

IN THE SUPERIOR COURT OF CATOOSA COUNTY
STATE OF GEORGIA

JEFFREY K. LONG

Petitioner

v.

CATOOSA COUNTY REPUBLICAN
PARTY, AN UNINCORPORATED
ASSOCIATION; BETH CASS; RUTH
FANT; SHERRE BALES; JOANNA
HILDRETH; MARIE MOORE;
DEBBIE MORRISON; JANE DOE
AND JOHN DOE UNNAMED
ADDITIONAL MEMBERS OF THE
CATOOSA COUNTY REPUBLICAN PARTY

Respondents

Civil Action No.
SUCV2024000211

**Respondents' Emergency Motion and Brief in Support to Lift Temporary Restraining
Order and to Dismiss the Petition**

Come now, all Respondents, including but not limited to Catoosa County Republican Party, through counsel, and hereby move this Honorable Court, on an Emergency¹ basis, to immediately Lift the Temporary Restraining Order issued on March 5, 2024 and to Dismiss the Petition. All Respondents hereby make a special appearance, waiving no defenses, and explicitly preserving and asserting all of them, including but not limited to notice, service of process, sufficiency of process, or any other defense allowed under the Federal or State Constitutions, or the Civil Practice Act and State Law.

¹ State law dictates political party qualifying lasts only this week, and Respondents are in an impossible position: violate their own party rules and submit to forced speech and association by having the Republican Party associated with faux Republicans, thereby deceiving the public, or fail to be restrained from "...prohibiting the qualification..." of Petitioner(s).

Respondents respectfully request the immediate lifting of the Temporary Restraining Order and Dismissal of the Petition, as both are attempting to use government action to force Defendants to falsely speak, namely by falsely telling the public that Petitioner is a Republican Party candidate for office. Such forced speech by a political party is a clear violation of the First Amendment to the United States Constitution, and is a previously decided issue.

As Petitioners have not been “duly certified” by the chairperson and secretary of the Catoosa County Republican Party, they are not entitled under the law to qualify as Republican candidates for the Catoosa County Commission.² Petitioners have not been certified by the county executive committee of the Catoosa County Republican Party, and are not constitutionally and statutorily qualified for Republican ballot access.³

The Respondents therefore show the Court the following.

BACKGROUND

The Catoosa County Republican Party is the county unit of the Republican Party, as political organization founded in 1854 as opposition to the Democratic Party and its support for expansion of slavery. The Catoosa County Republican Party (hereinafter “Republican Party”) elects its leadership through a public process in odd-numbered years where Republican voters in each voting precinct elect delegates from their precincts to a county convention, and that county convention elects party officers from the county. All of these positions are volunteer and open to any Catoosa County voter choosing to participate in the process.

The Republican Party works to organize Republicans to get favorable policy and election outcomes, and inform the public about Republican activities, including but not limited to

² O.C.G.A. §21-2-130

³ O.C.G.A. §21-2-6

elections, voting records, and political news. Under state law, the Republican Party has the ability to place its candidates on the general election ballot, pursuant to its own rules.⁴

The Republican Party has a right to associate, or not associate, with candidates of its choice. The Republican Party passed rules, filed with the county election superintendent on February 1, 2024, explicitly documenting this preexisting right and putting all people considering candidacy for office on notice of the Republican Party's potential exercise of that preexisting right and the process that would be used. While the Republican Party may not have needed to do this, the Republican Party did so because it seeks increased political involvement, including actual Republicans running for office.

While numerous people offered themselves as Republican candidates, some of those who are the Petitioner(s) in this and related cases, had advocated for or voted for tax increases and restrictions on property rights. One endorsed a Democrat. Two are even the Defendants of a pending lawsuit, one of which was from when he was Chairman of the Board of Commissioners, for allegedly having a citizen removed during public comment for sharing information about his campaign donors.⁵

The members of the Catoosa County Republican Party have exercised their right to freedom of association by only qualifying those county candidates that reflect basic adherence to Republican Party principles and values, and has chosen not to allow county candidates who are not actually reflective of the Republican Party to run for office and buy primary elections through large campaign donors.

⁴ A true and correct copy of the Republican Party rules, on file with the Catoosa County Election Superintendent, is attached as Exhibit A

⁵ See *Battersby v. Steven M. Henry, Jeff Long, et.al*, Civil Action No. 4:22-CV-00129-JPB pending in the United States District Court in the Northern District of Georgia, Rome Division

FEDERAL CONSTITUTIONAL ARGUMENT

As clearly established by U.S. Supreme Court precedent, the Petitioners' request violates the Republican Party's constitutional rights. The request relief would be unconstitutional compelled speech and association, so there's very little chance the underlying claim would succeed.

I. The Republican Party has a Constitutional Right to Not Associate with Petitioner(s)

The Republican Party has a constitutional right to associate with who it wishes to, especially who it qualifies to run as a candidate for public office through its party ballot access.

The United States Supreme Court made this established right crystal clear:

“Consistent with this tradition, the Court has recognized that the First Amendment protects “the freedom to join together in furtherance of common political beliefs,” *Tashjian, supra*, at 214–215, 107 S.Ct. 544, which “necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only,” *La Follette*, 450 U.S., at 122, 101 S.Ct. 1010. That is to say, a corollary of the right to associate is the right not to associate. “ ‘Freedom of association would prove an empty guarantee if associations could not limit control over their decisions to those who share the interests and persuasions that underlie the association's being.’ ” *575 *Id.*, at 122, n. 22, 101 S.Ct. 1010 (quoting L. Tribe, *American Constitutional Law* 791 (1978)). See also *Roberts v. United States Jaycees*, 468 U.S. 609, 623, 104 S.Ct. 3244, 82 L.Ed.2d 462 (1984).

