

Filing cover & attestation

Petition #1 — (a) Suspension of an affiliate party

FILED BY

Nickolas Ciesielski is a lifetime member of the Party.

ATTESTATION

This amicus brief was filed by Nickolas Ciesielski on their own behalf, who is a lifetime member of the Party, and who adopts, incorporates, endorses, and accepts ownership of the material contained within as their own, has signed this document accordingly, and attests that it is accurate and not filed to harass, delay, or for any improper purpose.

BEFORE THE JUDICIAL COMMITTEE OF THE LIBERTARIAN PARTY

In re Revocation of Affiliate Status of
the Libertarian Party of New Hampshire

BRIEF OF TEN STATE LIBERTARIAN PARTY AFFILIATES AS *AMICI CURIAE* IN SUPPORT OF THE RIGHT OF AFFILIATES TO BE HEARD

INTEREST OF *AMICI CURIAE*

Amici are ten state-level affiliate parties of the Libertarian Party, each chartered under Article 5 of the Libertarian Party Bylaws. In signing this brief, *amici* take no position on the Libertarian Party of New Hampshire, on any position LPNH has taken, or on the merits of its disaffiliation. *Amici* write for one reason only: to contest a process in which affiliates—organizations with rights and interests of their own—are being denied a voice separate from that of individual sustaining members.

Several affiliates have attempted to file amicus briefs in this proceeding on their own behalf. Those briefs have been refused on the ground that they were filed by organizations rather than individuals. That refusal contradicts the basic premise on which every affiliate joined this Party, and *amici* respectfully ask the Committee to correct it.

STATEMENT OF FACTS

On July 8, 2026, Judicial Committee Chair Ken Moellman wrote to LNC member Alfa Shaw that “[i]f the state resolutions are submitted as an amicus we would accept it,” adding that the Committee “would post that amicus” but that no such resolutions had yet been provided.

On July 11, 2026, Chair Moellman emailed Austin Martin, Chair of the Libertarian Party of Hawaii, stating that affiliates’ amicus briefs would need to include evidence under Rule 2.5 in order to be accepted.

On July 15, 2026, however, Chair Moellman wrote to Mr. Shaw that “we cannot accept this amicus brief, as it has been filed on behalf of organizations, not sustaining members, as outlined in the JC rules.” That same day—after affiliates had submitted the very evidence Chair Moellman requested four days earlier—the Chair rejected those submissions as “dilatory spam.”

The LPedia page for this proceeding, maintained by Chair Moellman and Secretary Chuck Moulton, previously listed a brief in support of LPNH filed by six state affiliates, attributing it to Mr. Martin individually. That brief has since been removed altogether—despite Mr. Martin being a sustaining member. *Amici* are not aware of any prospective vote of the Committee authorizing these rejections.

ARGUMENT

I. Affiliates Are Organizations with Distinct Rights, and Bylaw 5.6 Guarantees Them a Voice in Affiliate-Revocation Proceedings.

The Bylaws treat affiliates as organizations holding rights of their own—chartered under Article 5 and entitled to process before disaffiliation. Those rights belong to the affiliate as an organization and are not reducible to the rights of its members; the whole structure of Bylaw 5 is one of affiliates asserting their own rights in their own name.

Bylaw 5.6 provides that at a hearing on affiliate revocation, “all interested persons... shall have the right to appear and submit evidence and argument.” That phrase cannot be limited to the defendant-affiliate and the LNC: elsewhere in Bylaw 5, the defendant-affiliate is called “the affiliate” and “appellant”—so “interested persons” reaches beyond the parties.

If anyone beyond the parties is an “interested person” in a proceeding to revoke an affiliate’s status, it is a co-affiliate. A Bylaw 5 hearing concerns affiliate revocation, not the expulsion of sustaining members; an individual member cannot be more “interested” in such a hearing than a sister affiliate.

II. The Judicial Committee Rules Confirm That Affiliates May File Amicus Briefs.

The Committee’s own Rules contemplate organizational amicus filers. Rule 1.7 defines a “submission” to include “any... amicus brief or supporting material filed with the committee,” and Rule 2.4 provides that a submission may be filed by an organization with multiple members.

