

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

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

6 ~~(b)(a)~~ Board of Commissioners, number, term and vacancies, powers and duties.

7 ~~(b)(a)~~ (b)(1) There shall be a Board of Commissioners of the Bar consisting of no fewer than  
8 13 but no more than 15 voting members, including 11 elected lawyers and two non-lawyers  
9 appointed by the Supreme Court. The initial term of office of one of the non-lawyer  
10 commissioners shall be for two years. Except as otherwise provided, the term of office of each  
11 commissioner shall be three years and until a successor is elected and qualified. If a lawyer  
12 vacancy on the Board occurs prior to the expiration of the completed term of office, the  
13 remaining commissioners shall:

14 ~~(b)(a)~~ (b)(1)(A) conduct a special election;

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

18 ~~(b)(a)~~ (b)(1)(C) fill the vacancy through the next regular annual election.

19 ~~(b)(a)~~ (b)(2) If a lawyer vacancy on the Board is filled by either a special or regular election,  
20 the Board may establish the term of the successor to be either a one, two or full three-year term,  
21 provided that there would be not more than three but not fewer than two commissioners from the  
22 Third Division whose terms expire in any one year and not more than five but not fewer than  
23 four commissioners on the Board whose terms expire in any one year.

24 ~~(b)(a)~~ (b)(3) A President's unexpired Commission term shall be filled in the regular election  
25 cycle immediately preceding the time he or she succeeds to the office of President.

26 ~~(e)(b)~~ The Board is granted and may exercise all powers necessary and proper to carry out  
27 the duties and responsibilities of the Bar and the purposes of these rules and shall have all  
28 authority which is not specifically reserved to the Supreme Court. The Court specifically  
29 reserves the authority to:

30 ~~(e)~~(b) ~~(e)~~(1) approve Bar admission and licensure fees for attorneys and Licensed Paralegal  
31 Practitioners;

32 ~~(e)~~(b) ~~(e)~~(2) approve all rules and regulations formulated by the Board for admission,  
33 licensure, professional conduct, client security fund, fee arbitration, procedures of discipline and  
34 disability, legislative activities, unauthorized practice of law, and Bar Examination review and  
35 appeals; and

36 ~~(e)~~(b) ~~(e)~~(3) establish appropriate rules and regulations governing mandatory continuing legal  
37 education.

38 ~~(d)~~(c) Territorial divisions. The First Judicial District shall be known as the First Division;  
39 the Second Judicial District shall be known as the Second Division; the Third Judicial District  
40 shall be known as the Third Division; the Fourth Judicial District shall be known as the Fourth  
41 Division; and the Fifth, Sixth, Seventh and Eighth Judicial Districts shall be know as the Fifth  
42 Division.

43 ~~(e)~~(d) Number of lawyer commissioners from each division. There shall be one lawyer  
44 member of the Board from each of the divisions, except the Third Division from which there  
45 shall be seven lawyer commissioners. No more than one lawyer commissioner from any division  
46 except from the Third Division, and no more than seven lawyer commissioners from the Third  
47 Division, shall serve on the Board at the same time.

48 ~~(f)~~(e) Nomination and eligibility of lawyer commissioners. Lawyers whose business mailing  
49 addresses on the records of the Bar are in a particular division shall alone have the right to  
50 nominate persons for the office of commissioner from that division. To be eligible for the office  
51 of commissioner in a division, the nominee's business mailing address must be in that division as  
52 shown by the records of the Bar. Nomination to the office of commissioner shall be by written  
53 petition of ten or more members of the Bar in good standing. Any number of candidates may be  
54 nominated on a single petition. Nominating petitions shall be provided to the executive director  
55 within a period to be fixed by the rules made by the Board.

56 ~~(g)~~(f) Election of commissioners.

57 ~~(g)~~(f) ~~(g)~~(1)The lawyers on the Board shall be elected by the vote of the resident active  
58 members of the Bar as follows:

59 ~~(g)(f)~~ ~~(g)~~(1)(A) in the year 1983 and every third year thereafter, one member from the  
60 Second Division and two members from the Third Division, except that in the year 1983 only,  
61 there shall be four members elected from the Third Division;

62 ~~(g)(f)~~ ~~(g)~~(1)(B) in the year 1984 and every third year thereafter, one member from the First  
63 Division and three members from the Third Division; and

64 ~~(g)(f)~~ ~~(g)~~(1)(C) in the year 1985 and every third year thereafter, two members from the Third  
65 Division and one each from the Fourth and Fifth Divisions.

66 ~~(g)(f)~~ ~~(g)~~(2) The candidate from any division, and the three or two candidates from the Third  
67 Division, receiving the greatest number of votes of that division shall be the commissioner from  
68 such division. For the year 1983, the candidate from the Third Division receiving the fourth  
69 greatest number of votes shall be the commissioner for a two-year term. A member is limited to  
70 voting for candidates for commissioner from the division in which his or her business mailing  
71 address is located as shown by the records of the Bar. The ballots shall be returned to the Bar  
72 offices in accordance with its rules. There shall be an annual election by the resident active  
73 members of the Bar for the purpose of filling vacancies. The Board shall fix the time for holding  
74 the annual election and prescribe rules and regulations in regard thereto not in conflict with this  
75 chapter. The Board shall, in accordance with its rules, give notice of the annual election by mail  
76 at least 90 days prior to the date on which ballots will be counted.

77 ~~(g)(f)~~ ~~(g)~~(3) Those persons holding office as commissioners at the time of the adoption of  
78 these rules or who were elected under the existing statute will continue in office for the period of  
79 time elected to serve.

80 ~~(h)~~~~(g)~~ Nomination and election of president-elect. The Board shall nominate two lawyers in  
81 good standing on active status to run for the office of president-elect to be elected by the vote of  
82 the active members of the Bar. The president and the president-elect shall hold office until their  
83 successors are elected and seated. A secretary and such other assistants as the Board may require,  
84 may be selected from within or without the Board to hold office at the pleasure of the Board and  
85 to be paid such compensation as the Board shall determine.

86 ~~(i)~~~~(h)~~ Officers and organization of Board. The Board shall be organized and authorized to  
87 conduct business by the seating of elected commissioners, and a president and president-elect of  
88 the Bar. The president-elect for the previous year shall automatically succeed to the office of  
89 president. A president and a president-elect who are not elected commissioners have the

90 authority to vote on matters brought before the Board. In the event of a tie vote, the matter at  
91 hand shall fail to pass.

92 ~~(i)~~(i) Annual and special meetings notice. There shall be an annual meeting of the Bar,  
93 presided over by the president of the Bar, open to all members in good standing, and held at such  
94 time and place as the Board may designate, for the discussion of the affairs of the Bar and the  
95 administration of justice. Special meetings of the Bar may be held at such times and places as the  
96 Board may designate. Notice of all meetings shall be given by mail to all members of the Bar not  
97 fewer than 15 days prior to the date of such meeting.

98 ~~(k)~~(j) Bylaws. The Board shall have power to adopt Bylaws, not in conflict with any of the  
99 terms of these rules, concerning the selection and tenure of its officers, the creation of sections  
100 and committees and their powers and duties, and generally for the control and regulation of the  
101 business of the Board and of the Bar.

Effective November 1, 2018