In no area is the political association's right to exclude more important than in the process of selecting its nominee. That process often determines the party's positions on the most significant public policy issues of the day, and even when those positions are predetermined it is the nominee who becomes the party's ambassador to the general electorate in winning it over to the party's views. See *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 372, 117 S.Ct. 1364, 137 L.Ed.2d 589 (1997) (STEVENS, J., dissenting) (“But a party's choice of a candidate is the most effective way in which that party can communicate to the voters what the party represents and, thereby, attract voter interest and support”). Some political parties—such as President Theodore Roosevelt's Bull Moose Party, the La Follette Progressives of 1924, the Henry Wallace Progressives of 1948, and the George Wallace American Independent Party of 1968—are virtually inseparable from their nominees (and tend not to outlast them). See generally E. Kruschke, *Encyclopedia of Third Parties in the United States* (1991).

Unsurprisingly, our cases vigorously affirm the special place the First Amendment reserves for, and the special protection it accords, the process by which a political party “select[s] a standard bearer who best represents the party's ideologies and

preferences.” *Eu, supra*, at 224, 109 S.Ct. 1013 (internal quotation marks omitted). **The moment of choosing the party's nominee, we have said, is “the crucial juncture at which the appeal to common principles may be translated into concerted action, and hence to political power in the community.”** *Tashjian*, 479 U.S., at 216, 107 S.Ct. 544; see also *id.*, at 235–236, 107 S.Ct. 544 (SCALIA, J., dissenting) (“The ability of the members of the Republican Party to select their own candidate ... unquestionably implicates an associational freedom”); *Timmons*, 520 U.S., at 359, 117 S.Ct. 1364 (“[T]he New Party, and not someone *576 else, has the right to select the **2409 New Party's standard bearer” (internal quotation marks omitted)); *id.*, at 371, 117 S.Ct. 1364 (STEVENS, J., dissenting) (“**The members of a recognized political party unquestionably have a constitutional right to select their nominees for public office**”).

California Democratic Party v. Jones, 530 U.S. 567, 574–76, 120 S. Ct. 2402, 2408–09, 147 L. Ed. 2d 502 (2000) (**Emphasis Added**)”

In that case, a proposition that would have created a blanket primary system in California was deemed unconstitutional, because it prevented political parties from having control over who it associated with, and burdened their ability to associate with what they want. Specifically, it forced the political parties to associate with candidates that it did not agree with, which led to the Supreme Court declaring it unconstitutional because it prevented parties from having freedom of association, or non-association. *Id.*

Justice Kennedy, concurring with the majority, also stated the following, when referencing the unconstitutional law:

“The true purpose of this law, however, is to force a political party to accept a candidate it may not want and, by so doing, to ****2415** change the party's doctrinal position on major issues. *Ante*, at 2411–2412. From the outset the State has been fair and candid to admit that doctrinal change is the intended operation and effect of its law. See, *e.g.*, Brief for Respondents 40, 46. It may be that organized parties, controlled—in fact or perception—by activists seeking to promote their self-interest rather than enhance the party's long-term support, are shortsighted and insensitive to the views of even their own members. A political party might be better served by allowing blanket primaries as a means of nominating candidates with broader appeal. Under the First Amendment's guarantee of speech through free association, however, this is an issue for the party to resolve, not for the State. Political parties advance a shared political belief, but to do so they often must speak through their candidates. When the State seeks to direct changes in a political party's philosophy by forcing upon it unwanted candidates and wresting the choice between moderation and partisanship away from the party itself, the State's

incursion on the party's associational freedom is subject to careful scrutiny under the First Amendment. For these reasons I agree with the Court's opinion.”

California Democratic Party v. Jones, 530 U.S. 567, 587, 120 S. Ct. 2402, 2414–15, 147 L. Ed. 2d 502 (2000)

The Petitioners in this case are trying to do exactly what Justice Kennedy clarified was prevented by the First Amendment: forcing a political party to “...accept a candidate it may not want...”. *Id.*

The political party in this case, the Republican Party, has determined that certain candidates have not met the criteria for association with the party on the Republican primary ballot. There is nothing stopping those candidates from running as members of other parties, as incumbents, or as independent candidate. But the Republican Party does not want to be associated with inauthentic Republicans who hurt the party, and the Supreme Court has made clear that making such a choice is a constitutionally protected activity that should be free from state interference. *Id.* The government may not compel a political party to give up its constitutionally protected right to select candidates.

To some, this may seem like a radical or foreign concept, since many people have gotten used to the idea that GOP and Democrat politicians are unaccountable to any set of principles or policy outcomes, often to the anger of voters. The cause for this failure is not due to the political party exercising its First Amendment right to choose candidates, but due to the political parties failing to exercise their First Amendment right to **not** associate with the politicians and candidates that have continuously failed to live up to their promises or to the party platform, which is exactly what is contemplated in *California Democratic Party v. Jones*.

