

Proposal AA

Date Heard:

Vote:

AMEND BYLAWS ARTICLE 8: JUDICIAL COMMITTEE

Problem: There is no time limit to rescissions, and though one may hope that decisions would not be reviewed anew later (the way to set new precedent is with a new case), there was in fact an attempted rescissions of the overturning of a constructive disaffiliation nearly five years after the fact in the 2011 Oregon case.

Solution: Make Judicial Committee Decisions Final

Benefits: It provides stability to decisions and prevents gaming.

Current Wording	Proposed Amendment	If Adopted, Will Read
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ARTICLE 8: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each regular non-presidential convention and any five members shall constitute a quorum. No member of the National Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the close of the regular non-presidential convention at which elected and shall serve until the final adjournment of the next regular non-presidential convention. All Judicial Committee members shall have been Party members at least four years at the time of their selection. The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next regular non-presidential convention. Should all Judicial Committee positions be vacant, an Intervening

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<p>convention may fill such vacancies.</p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <ul style="list-style-type: none"> a. suspension of affiliate parties (Article 5, Section 6), b. suspension of officers (Article 6, Section 7), c. suspension of National Committee members-at-large (Article 7, Section 5), d. voiding of National Committee decisions (Article 7, Section 12), e. challenges to platform planks (Rule 5, Section 7), d. challenges to resolutions (Rule 6, Section 2), and e. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5). <p>3. Within 90 days following the regular convention at which elected, the Judicial Committee shall establish rules of appellate procedure to govern its</p>	<p>(Article 5, Section 6),</p> <ul style="list-style-type: none"> b. suspension of officers (Article 6, Section 7), c. suspension of National Committee members-at-large (Article 7, Section 5), d. voiding of National Committee decisions (Article 7, Section 12), e. challenges to platform planks (Rule 5, Section 7), d. challenges to resolutions (Rule 6, Section 2), and e. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5). <p><u>3. Judicial Committee decisions are final and cannot be rescinded except by delegates at a regular convention.</u></p> <p>4. Within 90 days following the regular convention at which elected, the Judicial Committee shall establish rules of appellate procedure to govern its consideration of matters within the scope of its jurisdiction. The existing Rules shall remain in effect until and unless the Judicial Committee submits new proposed rules to the National Committee for approval, which approval shall be deemed given unless denied by a 2/3 vote of the National Committee within 60 days of submission. A</p>	<p>(Article 5, Section 6),</p> <ul style="list-style-type: none"> b. suspension of officers (Article 6, Section 7), c. suspension of National Committee members-at-large (Article 7, Section 5), d. voiding of National Committee decisions (Article 7, Section 12), e. challenges to platform planks (Rule 5, Section 7), d. challenges to resolutions (Rule 6, Section 2), and e. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5). <p>3. Judicial Committee decisions are final and cannot be rescinded except by delegates at a regular convention.</p> <p>4. Within 90 days following the regular convention at which elected, the Judicial Committee shall establish rules of appellate procedure to govern its consideration of matters within the scope of its jurisdiction. The existing Rules shall remain in effect until and unless the Judicial Committee submits new proposed rules to the National Committee for approval, which approval shall be deemed given unless denied by a 2/3 vote of the National Committee within 60 days of submission. A copy of the current rules of</p>
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<p>consideration of matters within the scope of its jurisdiction. The existing Rules shall remain in effect until and unless the Judicial Committee submits new proposed rules to the National Committee for approval, which approval shall be deemed given unless denied by a 2/3 vote of the National Committee within 60 days of submission. A copy of the current rules of appellate procedure shall be maintained by the Secretary at the Party Headquarters and shall be available to any member at cost.</p>	<p>copy of the current rules of appellate procedure shall be maintained by the Secretary at the Party Headquarters and shall be available to any member at cost.</p>	<p>appellate procedure shall be maintained by the Secretary at the Party Headquarters and shall be available to any member at cost.</p>
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SPONSORS: Harlos

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