

RULES AND REGULATIONS OF THE STATE BAR OF CALIFORNIA
ARTICLE II (Board Elections)

(Amended by the Board of Governors November 17, 2006)

SECTION 3. DATE OF FILING NOMINATING PETITIONS

Nominating petitions ~~shall~~ **must** be completed according to the instructions that appear on the petitions. Completed petitions ~~shall~~ **must** be filed and received at the San Francisco office of the State Bar by 5:00 p.m. on April 1 of each year. An electronic copy of a nominating petition will be accepted **in PDF format only**, ~~provided that the original petition is received in an envelope which bears a postmark of the United States Postal Service or other delivery service showing that it was mailed, postage prepaid, not later than April 1, and received not later than 5:00 p.m. on April 6~~ Candidates **who file an electronic copy of a nominating petition must keep the original nominating petition for four years following commencement of the term of office for which the petition is filed. Upon request by the State Bar, candidates must promptly forward the original nominating petition to the San Francisco office of the State Bar.**

The secretary may extend the time for filing nominating petitions to a date no later than seven days prior to the date fixed for mailing of ballots pursuant to section 7 of this article if: 1) no valid nominating petition is filed for an office by an eligible candidate, or the only petition filed is withdrawn by the deadline in section 4 below; or 2) the only candidate who has filed a nominating petition dies, and the secretary verifies the death.

The nominee ~~shall~~ **must** sign a statement on the petition accepting the nomination. If the person who receives a plurality of the votes cast for any office becomes ineligible or unable to serve or dies prior to the commencement of ~~his or her~~ their term of office, the office ~~shall~~ **must** be vacant at the conclusion of the next annual meeting. The vacancy ~~shall~~ **must** be filled by the candidate receiving the next-highest number of votes for that office. In the event that no such candidate exists, or in the event that no nominating petition is filed for an office within the time limits prescribed by this section, the Board ~~shall~~ **must** appoint a member to fill the vacancy until the next regularly scheduled election. An election for the remaining term of that office will then be held in accordance with the rules ~~and regulations~~. (Amended September 10, 1971; December 20, 1974; May 13, 1976; March 21, 1997; July 27, 2001; January 23, 2003; **November 17, 2006.**)

SECTION 4. DETERMINATION OF SUFFICIENCY OF NOMINATING PETITIONS

Nominations of members of the Board of Governors ~~shall~~ **must** be by petition signed by at least 20 members of the State Bar, who are eligible to vote pursuant to section 6018 of the Business and Professions Code.

Any number of nominating petitions on behalf of a nominee may be filed, but once 20 signatures in support of a nominee have been obtained, all additional signatures may be disregarded. The secretary ~~shall~~ **must** determine when a member is nominated.

~~After a nominating petition has been filed, said petition shall remain on file for a period of at least five years.~~ Once nominated, a candidate may withdraw from the election no later than 5:00 p.m. on April 11 by providing written notice to the secretary. Thereafter, the secretary shall place the names of all eligible candidates on the ballot, provided for in section 6 of this article, except in the event of the death

of a candidate. To the extent feasible, the name of the deceased candidate shall be removed from the ballot. (Amended May 13, 1976; renumbered July 27, 2001; amended January 23, 2003; **November 17, 2006.**)

SECTION 5. RETENTION OF AND PUBLIC ACCESS TO NOMINATING PETITIONS [NEW]

After being filed, each nominating petition must be held by the secretary, or the secretary's designee, for four years following commencement of the term of office for which the petition is filed.

Public access to the nominating petitions will be limited to viewing the petitions only, at the San Francisco office of the State Bar. The public may not copy or distribute copies of the petitions. (Added November 17, 2006.)