

Call to Order

The second meeting of the 2026-2030 Judicial Committee was called to order at 4:07 pm EDT on Sunday, June 7.

The following members were in attendance:

- Pat Dixon
- Mary Gingell
- Sam Goldstein
- Ken Moellman (chair)
- Dr. Chuck Moulton (secretary)
- Geoff Neale
- Avens O'Brien (vice-chair)

Reports

Secretary Moulton sent out minutes from the May 31, 2026 meeting, emailed Mike Seebeck from the previous Judicial Committee asking for any documents about New Hampshire, and responded to John McGovern of Pennsylvania's email about the LPNH disaffiliation IP issue.

Chair Moellman reported people are claiming the Judicial Committee election wasn't valid. In response, he drafted a parliamentary analysis of the quorum issue responding to critics. He also reached out to the Libertarian National Committee about getting on their agenda for the June 7th meeting to report filling of vacancies, electing a chair, and adopting rules of appellate procedure.

We have not yet received an official appeal from the Libertarian Party of New Hampshire, but the LNC sent notice to LPNH about its disaffiliation and CCed the Judicial Committee.

New Business

Mr. Goldstein moved that the following be adopted as the Judicial Committee Rules of Appellate Procedure and submitted to the Libertarian National Committee for approval under bylaw 8.3:

1. Definitions

1.1. "Committee" means the Judicial Committee of the Libertarian Party.

1.2. "Party" means the national Libertarian Party.

1.3. "LNC" means the Libertarian National Committee, Inc, the governing body of the Party between conventions.

1.4. "Bylaws" means the Bylaws of the Libertarian Party.

1.5. "Sustaining member" has the meaning given in the Bylaws.

1.6. "Convention delegate" is a person who was credentialed as a delegate at the most recent regular convention of the Party. (Bylaws Article 7 Section 12)

1.7. "Submission" means any petition, response, amicus brief, or supporting material filed with the Committee.

1.8. "Personally Identifiable Information" means information that can be used to identify a specific individual, such as a home address, telephone number, or government-issued identification number.

1.9. "Petition" is a written request for a ruling on a matter identified in the Party's Bylaws as being within the Committee's jurisdiction, which meets the requirements provided in these rules.

2. General Procedures

2.1. The requirements of this Section apply to every submission made to the Committee, whether by a petitioner, a respondent, or a filer of an amicus brief.

2.2. All petitions, responses, and amicus briefs shall be in text-searchable Word, ODF, txt, rtf, or PDF format only. Imagery submitted in support of a petition, response, or amicus brief should be submitted in a PDF document of reasonable quality.

2.3. Petitions, responses, amici, supporting materials, and notifications required to be provided in writing in connection with any proceeding may be delivered personally at convention, and at all times by electronic mail. All submissions shall also be timely and shall be made within the time allowed for them under these Rules. Submissions must be received prior to the hearing to be considered as part of the case, except by leave of the Committee.

2.4. Where a submission must be signed or is supported by the signatures of members, the party making the submission shall supply evidence that each signer is entitled to sign or otherwise submit it; and, where these Rules or the Bylaws require the signatures of a particular number of a given classification of members, shall demonstrate that the submission carries the requisite number. The burden of establishing that a signer is entitled rests on the party making the submission, which shall obtain the necessary proof from each signer; any signature for which entitlement is not established shall not be counted toward the requisite total.

2.5. When a petition is submitted on behalf of an organization, the organization shall be required to provide evidence (e.g., meeting minutes, bylaws, etc.) that the petition was submitted in compliance with its governing documents, and not in conflict with the Bylaws, as part of the filing.

2.6. Upon the request of a petitioner, the Committee may order that all or any part of the proceedings be conducted in executive session in order to protect the privacy of an individual. The request may be made before or during the hearing. To the extent the Committee grants the request, the openness otherwise required by Sections 8.3 and 8.5 shall not apply to the closed portion of the proceedings.

2.7. Upon the request of the Libertarian National Committee, the Committee may order that all or any part of the proceedings be conducted in executive session where the Committee finds it reasonably necessary to protect the Party from legal liability. In ruling on such a request, the Committee shall weigh the asserted risk against the presumption of openness in these Rules.

2.8. The Committee may, by majority vote and without reaching the merits, reject, refuse to publish, exclude, or strike any written or verbal content, in whole or in part, if the content:

(a) is outside the Committee's jurisdiction;

(b) is slanderous, libelous, or otherwise defamatory;

(c) is clearly false in its material factual assertions;

(d) is frivolous or dilatory, or is filed primarily to delay or harass;

(e) contains language not suitable for a public proceeding, including profane, obscene, or sexually explicit material;

(f) involves conduct or a manner of decorum that would generally not be permitted in a judicial proceeding;

(g) seeks a ruling on a matter the Committee has already decided or that is already pending before it;

(h) concerns a matter that is the subject of pending or active external legal action involving the Party;

(i) contains Personally Identifiable Information, unless provided by the affected individual(s) submitting the document to the Committee; or

(j) fails to comply with the requirements of these Rules, including the format, signature, and bond requirements of Sections 2.2, 2.4, 2.5, and 3.5.

