

**Opinion of Judicial Committee Member Ken Krawchuk
In the matter of Martin vs. LNC
April 8, 2026**

Regarding the six items listed under “Relief Requested” in the matter of Martin v. LNC received February 17, 2026, here is my take:

1. Declare that James Wiley was a sustaining member in good standing at the time of his election or, at the latest, upon renewal on May 15, 2025;

Mr. Wiley was admittedly not a member in good standing at the time of his first election. Once he renewed his membership, he was therefore in good standing, subsequently elected, and at that point was duly and properly seated. Therefore, I vote to sustain the LNC’s action of refusing to seat Mr. Wiley until the defect was rectified. Seems to me to be a no-brainer.

2. Declare that no officer had authority to suspend Mr. Wiley’s membership rights or void the Region 1 election without regional action or formal disciplinary process;

Although it is true that no officer has that authority, Mr. Wiley’s membership rights as a member of the LNC were not suspended because they did not yet exist. The Region 1 election chose someone not qualified for the position, therefore he was not qualified for the position (duh), and could not and did not serve until after he was elected. The LNC Chair was indeed within his authority by refusing to seat Mr. Wiley until the defects were rectified. Therefore, I vote to sustain the LNC’s action of refusing to seat Mr. Wiley. Another no-brainer.

3. Declare that the LNC action purporting to sustain the Chair’s ruling was invalid and of no force or effect;

That ruling affirmed that Mr. Wiley cannot serve until after his second, valid election. A third no-brainer. Therefore, I vote to sustain the LNC’s action of refusing to seat Mr. Wiley until the defects were rectified.

4. Affirm the validity of Mr. Wiley’s election as Region 1 Second Alternate;

The Judicial Committee has no authority over Region elections. Regardless, everyone agrees he was elected twice, once as an ineligible LNC candidate, and once as an eligible LNC candidate. This point can be ignored.

5. Clarify that membership rights may not be suspended for dues lapse absent explicit bylaw authority and due process; and

This is true in general, but it has no bearing on the appeal at hand. Remember that Mr. Wiley was not yet a member of the LNC, so no due process was due him. A fourth no-brainer.

6. Recommend adoption of clear, uniform procedures governing sustaining-membership lapses, notice, and opportunities to cure, consistent with the Bylaws and Robert’s Rules of Order.

The Judicial Committee has no duty to clarify anything. That duty lies with the convention delegates. This point can be ignored.

Bottom line: I vote to sustain the LNC’s action of refusing to seat Mr. Wiley until after the defects were rectified. Once rectified, he should be and was seated.

Here are some follow-up thoughts:

7. Signing the pledge was not at issue here.
8. I see no need for Mr. Seebeck to recuse. There is no prohibition for any JC member to speak on any issue at any time.
9. A 2009 JC ruling—or *any* prior ruling, for that matter—is not binding on any future JC. It is pointless to mention them. Every appeal is different, and should always be viewed in a fresh light.
10. It is not our duty to tell the LNC to abide by any prior Judicial Committee ruling. Should the LNC fail to abide by a Judicial Committee ruling, the delegates are free to appeal that shortcoming.
11. Since the requested remedy was already in place long before Mr. Martin filed his appeal with the Judicial Committee, there was no reason to waste everyone’s time with a pointless hearing a full nine months after the supposed infraction. The appeal should not have been accepted as being moot.

