

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 05-9012

ORDER APPROVING AMENDMENTS TO STATE BAR RULES (ARTICLES I AND IV)

The State Bar of Texas petitions this Court for an administrative order to amend the State Bar Rules as follows:

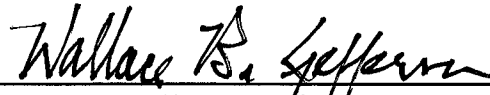
1. Article I, definition of “Metropolitan County” be revised to delete the county of El Paso.
2. Article IV, sections 7 and 11, be revised to accommodate electronic voting in the State Bar members’ elections of its President-elect and District Directors by allowing more time for the voting to take place, and to replace the reference of “mailing” a ballot to “distributing” a ballot to the members.

The State Bar Board of Directors voted to adopt these changes at a regularly called and posted meeting on June 23, 2004. A quorum was present.

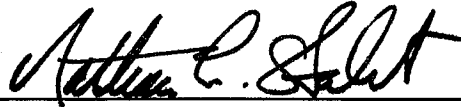
IT IS THEREFORE ORDERED that:

1. Article I of the State Bar Rules is amended as shown in Exhibit A; and
2. Article IV of the State Bar Rules is amended as shown in Exhibit B.

SIGNED AND ENTERED this 7th day of February, 2005.



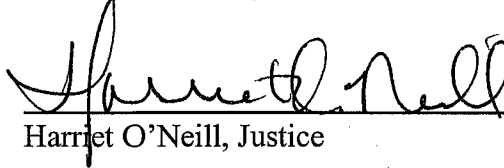
Wallace B. Jefferson, Chief Justice



Nathan L. Hecht, Justice



Priscilla R. Owen, Justice

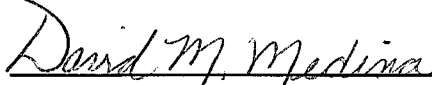


Harriet O'Neill, Justice



J. Dale Wainwright, Justice

Scott Brister, Justice



David M. Medina, Justice



Paul W. Green, Justice

EXHIBIT A

ARTICLE I—DEFINITIONS

5. "Metropolitan County" includes any of the counties of Bexar, Dallas, ~~El Paso~~, Harris, Tarrant and Travis of the State of Texas, as well as any other county hereafter so designated by the board.

EXHIBIT B

ARTICLE IV—ADMINISTRATION

Section 7. Nominees for Office of Elected Director

(A) An active member's name may be placed in nomination for the office of elected director by a written petition in form prescribed by the board and signed by the lesser of five percent (5%) of the active members whose principal place of practice is within the district to be represented by the nominee if elected, or one hundred (100) of such members, which petition must be received in the office of the executive director on or before March ~~15~~ 1 of the year of election. The executive director shall promptly review the petition to verify the eligibility of the nominee. If from the petition it appears the nominee is eligible, that person's name shall be listed upon the ballot. If from the petition the executive director finds the nominee to be ineligible, that fact shall immediately be communicated to the nominee. Any nominee desiring to appeal the findings of the executive director shall forthwith notify the executive director, who shall forthwith convene the executive committee to hear and determine the matter. The executive committee shall have final authority to determine questions of eligibility of the nominee and the validity of the nominating petition and shall do so within ten (10) days of the notice to the executive director.

(C) If no valid petition nominating an eligible person shall have been received by the executive director by March ~~15~~ 1 in respect to a district in the year in which such district is to elect a director, or if all persons who have been nominated in the foregoing manner shall have died or become disqualified from serving at any time prior to the printing of the ballot in such election, then the president of the State Bar with the advice of the person then serving as elected director from that district shall name a qualified person to stand for election as director from that district.

Section 11. President-Elect Nominations and Elections

(B) Any other member of the State Bar of Texas shall also be privileged to stand for election to the office of president-elect when a written petition in form prescribed by the board of directors, signed by no fewer than five percent (5%) of the active members of the State Bar of Texas in good standing, is filed with the executive director on or before March ~~15~~ 1 next preceding the election to be held for the office of president-elect for the ensuing year.

(E) The ballot shall be ~~mailed~~ distributed to each member of the State Bar of Texas entitled to vote at the same time as ballots for the election of elected directors are ~~mailed~~ distributed. A combined ballot for the office of president-elect and for the office of director may be used in those bar districts in which an election for director is to be conducted.