The Committee shall state the ground(s) for any rejection in writing.

2.9. Where the Committee develops an online system to manage the documentation of the process, it may require all petitions, signatures, responses, supporting evidence, amicus briefs, and/or any other documents to be submitted using that system.

3. Commencement of action; petition

3.1. The Judicial Committee shall act only when its Chair receives a petition.

3.2. Such petition(s) shall identify:

3.2.1. the basis for the subject matter jurisdiction of the Committee;

3.2.2. the ruling requested;

3.2.3. the verifiable identity of each Sustaining member, qualified convention delegate, affiliate, or Party committee petitioning for the requested ruling ("petitioner(s)"); and

3.2.4. the identity by individual name of each Sustaining member, qualified convention delegate, affiliate, or Party committee that would be directly affected by the requested ruling.

3.3. Any such member, affiliate, or committee directly named in a petition, together with any other member, affiliate, or committee identified by the Judicial Committee members as likely to be so affected, shall be considered a prospective "respondent."

3.4. Petition(s) should be supported by such written and other necessary evidence to support the grant of the ruling requested.

3.5. Each petition brought forth outside of National Convention, that is not a bylaws-mandated automatic appeal, shall be accompanied by a \$1,500 appellate bond prior to being accepted for consideration by the Committee. Any bond shall be returned in full if the petitioner(s) prevail. If the petitioner(s) do not prevail, the Committee may by vote return all or part of the bond upon a finding that the petition was brought in good faith; any portion not returned shall be forfeited to the Party and shall not count toward any membership dues.

4. Committee procedure during National Convention

4.1. If the Committee is called into action during a National Convention, the Chair shall convene the Committee as soon as is reasonably practicable.

4.2. Upon request of either petitioner(s) or respondent(s), and/or at the Committee's direction, the Committee may hear arguments from petitioner(s) and respondent(s) in person.

5. Committee standard procedure

5.1. When any petition, response, amicus brief, or supporting material is received at any time other than during a National Convention, the Chair shall promptly forward such document or material to the other Committee members by electronic mail. Committee members shall acknowledge receipt of petitions. The complete list of such documents and material received by the Judicial Committee shall be posted and publicly available online.

6. Respondent procedure

6.1. Within seven days following receipt of such petition(s) (or promptly, if the request is received during a National Convention), the Committee Chair shall provide a copy of the petition(s) and any supporting material to each prospective respondent, along with notice that any desired responses are due in writing within seven days (or promptly, if the request is received during a National Convention) ("response").

7. Privileges of interested parties

7.1. Sustaining members may file amicus briefs in support of the petitioners or respondents.

7.2. Copies of petitions, responses, and amici shall be made available electronically to any sustaining member upon request.

7.3.The Committee may by a majority vote redact portions of the petition(s), response(s), and amici so made available, to protect personally-identifiable and other sensitive information.

8. Hearing

8.1.After the time allowed for responses has passed, and the Chair has been advised by at least two other Committee members that they have reviewed the petition(s) and response(s) provided, he or she shall set a time for a hearing and notify the Committee in writing of such time.

8.2.Unless all of the Committee members request a physical gathering, the hearing shall take place by telephone conference or videoconference.

8.3.Any hearing shall be open to sustaining members, who may observe (but not participate in) the proceedings; except as otherwise outlined in these Rules.

8.4.The Committee may by a 2/3 vote deliberate in open session once the hearing concludes; otherwise, deliberations shall be in executive session.

8.5.All oral arguments shall be in open session; except as otherwise outlined in these Rules.

8.6.All decisions shall be both published and made publicly available.

8.7.The Committee may in its discretion offer to the petitioner(s) and respondent(s) an equal opportunity to make their arguments orally via a telephone conference, videoconference, or physical meeting, under such rules as the Committee shall specify.

8.8.Committee members who are unable to participate in the hearing shall retain the right to vote. All votes must be received by the Chair no later than 10 calendar days after the hearing.

9. Publication of decision

9.1.When the Committee reaches a decision, the Chair shall notify the petitioner(s), respondent(s), the National Chair, and the National Secretary.

9.2.Preliminary notification may be made orally, either in person or by telephone; official notification shall be made in writing, as soon as all participating Committee members have voted on the matter in question, or 10 calendar days after the hearing if all members have not voted.

Mr. Dixon moved to amend by striking clause 3.5, and in clause 2.8.j striking “bond” and “2.5, and 3.5” and inserting “and 2.5”. The motion passed without objection.

Ms. Gingell moved to amend clause 2.8.j by inserting “and the Bylaws” between “requirements of these Rules” and “, including the format,”. The motion passed without objection.

Ms. Gingell moved to amend clause 2.8 by inserting “For any petition brought forth outside of the National Convention that does not require a Bylaws-mandated hearing, if the initial submission is sufficiently egregious in terms of the above deficiencies, the Committee, by a vote of five or more members, may reject the entire petition.” before “The Committee shall state the ground(s) for any rejection in writing.”. Dr. Moulton moved to amend by striking “by a vote of five or more members” and inserting “by majority vote”. The Moulton amendment to the amendment failed by a show of hands. The Gingell amendment passed by a show of hands 4-2.

