

JUDICIAL COMMITTEE APPEAL

TO DECLARE INVALID THE LNC ACTION PURPORTING TO VOID THE REGION 1 ELECTION OF MAY 10, 2025 AND TO CLARIFY THE INTERPRETATION OF SUSTAINING MEMBERSHIP STATUS, RIGHTS, AND REGIONAL AUTONOMY

Filed by: Austin Martin, Sustaining Member

On behalf of Petitioners

Date: February 17, 2026

I. JURISDICTION

This appeal is submitted pursuant to Article 7, Section 12 of the Bylaws of the Libertarian Party. Petitioners challenge actions taken by officers of the Libertarian National Committee (“LNC”), subsequently sustained by the LNC at its May 2025 in-person meeting in Michigan, which purported to void the Region 1 election of James Wiley as Second Alternate on the basis of an alleged lapse in sustaining-membership status.

The challenged actions contravene the Libertarian Party Bylaws, the Party’s adopted parliamentary authority, Robert’s Rules of Order Newly Revised (12th Edition), and long-standing Party practice as reflected in prior Judicial Committee decisions, which, while not binding precedent, are informative and routinely consulted for guidance and consistency in interpreting the governing rules.

II. PETITIONERS

Petitioners consist of at least ten percent (10%) of the delegates credentialed at the most recent Regular Convention and/or at least one percent (1%) of sustaining members of the Party, as required by the Bylaws. A list of petitioners is attached as **Exhibit 1**.

III. AFFECTED PARTIES

The actions challenged herein affect:

1. **James Wiley**, a sustaining member whose right to serve as the duly elected Region 1 Second Alternate was improperly denied;

2. **The Region 1 delegation**, whose authority to elect its own representatives was overridden without bylaw authority;
 3. **Members of the Libertarian National Committee**, whose powers are limited by the Bylaws and adopted parliamentary authority;
 4. **Sustaining members of the Party**, whose membership rights are undermined by ad hoc enforcement standards;
 5. **All Party members**, who are entitled to governance consistent with the Statement of Principles; and
 6. **Affiliate Parties**, whose autonomy is protected by the Bylaws and was abridged by national-level interference.
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IV. FACTUAL BACKGROUND

Status Clarification. Subsequent to the events giving rise to this appeal, James Wiley resigned from his leadership position within the Party. He remains a sustaining member in good standing. This resignation has no bearing on the merits or justiciability of this appeal, which concerns the scope of officer authority, regional autonomy, and the interpretation of sustaining-membership status under the Bylaws. These issues are capable of repetition and warrant authoritative clarification.

1. On May 10, 2025, the Region 1 delegation duly elected James Wiley to serve as Second Alternate to the Libertarian National Committee, in accordance with the Region 1 Regional Agreement (**Exhibits 2 and 3**).
2. At the time of the election, no notice was provided to Region 1 that Mr. Wiley was allegedly ineligible to serve, nor had he been formally removed from sustaining-member status or subjected to any disciplinary process.
3. On or about May 15, 2025, an officer determination was made that Mr. Wiley's most recent sustaining contribution had occurred on March 2, 2024, and that his sustaining membership was therefore considered lapsed.
4. On that basis alone, the Chair directed Region 1 to disregard the election and to conduct a new one, asserting that the alleged lapse invalidated the election ab initio (**Exhibit 4**). The Secretary simultaneously issued a public correction stating that Mr. Wiley had not been elected.
5. Upon receiving notice of the alleged lapse, Mr. Wiley immediately renewed his sustaining membership on May 15, 2025, curing any claimed deficiency the same day it was raised.
6. Despite this renewal, the Chair and LNC continued to treat Mr. Wiley's election as void and his membership rights as suspended until after Region 1 took additional action.
7. On May 24, 2025, the Region 1 chairs voted to ratify the prior election and cure any alleged procedural defect now that Mr. Wiley's sustaining membership was

current (**Exhibit 5**). The Chair accepted this action and acknowledged Mr. Wiley's election (**Exhibit 6**).

8. Nevertheless, the LNC had already voted to sustain the Chair's earlier ruling, creating continuing uncertainty regarding the validity of the election and the scope of national authority over regional representation.

V. ARGUMENTS

A. Mr. Wiley Was a Member in Good Standing at the Time of Election, and Any Alleged Lapse Was Promptly Cured Under the Bylaws and Robert's Rules of Order

The Libertarian Party Bylaws define "sustaining members" as members who, during the prior twelve (12) months, have donated at least \$25 or who are Life Members. (**Bylaws Art. 4, Sec. 4.**) The Bylaws contain no provision declaring that a sustaining member is automatically suspended, loses voting rights, or becomes ineligible for office upon the mere passage of a date without renewal.