The Republican Party must decide who “...becomes the party’s ambassador to the general electorate...”, Otherwise, people who would need to start a new Corporatist Party⁶ will continue to often buy ballot access with the Republican title, subverting the First Amendment guarantees of *California Democratic Party v. Jones* to have a “right not to associate”. *Id.*

II. Forcing the Republican Party to Falsely Designate Petitioner as Republican is Compelled Speech, which is Unconstitutional, in addition to Misleading the Public

“We set up government by consent of the governed, and the Bill of Rights denies those in power any legal opportunity to coerce that consent. “ *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 641, 63 S. Ct. 1178, 1187, 87 L. Ed. 1628 (1943).

Compelled speech is unconstitutional, as is interfering with a speaker’s desired message. *Rumsfeld v. Forum for Acad. & Institutional Rights, Inc.*, 547 U.S. 47, 61, 126 S. Ct. 1297, 1308, 164 L. Ed. 2d 156 (2006).

Here, the Republican Party wishes to speak a desired and accurate message: namely, that certain politicians are not in accord with the Republican Party and are not accurate or acceptable representatives of the Republican Party and therefore should not appear as “Republican” on any ballot, including the primary ballot. The Republican Party has decided to send that message by simply not lying to voters by taking the speech act of qualifying them for the ballot.

Petitioners, in the order they drafted for the Court, seeks to compel that speech act. That is unconstitutional, and therefore should be lifted.

⁶ A theoretical party devoted solely to expanding government to use taxpayer money to fund and subsidize private businesses that are donors to politicians, limit competition, and generally make their profits mostly due to government spending

STATE LAW ARGUMENT

While this matter can be decided solely on the intrinsic constitutional issues described above, there are also issues of state law that independently require dismissal of the petition and lifting of the injunction as well. Petitioners have not met the requirements of the party's procedural rules under O.C.G.A. § 21-2-153, and are not entitled under the law to qualification as Republican candidates.

III. Petitioner Has Failed to Show an Emergency Justifying This Injunctive Relief, and Failed to Provide Adequate Notice

First, Petitioner(s) did not deliver a copy of any petition upon the Republican Party, any of its officers, or Respondents' counsel prior to the *ex parte* hearing held the morning of March 5, 2024. Petitioners' counsel each left a single voicemail message on Respondents' counsel's voicemail on March 4, 2024, which was not heard by Respondents' counsel until March 5, 2024, past any time that he could have attended the *ex parte* hearing, which, based on the constitutional law at issue, should never have been filed.

Second, Petitioner(s) should not have requested any action on an emergency basis, as Petitioners have had over a month to attempt to challenge the procedural rules of the Republican Party, and failed to do so.

State law requires that any person wishing to qualify with a political party to comply with all procedural rules of the party.⁷ The Republican Party published updated procedural rules of the party, filing them with the election superintendent for Catoosa County on February 1, 2024 days ago, requiring that any person wishing to qualify as a Republican, receive an affidavit (hereinafter referred to as "Qualifying Affidavit") from the Republican Party after approval of

⁷ O.C.G.A. § 21-2-153(b)(1)

the Republican Party's county committee. The Republican Party rules prohibit any member from qualifying a candidate as a Republican if such an affidavit has not been issued, and they specifically deem any unauthorized action to do so as "void and without authority".

Petitioners knew about these rules, some publicly spoke about them, and all interviewed with the Republican Party. The Republican Party held interviews and is still scheduled to hold interviews this Thursday, March 7, 2024, in order to potentially vote to issue more qualifying affidavits candidates.

Petitioners had plenty of opportunity to challenge the rules filed with the election superintendent but failed to do so. Now, Petitioners pursued an ex parte emergency motion, apparently because they did not like the outcome of the process. Therefore, Petitioners' injunction should be lifted due to *laches*. Prejudice would occur to the Republican Party by being forced, in the middle of qualifying, to qualify candidates that are not in accord with the Republican Party or its rules, when the validity of the rules could have been challenged months ago. The harm of having people falsely on the ballot as Republicans would be immediate and irreparable

IV. Petitioner is Not Eligible to Be Qualified, as they Have Not Complied with the Republican Party's Procedural Rules

Georgia state law dictates that any candidate wishing to qualify with a party must comply with all procedural rules of the party with which they are seeking to qualify.⁸ As stated above, the Republican Party rules require a candidate to have a Qualifying Affidavit, issued upon the

⁸ "The respective county executive committees of each political party shall formulate, adopt, and promulgate rules and regulations, consistent with law and the rules and regulations of the state executive committee, governing the conduct of conventions and other party affairs. No such rule and regulation shall be effective until copies thereof, certified by the chairperson, have been filed with the superintendent of the county." O.C.G.A. § 21-2-111(c).

approval of the county committee via vote, to approve any candidate wishing to appear as a Republican on the ballot.

Petitioners have failed to receive Qualifying Affidavits from the Republican Party, as the Republican Party has not voted, pursuant to the party rules on file with the county election superintendent, to issue them such an affidavit.⁹

While some may wonder if these rules are applicable and enforceable, state law has dictated that they explicitly are. In fact, the code section regarding party rules explicitly deems them to having to be followed by any candidates seeking to qualify with a political party.¹⁰

Qualifying the Petitioner(s) would be a violation of the party rules on file with the county election superintendent, and thereby subject the party to potential legal action for not following its own rules.

V. Petitioner is Not Being Immediately and Irreparably Harmed, as Petitioner is Able to Run for Office as Independents, Democrats, or any other political body

For an injunction to be valid, in addition to it being constitutional, it must meet a number of criteria.

