

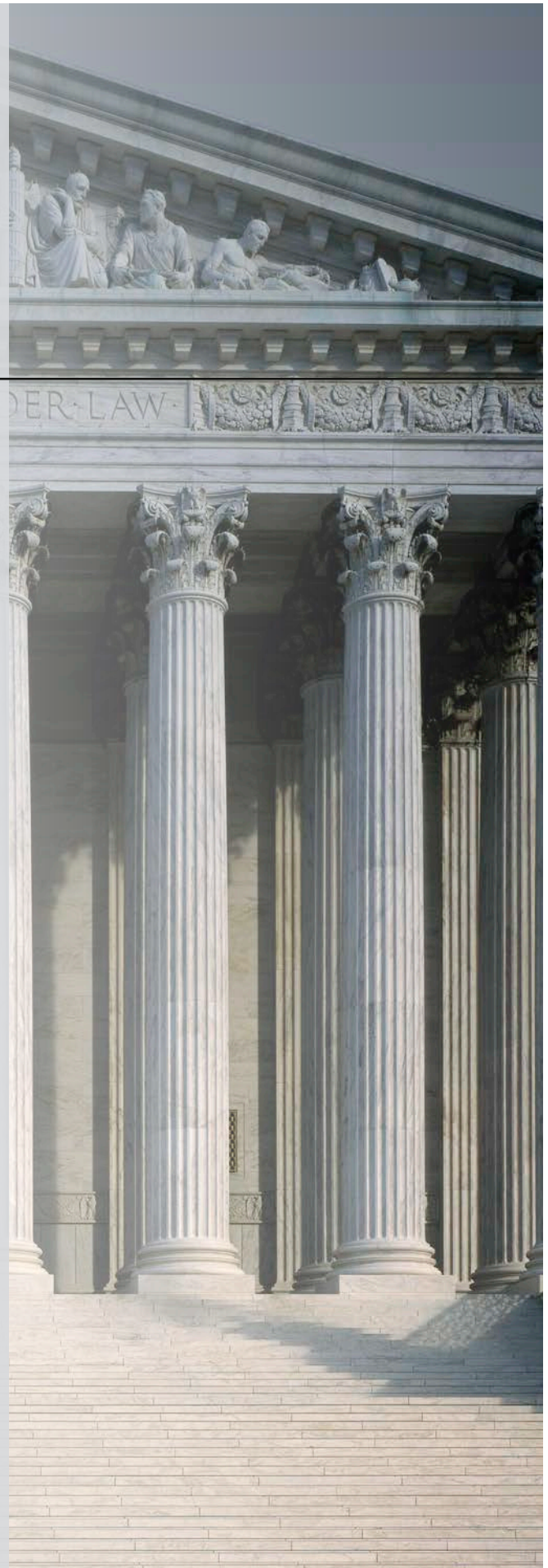


Mandatory State Bar Associations

# Managing Keller

The following information regarding mandatory bars and how they manage Keller related activities was compiled by State Bar of Michigan between February 2014 and May 2014. This was a significant research initiative to support the Michigan Supreme Court Task Force on the Role of the State Bar of Michigan. As information was gathered, executive directors from several state bars expressed an interest in receiving this compilation of material. We are pleased to share this information with those who find it useful. Please note that the State Bar of Michigan does not update this compilation as policies and statutes change in various states. Users are encouraged to check with the state bars directly to learn of any relevant changes.

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- Idaho
  - Email and Bar Commission Rules

Idaho is an integrated bar; we are responsible for admissions, discipline, licensing, and MCLE. We do not have a specific Keller order; Idaho Bar Commission Rule (IBCR) 307 addresses legislative/political activity. We do very little with the legislature. Pursuant to IBCR 906 to submit a bill to the legislature, we must have approval from the membership first. This can be a little tricky given how the legislative process works. Sections are subject to the same rules as the bar. Below are the relevant Idaho Bar Commission Rules (which are rules of the Idaho Supreme Court) that govern Keller and legislative activity.

## Idaho Bar Commission Rules Governing Admission to Practice and Membership in the Idaho State Bar

*As promulgated by the Board of Commissioners of the Idaho State Bar  
and adopted by Order of the Supreme Court of the State of Idaho.*

### **\*SECTION III Licensing**

*(\*Section III rescinded and replaced 3-5-12 – effective 7-1-12)*

#### **RULE 307. Partial Refund of License Fees/Political Activity.**

- (a) To the extent Bar license funds are expended to advocate political or ideological positions that are not reasonably related to the Bar's enumerated purposes, dues-paying members may, upon application, be refunded an appropriate amount of their license fee, equal to the proportionate amount expended for such advocacy.
- (b) The amounts of license fees expended for advocacy activities described in subsection (a) shall be announced by publication in *The Advocate*.
- (c) Refund applications shall be made within thirty (30) days of the date of publication of *The Advocate* notice and shall be directed to the Executive Director.
- (d) Nothing in this section shall be construed to create an affirmative obligation on the Bar to advocate or refrain from advocating any political or ideological positions.

### **SECTION IX General Rules**

#### **\*RULE 906. Resolution Process**

- (a) **Purpose and Matters to be Considered.** All matters relating to or affecting the statutes or law of the State of Idaho, rules of court, the policy of the Idaho State Bar or the governance of the Idaho State Bar or of the district bar associations shall be determined by the members of the Idaho State Bar by direct secret ballot or through a vote of the district bar associations, as hereinafter provided in this rule, provided, however, that matters relating to technical corrections, clarification, or implementation of the Idaho Bar Commission Rules may be adopted by the Board of Commissioners and proposed to the Idaho Supreme Court.

## SECTION XI Practice Sections

### **RULE 1106. Legislative/Political Activity**

- (a) **Generally.** The Idaho State Bar is an integrated bar, and as such is limited in its ability to engage in legislative and political activity. The appropriate avenue for engaging in that limited legislative/political activity is set forth in Rule 906(a). Any practice section seeking to engage in the promotion of legislation or any other political position must first comply with Rule 906(a).
- (b) **Administration of Justice.** Section 3-418, *Idaho Code*, provides that the Idaho State Bar may from time-to-time provide expertise to the Governor, Legislature and/or Supreme Court on matters affecting the administration of justice. A practice section may properly engage in this type of technical assistance to the Legislature or other agencies of government, but must first advise the Commissioners of its intention to do so.
- (c) **Notice to Commissioners.** A practice section shall first notify the Commissioners, through the Executive Director, of any intended legislative/political activity to be conducted.

