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September 13, 2022

James Repass, Member
Libertarian Party of Virginia

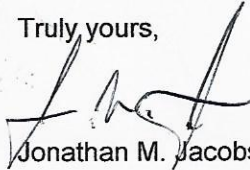
Dear Mr. Repass:

On September 12 of this year, you ask about the dissolution attempt of Libertarian Party of Virginia (LPVA) by the State Central Committee (SCC). You have asked if this was valid regarding three points: A. Improper timing of the motion, B. That the SCC does not have the authority to take up such a motion, C. That it was improper to even bring up such a motion without widespread member communications. The Bylaws (as amended at the 2022 convention) provide that the 10th edition (2000) of *Robert's Rules of Order Newly Revised (RONR/10)* shall be the LPVA's parliamentary authority (Constitution, Article VIII, Section 2, Bylaws, §04.01.04).

The LPVA is incorporated and as such, RONR/10 recommends hiring an attorney to advise the Party on dissolution (p. 547, ll. 1-6). This appears not to have been done. The question what is required to comply with the requirements for disaffiliation is a legal, and not a parliamentary, question.

What can be said in the procedural context, however, is that nothing in the Constitution of the LPVA would give the SCC this authority. RONR/10 provides that, in the case of an unincorporated society, dissolution is accomplished by repealing the constitution and would fall under the provision for amending the constitution (p. 547, ll. 8-14). Article IX of the Constitutions permits only a convention of regular members to do that. Nothing in the Constitution permits the SCC to amend or repeal the bylaws; that power is specifically reserved for the members assembled in a convention.

Truly yours,



Jonathan M. Jacobs, PRP-R, CPP