Those criteria include “(1) whether there exists a substantial threat that a moving party will suffer irreparable injury if the injunction is not granted; (2) whether the threatened injury to the moving party outweighs the threat and harm that the injunction may do to the party being enjoined; (3) whether there is a substantial likelihood that the moving party will prevail on the

⁹ While Respondent does not know the reasons why each individual member of the county committee made the decisions they did on who to vote to qualify, it is possible that Petitioners were not yet approved for or received a Qualifying Affidavit due to advocating tax increases and/or restrictions on property rights, both of which would indicate a lack of accord with the Republican Party

¹⁰ “Any person seeking party office in a primary shall be governed by this chapter relating to a person seeking party nomination in a primary insofar as such application is practicable.” O.C.G.A. § 21-2-111(d).

merits at trial; and (4) whether granting the interlocutory injunction will not disserve the public interest.” *Davis v. VCP S., LLC*, 297 Ga. 616, 621–22, 774 S.E.2d 606, 612 (2015).

Here, there is obviously no irreparable harm to Petitioner, as the petitioning individual can seek to run for office as an independent candidate by filing a notice to run as one by the end of the statutory period, which is the end of this week.¹¹ Incumbent candidates have an even easier path for a run as an independent, as they would not need to have a nominating petition to do so.¹²

Irreparable harm, however, to the Republican Party would occur if the injunction were to stand. If non-Republicans use the Republican Party brand in their quest for political power, and regularly betray the party’s principles, it hurts all Republican candidates both locally and statewide. This harm far outweighs any possible harm to the Petitioner because the Republican Party’s brand reputation suffers. This not only costs the party’s candidates votes, but hurts the party’s long term reputation and, most importantly, allows bad policies to be enacted through government, hurting the citizens at large. This is what the Republican Party believes will occur if Petitioner(s) are allowed to qualify.

Instead of Petitioners simply running as non-Republicans, they advance a position held by David Duke, by seeking to force association with an “unwilling partner”, namely the Republican

¹¹ “Each candidate for a county office, or his or her agent, desiring to have his or her name placed on the election ballot shall file notice of his or her candidacy in the office of the superintendent of his or her county during the period beginning at 9:00 A.M. on the Monday of the thirty-fifth week immediately prior to the election and ending at 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays, in the case of a general election and no earlier than the date of the call of the election and no later than 25 days prior to the election in the case of a special election;” O.C.G.A. § 21-2-132(d)(3)

¹² “(e) Each candidate required to file a notice of candidacy by this Code section shall, no earlier than 9:00 A.M. on the fourth Monday in June immediately prior to the election and no later than 12:00 Noon on the second Tuesday in July immediately prior to the election, file with the same official with whom he or she filed his or her notice of candidacy a nomination petition in the form prescribed in Code Section 21-2-170, except that such petition shall not be required if such candidate is:

...

(3) An incumbent qualifying as a candidate to succeed himself or herself;” O.C.G.A. § 21-2-132(e)(3)

Party.¹³ In Duke, David Duke attempted to force the Georgia Republican Party to qualify him as a candidate for President. The Eleventh Circuit Court of Appeals held that the party did not need to accept him as a candidate for President, due to the right to freedom of association (or disassociation) guaranteed by the First Amendment.¹⁴

As the Duke case was decided well before Democratic Party of California v. Jones, it shows that the likelihood of the Petitioners here winning on the merits of their Complaint is very low, as the Courts have been regularly holding that political parties can choose to associate, or disassociate, as they, through the volunteer party leadership, so choose.¹⁵

VI. Petitioners Inaccurately Stated Critical Facts in Their Petition, Namely, a false claim That No Party Rules Had Been Filed With the Election Superintendent

In the Verified Petition seeking injunctive relief, Petitioners state on Page 4, Paragraph 17 that “Defendant Catoosa County Republican Party failed to file any rules and regulations required to be followed prior to qualifying with the Election Superintendent of the County in accordance with O.C.G.A. § 21-2-111(c). Therefore, prohibiting Plaintiff from qualifying is improper.”

¹³ Duke v. Massey, 87 F.3d 1226, 1234 (11th Cir. 1996)

¹⁴ *Id.*

¹⁵ ...“these persons are aware of the principles and platform of the Republican Party and can decide what presidential candidates are aligned with the party's views. Therefore, as leaders the membership of the party elected, they have been entrusted with the authority to make decisions for the party, and O.C.G.A. § 21–2–193 recognizes that these party leaders are in the best position to decide who should appear on Georgia's Republican Party presidential primary ballot.” Duke v. Massey, 87 F.3d 1226, 1234 (11th Cir. 1996)

That is a sworn an alleged factual statement by the Petitioner, saying that the allegations are “true and correct”. And that sworn factual statement was used by the Petitioner to have an injunction issue from this Honorable Court.

And it is simply false, as proven by public record, and provided here as the attached Exhibit A. The stamp on the Republican Party rules is from their filing, pursuant to O.C.G.A. § 21-2-111(c).

VII. Petitioner Has Not Met the Requirements of the Party’s Procedural Rules Pursuant to O.C.G.A. § 21-2-153

It is not a responsibility or obligation of the Respondents to justify Petitioners’ failure to comply with the procedural rules of the party he is seeking to qualify with. “[T]he entire burden is placed upon [the candidate] to affirmatively establish his eligibility for office.” Haynes v. Wells, 273 Ga. 106, 109, 538 S.E.2d 430, 433 (2000).