12. Several of the requested remedies are clearly outside the authority of the Judicial Committee. Perhaps those members considering filing an appeal should be required to take a brief exam before filing an appeal on what the Judicial Committee is capable of doing.
13. To file an appeal, the bylaws stipulate a certain number of delegates must sign a petition before the matter can be brought to the Judicial Committee. By signing, those delegates effectively become co-plaintiffs on the appeal. A resolution was proposed by Mr. Latham of this Committee that "*[G]oing forward, the names of signatories supporting appeals shall not be kept private and shall be included as part of the official record of the appeal.*" A formal vote was never taken on the resolution, nor were any results announced by the Committee Chair. However, fellow Committee member Mr. Kinsella reported that "it seems 5 of us at least favor transparency," implying that we as a Committee informally agreed that defendants have the right to know who is accusing them of wrongdoing. Therefore, out of common decency (and at the suggestion of Mr. Kinsella), I have appended those names to this opinion as Exhibit 1 below, minus any Personally Identifiable Information (PII).
14. Regarding the Judicial Committee itself, during my term I've found that it is a microcosm of the Libertarian Party as a whole—which in fairness, is what it should be. But as a result, it can be more than challenging to serve with some of its members. For example:
 - a) It should come as no surprise that more than one of our members—like some Libertarians—are routinely rude, and refuse to come to order when requested by the Chair and other committee members.
 - b) As the absolute worst example, one resident JC boor made fun at the expense of another member's daughter who is suffering from leukemia. It is difficult to strike a lower blow than that. Sadly, there are numerous other personal attacks as well, although none so heinous.
 - c) To be fair, the problem does not lie only with a boorish member, but also with the Judicial Committee's appellate rules of procedure which do not speak to internal discipline. So even if a vote were held to censure the boor—which there was—of what value would the censure be? None, seeing how there is no possible retribution available. Nor could the problem with the rules be corrected, as the rules themselves do not allow for updating the rules mid-term. Bottom line: We're stuck with an unruly, childish boor.
 - d) Given that the JC is a microcosm of the LP, of course we have our primadonna. In one case, when asked for a constructive suggestion about how to deal with our overly-rude member, the reply was, quote: "You're asking ME that? The guy who has been studying [RONR] for YEARS? The guy who cites it regularly? REALLY? I am the closest thing to a parliamentary expert on this committee. Do your own homework." Unquote, with emphasis in the original. But despite such impressive credentials, were any suggestions put forth on how to deal with our repeatedly-out-of-order boor? No.
 - e) Compounding the internal strife, what do you get when you cross a primadonna with a boor? More microcosm. So when the boor says, quote: "How sad it is to see the ignorant chuckling to themselves, blissfully unaware of how unfortunate their situation truly is," the primadonna helpfully replies, "If ignorance is bliss, then you must be orgasmic." At least the boor stayed in character by responding, "Ah, the classic 'I'm rubber you're glue' retort. Very clever...for you." That brought yet another pointless retort: "You truly live up to your name. Bless your heart." Of course there's far too much more of this sort of nonsense I could quote, but this one exchange should give you a good idea of what life is like in the JC: It's Peewee Herman personified, over and over—as recently as today! How can rational deliberations occur in such a welcoming environment? It isn't easy, believe you me.

To help rectify such unprofessional behavior, today I made a motion to declare the chair vacant and elect a new one who is more professional. At the time of this writing, it has been seconded but not yet disposed of, so stay tuned.

- f) If boors and primadonnas weren't enough—either individually, or repeatedly riffing off each other—it gets worse because another microcosm of the LP is our love of arguing over our party rules. So it's no surprise that too much of the current Judicial Committee membership consists of lawyers. Such arguing is what they routinely do in real life. Most normal people speak in sentences, but these lawyers seem to always speak in paragraphs, calling it "completeness." Given the seriousness of our responsibilities, merely telling them "tldr" isn't a proper response; you must slog through it all. But what truly complicates any understanding of their tomes is their repeated use of their legal profession's training. It is constantly surfacing, sometimes blatantly, and too often subtly. The blatant ones include things like citing judicial decisions from jurisdictions foreign to our party rules, Latin lingo, and obscure journal references. The subtle ones can be recognized by their carrying over base assumptions from other jurisdictions, such as forced recusals, honoring precedent as gospel, restrictions on free speech, even how

footnotes are mis-formatted, none of which appear in the LP or JC party rules. Even some of their vernacular requires interpretation, such as “*id.* Article 7.4, *supra*”, whatever that means (emphasis in original). In short, the lawyers are serving the wrong master. Even some non-lawyer members of the LNC apoplectically suffer some of these afflictions, particularly the self-proclaimed RONR “experts.” This inhibits reasoned deliberations, while meanwhile the lawyers on the Judicial Committee continue to play at being lawyers.

