

27 NCAC 01A .0406 VACANCIES AND SUCCESSION

(a) Succession Upon Mid-term Vacancy in Office. Officer vacancies shall be filled as follows:

- (1) A vacancy in the office of president shall be filled by the president-elect, who shall serve as president for the unexpired term and for the next term.
- (2) A vacancy in the office of president-elect shall be filled by the vice-president, who shall serve as president-elect for the unexpired term. At the end of the unexpired term, the office of president-elect will become vacant and the council shall elect a president-elect in accordance with Rule .0404 of this subchapter. A former vice-president who served an unexpired term as president-elect pursuant to this subsection will be eligible to stand for election as president-elect.
- (3) The council shall elect a person to fill the unexpired term created by any vacancy in the office of vice-president or secretary. The election shall occur at a special meeting of the council or at the next regularly scheduled meeting of the council.
- (4) If there is a vacancy in the office of president or president-elect and there is no available successor under these provisions, the council shall elect a person to fill the unexpired term created by such vacancy. The election shall occur at a special meeting of the council or at the next regularly scheduled meeting of the council.

(b) Temporary Inability to Preside at Meetings. If the president is absent or is otherwise unable to preside at any meeting of the North Carolina State Bar or the council, the president-elect shall preside. If the president-elect is absent or is otherwise unable to preside, then the vice-president shall preside. If none of the president, president-elect, or vice-president are present and able to preside, then the council shall elect a member to preside during the meeting.

(c) Temporary Inability to Perform Duties. If the president is absent or is otherwise temporarily unable to perform the duties of office, the president-elect shall perform those duties until the president returns or becomes able to resume the duties. If the president-elect is absent or is otherwise temporarily unable to perform the duties of the president, then the council shall select one of its members to perform those duties for the period of the president's absence or inability.

(d) Temporary Inability of Secretary to Perform Duties. If the secretary is absent or is otherwise temporarily unable to perform the duties of office, the assistant director and director for management, finance, and communications shall perform those duties until the secretary returns or becomes able to resume the duties. If the assistant director and director for management, finance, and communications is absent or is otherwise unable to perform those duties, the counsel of the State Bar shall perform those duties until the secretary returns or becomes able to resume the duties. If neither the assistant director and director for management, finance, and communications nor the counsel are able to perform those duties, then the president may select a member of the State Bar staff to perform those duties for the period of the secretary's absence or inability. Notwithstanding the foregoing, the secretary may delegate any ministerial task to any employee of the North Carolina State Bar.

History Note: Authority G.S. 84-23;

Readopted Effective December 8, 1994;

Amendments Approved by the Supreme Court: September 24, 2015; September 20, 2018; March 20, 2024.