

Libertarian National Judicial Committee

Petitioner: Hector Roos

VS

Respondent: Libertarian National Committee

**Re: TO VOID THE ADOPTION OF THE SPECIAL
INVESTIGATORY COMMITTEE**

September 8, 2025

**Amicus brief in support of the petitioner and in
response to Harlos' Amicus Brief of October 22, 2025**

Jonathan M. Jacobs, sustaining member

October 24, 2025

“1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a regular convention.

It would be the understatement of the century to say that the Statement of Principles is important to the Party. There is nothing less important. It is the interpretative grid throughout which everything else, including our Bylaws and the actions of the LNC, *must be read.* As stated by D. Frank Robinson, the Party founder who devised the concept, “*This is the anchor and the lifeline. Do not tread too far from it (or you may perish). If you stay close, you may eventually prosper for your efforts.*” This LNC is treading far indeed.

The very purpose of the Party is to implement the Statement of Principles in the political sphere.”

Those are not the words of this co-petitioner. Those are the words of the amicus, Caryn Ann Harlos (Harlos), filed on July 14, 2024 in her appeal to this very Judicial Committee titled, “MOTION AUTHORIZATING THE LNC TO ENTER INTO A JOINT FUND-RAISING AGREEMENT WITH THE RFK, JR. 2024 CAMPAIGN.” Page 6, emphasis not added.

Those comments alone should be sufficient to remove her argument that the Statement of Principles is not binding on the LNC, and on the Party as a whole¹. Much of the rest of her filing delves into the irrelevancies of whether the LNC may be subject to legal action, and to what is in the platform; the petitioners do not raise these issues.

This brief does present the opportunity to reiterate why this bylaw, Article 3.1, “ The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail,” is binding on the Party, including the Libertarian National Committee (LNC).

First, *Robert’s Rules of Order Newly Revised*, 12th edition (RONR) notes that, “There is a presumption that nothing has been placed in the bylaws without some reason for it (56:68 4).” Had, as Harlos suggested, Article 3.1 applied only to *changes* in the Statement of Principles, that first line need not be there². It is there and, as a Bylaw, is fully binding on the Libertarian Party, nationally, and all of its organs, such as the Convention, the LNC, and, yes, even the Judicial Committee (LPJC).

In that regard, Harlos raised the claim that this misrepresentation must be related to “Property.” It is. The LNC has used, or has attempted to use, these misrepresentations to fundraise. The Special Investigatory Committee (SIC) states, “If the LNC and/or general membership feel strongly about pursuing restitution, and a donor or donors are willing to make sufficient contributions to a legal fund, the LNC could potentially initiate legal proceedings (p. 93).”³ Further, the LNC initially adopted this motion soon after adopting the SIC which read in part:

“Be it resolved that the Libertarian National Committee shall explore fundraising and/or pro bono legal counsel to pursue the recovery of funds, under any legal procedures available, as outlined in this report and any supplemental report(s) produced by the Special Investigatory Committee”

They are, in no uncertain terms, using the misrepresentations in the SIC to “fundraise.” So, unless the claim is that money donated does not count as property, the Statement of Principles applies. It is telling that Harlos voted in favor of both fundraising clauses, that in the SIC and the Resolution.

Second, in terms of the Article 3.1, we can take a look at the intent of the Libertarian Party when the language was adopted (RONR, 56:68 1)). While this can only apply where there is ambiguity, we do have the words of D. Frank Robinson, one of the original authors of the Bylaws. Perhaps his most telling is his comment regarding the purpose of the Statement of Principles; that comment was, “to plant a rhetorical stake in the ground with a tether-the Statement of Principles-a terse one-page document declaring to all coming after us, ‘This is the anchor and the lifeline.’” It is that “tether,” Article 3.1 of the bylaws, which binds the Libertarian Party to the Statement of Principles. While the co-petitioner claims no ambiguity, if there were any ambiguity, this would show that the intent is to make the Statement of Principles binding.

Third, as previously established in *Epstein vs. LNC, 2015*, there is precedent for finding the Statement of Principles binding. This, however, is the weakest claim, as a precedent may be reversed, by majority vote; it is, however, considered “persuasive” (RONR, 23:10)⁴.

In conclusion, persuasive precedent, the intent of framers of the Bylaws when adopted, and finally, the unambiguous statement of Article 3.1, that the Statement of Principles is that by which the Party “shall be sustained,” all say the same thing. They all say that the Statement of Principles is binding on the Party and its subgroups, like the LNC. They would all say that using misrepresentations to fundraise are violations of those principles.

End notes

¹ The 7/14/24 appeal is subtitled “Are we the Party of Principle or the ‘Party of Principal’?” In this case, the principle exposed by the amicus is one of hypocrisy.

² A society could very easily establish that some bylaw (or rule) intended to symbolic or aspirational. The NAP/AIP Joint Code of Professional Responsibility treats one section as such, noting in a footnote “They are not intended to be subject to discipline.” No similar caveat appears in LP Bylaws.

³ Note that the resolution was void due to failure to provide notice, the language in the SIC is unchanged. A similar resolution, which may also call for fundraising, was adopted.

⁴ An example of some of the problems created by relying solely on precedent are described in “Precedent and RONR,” *National Parliamentarian*, Third Quarter 2012, pp. 19-22. Note that the rule regarding precedent was first codified in the 11th edition, published in 2011.