Here, Petitioner has not met his burden.

CONCLUSION

Political parties and individuals have a First Amendment right to freedom of association and disassociation.

Political parties and individuals have a First Amendment right to not be compelled to speak or support falsehoods, including and not limited to by qualifying candidates for office that they would rather choose not to associate with.

And finally, Georgia law specifically dictates that individuals may only qualify with political parties if those individuals are in accord with the procedural rules of the party, which Petitioner is not.

For any or all of the above reasons, the *ex parte* injunction entered on March 5, 2024 should be lifted, and the Petitioner’s petition should be dismissed.

/s/ Jordan Johnson

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CERTIFICATE OF SERVICE

I have served this **Respondents' Emergency Motion and Brief in Support to Lift Temporary Restraining Order and to Dismiss the Petition** on every party by electronic e-file service to Petitioner's Counsel.

Dated March 6, 2024.

/s/ Jordan Johnson
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EXHIBIT A

Rec'd Catoosa County
FEB 01 2024
Elections & Registration

CATOOSA COUNTY REPUBLICAN PARTY 2023-2025 RULES

ARTICLE I

SECTION I: QUALIFICATIONS FOR PARTICIPATION IN PARTY AFFAIRS

Membership in the Catoosa County Republican Party is open to all qualified voters under the laws of the State of Georgia who are in accord with the principles of the Republican Party, believe in the declaration of policy and are in sympathy with its aims and purposes, and who are residents of Catoosa County. Any person thus eligible shall be admitted to membership in the Republican Party of Catoosa County upon submission of a membership application and payment of annual dues in amounts to be recommended by Catoosa County Republican Executive Committee and approved by the Catoosa County Republican Committee. Membership shall be based on a 12-month period beginning upon payment of member dues and ending at midnight on the anniversary date. In order to participate in meetings of the Catoosa County Republican Committee and meetings of the Catoosa County Republican Executive Committee, a member must be placed on such boards by procedural due process contained in Article II, Sections IV, V and VI, and furthermore the person must remain a registered voter in Catoosa County. Catoosa County Republican Committee members and Catoosa County Republican Executive Committee members must be dues-paying members of the Catoosa County Republican Party. Precinct chairmen and Executive Committee officers elected at a Precinct Caucus or County Convention must become dues-paying members before the first Catoosa County Republican Committee meeting held after their election. Visitors are always welcome at general meetings.

Membership dues are not required to participate in Catoosa County Republican Party Precinct Caucuses or County Conventions. All qualified voters under the laws of the State of Georgia who are in accord with the principles of the Republican Party, believe in the declaration of policy and are in sympathy with its aims and purposes, and who are residents of Catoosa County, may participate in the Catoosa County Republican Party Conventions or Precinct Caucuses in the respective jurisdictions.

SECTION II: PUBLICATIONS OF QUALIFICATIONS FOR PRECINCT CAUCUSES AND COUNTY CONVENTIONS

The qualifications for participation in Catoosa county Republican Party Conventions or Precinct Caucuses shall be published in all official Calls for such meetings, as stated herein, and as may be hereafter prescribed by the State Committee, and pursuant to the rules of the Republican National Committee.

SECTION III: PURPOSE OF PARTY

1. Electing Republican Candidates

In accordance with the rules of the 14 District Republican Party of Georgia, the Catoosa County Republican Party shall provide support in electing the Republican nominee for all National, Statewide, Districtwide, Countywide, and local elections taking place within the boundaries of Catoosa County.

2. Candidate Signature of Republican Oath

Any candidate who wishes to qualify as a Republican in Catoosa County must sign the following oath: "I do hereby swear or affirm my allegiance to the Georgia Republican Party."

3. Supporting Republican Candidates During the Primary

County Committee members shall not use their official title in any manner in connection with their support of any candidate for any public office in the State of Georgia in either a special election or for the Republican nomination in a primary where there is at least one other announced Republican candidate.

This section shall not stop any member of the committee from personally supporting a particular Republican candidate in a contested primary, but he/she shall not do so using his or her official Republican Party title. This rule shall not conflict with any District or State prohibition on county officers working on political campaigns and those rules shall govern if the officer must resign his position within the Catoosa County Republican Party.

Anything in this section shall not prohibit duly qualified Republican candidates from having access to resources of the Catoosa County Republican Party such as voter's lists and access to meetings. The Catoosa County Republican Party is not obligated to provide any of the aforementioned resources unless requested by the candidate or representative of the qualified candidate, but the Catoosa County Republican Party shall use all attempts to ensure once provided, equal access and resources are given to all qualified Republican Candidates.

SECTION IV: CANDIDATE QUALIFICATION PROCEDURAL RULES

1 The Catoosa County Republican Party, pursuant to O.C.G.A. § 21-2-153, shall be the exclusive body to conduct qualifying for a Republican primary in Catoosa County or, more broadly, for seeking office as a publicly elected official as a Republican in Catoosa County.

2 In order to qualify for office as a Republican, a potential candidate must be approved by the Catoosa County Republican Party County Committee by a majority vote within twelve (12) months prior to the date he or she attempts to qualify.

3 In order to qualify for office as a Republican in Catoosa County, a potential candidate

must present, at the time of qualifying, a signed and notarized affidavit from the Catoosa County Republican Party Chairman or Secretary, stating the date and location of the meeting that the Catoosa County Republican Party County Committee voted to allow the proposed candidate to qualify for office as a Republican.

