

## Proposal 1a: Remove Judicial Committee

### Bylaw 6: Membership

#### Section 3

All Party candidates for public office, Executive Committee members, county Party office holders, and Libertarian National Committee representatives, ~~and Judicial Committee members~~ shall be registered in the Libertarian Party in California if eligible.

#### ~~Section 6 (3/4 required to amend)~~

~~Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.~~

### Bylaw 10: County Organizations

#### Section 6

A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. ~~Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee.~~ The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

### Bylaw 11: Officers

#### Section 7

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant ~~unless the suspendee appeals such suspension to the Judicial Committee in writing within ten days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.~~

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## **Bylaw 15: Judicial Committee**

### **Section 1**

~~The Judicial Committee shall consist of five State Central Committee members elected at a convention of the Party by the attending delegates. The term of a Judicial Committee member shall begin at the close of each convention held in an even-numbered year and end at the close of the next convention held in an even-numbered year after a new committee has been elected. Two Alternates, in ranked order, shall be elected at a convention of the Party by attending delegates to ensure a full committee in the case of a vacancy or recusal.~~

### **Section 2 (3/4 required to amend)**

~~A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, or the Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.~~

### **Section 3**

~~The Judicial Committee review of a Party action or inaction shall be limited to the consistency of that action or inaction in accordance with the governing documents of the Party, including these Bylaws and documents to which they refer, with the only exceptions being Judicial Committee duties mandated by these Bylaws, and arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee.~~

~~At least two Judicial Committee members shall agree to hold a hearing or to consider an appeal. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.~~

### **Section 4**

~~The Judicial Committee shall elect a Chair, who shall receive all appeals and petitions and schedule hearings so as to obtain a quorum of the Judicial Committee. When a hearing is requested, the Chair shall set a hearing date within seven days of receiving the request.~~

### **Section 5**

~~The Judicial Committee shall provide at least ten days' notice to each of the parties to a hearing, unless an earlier date is agreed to by the Judicial Committee and the participants.~~

### **Section 6**

~~The Judicial Committee shall hold a hearing within thirty days of receiving a~~

~~request, unless otherwise specified.~~

### **~~Section 7~~**

~~All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.~~

### **~~Section 8~~**

~~The Judicial Committee shall provide a written ruling within seven days of the conclusion of the hearing, unless otherwise specified. The Judicial Committee report shall be confidential and reported to the next convention in executive session if the matter involves suspension of membership and the member requests it. That ruling shall state either that no action is necessary, or shall state specifically what violation of the governing documents justifies the action or remedy sought by the appellant(s). In the event that the Judicial Committee fails to issue a written ruling within the timeframe required, the Judicial Committee shall be considered to have taken no action on the matter at hand.~~

### **~~Section 9~~**

~~With the consent of all parties, the Judicial Committee Chair may call for written arguments and mail ballot of the Judicial Committee, with a ruling to be provided to all parties and to the Executive Committee no later than thirty days following the date of the initial petition.~~

## **Bylaw 22: Program**

### **~~Section 3~~**

~~If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.~~

## **CONVENTION RULES**

### **Rule 4: Agenda**

The business of the convention shall consist of the following items, and shall be

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conducted in the following order:

- A. Credentials report;
- B. Reports of the Party officers and working committees;
- C. Consent calendar;
- D. Bylaws Committee report;
- E. Elections, in the following order:
  - 1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;
  - 2. At-large Executive Committee members;
  - 3. At-large Executive Committee alternates;
  - ~~4. Judicial Committee members;~~
  - ~~5. Judicial Committee Alternates;~~
  - 6. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;
- F. In a Presidential election year, the Presidential Straw Poll;
- G. Endorsements of candidates;
- H. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

## **Rule 8: Resolutions**

### **Section 2**

~~If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. The Judicial Committee shall decide whether the adopted resolution in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the adopted resolution is vetoed by the Judicial Committee, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.~~

## Proposal 1b: Restrict Judicial Committee Purview

### Bylaw 15: Judicial Committee

#### Section 3

The Judicial Committee review of a Party action or inaction shall be limited to the ~~consistency of that action or inaction in accordance with the governing documents of the Party, including these Bylaws and documents to which they refer, with the only exceptions being Judicial Committee duties mandated by these Bylaws~~ consideration of only those matters expressly identified as follows:

- a. challenges to election of officers of county organizations (Bylaw 10, Section 6),
- b. appeal of suspension of officer or Operations Committee members (Bylaw 11, Section 7),
- c. appeal of member suspensions (Bylaw 6, Section 6),
- d. challenges to Program planks (Bylaw 22, Section 3),
- e. challenges to resolutions (Rule 8, Section 2),
- f. challenges to candidate endorsement (Bylaw 10, Section 3), and
- g. arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee

At least two Judicial Committee members shall agree to hold a hearing or to consider an appeal. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

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