

Proposed Additions to the Bylaws of the Unified Libertarians of Massachusetts

(Note: Articles I–VIII remain as currently adopted. The following new articles would be inserted after Article VIII.)

ARTICLE IX: JUDICIAL COMMITTEE

Section 1. Purpose and Jurisdiction

1. The Judicial Committee (“Committee”) is the Party’s internal body for resolving formal disputes and appeals.
2. The Committee shall have jurisdiction over:
 - Challenges to Party membership status;
 - Appeals of disciplinary actions or removal proceedings;
 - Allegations of violations of these Bylaws or any Party rules; and
 - Any other matter assigned to it by these Bylaws or by resolution of the State Committee.

Section 2. Composition and Terms

1. The Judicial Committee shall consist of three (3) members in good standing, elected by the membership at the annual State Convention.
2. Each member shall serve a term of two years. There shall be no term limit.
3. To ensure independence, no more than one (1) member of the Judicial Committee may simultaneously serve as a voting member of the State Committee. Officers shall not be members of the Judicial Committee.
4. In the event of a vacancy, appointments shall be handled per **Section 7 (Vacancy and Temporary Appointments)**.

Section 3. Procedural Rules

1. The Judicial Committee shall establish its own operating procedures, provided such procedures are consistent with these Bylaws and the spirit of *Robert’s Rules of Order Newly Revised*.
2. All hearings and deliberations shall be conducted in an orderly manner, ensuring due process. At a minimum, due process shall include:
 - Reasonable written notice to the parties involved;

- An opportunity for the parties to present evidence or testimony; and
- The right of all parties to be heard, either directly or through a representative.

Section 4. Hearings and Decisions

1. The Committee may conduct hearings in person, by teleconference, or by other reliable electronic means, as it deems appropriate, ensuring all parties can participate.
2. Decisions of the Committee shall be made by a majority vote of its members.
3. The Committee's written decision (including factual findings and conclusions) shall be provided to all relevant parties within 10 business days after the close of the hearing or deliberations.

Section 5. Appeals and Finality

1. The Judicial Committee's decision shall be final and binding unless overturned by a two-thirds ($\frac{2}{3}$) vote of the members present and voting at the next State Convention or a Special Convention called for that purpose.
2. A motion to appeal the Committee's decision must be submitted in writing to the Secretary within 10 business days of issuance of the Committee's decision and must be properly noticed to the membership if it is to be heard at a Convention.

Section 6. Conflicts of Interest

1. Any member of the Judicial Committee who has a direct personal or financial interest in a matter before the Committee shall recuse themselves from deliberation and voting on that matter.
2. If a majority of Committee members must recuse themselves, the State Committee shall appoint temporary replacement(s) in accordance with **Section 7**.

Section 7. Vacancy and Temporary Appointments

1. If the Judicial Committee does not have enough elected members to function, the State Committee shall appoint interim members from among the Party membership. These appointments last until the next regular State Convention, where an election will be held to fill the vacancies.
2. If fewer than three (3) members are available to hear a case, the State Committee shall appoint temporary members on a case-by-case basis from among the Party membership or executive committee, provided they meet eligibility requirements, by a two-thirds ($\frac{2}{3}$) vote.
3. If a vacancy remains unfilled for more than 60 days, the State Committee may fill the position by a two-thirds ($\frac{2}{3}$) vote. If a suitable member cannot be found in the general membership, an additional member from the State Committee may be selected, provided that member is not an officer.

4. Members currently subject to proceedings before the Judicial Committee shall be temporarily removed while the investigation is ongoing.
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ARTICLE X: ELIGIBILITY FOR LEADERSHIP AND DELEGATE POSITIONS

Section 1. Eligibility Criteria

To be eligible for election as a delegate to the Libertarian Party National Convention or for any leadership position within the Unified Libertarians of Massachusetts (“the Party”), an individual must:

1. Be a dues-paying member in good standing of the Party for at least the immediately preceding 182 days.
2. For leadership positions (officers), have been a dues-paying member in good standing continually for at least the immediately preceding 182 days.
3. Not be affiliated with or provide material support to competing political parties and PACs, as defined in **Section 2**.
4. If registered to vote and the Libertarian Party is a recognized option for affiliation, be registered as a Libertarian. If the Libertarian Party is not a recognized option, not be registered as affiliated with any other political party, except during the brief period an undeclared voter may temporarily change their affiliation to vote in a partisan primary election on election day, provided they immediately switch back to undeclared status.
5. If a dues-paying member for more than one year, a lapse of less than 30 days in dues-paying status during the prior 365 days shall not disqualify eligibility for leadership positions unless such a lapse occurred within the prior 90 days.