- g) Aside from the lawyers, boors, and primadonnas, and in keeping with the microcosm of the LP, there is also your typical, normal person. Of course he's in the minority and characteristically quiet, contributing only a small fraction of the 7,000+ (!) postings to the JC internal e-mail list. But despite long stretches of silence, his contributions are typically more than worthwhile, and his postings are often a relief to read, especially compared to that of other, less professional members.
- h) And then there's me, caught in the middle. Not that I'm any paragon of perfection myself. I just fancy calling things as I see them.

15. With a Judicial Committee made up of a microcosm like that, what can be done to make it function better? How can we stop Libertarians from being Libertarians? Here are a few modest proposals:

- a) **Always publicly include the list of co-appellants who signed the petition for any appeal.** See 13 above. Claims of “preventing retaliation” are overblown. What possible retaliation could there be, other than revealing the signer's opinion? If a person is afraid of retaliation, they should not be pointing fingers in the first place. Secrecy begets tyranny, as we all know.
- b) **Please do not elect any lawyers to serve on the Judicial Committee.** See 14.f above. And to quote Thomas Sowell, “You will never understand bureaucracies until you understand that for bureaucrats procedure is everything and outcomes are nothing.” For lawyers, too. Remember that the cops who murdered P-nut the squirrel were following all the rules, but ended up doing the wrong thing anyway.
- c) **Amend the Bylaws to eliminate Robert's Rules of Order from the Libertarian Party.** Virtually all the wrangling in hearings and behind the scenes is a contest to see who can find the most obscure reference to justify their view. The case at hand is an excellent example. The appeal cites RONR repeatedly regarding the rights of an LNC member—when the person in question was not yet a member of the LNC and ineligible to serve despite his election. In other instances, the argument is that the citation is only valid in Situation X, but this is Situation Y, even though the goal of either citation is still achieved. Such wrangling calls to mind the Monty Python skit about the People's Front of Judea vs. the People's Judean Front vs. the Judean Popular People's Front vs. the Popular Front of Judea.

There are numerous other formal rules of order that do not have the inherent problems in RONR. Without the crutch of the needlessly-over-detailed RONR, common sense would more-likely prevail.

- d) **Allow for the Judicial Committee Rules of Procedure to be amended during a Committee term.** Currently, once the rules are in place, that's it. They're there for the duration. But over the past few years, there have been several times where an amendment would be justified. To ward off improper changes to the rules, any change in mid-term should be ratified by a majority vote of the LNC.
- e) **Amend the Bylaws to allow for meaningful censuring of a Judicial Committee member,** including temporary suspension from the Committee when warranted. See 14.c above.
- f) **Allow for Jury Nullification for Judicial Committee decisions.** If a petition signed by ten percent of the delegates is enough to initiate an appeal, a petition signed by the majority of delegates should be enough to invert a Judicial Committee decision. In practice, that could mean that if the JC upholds a decision of the LNC, the delegates can invert the decision and nullify the LNC decision. Conversely, if the JC nullifies a decision of the LNC, the delegates can invert that decision and uphold the LNC. The members of the Judicial Committee possess no special knowledge, skill, or talent, and can make no claim to be infallible. Judicial Committee Nullification would be a check on a rogue Judicial Committee.

16. I'll close with a final plea: If you're a fan of short, to-the-point, common sense rulings, please re-elect me, Ken Krawchuk, to the Judicial Committee at our upcoming convention in Grand Rapids.

Comments and suggestions are welcome, as always.

