Office.** The nominee declared elected shall assume office as commissioner of the Idaho State Bar on the last day of the annual meeting of the Idaho State Bar in the year of election.
 - (h) **Vacancy.** If a vacancy occurs on the Board prior to the next scheduled election, the officers of the district bar association of the district(s) the commissioner represented shall nominate up to two (2) candidates to the Board. The Board shall appoint the commissioner from the nominations submitted by the district bar association officers. The appointed commissioner shall serve out the term in accordance with Rule 901.