The syllogism is simple: an amicus brief is a submission; a organizational entity may make a submission. It follows that an affiliate may file an amicus brief.

Rule 2.5 puts the question beyond doubt. It contemplates pleadings submitted “on behalf of an organization”—and Rule 2.1 provides that the General Procedures of Rule 2 “apply to every submission,” expressly including that of a “filer of an amicus brief.”¹

Rule 2.5 therefore governs amicus briefs—and Rule 2.5, by its own terms, envisions filings made on an organization’s behalf.

That reading is underscored by the Chair’s own statement. As recently as July 11—four days before rejecting these very briefs as “dilatory spam”—Chair Moellman instructed affiliates that their amicus briefs would be accepted only if they complied with Rule 2.5.

Rule 7.1 states that “[s]ustaining members may file amicus briefs.” It nowhere states that affiliates may not. A permissive grant to one class is not an exclusion of another. If Rule 7.1 were meant to displace the plain language of Rules 2.4 and 2.5, it would need to say so explicitly. It does not, and the Rules cannot in any event override Bylaw 5.6.

¹Rule 2.9 reiterates that Rule 2 governs “amicus briefs” and “any other documents,” not merely petitions.

The contrary reading produces an absurdity: outside organizations could file briefs while Libertarian Party affiliates alone could not.

III. Rule 5.1 Requires That the Six-Affiliate Brief Remain Publicly Posted.

Independent of who may file, Rule 5.1 requires that all documents received by the Committee be posted publicly. The six-affiliate brief was received, posted to LPedia, and then deleted—by the Chair acting alone. Whatever view the Committee ultimately takes of that brief’s validity, it was unquestionably “received”: the Committee’s own posting of it is conclusive evidence of this. A document does not become *unreceived* because the Chair later concludes it should not have been accepted. Rule 5.1 turns on receipt, not on acceptance. The brief must be restored to the public record to comply with Rule 5.1.

IV. Denying Affiliates a Voice Separate from Their Members Breaches the Associational Contract.

The bylaws of a voluntary association form a contract between the association and its constituent parts. When *amici* chartered under Article 5, they did so on the understanding that they would be recognized as organizations with distinct rights—including the right, secured by Bylaw 5.6, to be heard when an affiliate’s status is adjudicated.

To tell an affiliate that it may speak here only through individual members is to deny that it is a rights-bearing party to that contract at all. That denial is not a housekeeping ruling on filing formalities; it is a breach of the contract between the Party and its affiliates, and it injures every signatory regardless of its view of the underlying dispute.

Amici note, finally, that Rule 2.8(j) permits the Committee to reject non-compliant content only “by a vote of five or more members.” No such vote appears to have preceded these rejections.

CONCLUSION

Amici respectfully urge the Committee to recognize that affiliates are entitled, as organizations, to assert their own rights and interests in their own name; to accept amicus briefs submitted by Libertarian Party affiliates in this proceeding; to restore the six-affiliate brief to the public record; and to reject no submission except by the five-member vote Rule 2.8(j) requires, with written grounds.

Respectfully submitted,

Sonja Feintech

Chair of Libertarian Party of Oregon
on behalf of the Libertarian Party of Oregon

Dane Courtois

Chair of Libertarian Party of Maine
on behalf of the Libertarian Party of Maine

Ryan Brown

Chair of Libertarian Party of North Carolina
On behalf of the Libertarian Party of North Carolina, having adopted the resolution by vote of the Executive Committee.

Austin Martin

Chair of the Libertarian Party of Hawaii
On behalf of the Libertarian Party of Hawaii

Patrick McNally

Chair of the Libertarian Party of Nebraska
On behalf of the Libertarian Party of Nebraska

Nicholas Conrad

Chair of the Alaska Libertarian Party
On behalf of the Alaska Libertarian Party

Matt Loesby

Chair of the Libertarian Party of Idaho
On behalf of the Libertarian Party of Idaho

Josiah Baker

Chair of the Libertarian Party of Tennessee
On behalf of the Libertarian Party of Tennessee

George Stamper

Chair of the Libertarian Party of Nevada
On behalf of the Libertarian Party of Nevada

Andrew Roberts

Chair of the Libertarian Party of Kentucky
On behalf of the Libertarian Party of Kentucky