LIBERTARIAN PARTY — JUDICIAL COMMITTEE

Filing cover & attestation

Petition #15 — (d) Voiding of a National Committee decision

FILED BY

Jonathan Jacobs is a sustaining member through 08/05/2027.

ATTESTATION

> Jonathan Jacobs certified they filed this petition as themselves, that this petition is accurate and not filed to harass, delay, or for any improper purpose.

JUDICIAL COMMITTEE APPEAL TO VOID CERTAIN RESOLUTIONS TO SUSPEND AUSTIN MARTIN, REGION 1 REPRESENTATIVE

Jonathan M. Jacobs, and the undersigned, appeals to the Judicial Committee to void actions taken by the Libertarian National Committee (LNC) and its subordinate Executive Committee to suspend the rights of membership, in whole or in part, of Region 1 Representative, Austin Martin. These suspensions violate the Bylaws Article 7.8 and the adopted parliamentary authority (RONR, 49:5; 49:15)[1].

This petition challenges the claimed ability of the LNC to suspend Mr. Martin, and by extension, any regional representative. It does not ask the Judicial Committee to decide the merits of the disciplinary charges, nor does it challenge any action taken under the provisions of RONR 49:15.

JURISDICTION

The Judicial Committee has subject matter jurisdiction over "voiding of National Committee decisions." Bylaws, Article 8.2 (d). "Upon appeal by ten percent of the delegates credentialed at the most recent regular convention or one percent of the Party sustaining members the Judicial Committee shall consider the question of whether or not a decision of the National Committee contravenes specified sections of the bylaws." Bylaws, Article 7, Section 12.

In a similar manner the Judicial Committee did entertain an appeal prior to a trial in the 2024 disciplinary action against then Secretary Caryn Ann Harlos (Phillies, et al vs. LNC).[2]

AFFECTED PARTIES

The parties affected by these decisions include:

(a) Austin Martin, Region 1 Representative, whom the LNC claims to have suspended;

(b) Members of the Libertarian National Committee, including alternate regional representatives;

(c) All state chairs of states affiliated with a region;

(d) All members in states which are affiliated with a region.

FACTUAL BACKGROUND

On October 20, 2026, the LNC adopted a series of motions regarding Austin Martin, including one to suspend him from his position as Region 1 Representative pending a disciplinary trial; this on a motion passed by a vote of 15–2–1 (October 20 Suspension).

On October 25, 2026, the Executive Committee of the LNC also adopted the motion titled "Suspension of all rights and privileges of Austin Martin as an LNC member pending trial." This is a separate suspension attempt from the October 20 suspension.

Previously, the LNC adopted a motion, on October 8, 2026, to suspend Mr. Martin's ability to forward emails, terminating at 1 p.m. Eastern on October 15, 2026. The ability to forward emails is an ability that Mr. Martin has in common with all members of the LNC. As part of this appeal, that action is also being challenged as a violation of the Bylaws.

ARGUMENT

The national Bylaws distinguish regional seats from at-large seats. LP Bylaws Article 7.5 empowers the LNC to suspend a member-at-large and provides an appeal to the Judicial Committee. It does not grant the LNC an equivalent power to suspend a Regional Representative. LP Bylaws Article 7, Section 8 states that a Regional Representative or Alternate "may be removed and replaced only by the act of the affiliate parties that constitute the subject region."

Further, the adopted parliamentary authority of the LNC, *Robert's Rules of Order Newly Revised*, 12th Edition (RONR), states that a board, which is what the LNC is, lacks the ability to impose a sanction beyond the end of the current meeting (RONR, 49:15). The only reason that the LNC may impose additional penalties on officers and LNC members at large is because the Bylaws authorize those penalties.

Those Bylaws themselves act to prohibit suspension of a regional representative. RONR has binding rules for interpreting bylaws; by adopting RONR in the Bylaws, the Libertarian Party has bound itself to those rules. One such rule is, "If the bylaws authorize certain things specifically, other things of the same class are thereby prohibited (56:68 4))." The Bylaws specifically provide for the LNC to "suspend any officer" (6.7) and to "suspend any member-at-large" (7.5). The Bylaws do not even hint that this suspension is applicable to regional representatives. The Bylaws act to prohibit the suspension of a regional representative by the LNC.

