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### **RESOLUTION TO THE LIBERTARIAN NATIONAL COMMITTEE**

**Whereas** the COVID-19 pandemic has caused a situation interrupting the ability of organizations and individuals to conduct business as usual;

**Whereas** many states have laws requiring political parties to submit the names of their candidates for office and/or Electors for the offices of President and Vice-President of the United States at a date before which it would be practical to hold an in-person nominating convention;

**Whereas** it is a fundamental right of a body to deliberate on matters that affect the body as a whole;

**Whereas** The Libertarian Party Bylaws require a Regular Convention every two years, at a time and place selected by the National Committee, to be held sometime during the period of July of an odd-numbered year through August of an even-numbered year, and all business is required to be conducted at Regular Conventions and shall be conducted at Regular Conventions only;

**Whereas** the Chair of the Libertarian Party ruled that “place” in the Bylaws can mean a virtual convention in a situation where it is impossible for the vast majority of the selected delegates in the party to travel to a physical location, and was subsequently overruled by the members of the Libertarian National Committee convened in a meeting on May 9, 2020;

**Whereas** the Bylaws of the Libertarian Party do not specifically allow a Regular Convention to be held online;

**Whereas** an online forum to be used for the purposes of conducting a Regular Convention should allow each participant, accessed through his or her own computer or other device, the ability to view the current list of all participants—with an indication of which member has the floor or which members are seeking recognition by the chair—and can seek recognition, submit motions in writing, view the text of pending motions, vote, and view the results of a vote;

**Whereas** previous attempts to hold online meetings which would simulate an online convention have not adequately allowed participants the ability to view the current list of all participants, have not adequately indicated which member has the floor or which members are seeking recognition by the chair, have not adequately shown how motions may be submitted in writing nor how current or pending motions are to be viewed;

**Whereas** the sanctity of the secret ballot must be preserved as well as the transparency of the results upheld;

**Whereas** Robert’s Rules of Order Newly Revised, being the governing document in the absence of specific Bylaws or Special Rules of Order state that action taken by officers,

committees, delegates, or subordinate bodies in excess of their instructions or authority must be ratified by the body during a subsequent in-person meeting to carry out decisions made at an electronic meeting of a body for which such meetings are not authorized;

**Whereas** the Libertarian National Committee decided to hold a bifurcated Regular Convention to nominate candidates for President and Vice-President of the United States in an online “first sitting” on Friday, May 22, 2020, with an in-person “second sitting” to be held July 8 – 12, 2020, in Orlando, Florida, for all other remaining convention business;

**Whereas** the Chair has shown a lack of impartiality as well as intent to carry out all of the business of the Libertarian Party in the form of a Regular Convention online; and

**Whereas** a Bylaws-mandated standing Judicial Committee was not properly elected at the previous Regular Convention and therefore cannot be called for review;

**now, therefore, be it *Resolved***, that the Libertarian Party of California:

1. recognizes the extraordinary circumstances in which we find ourselves during this COVID-19 pandemic;
2. acknowledges a potential need to conduct business remotely in extraordinary times;
3. rejects the authority asserted by the Libertarian National Committee to hold a bifurcated convention in which a “sitting” is held online, and calls this event by its true function: a caucus;
4. acquiesces to a limited online caucus for the specific purpose of nominating candidates for the offices of President and Vice-President of the United States, respectively;
5. recognizes that, while the intent is that the result of this vote will be ratified at a later in-person convention, this vote will be non-binding, per our party’s rules and historical precedent;
6. retains the Libertarian National Committee’s decision to overrule the Chair, declaring that a “place” as defined by the Bylaws of the Libertarian Party cannot mean a virtual convention;
7. affirms that the rights of members to debate and make motions cannot be suppressed and are paramount to order and transparency;
8. remains obstinate in adhering to the Bylaws of the Libertarian Party;
9. declares any business conducted during the online caucus to be out of order;
10. holds that any attempt to make impossible or unnecessary an in-person convention of the delegates of the Libertarian Party at a Regular Convention, as required by the Bylaws, to be subversive and the meeting in which such attempt is made to be in violation of the Bylaws and therefore illegal;
11. deems any decisions made in an illegal meeting to be null and void, unless subsequently ratified by the delegates at an in-person convention.

**This motion was adopted by the Libertarian Party of California’s Executive Committee on May 14, 2020 per the Party’s Bylaws and governing documents.**