

**APPEAL TO THE LIBERTARIAN PARTY OF COLORADO JUDICIAL COMMITTEE
RE: PURPORTED RESOLUTION OF THE LPCO BOARD ON JULY 14, 2025**

Appellant: Wayne Harlos

Appellee: Board of the Libertarian Party of Colorado

Date: August 13, 2025

Jurisdiction: Bylaws Article IX, Section 4(4), Appeals of Board decisions pertaining to items of business

BOARD DECISION APPEALED:

The Board has not published minutes in over a year, give or take. However, in the video of the July 14, 2025, meeting just before adjournment, there was a purported resolution invalidating the June 28, 2025 Holyoke convention.

APPEAL:

The Board has no authority to override decisions at a convention, including the decision made at a convention that the convention itself was proper. A convention body is superior to the Board: *“A board may never alter a decision of the society’s assembly (and an executive committee may never alter a decision of either the assembly or the board), even by a motion to Rescind or Amend Something Previously Adopted or by adoption of a proposal which has been rejected, unless expressly authorized by the bylaws.”* (see RONR 56:41) and *“In any event, no action of the board can alter or conflict with any decision made by the assembly of the society, and any such action of the board is null and void.”* (see RONR 49:7).

The Board has no authority to overrule. The Bylaws provide only one mechanism to overturn anything at convention, and that is by member appeal regarding resolutions/platform planks made at a convention, and only if those resolutions violate the bylaws. It presumes a valid convention. Therefore, since there is a way to overturn some decisions of delegates (Article IX, Section 4(a)(5)), any other decisions cannot be overturned by a lesser body since *“If the bylaws authorize certain things specifically, other things of the same class are thereby prohibited.”* (RONR 56:68(4)).

RELIEF REQUESTED:

This is a formality as there is no question that a convention body is the superior body. Our Bylaws do not purport to cover every eventuality, and there is no authority here except the default authority of a convention body. Delegates may wish to grant that

power to the JC (or the Board) in the future, but it does not exist now. Since the Board is not a convention body (and neither is the JC), the resolution, as much as it purports to be binding, is moot. If it is merely an expression of the Board's non-binding opinion, that would be within their authority; however the wording was not as a mere opinion.

The JC should recognize the resolution as moot, which it de facto is, while allowing it as an expression of the Board's opinion if it wishes.

To appeal is a member right unless it falls outside the jurisdictional limits of the Bylaws. The JC cannot simply decide not to accept a properly filed appeal within their jurisdiction and a petitioner is entitled to a hearing. If the JC improperly denies accepting an appeal, the petitioner has preserved the rights of members.

Wayne Harlos,
Registered CO Libertarian and National Libertarian Party Life Member