A temporary suspension is not a final removal, but it does suspend a regional representative from LNC participation and voting, thus preventing the region's chosen representative from performing in the position. The LNC cannot evade the exclusive regional authority established in LP Bylaws Article 7, Section 8 by effecting the same exclusion under a temporary or preliminary label. Doing so violates not only the rights of the regional representative but the rights of the state affiliates in that region which chose that representative.

The 2026–2028 Region 1 Agreement[3] originally purported to permit LNC removal using procedures for at-large representatives, without appeal to the Judicial Committee. There has been some suggestion that a region, in this case Region 1, can "delegate" or give the LNC some type of "proxy" to suspend a regional representative. This is a violation of another section of RONR, 49:5; that section states, "… the board [the LNC] has only such power as is delegated to it by the bylaws or by vote of the society's assembly referring individual matters to it."

The blanket rule in the Region 1 Agreement is insufficient to authorize the LNC to act, based on RONR, 49:5. There has been no referral by Region 1 to express a desire to suspend Mr. Martin; in fact, his region overwhelmingly voted for a motion to censure the LNC for taking this action against Mr. Martin[4]. Contrary to a public claim by the chair of the Special Investigatory Committee, Jonathan McGee, that RONR 63:22 permits suspension, RONR (49:15) does not permit suspension of board members beyond the existing meeting.

The Executive Committee may "exercise all powers of the LNC between LNC meetings," and "make decisions specifically delegated in this Policy Manual" per Policy Manual 1.01 3). If the LNC cannot suspend a regional representative, the Executive Committee certainly cannot. There is, and cannot be, any specifically delegated authority to do so.

There are several points that are specifically **not** being challenged in this petition. There is no challenge here to the ability of the LNC to investigate the conduct of a regional representative,

charge him, try him, find him guilty, and, if found guilty, censure[5] him and ask his region to remove him. As a result, the petitioner does not address the merits of the charges and/or specifications in this petition. Similarly, the petitioner does not challenge the authority of the LNC to exclude any member or officer of the LNC for the duration of a meeting, for "breaches of order" within that meeting, under 49:15 of RONR. He reserves the right to do so in individual cases.

Requested Relief

The petitioner, and those members signing, pray that the Judicial Committee rule that:

1. Neither the LNC nor the Executive Committee may suspend the rights of any regional representative, except as provided for in RONR 49:15;

2. Austin Martin's rights as Region 1 Representative to the Libertarian National Committee, be fully restored.

Respectfully submitted,

Jonathan M. Jacobs

Jonathan M. Jacobs, Bylaw Sustaining Member

Date of filing: October 30, 2026

End Notes

[1] The parliamentary authority, established in the Bylaws Article 16, is the "current edition of Robert's Rules of Order, Newly Revised." The current edition is the 12th edition.

[2] In re: Judicial Committee Appeal to Void LNC Decisions of October 6, 2024, https://mywikis-wiki-media.s3.us-central-1.wasabisys.com/lpedia/Judicial-Committee-Phillies-vs-LNC.pdf Chronology for In re Judicial Committee Appeal to Void LNC Decisions of October 6, 2024, decision date Dec. 3, 2024, pages 3-4, including footnotes 3 and 7.

[3] 2026–2028 Regional Agreement for Region 1, "Removal," Section 2, pp. 1–2https://mywikis-wiki-media.s3.us-central-1.wasabisys.com/lpedia/LNC_Region_1_Agreement_2026-05.pdf p. 1-2

[4] Region 1 Resolution: In defense of Region 1 Representation Rights (adopted October 15, 2026) https://groups.google.com/g/lnc-public/c/pSOzmy64M0E/m/JpKEFiGXBAAJ

[5] It could be argued that disciplinary censure is a greater penalty than removing someone for the duration of a meeting. The petitioner will not make that argument, but he does feel that the argument could be legitimately made.