4 Any Catoosa County Republican Party officer, volunteer, committee member, or employee who takes any step toward qualifying someone not approved to do so by a majority vote of the Catoosa Republican Party County Committee or assists them in doing so through action or inaction, shall be deemed to have automatically and immediately resigned from the Catoosa GOP, and their actions shall be considered void and without authority.

5 These rules shall be included in the published notification for candidate qualifying.

ARTICLE II

SECTION I: COUNTY COMMITTEE

1 There shall be a committee officially known as the "Catoosa County Republican Committee" hereinafter designated as the "County Committee," which shall be the governing body of the Catoosa County Republican Party and shall act as the Republican Party of and for Catoosa County in the interim between County Conventions.

2 There shall be an "Executive Committee of the County Committee" which shall hold the power to transact the administrative business of the Catoosa County Republican Party pursuant to these Rules and the direction of the County Committee. This Committee shall consist of the Officers, in Section 2 of this Article.

SECTION II: MEMBERSHIP OF THE COUNTY COMMITTEE

The County Committee shall consist of the following officers and members:

OFFICERS

1 The Chairman of the Catoosa County Republican Party who shall be the chairman of the Catoosa County Committee

2 First Vice-Chairman of the Catoosa County Republican Party

3 Second Vice-Chairman of the Catoosa County Republican Party

4 Third Vice-Chairman of the Catoosa County Republican Party

5 Secretary of the Catoosa County Republican Party

6 Treasurer of the Catoosa County Republican Party

MEMBERS

1 The Officers designated above

2 Parliamentarian (appointed by current Chairman)

3 Sergeant At Arms (appointed by current Chairman)

4 Communications Director (appointed by current Chairman)

5 Precinct Chairmen from all Precincts which have been organized by the governing election board of Catoosa County. As of the passage of these rules are: Boynton Precinct; Chambers Precinct; Ft. Oglethorpe Precinct; Catoosa-Keith Precinct; Lakeview Precinct; Poplar Springs Precinct; Westside Precinct; Ringgold Precinct; Woodstation Precinct; Graysville Precinct; and Blackstock Precinct.

SECTION III : MEMBERSHIP OF THE EXECUTIVE COMMITTEE

The Executive Committee shall consist of all the Officers designated in Article II,

Section II

SECTION IV: ELECTION OF OFFICERS AND MEMBERS OF THE COUNTY COMMITTEE

1 The officers of the Catoosa County Republican Committee shall be elected by a simple majority of the Delegates to the County Convention. Precinct Chairmen shall be elected by a majority of the participants in attendance at the Precinct Mass Meeting, or shall be selected as provided for below in Article II, Section V.

2 The Officers of the Catoosa County Republican Committee and the Precinct Chairmen shall hold office for (2) years and until their successors are qualified and duly elected, unless unable to perform their duties, no longer qualify for membership, resignation, or sooner removed from office in accordance with these Rules.

3 No person shall ever hold more than (1) vote at a Precinct Mass Meeting, and/or at the County Convention. No person shall ever hold more than (1) vote at a Catoosa County Party meeting unless aided by a proxy in accordance with these Rules.

SECTION V: PRECINCT CHAIRMEN

In the event a Precinct was not organized at the time of the Precinct Mass Meeting held prior to the County Convention or its Chairman leave office per Article II, Section IV, paragraph 2; the County Chairman may appoint a Chairman for that Precinct until the next County Committee meeting where an election shall be held and the winner shall be declared by a simple majority vote. The written notice of such meeting shall disclose the purpose of the meeting.

SECTION VI: VACANCIES

In the event of death, resignation, or removal of any officer or member according to

Article II, Section VII, the County Committee shall fill such vacancy by a simple majority vote at any properly constituted meeting of said County Committee within sixty (60) days of the occurrence of such vacancy. The First Vice-Chairman shall immediately fill the office of Chairman. Other offices may be temporarily filled by appointment by the Chairman, until the next regularly scheduled meeting. The written notice of such meeting shall disclose the existence of such vacancy and the purpose of the meeting to fill such vacancy by a simple majority vote.

SECTION VII: REMOVAL OF OFFICERS AND MEMBERS

1 Any Officer or Member may be removed from office for cause by the County Committee subject to the same terms and conditions as prescribed in Rule 6 of the State Rules for removal of Officers and Members of the State Committee. (Or subsequent rule) A 2/3 (two thirds) vote of the county committee is required for removal unless State, District, or these rules call for an immediate removal from office.

2 Members shall automatically lose their Committee membership if they miss three (3) consecutive meetings without sending a proxy and shall be notified of such by the County Secretary.

3 Anyone removed from office shall not hold any position in the Catoosa County Republican Party for a period of one (1) year.

SECTION VIII: MEETINGS OF THE COUNTY COMMITTEE AND THE EXECUTIVE COMMITTEE

1 Official meetings of the County Committee and the County Executive Committee shall be held on notification not less than ten (10) days prior to the meeting on the call of the Chairman or the call of one-third (1/3) of the members thereof. A majority of the voting members of the (respective) Committee in person or by proxy shall constitute a quorum for the transaction of business.

2 When a Local, State or National emergency is declared by the appropriate government official, the Georgia Election Code or the Rules of the Republican National Committee, or other immediate and urgent situation shall require action by the County Committee or the County Executive Committee in a time frame shorter than the notice period specified in Article II, Section VIII(1), the County Committee or County Executive Committee, as the case may be, shall be authorized to suspend the time period for notice or a meeting required under Article II, Section VIII(1) upon a two-thirds vote.

