

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

REPLY BRIEF

I. PARTIES AGREE: THE BYLAWS CONTAIN NO AUTOMATIC SUSPENSION OF MEMBERSHIP RIGHTS

The Respondent concedes that the bylaws do not explicitly provide that a lapsed sustaining member automatically loses rights or voting privileges. Under Robert's Rules of Order Newly Revised (RONR), members in arrears retain their rights unless the bylaws explicitly provide otherwise or the member is disciplined through proper procedures. Mr. Wiley was never subjected to disciplinary charges, notice, or hearing. Therefore, no parliamentary basis existed to treat his rights as suspended.

II. REGION 1 MAINTAINS WILEY MET THE BYLAW ELIGIBILITY REQUIREMENT

The Appellant does not dispute that sustaining membership is an eligibility requirement for service on the National Committee. The dispute concerns whether Mr. Wiley failed to meet that requirement. As the chair of the Hawaii affiliate in Region 1, the region maintained that Wiley at all times was a sustaining member. He paid his sustaining dues and was never formally removed from sustaining-member status. Because the bylaws contain no automatic suspension mechanism, sustaining membership cannot be administratively extinguished without formal action or disciplinary process.

IV. THE REGION 1 RATIFICATION VOTE WAS NOT A RE-ELECTION

The Respondent incorrectly characterizes the Region 1 vote of May 24 as a re-election that cured a defect. It was not. The vote was an independent action reaffirming the legitimacy of the original May 10 election despite the LNC's claim that it was invalid. Region 1 did not concede that the election violated the bylaws. Rather, the region reaffirmed its determination that the election had been valid when conducted.

V. THE CHAIR'S ADVISORY-OPINION REQUEST CONFIRMS THE AMBIGUITY

While this appeal has been pending, the Chair separately asked the Judicial Committee to interpret the bylaws regarding sustaining membership lapses.

The Chair wrote:

“Does a lapse in sustaining membership constitute immediate and automatic removal from office... or must the relevant body deliberate and vote on such removal?”

This request demonstrates that the issue is **not settled in the bylaws**.

If automatic removal were clearly mandated, no such interpretation would be necessary.

The request also underscores the importance of resolving the issue through this appeal rather than through parallel advisory proceedings.

VI. WRIGHTS V. LNC STILL RELEVANT

The Judicial Committee addressed an almost identical issue in *Wrights v. LNC* (2009). In reversing the LNC's removal of a member for alleged dues lapse, the Committee stated:

“What they cannot do is suspend an At-Large member from the National Committee without following the procedures in the Bylaws. When, in this case, the Bylaws do not contain specific enforcement procedures related to a particular provision, the ambiguity is resolved in favor of the existing default procedures rather than allowing an ad hoc procedure to be undertaken by one or two officers of the National Committee.”

The same principle applies here. Where the bylaws contain no enforcement mechanism for sustaining membership lapses, officers may not create one unilaterally.

VII. THE RESPONDENT'S THEORY CREATES AN UNWRITTEN “GOTCHA” RULE

The Respondent's interpretation effectively creates an unwritten rule under which any lapse in sustaining donations immediately voids eligibility. Such a rule does not appear in the bylaws. Allowing administrative enforcement of unwritten standards would permit retroactive disqualification of members without notice. This approach invites the type of arbitrary governance that parliamentary law is designed to prevent.

This is not an uncommon situation on the LNC. Recently, At-Large Representative Robert Vinson was removed for a similar case of lapsed dues. The Appellant was threatened with removal because of an allegation that a donation would have been counted toward membership renewal but did not have the check box marking support of the Non-Aggression Pledge.

In addition, an announced data security breach has created a situation where membership records could have been modified without permission. Without the appropriate notice and opportunity to respond contained in due process, which the Respondent's theory advances, fact-finding is left to arbitrary decisions of officers as to membership status. Their judgment could be corrupted by "gotcha" politics or data security breaches.

VIII. REGIONAL AUTONOMY WAS IMPROPERLY OVERRIDDEN

Article 7.8 of the bylaws provides that regional representatives may be removed or replaced only by the affiliate parties that constitute the region. By declaring the election void, the Chair substituted a national determination for the region's authority to evaluate its own election. Region 1 determined that Mr. Wiley was eligible and reaffirmed the election accordingly.

IX. CONCLUSION

This appeal ultimately concerns whether Party officers may impose unwritten membership standards and invalidate elections without explicit bylaw authority or due process. The Party's governing documents do not permit such authority. For these reasons, Petitioners respectfully request that the Judicial Committee declare the Chair's action invalid and affirm the authority of Region 1 to determine the validity of its election.

Respectfully submitted,

Austin Martin
On behalf of Petitioners
Dated: March 5, 2026