Dr. Moulton moved to amend clause 2.8 by striking “The Committee may, by majority vote and without reaching the merits” and inserting “The Committee may, by a vote of five or more members and without reaching the merits”. The Moulton amendment passed by a show of hands 4-1.

Ms. Gingell moved to amend by striking clause 2.6. The Gingell amendment was withdrawn without objection.

Ms. Gingell moved to amend clause 3.4 by striking “should” and inserting “shall”, inserting “testimony” after “written”, and striking “necessary”; and amend clause 4.2 by striking “Upon request of either petitioner(s) or respondent(s), and/or”. Mr. Moellman moved to divide 3.4 and 4.2, taking up 4.2 first. The amendment was divided without objection. The 4.2 amendment passed without objection. Ms. Gingell moved to divide the 3.4 “should” to “shall” from the rest. The rest of 3.4 besides “should” to “shall” (inserting “testimony” after “written”, and striking “necessary”) passed without objection. The 3.4 “should” to “shall” amendment failed by a show of hands 0-2.

Ms. Gingell moved to amend clause 5.1 by striking “The complete list of such documents and material received by the Judicial Committee shall be posted and publicly available online.” and inserting “All documents and materials received by the Judicial Committee, including a list of signers, related to a petition (unless redacted under the provisions of sections 2.8 or 7.3) shall be posted and publicly available online.” The Gingell amendment passed without objection.

Ms. Gingell moved to amend clause 8.5 by striking “All oral arguments” and inserting “Any oral testimony shall”. The Gingell amendment was withdrawn without objection.

Ms. Gingell moved to amend clause 8.1 by striking “two” and inserting “three”. The Gingell amendment passed without objection.

Dr. Moulton moved to amend by striking clause 8.6, adding back the same language as clause 9.3, and re-numbering clauses 8.7 and 8.8. The Moulton amendment passed without objection.

Dr. Moulton moved to amend by striking clause 7.3 (as redundant with 2.8) and to amend clause 5.1 by striking "or 7.3". The Moulton amendment passed without objection.

The proposed Judicial Committee Rules of Appellate Procedure as amended by the above motions, now reads as follows:

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1.6."Convention delegate" is a person who was credentialed as a delegate at the most recent regular convention of the Party. (Bylaws Article 7 Section 12)

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2.8. The Committee may, by a vote of five or more members and without reaching the merits, reject, refuse to publish, exclude, or strike any written or verbal content, in whole or in part, if the content:

(a) is outside the Committee's jurisdiction;

- (b) is slanderous, libelous, or otherwise defamatory;
- (c) is clearly false in its material factual assertions;
- (d) is frivolous or dilatory, or is filed primarily to delay or harass;
- (e) contains language not suitable for a public proceeding, including profane, obscene, or sexually explicit material;
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- (g) seeks a ruling on a matter the Committee has already decided or that is already pending before it;
- (h) concerns a matter that is the subject of pending or active external legal action involving the Party;
- (i) contains Personally Identifiable Information, unless provided by the affected individual(s) submitting the document to the Committee; or
- (j) fails to comply with the requirements of these Rules and the Bylaws, including the format, signature, and requirements of Sections 2.2, 2.4, and 2.5.

For any petition brought forth outside of the National Convention that does not require a Bylaws-mandated hearing, if the initial submission is sufficiently egregious in terms of the above deficiencies, the Committee, by a vote of five or more members, may reject the entire petition.

The Committee shall state the ground(s) for any rejection in writing.

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8.7.Committee members who are unable to participate in the hearing shall retain the right to vote. All votes must be received by the Chair no later than 10 calendar days after the hearing.

9. Publication of decision

9.1.When the Committee reaches a decision, the Chair shall notify the petitioner(s), respondent(s), the National Chair, and the National Secretary.

9.2.Preliminary notification may be made orally, either in person or by telephone; official notification shall be made in writing, as soon as all participating

Committee members have voted on the matter in question, or 10 calendar days after the hearing if all members have not voted.

9.3.All decisions shall be both published and made publicly available.

The rules of appellate procedure as amended were adopted without objection.

Chair Moellman moved to hire Richard Brown as the Judicial Committee parliamentarian on an ad hoc basis at a rate of \$100/hour pending budgetary approval from the Libertarian National Committee. The Moellman motion passed without objection.

Chair Moellman moved that he be authorized to set up an email list for our own internal communication that works, while still allowing the *judicial@lp.org* published email address to externally contact us. The Moellman motion passed without objection.

Ms. Gingell moved that approved minutes from the Judicial Committee's procedural meetings (not our deliberative meetings) be published on LPedia. The Gingell motion passed without objection.

The meeting was adjourned without objection at 6:00 pm EDT.

Action Items

- 1) Chair Moellman to submit our adopted rules of appellate procedure to the LNC.
- 2) Chair Moellman to set up an email list for the Judicial Committee.
- 3) Secretary Moulton to post minutes from procedural meetings to LPedia once adopted by the committee.