Section 2. Definitions of Affiliation

For the purposes of this article, affiliation with another political party is determined as follows:

(a) Donor

An individual is affiliated with another political party if they have provided monetary or material support to that party within 182 days preceding the State Convention.

(b) Member

An individual is affiliated with another political party if, at any point from 182 days before the State Convention until the conclusion of the National Convention, they meet any of the following criteria:

- Registered to vote with another political party, excluding independent status (subject to exceptions in **Section 1**).

- Member of a Political Action Committee (PAC) that is directly affiliated with another political party.
- Active participant in the organizational structure of another political party (e.g., serving on a board, committee, or leadership role).

Section 3. Exclusions

Supporting or donating to individual candidates outside the Party—without supporting the party organizations they represent—does not constitute affiliation with another political party under this article.

Section 4. Verification of Eligibility & Credentials Committee

1. The State Party Secretary may verify a candidate's eligibility for a leadership position or delegate role. Verification may include, but is not limited to, reviewing publicly available records such as:
 - Voter registration records
 - Campaign finance reports
 - PAC affiliations and disclosures
2. If any member of the State Committee disputes the Secretary's determination, the State Committee may vote to challenge it. A challenge to the Secretary's decision requires a two-thirds ($\frac{2}{3}$) vote of the State Committee.

Section 5. Burden of Proof

1. The individual raising the dispute must provide supporting evidence, such as:
 - Donation records
 - Voter registration status
 - Documented participation in another party's organization
2. The Executive Committee may independently verify claims using publicly available records.

ARTICLE XI: SUSPENSION AND REMOVAL FOR MISCONDUCT

Section 1. Grounds for Suspension or Removal

A member may be suspended or removed from leadership, delegate status, or general participation in Party activities for any of the following reasons:

1. **Criminal Conduct** – Being charged with or convicted of a crime that brings the Party into disrepute or undermines its integrity.
2. **Financial Misconduct** – Theft, embezzlement, destruction, gross negligence regarding Party assets, or unauthorized use of Party funds, digital assets, donor records, or confidential Party information.
3. **Violations of the Non-Aggression Principle (NAP)** – Engaging in or advocating fraud, coercion, calls for initiation of force, or physical violence contrary to Party values.
4. **Unauthorized Representation** – Misrepresenting oneself as speaking on behalf of the Party without authorization, using Party assets for personal or unauthorized political purposes, running in an election as a “Libertarian” in competition with a candidate endorsed by the Party, or providing significant support for a candidate doing the same.

Section 2. Immediate Suspension

The State Executive Committee may vote to immediately suspend a member’s participation in Party activities (including leadership and delegate roles) if there is:

1. A pending criminal charge involving fraud, theft, violence, or other serious misconduct.
2. Reasonable suspicion of financial misconduct, asset theft, or unauthorized access to donor records.
3. Credible evidence of violating the Non-Aggression Principle (NAP).

An immediate suspension requires a three-fourths ($\frac{3}{4}$) vote of the State Executive Committee and remains in effect until a formal hearing is held.

Section 3. Removal Process

1. A motion for removal must be submitted to the State Executive Committee in writing, citing the alleged misconduct.
2. The State Executive Committee shall perform due diligence to notify the member in writing, expeditiously, and at least 10 days before the hearing.
3. The State Executive Committee shall hold a hearing within 30 days of receiving the motion. The individual facing removal shall have the right to speak on their own behalf and present evidence before the vote.
4. Removal from Party membership requires a three-fourths ($\frac{3}{4}$) vote of the State Executive Committee. No membership shall be terminated under this section in the 60-day period prior to an annual State Convention.

Section 4. Appeal Process

1. A removed individual may appeal the decision to the Judicial Committee within 21 days of the removal. The Judicial Committee shall set a date for hearing the appeal between 14 and 30 days of receipt of the appeal and notify the appellant, who shall have the right to appear and present evidence and argument.

2. The Judicial Committee shall issue a final ruling within 30 days, either upholding or overturning the removal. If the Judicial Committee refuses to hear the appeal or does not rule within 60 days of the termination, the individual shall be immediately reinstated as a member.
3. If the Judicial Committee upholds the removal, the decision is final unless overturned by a two-thirds ($\frac{2}{3}$) vote at the next regular State Convention. A terminated member may not rejoin the Party until after the State Convention.

