

Proposal # _____

Date Heard:

Vote:

Article 5: Affiliate Parties

Problem: When there is a leadership or legitimacy dispute in an affiliate party, the bylaws do not provide enough guidance about which actions the LNC is, or is not, supposed to take.

Solution: I strongly doubt that this solution is the best one, but this needs to be addressed and I hope that this proposal gets the ball rolling. Essentially I propose that the LNC ought to determine which group is legitimate, and then ought to be able to make a statement about which group of people in the affiliate party is going to be the one the LNC recognizes.

Benefits: At the very least, it will clear up the current ambiguity.

Current Wording	Proposed Amendment	If Adopted, Will Read
New section	<p><u>7. In the event that two or more groups claim to be the membership or leadership of an affiliate, and that other groups are not, the following procedure will be used:</u></p> <p>a. <u>One of the groups will send a petition to the Libertarian National Committee, which will then schedule a meeting to discuss the issue no later than one month after receipt of the petition.</u></p> <p>b. <u>The Libertarian National Committee shall provide notice of its meeting to all groups involved.</u></p> <p>c. <u>The Libertarian National Committee shall request documents, videos, or other evidence from all groups involved, which evidence shall be provided within two weeks of the request.</u></p>	<p>7. In the event that two or more groups claim to be the membership or leadership of an affiliate, and that other groups are not, the following procedure will be used:</p> <p>a. One of the groups will send a petition to the Libertarian National Committee, which will then schedule a meeting to discuss the issue no later than one month after receipt of the petition.</p> <p>b. The Libertarian National Committee shall provide notice of its meeting to all groups involved.</p> <p>c. The Libertarian National Committee shall request documents, videos, or other evidence from all groups involved, which evidence shall be provided within two weeks of the request.</p> <p>d. The Libertarian National Committee shall determine, to the best of its ability, which group has the best legitimate claim to be the affiliate party from that state, district, or territory.</p>

	<p>d. <u>The Libertarian National Committee shall determine, to the best of its ability, which group has the best legitimate claim to be the affiliate party from that state, district, or territory.</u></p> <p>e. <u>The decision of the Libertarian National Committee's decision shall not be appealable to any other body.</u></p> <p>f. <u>After the decision, the Libertarian National Committee shall issue a letter or certificate to the group which prevailed, stating that that group is the recognized affiliate. The National Committee shall in every way recognize that group as the legitimate affiliate.</u></p>	<p>e. The decision of the Libertarian National Committee's decision shall not be appealable to any other body.</p> <p>f. After the decision, the Libertarian National Committee shall issue a letter or certificate to the group which prevailed, stating that that group is the recognized affiliate. The National Committee shall in every way recognize that group as the legitimate affiliate.</p>
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QUESTIONS FOR DISCUSSION:

Assuming that an affiliate has a schism which lasts more than one year, how often should this decision be brought before the LNC? In Oregon, the national party consistently recognized the group which eventually dissolved. If this decision can never be appealed, would the LP be forced to keep on recognizing the dissolved party?

Is there any way to structure this dispute resolution so that the group which loses is more likely to abide by the decision that's made?

Do we instead want to refer these questions to legal arbitration?

Should we spell out that the group which the national party recognizes is entitled to all of the assets of the state affiliate, or is that just assumed? Do we spell out who gets CRM access, links from our website, and mentions in LP News, ect?

In all of the past schisms that I'm aware of, one group has more or less won, and the other has more or less lost. I've never seen people make up and get along after one of these, but do we want to try to put in some sort of mechanism for that to happen? Combined conventions to solve the dispute seem like one way to do that, but insisting that that be the mechanism used creates problems.

Do we want to add language about whether or not affiliate parties can expel individual members for leadership dispute shenanigans? In order to avoid having two separate conventions for two separate groups, do we want to impose a rule on the states that the winning group has to let the losing group try again at their next convention?

Should the JC be involved in this process at all? If so, how? Is there any schism where a decision of the LNC would not be appealed to the JC if such an appeal were available? If so, why have the LNC make a finding or ruling at all if the JC is just going to eventually decide it?

Do we have to take out the non-interference clause in Article 5, Section 5 if this passes? What kinds of actions by the LNC does Article 5, Section 5 protect affiliates from?

Is there any other issue more pressing than this? And if not, is there any reason that when the time comes to decide on the order of items in our report to the convention that this not be the first item?

I know this proposal is not worded in an elegant way. Beautification would be appreciated.

This is the big one.

SPONSORS: Tom Rowlette

MARK-UP LEGEND

- In replacements, deletions precede additions.
- Deletions are in ~~red bold italic strikethrough~~.
- Additions are in blue bold underline.
- Per LPUS Bylaws, Article XVII, Section 1, the bylaws require a 2/3 vote to pass.
- Per RONR t8 #13, the convention special rules of order require a 2/3 vote with notice or a majority of the entire convention membership