

## **Judicial Committee Rules of Appellate Procedure**

1. The Judicial Committee shall take action only when the Judicial Committee Chair (“Chair”) receives a written request for a ruling on a matter identified in the Party's Bylaws as being within the Committee's jurisdiction ("petition"). Such petition(s) shall identify:

(a) the basis for the subject matter jurisdiction of the Committee;

(b) the ruling requested;

(c) the verifiable identity of the person or persons, affiliate, or Party committee petitioning for the requested ruling ("petitioner(s)"); and

(d) the identity by individual name of any person, affiliate, or Party committee that would be directly affected by the requested ruling. Such a person, affiliate, or committee directly affected by the requested ruling, together with any other person, affiliate, or committee identified by the Judicial Committee members as likely to be so affected, will be considered a prospective "respondent."

The petition(s) should be supported by such written and other evidence as the petitioner(s) believes supports the grant of the ruling requested.

2. If the Committee is called into action during a State Convention, the Chair shall convene the Committee as soon as is reasonably possible. The Committee shall consider written petition(s), response(s), and evidence provided by petitioner(s) and respondent(s) in a meeting open to Convention delegates, (except where executive session is required), who may observe, but not participate in, the proceedings and deliberations. Upon request of either petitioner(s) or respondent(s), and/or at the Committee's direction, the Committee may hear arguments from petitioner(s) and respondent(s) in person.

3. When such petition(s) is received at any time other than during a State Convention, the Chair shall, within five (5) days, forward the petition to the other Committee members by electronic mail, for which the member(s) shall acknowledge receipt. The Committee shall then have five (5) days to decide whether or not to hear the appeal, with the agreement of two (2) or more Judicial Committee members being sufficient to hold a hearing.

4. Within five (5) days following receipt of such petition(s) (or promptly, if the request is received during a State Convention), the Committee Chair shall provide a copy of the petition(s) to each prospective respondent, along with any supporting material the Chair has been sent, and notice that if the prospective respondent(s) desires to respond to the petition(s) the prospective respondent(s) must do so in writing within five (5) days of receiving the notice (or promptly, if the request is received during a State Convention).

5. The Chair shall promptly forward a copy of any response(s) received to each of the other Committee members at their last known electronic mail address (or postal mail address, if explicitly requested), along with any supporting material and counter-arguments.

6. A copy of the petition(s) and any response(s) shall be made available electronically to any Member upon request. The Committee may by a majority vote redact portions of the petition(s) and response(s) so made available.

7. When such petition(s) and response(s) are received at any time other than during a State

Convention, the Committee members shall review all material they are sent within five (5) days of receiving it, and each member shall advise the Chair as soon as he or she has done so.

8. After the time period for responses has passed, and the Chair has been advised by at least two (2) other Committee members that they have reviewed the petition(s) and response(s) provided, the Chair shall set a time for a meeting of the Committee to decide the matter at hand and notify the Committee in writing of such time. Unless all of the Committee members request a physical gathering, the meeting shall take place by telephone conference or videoconference. The Committee may by a two-thirds (2/3) vote deliberate in executive session; otherwise, deliberations shall be in open session. Any decision shall be rendered in writing, which written decision shall be public. The Committee may in its discretion offer to the petitioner(s) and respondent(s) an equal opportunity to make their arguments orally via a telephone conference, videoconference, or physical meeting, under such rules as the Committee shall specify. Committee members who are unable to participate in the meeting shall retain the right to vote by electronic mail or by phone, provided their vote is received by the Chair no later than ten (10) days after the meeting.

9. When the Committee reaches a decision, the Chair shall notify the petitioner(s), any respondent(s) to the petition(s), the State Chair, and the State Secretary. Preliminary notification may be made orally, either in person or by telephone; official notification, including vote totals, shall be made in writing, as soon as all participating Committee members have voted on the matter in question, or ten (10) days after the meeting if all members have not voted.

10. Petitions, responses, supporting materials, and notifications required to be provided in

writing in connection with any proceeding may be delivered personally, or by United States mail, private delivery service, fax, or electronic mail.