The Bylaws further adopt **Robert's Rules of Order Newly Revised** as the Party's parliamentary authority where not inconsistent with the Bylaws. (**Bylaws Art. 16.**) Under RONR, a member in arrears in dues "retains the full rights of a voting member" unless the bylaws expressly provide for automatic suspension or the member has been formally disciplined. (**RONR 45:1; see also RONR 1:13 n.3; RONR 61:6.**)

Mr. Wiley had not been disciplined, formally dropped from the membership rolls, or provided notice of ineligibility prior to his election. Even assuming arguendo that the alleged lapse raised an eligibility question, Mr. Wiley's immediate renewal cured any deficiency before any final LNC action affecting his rights. Treating a promptly cured lapse as permanently disqualifying is unsupported by the Bylaws, inconsistent with RONR, and contrary to established Party practice.

B. No Officer Had Authority to Unilaterally Void a Region 1 Election Under the Bylaws

The Bylaws explicitly vest authority over the selection, removal, and replacement of regional representatives and alternates in the affiliate parties comprising each region. A regional representative or alternate "may be removed and replaced only by the act of the affiliate parties that constitute the subject region," using procedures determined by the region itself. (**Bylaws Art. 7, Sec. 8.**)

Neither the Chair nor the Secretary is granted unilateral authority under Article 6 or Article 7 of the Bylaws to declare a regional election void. National-level nullification of a regional election based on an officer's eligibility determination abridges regional autonomy protected by **Bylaws Art. 5, Sec. 5** and exceeds delegated authority.

C. Suspension of Membership Rights Without Notice or Process Is Prohibited by the Bylaws and Parliamentary Authority

The Bylaws provide specific mechanisms for discipline and removal of national officers and at-large members. (**Bylaws Art. 7, Secs. 5–6.**) In all other cases, where the Bylaws are silent, RONR supplies the default procedural safeguards. Under RONR, suspension of membership rights constitutes a disciplinary sanction requiring notice, an opportunity to respond, and formal procedures where serious penalties are imposed. (**RONR 61:1–4; 63:2–4.**)

Here, Mr. Wiley received no advance notice and no opportunity to be heard before his rights were treated as suspended. Such action constitutes an impermissible disciplinary sanction imposed without authority or due process.

D. Continuing to Enforce the Suspension After Renewal Was Arbitrary, Capricious, and Inconsistent With Party Practice

Once Mr. Wiley renewed his sustaining membership, there was no remaining factual or legal basis to deny his rights or invalidate his election. Continuing to do so transformed a temporary administrative question into an ongoing deprivation of rights unsupported by any written rule.

RONR rejects ad hoc or officer-created standards for suspending rights where the bylaws are silent. (**RONR 23:7; 61:6.**) Enforcement standards that depend on post-hoc interpretation rather than adopted rules are arbitrary and inconsistent with fundamental principles of parliamentary law.

E. The Challenged Actions Undermine the Statement of Principles, Affiliate Autonomy, and Established Party Practice

The Statement of Principles, incorporated into the Bylaws, affirms voluntary association, opposition to arbitrary authority, and respect for individual rights. Automatically suspending rights without notice, voiding elections without authority, and overriding regional decisions contradict these foundational commitments.

In prior Judicial Committee matters commonly referred to as **Wrights (2009)** and **Epstein (2015)**, the Committee addressed disputes involving sustaining-membership lapses and officer-initiated enforcement actions. While not binding precedent, those decisions are informative expressions of Party practice. In each, the Committee reasoned that where the Bylaws lack explicit enforcement language, ambiguities must be resolved in favor of existing rights and established procedures, rather than officer-created or ad hoc standards (**Exhibit 7; Exhibit 8**). That reasoning applies with equal force here.

VI. RELIEF REQUESTED

Petitioners respectfully request that the Judicial Committee:

1. Declare that James Wiley was a sustaining member in good standing at the time of his election or, at the latest, upon renewal on May 15, 2025;
 2. Declare that no officer had authority to suspend Mr. Wiley's membership rights or void the Region 1 election without regional action or formal disciplinary process;
 3. Declare that the LNC action purporting to sustain the Chair's ruling was invalid and of no force or effect;
 4. Affirm the validity of Mr. Wiley's election as Region 1 Second Alternate;
 5. Clarify that membership rights may not be suspended for dues lapse absent explicit bylaw authority and due process; and
 6. Recommend adoption of clear, uniform procedures governing sustaining-membership lapses, notice, and opportunities to cure, consistent with the Bylaws and Robert's Rules of Order.
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Respectfully submitted,

Austin Martin

On behalf of Petitioners

Dated: February 17, 2026