

SUPREME COURT OF OKLAHOMA

In re Rules Creating and Controlling the Oklahoma Bar Association

2020 OK 17 (2020) · No. SCBD-4483 · Decided March 23, 2020

SUMMARY

The Supreme Court of Oklahoma approved an application to amend Article IV, Section 1(b) of the Rules Creating and Controlling the Oklahoma Bar Association. The amendment, effective immediately, concerns the composition and selection of the Oklahoma Bar Association Board of Governors.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Per Curiam; Chief Justice Gurich; Vice Chief Justice Darby; Justice Kauger; Justice Winchester; Justice Edmondson; Justice Colbert; Justice Combs; Justice Rowe
JURISDICTION	Oklahoma
DECIDED	March 23, 2020
DOCKET	SCBD-4483
DISPOSITION	other
PROCEDURAL POSTURE	The Oklahoma Bar Association submitted an application to amend Article IV, section 1(b), of the Rules Creating and Controlling the Oklahoma Bar Association.
PRECEDENTIAL VALUE	published

TOPICS

rulemaking administrative law

PRACTICE AREAS

administrative law bar governance

QUESTIONS PRESENTED

1. Whether the Supreme Court of Oklahoma had jurisdiction to consider the application to amend the Rules Creating and Controlling the Oklahoma Bar Association.

2. Whether Article IV, section 1(b), of the Rules Creating and Controlling the Oklahoma Bar Association should be amended as set forth in Exhibit A.

HOLDINGS

1. The Supreme Court of Oklahoma had jurisdiction over the application to amend the Rules Creating and Controlling the Oklahoma Bar Association.
2. Article IV, section 1(b), of the Rules Creating and Controlling the Oklahoma Bar Association is amended as set forth in Exhibit A, effective immediately.

KEY QUOTATIONS

“This Court finds that it has jurisdiction over this matter and the Rules are hereby amended as set out in Exhibit A attached hereto, effective immediately.”

FACTUAL BACKGROUND

An application was filed seeking amendment of Article IV, section 1(b), of the Rules Creating and Controlling the Oklahoma Bar Association. The amendment concerns the composition and selection of members of the Association's Board of Governors, including representation from the Supreme Court Judicial Districts as they existed before January 1, 2020.

PROCEDURAL HISTORY

The application to amend the governing rules was filed with the Supreme Court of Oklahoma on March 6, 2020. The court determined that it had jurisdiction and ordered the rules amended as set forth in Exhibit A, effective immediately.

DISPOSITION

other

OPINION

PER CURIAM.

IN RE RULES CREATING AND CONTROLLING THE OKLAHOMA BAR ASSOCIATION
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IN RE RULES CREATING AND CONTROLLING THE OKLAHOMA BAR
ASSOCIATION2020 OK 17Case Number: SCBD-4483Decided: 03/23/2020THE SUPREME
COURT OF THE STATE OF OKLAHOMA Cite as: 2020 OK 17, __ P.3d __ IN RE: Rules

Creating and Controlling the Oklahoma Bar Association [Article IV, Sec. 1(b)] ORDER This matter comes on before this Court upon an Application to Amend 5 O.S.

Ch. 1, App. 1, Art. IV, Sec.1 (b), Rules Creating and Controlling the Oklahoma Bar Association (hereinafter "Rules") filed on March 6, 2020. This Court finds that it has jurisdiction over this matter and the Rules are hereby amended as set out in Exhibit A attached hereto, effective immediately. DONE IN CONFERENCE this 23rd day of March, 2020. /S/CHIEF JUSTICE Gurich, C.J., Darby, V.C.J., Kauger, Winchester, Edmondson, Colbert, Combs and Rowe, JJ., concur; Kane, J., not voting.

EXHIBIT A Oklahoma Statutes Citationized Title 5. Attorneys and the State Bar Chapter 1 - Attorneys and Counselors Appendix 1 - Rules Creating and Controlling the Oklahoma Bar Association Article Article IV Section Art IV Sec 1 - Board of Governors Cite as: O.S. §, __ __ The governing body of this Association shall consist of seventeen (17) active members of this Association, designated as the Board of Governors.

The authority of the Board of Governors shall be subordinate to these Rules and direction of the House of Delegates. Said Board shall be selected as follows: (a) Three (3) members elected At Large, by a majority vote of the House of Delegates or by a plurality of the voting members of the Association, in such manner as may be prescribed by the Bylaws, for a term of three (3) years, one of whom shall be elected annually. (b) Nine (9) members, one from each Supreme Court Judicial District, as such districts existed prior to January 1, 2020, elected by a majority vote of the House of Delegates or by a plurality of the voting members of the Association in such manner as may be prescribed by the Bylaws, for a term of three (3) years; three (3) of such members shall be elected at the annual election next prior to the expiration of the term of office of the respective predecessor members. (c) The President and Vice-President of the Association during their terms of office. (d) The President-Elect of the Association. (e) The immediate Past-President of the Association during the year immediately following his term as President. (f) The Chairman of the Young Lawyers Division of the Association duly elected in accordance with the provisions of that organization's Bylaws.

The Chairman of the YLD shall serve on the Board of Governors during his term of office as Chairman of the YLD. (g) A quorum of the Board of Governors shall consist of nine (9) members. A majority of a quorum shall suffice to carry any action of the Board of Governors, unless otherwise provided by the Bylaws of the Association and except that recommendations for any amendment to these rules must receive the affirmative vote of a majority of all members of the Board of Governors. (h) The President of the Association and the Executive Director of the Association shall act, respectively, as Chairman and Recording Secretary of the Board of Governors.

Citationizer© Summary of Documents Citing This Document Cite Name Level Title 5. Attorneys and the State Bar CiteNameLevel 5 O.S. Art IV Sec 1, Board of GovernorsCited Citationizer: Table of Authority Cite Name Level None Found. oscn EMAIL: webmaster@oscn.net Oklahoma Judicial Center 2100 N Lincoln Blvd. Oklahoma City, OK 73105 courts Supreme Court of Oklahoma Court of Criminal Appeals Court of Civil Appeals District Courts decisions New Decisions Supreme Court of Oklahoma Court of Criminal Appeals Court of Civil Appeals programs The Sovereignty Symposium Alternative Dispute Resolution Early Settlement Mediation Children's Court Improvement Program (CIP) Judicial Nominating Commission Certified Courtroom Interpreters Certified Shorthand Reporters Accessibility ADA Contact Us Careers Accessibility ADA

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