3 Attendance at a meeting of the State Committee or State Executive Committee by a member shall constitute a waiver by that person of any notice required for such meeting.

4 The County Executive Committee shall meet at least once every calendar quarter. The County Committee shall meet at least twice a year.

5 Written minutes of all business transacted at the County Committee meetings and County Executive Committee meetings shall be mailed or emailed upon request to every Member of the County Committee within ten (10) days after each meeting.

6 Notification used within this section shall be done via any of these methods;

a. Mailed via United States Post Office (post mark shall be considered date of notification)

b. Emailed to the email address provided by Committee Officer or Member (Date email is sent shall be considered date of notification)

c. Text (or equivalent) message sent to the number of record for the Committee Officer or Member, however, Text message notification shall not be permitted unless ALL members of that particular group have the ability to receive text messages. The Secretary shall ensure the ability of members to receive text messages once a member takes his/her position as a member.

SECTION IX: PROXIES

The members of the County Committee may be represented in all official matters by proxies, subject to the condition that any officer or member may direct his or her proxy only to another member of the County Committee and no committee member may vote more than two (2) proxies at a meeting. At meetings of the County Executive Committee, proxies may be directed only to another member of the Executive Committee. Proxies may only be cast on behalf of committee members who attended one of the previous (2) meetings.

SECTION X: ATTENDANCE AND VOTING BY ELECTRONIC MEANS

1. Meetings of the County Committee and the County Executive Committee may be attended in person, by proxy as provided in Article II, Section IX, or by audio or video conference call.
2. Except as to votes requiring a secret ballot, any action required or permitted to be taken by the County committee or the County Executive Committee may be taken without a meeting by written consent as follows:
 - a. The action must be evidenced by one or more consents in writing or by electronic transmission describing the action taken, signed (including electronically) by no fewer than the required number of Committee members, and delivered to the Catoosa County Republican Party Secretary.
 - b. Action taken by written consent shall be effective when the last Committee member required for approval signs and delivers the consent, unless the consent specifies a different effective date.
 - c. The Secretary of the Catoosa County Republican Party shall report to the members of the applicable Committee, the results of any matter as to which action is proposed to be taken by consent within eight (8) business days of submission to the Committee Members.
 - d. A consent signed and delivered by a Committee Member has the same force and effect as a vote cast by a Member at a meeting.

3. Votes cast and taken by audio or video conference call shall be taken pursuant to roll call vote, which roll call may be conducted electronically.

ARTICLE III

SECTION I: DUTIES OF THE COUNTY COMMITTEE AND THE COUNTY EXECUTIVE COMMITTEE

1 The County Committee shall, In the Interim between County Conventions, be vested with all the duties, powers, and privileges possessed by the County Convention and shall act for the Catoosa County Republican Party during such periods.

2 The County Committee shall call all County Conventions and Mass Meetings and the time and place for said meetings, and fix the basis of representation by delegates to the County Conventions in accordance with State GOP rules. The County Committee shall also call all primaries in accordance with State GOP rules as well as state and local laws.

3 Calls for County Conventions shall state the purpose of the convention, as well as the time and place of such convention, and shall notify each Precinct Chairman of the number of delegates and alternates to which each Precinct is entitled.

4 The County Committee shall cooperate with the State Committee and the GOP 14th District Committee in conducting all elections within the County.

5 The County Committee shall decide all controversies and contests within its jurisdiction, with the right of appeal to the District Committee. Appeals shall be taken to the District Committee within thirty (30) days after the decision appealed from by petition signed by at least twenty-five (25) qualified Republican voters of the Political unit affected.

6 The Executive Committee shall have the power to transact the administrative business and policy of the County Committee, and make recommendations to the County Committee for its consideration. Purchases may be made without calling an Executive Committee meeting so long as (1) at least two executive committee members agree to each purchase and have documentation of that agreement; (2) at least one of the two Executive Committee members agreeing to the purchase is either the Chairman or the Treasurer; and (3) the total amount spent does not exceed \$500 within a thirty-day period.

7 The County Committee may alter its Rules or Platform with the following provisions: Notice of the change shall be mailed or emailed to each County Committee Member ten (10) days before a meeting. The rules may be amended by the County Committee by a 2/3rds (two-thirds) vote of a quorum present. Upon a vote to change the rule or platform, it shall be passed and the rule(s) or platform will have been changed, and must be filed with the county authority responsible for keeping the party rules on file.

SECTION II: DUTIES OF THE COUNTY CHAIRMAN

The County Chairman shall be the Chief Executive Officer and spokesman of the Catoosa County Republican Party and shall perform the duties required by these Rules, the County Convention, the County Committee and the County Executive Committee. He or she shall issue calls for the County Conventions at least ten (10) days prior thereto, and shall preside until a temporary organization is elected. The County Chairman shall convene the County Committee when the needs of the Party may so demand, and shall preside at all meetings of said committee. He or she shall also appoint interim convention committees prior to the County Conventions, and shall provide for the timely distribution of all Convention related notices required by these Rules and the Rules of the Republican Party of Georgia. He or she shall ensure that the process of elections are monitored and protected by appointing poll watchers as available to all elections of a partisan nature in the county.