Exhibit 1
List of Co-Appellants

List of 2024 National Convention Delegate Signatories

Hector Roos	Samuel Ross	Joshua Parks
Nickolas Ciesielski	Josiah Baker	Richard Stafford
Angela McArdle	Michael Smith	Aaron Toman
Austin Padgett	Christopher Giannini	Paul Lynch
Bryce Thon	Dee Watson	Robert Derr
Dane Courtois	Paul Baratelli	Melissa Wong
Jim Humay	Rachael Nelson	Emily Rutherford
Sonja Feintech	Mitchell Wiecek	Roger Roots
Nathan Simms	Brian Telecky	
Jacob Bradley	Prince Agarwal	
Patrick Mitchell	Patrick McNally	Count: 100
Joseph Gamache	Michael McGovern	
Joseph Christman	Stephen Sechrest	
Richard Leach	Sean McNamara	
Alexander Grant	Robert Lodder	
Kat McElroy	Lawrence M. Ludlow	
Chris Grayson	Rick Thelen	
Hannah Goodman	Duwayne Moore	
Austin Martin	Skyler Welch	
Jacob Luria	Brodi Elwood	
James Wiley	Samantha McHugh	
Michael Vance	Benjamin Jones	
Eliseo Gonzalez	Paul Thompson	
Aron Lam	Matt Loesby	
Joseph DiBiasio	Morgen Mogus	
Nathan Romig	Gretchen Brocard	
Paul Thompson	Brett Ryan	
Daniel John	Tim Miller	
Austen Hoogen	Jade Pao	
Calvin Mingione	Melissa Wong	
Will Hobson	Jamie Frost Remy	
Scott Peterson	Dennis Pratt	
Zach Tatum	Sean Dempsey	
Andrew Watkins	Dan Belforti	
Andrew Roberts	Jessica Boudreaux	
Paul Bracco	Michael Heise	
Edward McLean	Steven Hoffman	
James RePass	Gerred Bell	
Travis Lerol	Ashley Buss	
Andrew Raines	Rees LaBree	
Jason Brand	Mario Ricci	
Reece Smith	Eliseo Gonzalez	
Matthew Lorence	Lucas Baumgartner	
Catrina Rocco	Kyle Furey	
William Richards	Trevor Step	
Warren Cunningham	Travis Bost	

List of Bylaws Sustaining Members Signatories

Hector Roos
Nickolas Ciesielski
Angela McArdle
Bryce Thon
Dane Courtois
Jim Humay
Sonja Feintech
Justin Fischer
Nathan Simms
Jacob Bradley
Wayne Wennberg
Bill Shaner
Patrick Mitchell
Joseph Gamache
Joseph Christman
Richard Leach
Alexander Grant
Edward Rhoads
Matt Johnson
Kat McElroy
John Shuster
Chris Grayson
John Pierce
Edmond R. Wilson
Zachary Houk
Will Hewitt
Hannah Goodman
Austin Martin
Jacob Luria
James Wiley
Michael Vance
Eliseo González
Aron Lam
Brad Thomas
Kurt Wildforster
Joseph DiBiasio
Justin Konchar
Daniel John
Austen Hoogen
Calvin Mingione
Donald Dotson
Scott Peterson
Mike Hunt
Hugh Jazz
Ivanna Tinkle
Harry Dyck
Michelle Davis
Michael Van Roy

Zach Tatum
Andrew Watkins
Andrew Roberts
Paul Bracco
Edward McLean
James RePass
Travis Lerol
Andrew Raines
Jason Brand
Reece Smith
Matthew Lorence
Victor Lodato
Brian Oeding
Catrina Rocco
William Richards
Steve Phillips
Warren Cunningham
Emilee Follett
Josiah Baker
Alex Ranniello
Christopher Giannini
Dee Watson
Joshua Salem
Rebekah Craig
Paul Baratelli
Rachael Nelson
Nicholas Lance
Michael Whalen
Brian Telecky
Patrick McNally
Michael McGovern
Lacy Troester
Stephen Sechrest
Sean McNamara
Jeffree Pitts
Alexander Egger
Larry Schneck
Robert Lodder
Rick Thelen
Abbra Green
Duwayne Moore
Skyler Welch
Brodi Elwood
Samantha McHugh
Nicholas Zehr
Benjamin Jones
Bret Konsavage
Matt Loesby

Paul Vincent
Morgen Mogus
Kenneth Guyer
Ross Metler
Brandi Huerta
Jade Pao
Melissa Wong
Clint Russell
Sean Dempsey
Matthew Fletcher
Dan Belforti
Jessica Boudreaux
Phillip McCombs
Matthew Cankar
Michael Heise
Steven Hoffman
Alfa Shaw
Wendy Hubbard
Gerred Bell
James burdette
John Kittleson
Ashley Buss
Rees LaBree
Mario Ricci
Eliseo Gonzalez
Jesse Campbell
Lucas Baumgartner
Trevor Step
Travis Bost
Jeanie Bost
Joshua Parks
Richard Stafford
Paul Lynch
William Richards
Michelle Davis
Emily Rutherford
Roger Roots

Count: 133