Section 5. Reinstatement After Suspension

1. A suspended or removed individual may request reinstatement if:
 - Charges are dropped, or the individual is acquitted.
 - New evidence exonerates the individual of wrongdoing.
 2. Reinstatement requires a three-fourths ($\frac{3}{4}$) vote of the State Executive Committee.
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Summary of Articles

Article IX: Judicial Committee

Goal

- Establish an independent, internal body to resolve formal disputes, appeals, and allegations of Bylaws violations within the Party.
- Guarantee due process via clear procedures for hearings, decisions, and recusal in cases of conflict of interest.
- Provide a final internal avenue for members to appeal disciplinary actions or membership status decisions, subject to possible override by a two-thirds ($\frac{2}{3}$) vote at a State Convention.

Key Points

- **Membership & Terms:** Composed of three members in good standing, serving two-year terms with no term limits; at most one may serve simultaneously on the State Committee, and none may be an officer.
- **Procedures:** Must operate under rules consistent with *Robert's Rules of Order Newly Revised*, ensuring written notice, opportunity to present evidence, and fair deliberations.
- **Decisions & Appeals:** A majority vote is required for Committee decisions, which can be overturned by a two-thirds ($\frac{2}{3}$) vote of members at a State Convention.
- **Vacancies & Conflicts:** Clear procedures define how to fill vacancies or appoint temporary members if conflicts of interest prevent a quorum.

Article X: Eligibility for Leadership and Delegate Positions

Goal

- Clearly define who can serve as a delegate to the Libertarian Party National Convention or as a leader (officer) in the Unified Libertarians of Massachusetts.
- Protect the Party's integrity by requiring minimum membership durations and disallowing concurrent affiliation with competing parties (subject to limited exceptions).
- Provide a mechanism for verifying and challenging a candidate's eligibility.

Key Points

- **Membership Duration:**
 - Delegates must be dues-paying members in good standing for at least the preceding 182 days.
 - Officers must have continuous dues-paying membership for at least the preceding 182 days.
- **Registration Requirements:** If the Libertarian Party is recognized for voter registration, candidates must be registered Libertarians; otherwise, they must not be registered with another political party (except for brief changes on a primary election day, if permitted by law).
- **Affiliation Rules:**
 - Individuals cannot provide monetary or material support to other political parties or serve in leadership roles in them.
 - "Donor" and "Member" are defined for determining affiliation with another party.
- **Verification Process:** The State Secretary may verify credentials using public records, subject to challenge by the State Committee with a two-thirds ($\frac{2}{3}$) vote.
- **Minor Lapse Exception:** Members of more than one year may have a lapse of under 30 days in dues-paying status without losing eligibility, unless it occurred within the prior 90 days.

Article XI: Suspension and Removal for Misconduct

Goal

- Provide formal procedures to suspend or remove members (including leaders or delegates) for serious misconduct that undermines Party values or integrity.

- Safeguard the Party's principles—particularly the Non-Aggression Principle—and financial resources by setting clear standards for immediate suspension and permanent removal.
- Preserve due process by outlining notice, hearing, and appeal steps, including final review by the Judicial Committee or, in limited cases, the State Convention.

Key Points

- **Grounds for Removal:** Criminal conduct, financial misconduct (e.g., theft or gross negligence of Party assets), violations of the Non-Aggression Principle, and unauthorized representation or support of conflicting candidacies.
- **Immediate Suspension:**
 - A three-fourths ($\frac{3}{4}$) vote of the State Executive Committee is required.
 - Used when urgent circumstances—such as criminal charges or credible evidence of serious wrongdoing—demand prompt action.
- **Removal Process:**
 - Requires a three-fourths ($\frac{3}{4}$) vote of the State Executive Committee after proper notice and a hearing.
 - No membership termination may occur within 60 days prior to an annual State Convention.
- **Right to Appeal:**
 - The member may appeal to the Judicial Committee within 21 days.
 - The Judicial Committee must rule within 60 days or the member is reinstated.
 - If removal is upheld, it can be overturned only by a two-thirds ($\frac{2}{3}$) vote at the next State Convention.
- **Reinstatement:** If charges are dropped or new evidence exonerates the individual, they may request reinstatement, which requires a three-fourths ($\frac{3}{4}$) vote of the State Executive Committee.