

## **Massachusetts Bar Association Nomination and Election Procedures**

### **I. Procedures for Intent to Seek Office and Nominating Committee**

Massachusetts Bar Association Bylaws provide for the appointment by the President of a Nominating Committee each year on or before the third Friday in January, whose purpose is to

“...file with the Secretary one or more nominations for President-Elect, two or more nominations for Vice President, one or more nominations for Treasurer, one or more nominations for Secretary, and one or more nominations for each Regional Delegate.”<sup>1</sup>

The following procedures shall be followed in implementing Art. VII, §2.

(a) Intent to Seek Office. Any regular member of the Association shall be eligible to hold office in the Association.<sup>2</sup> The Association shall seek letters of intent to become an officer or regional delegate from the membership of the Association through a solicitation in the December and January issues of *Lawyers Journal* and posted conspicuously on the Association web site, [www.massbar.org](http://www.massbar.org).

Letters of intent to become an officer or regional delegate must be filed with the Executive Director, by mail, postmarked on or before the Friday of the fourth full week of January each year. All letters of intent postmarked in advance of the deadline will be forwarded to the Nominating Committee for consideration.

(b) Report of the Nominating Committee. On or before the Friday of the first full week of March each year, the Nominating Committee shall file with the Secretary the Report of the Nominating Committee, setting forth the slate of nominees as set forth in Art. VII, §2 of the Bylaws of the Association.

The Report of the Nominating Committee, together with a copy of the Association Bylaws Arts. VI and VII and a copy of these procedures, as adopted by the House of Delegates, shall be posted conspicuously on the Association web site, [www.massbar.org](http://www.massbar.org), and published in the Association's *eJournal* on or before the Friday of the second full week of March each year and shall be reported in the April issue of *Lawyers Journal*.

(c) Petitions for Nomination. Other nominations may be made for officer or regional delegate by petition as set forth in Art. VII, § 2 of the Bylaws of the Association. Such petitions shall be filed with the Secretary on or before the Friday of the first full week of May each year. On or before the Friday of the ~~second~~ first full week of ~~April~~ March each year, petition forms shall be available upon request from the Executive Director and available on the Association's website, [www.massbar.org](http://www.massbar.org).

1 Massachusetts Bar Association Bylaws Art. VII, § 2

2 Massachusetts Bar Association Bylaws Art. IV, § 1

The Association will make available to candidates for officer or regional delegate its membership list, including mailing labels and e-mail addresses to the extent available, such lists to be used only for communications in connection with the then current election and for no other purpose. Use of the mailing labels and e-mail address shall be limited to once each per candidate, though any group of candidates may share in an individual mailing provided the total number of uses of any list does not exceed once each per candidate. To the extent that the Massachusetts Bar Association utilizes an e-mailing service, each candidate may be permitted to use that service, at the actual cost to the Massachusetts Bar Association, for the one-time use of the e-mailing list.

## **II. Procedures for Election**

Massachusetts Bar Association Bylaws provide for election in the event of a contest for the office of President-Elect, Vice President, Treasurer, Secretary or Regional Delegate.<sup>3</sup>

The following procedures shall be followed in implementing Art. VI, §2.

(a) Election Committee. The President shall appoint, subject to the approval of the Executive Management Board, as an Election Committee a minimum of three and a maximum of five members of the Association who are entitled to hold office, and shall designate one of the members to serve as chairperson of the Committee.

On or before the Friday of the third full week of May, the Election Committee shall determine each petitioner's eligibility to be placed on the election ballot based on the sufficiency of valid signatures on the petition and will notify each such petitioner.

(b) Candidates. On or before the Friday of the first full week of June, candidates may submit biographical information and a photograph to the Secretary for publication on the ballot and in *Lawyers Journal*

(c) Ballots for Election. On or before the Friday of the third full week of June, the Association shall mail printed ballots containing the names of all nominees to all members of the Association entitled to vote for said office with such return envelope as will enable the Secretary to authenticate each ballot without disclosing how the member of the Association voted and with such information concerning each of the nominees as the House of Delegates or Executive Management Board may determine.

Only such ballots as are duly received by the Secretary in official return envelopes postmarked on or before the Friday of the third full week of July shall be opened and counted by the Election Committee. Ballots mailed to the Association are held by the President-Elect or such other person as may be designated by the Executive Management Board. Ballots postmarked after the Friday of the third full week of July will **not** be counted.

<sup>3</sup> Massachusetts Association Bylaws Art. VI, § 2

(d) Replacement Ballots. Requests for ballots not received by members shall be made directly to the Chairperson of the Election Committee who shall notify each member of the Election Committee of the need for a replacement ballot. The Chairperson of the Election Committee shall oversee the distribution of replacement ballots with full disclosure to the members of the Election Committee and candidates of the number of ballots replaced. The Chairperson of the Election Committee shall keep records of each request for a replacement ballot.

(e) Report of Election Results. The Election Committee's Report of Election Results shall be filed with and certified by the Secretary on or before the Friday of the second full week of August.

On or before the Friday of the second full week of August, candidates shall be notified by the Secretary, either in person or by telephone, of the election results. The certified Report of Election Results shall be reported in the September issue of *Lawyers Journal* and shall be posted conspicuously on the Association web site, [www.massbar.org](http://www.massbar.org).

(f) Retention of Ballots. Ballots and related materials shall be destroyed only upon the written authorization from a majority of the ~~Election Committee.~~ Executive Management Board.

(g) Oversight. The Executive Management Board shall serve as an oversight committee for the elections and, on the vote of a majority of its members, may inspect the ballots received, and any other records pertaining to the election.