

Libertarian National Judicial Committee

Petitioner: Caryn Ann Harlos

vs

Respondent: Libertarian National Committee

Re: Suspension of the LNC Secretary Caryn Ann Harlos

**Amicus Curiae Brief in opposition of Petitioner and
Response to Her Claims**

by

**Jonathan M. Jacobs,
Sustaining Member
November 22, 2024**

Caryn Ann Harlos has made several claims regarding an amicus brief filed by the author here. First is that the amicus received some documents sent by her through a committee of the National Association of the Parliamentarians. He received no such communication. He will be in contact with that committee to determine if this was sent by her, and if they ever indicated to her had received it by the amicus. In any event, Ms. Harlos was healthy enough to write the complaint on 10/6, after the event, and a supplemental complaint on 10/7.

This was going to be dealt with in greater detail in another brief, this is as good a time as any. The question is not if the Policy Manual could supersede RONR, but if Policy Manual could supersede the Bylaws.

In most¹ cases, RONR could be superseded by a special rule included in the policy manual. RONR does have rules on interpreting bylaws (56:68). One of those rules is, “4) If the bylaws authorize certain things specifically, other things of the same class are thereby prohibited.” By establishing in Bylaw 6.7 that “The National Committee may, for cause, suspend any officer by a vote of 2/3 of the entire National Committee...,” only the bylaws can define cause. Either this clause would have to have more detailed into what constitutes cause, or at least permitting cause to be established in the policy manual.

We can use, as an analogy, qualifications for officers. Article 6.8 gives the LNC full authority to appoint officers in the case of a vacancy. Article 6.1 states, “No person shall serve as an officer who is not a sustaining member of the Party.” The LNC would not be bound by a policy manual requirement that said, “Only life members may fill vacancies.” The policy manual cannot further define the qualification.

The amicus is not aware of any private conversation dealing with the Bylaw requirement for cause. While it is likely possible for a policy manual requirement, absent of a bylaw

provision, to supersede RONR, there **is** a bylaw provision preventing it².

Ms. Harlos has referred to, “irrelevant personal information and insults,” having been forwarded in the previous brief. The amicus has no idea to what she refers. The amicus is also at a loss to understand that, prior to her very recent activities, what this supposed animosity is.

End notes

¹ RONR (12th ed.) provides that some rules must be placed in the bylaws to be effective (2:16 n5). RONR also, since the 11th edition (2011), said that the assembly may schedule a special meeting to deal with disciplinary action (63:21) and along with the misconduct clause of 63:24. These rules *may* in fact be a type of rule that could only be overridden by a bylaw. The text, however, does not clearly state that.

² A bylaw could be worded to permit cause to be established in the policy manual. Likewise a bylaw could be worded to list the specific causes for disciplinary action and prohibit others. The current LNC Bylaws do not.