SECTION III: DUTIES OF THE FIRST VICE-CHAIRMAN

The First Vice-Chairman shall act for the County Chairman in his or her absence. He or she shall perform such other duties as may be prescribed by the County Committee or the County Chairman.

SECTION IV: DUTIES OF THE SECOND VICE-CHAIRMAN

The Second Vice-Chairman shall act for the First Vice-Chairman in his or her absence. He or she shall perform such other duties as may be prescribed by the County Committee or the County Chairman.

SECTION V: DUTIES OF THE THIRD VICE-CHAIRMAN

The Third Vice-Chairman shall act for the Second Vice-Chairman in his or her absence. He or she shall perform such other duties as may be prescribed by the County Committee or the County Chairman.

SECTION VI: DUTIES OF PRECINCT CHAIRMEN

Precinct Chairmen shall assist in selecting poll watchers for each election, compile lists of volunteers to work in the Precinct and cooperate with the Chairman and Vice-Chairman in promoting interest in the Republican Party its platform, and its Candidates within the Precinct.

SECTION VII: DUTIES OF THE COUNTY SECRETARY

The Secretary shall take minutes of the County Committee meetings and County Executive Committee meetings and shall be the custodian of all records, which are the property of the County Committee. The County Secretary shall also serve as secretary to all County Conventions until temporary organization of the convention is completed. He or she shall perform such other duties as may be prescribed by the County Committee or Chairman.

SECTION VIII: DUTIES OF THE COUNTY TREASURER

The Treasurer shall be custodian of the County party funds and shall deposit said funds in a bank selected by the County Executive Committee, which funds may be drawn against as prescribed by the Executive Committee. The Treasurer will also make a Treasurers Report to the County Committee at each and every meeting, and prepare and submit at any and all times when requested by the Chairman.

ARTICLE IV

SECTION I : COUNTY CONVENTIONS

There shall be held during each odd numbered year a County Convention for the purpose of reorganizing the Republican party of Catoosa County and for the purpose of transacting all necessary and proper business of the Party pertaining to the jurisdiction of the Convention, including the election of Officers and election of Delegates and Alternates to the Fourteenth Congressional District and State Conventions

SECTION II : CONVENTION BUSINESS DURING COMMITTEE MEETINGS

No official business shall be transacted at any Convention while any of its committees are in session.

SECTION III: REPRESENTATION AT COUNTY CONVENTIONS

Representation at County Conventions shall be in accordance with Rule 4.3 of the State Rules, or its Successor Rule.

SECTION IV: RULES AND ORDER OF BUSINESS

The County Committee shall prepare the Rules and Order of Business for the conduct of each County Convention in advance thereof

SECTION V: ELECTIONS OF OFFICERS

The election of Officers (see Article II, Section II) shall be conducted in the following manner:

- 1 The entire report of the Nominating Committee shall be made.
- 2 The Nominating Committee shall present all their nominations of Officers of the County Committee as a single slate.
- 3 Nominations shall be accepted from the floor for specific positions.
- 4 For positions wherein there is no challenge from the floor, the Nominating Committee's unchallenged nominees may be accepted or rejected as a slate.
- 5 For contested positions, individual elections of the Officers shall be conducted.
- 6 If more than two candidates are nominated for the same position and no candidate receives a majority of the votes cast, there shall be a run-off election between the two candidates receiving the largest number of votes.
- 7 In each contested election for an Officer, speeches shall be permitted, but limited in the following manner:
 - a. A total of (5) minutes shall be allotted to each nominee.
 - b. A maximum of (2) persons shall speak on behalf of each nominee, with each such speech being limited to (1) minute.

SECTION VI: ELECTION OF DELEGATES AND ALTERNATES TO DISTRICT AND STATE CONVENTIONS

1 The entire report of the Nominating Committee shall be made.

2 The Nominating Committee shall present all Delegates and Alternates to the District Convention as a single slate. After electing Delegates and Alternates to the District Convention, per the rules contained herein, the Nominating Committee shall present all Delegates and Alternates to the State Convention as a single slate.

3 Nominations shall be accepted from the floor for specific Delegate and Alternate slots.

4 For Delegate and Alternate slots wherein there is no challenge from the floor, the Nominating Committee's unchallenged nominees may be accepted or rejected as a slate.

5 For contested slots, individual elections of the Delegates shall be conducted, followed by individual elections of the Alternates.

6 If more than two candidates are nominated for the same position and no candidate receives a majority of the votes cast, there shall be a run-off election between the two candidates receiving the largest number of votes.

7 In each contested election, speeches shall be permitted, but limited in the following manner:

8 In each contested election for a delegate or alternate, speeches shall be permitted, but limited in the following manner:

- a. A total of 2 (two) minutes shall be allotted to each nominee.
- b. No speeches shall be allowed by anyone other than the nominee unless the nominee

is not present or otherwise chooses not to speak in which case the person nominating the candidate may speak with the same time limit in subsection (a) of this paragraph.


ARTICLE V

SECTION 1: RULES OF PROCEDURE

Robert's Rules of Order Newly Revised, latest edition, shall govern meetings of the County Committee, the Executive Committee and the County Convention, except where inconsistent with the Rules of The Catoosa County Republican Party, the Fourteenth Congressional District Republican Party, or the Georgia Republican Party.

As amended on January 31, 2024 by the County Committee of the Catoosa County Republican Party.


Sherre Bales, Secretary


Joanna Hildreth, Chairman