

Judicial Committee Rules of Appellate Procedure

As Amended ~~2014~~ 2016

1. The Judicial Committee shall take action only when its 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 who or 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 Chair in his or her discretion 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. Within seven days following receipt of such petition(s) (or promptly, if the request is received during a National 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 seven days (or promptly, if the request is received during a National Convention) ("response").

3. If the Committee is called into action during a National Convention, the Chair shall convene the Committee as soon as is reasonably possible, and 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, who may observe, but not participate in, the proceedings. 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.

4. When such petition(s) is received at any time other than during a National Convention, the Chair shall contact and advise the other Committee members by phone at their last known number (where possible), or by electronic mail for which the member(s) acknowledge receipt, within seven days of receiving the request. Within ten days after providing a copy of the petition(s) to the prospective respondent(s), the Chair shall forward a copy of the petition(s) and 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 he or she has been sent. A copy of the petition(s) and any response(s) shall be made available electronically to any sustaining member upon request. The Committee may by a majority vote redact portions of the petition(s) and response(s) so made available.

5. When such petition(s) is received at any time other than during a National Convention, the Committee members shall review all material they are sent within seven days of receiving it, and each member shall advise the Chair as soon as he or she has done so.

6. After the Chair has been advised by at least two other Committee members that they have reviewed the materials provided, he or she 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 ~~a majority~~ all of the Committee members request a physical gathering, the meeting shall take place by telephone conference or videoconference. Any meeting shall be open to sustaining members, who may observe (but not participate in) the proceedings. The Committee may ~~in its discretion choose to consider the matter~~ by a 2/3 vote deliberate in open session; otherwise, deliberations shall be in executive session, ~~but~~ However, any oral arguments shall be in open session and 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. 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 10 days after the meeting.

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

8. 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 overnight delivery service, fax or electronic mail.