



Pat Mullins, Chairman
www.rpv.org
OFFICE OF GENERAL COUNSEL

Lee E. Goodman
Lee.Goodman@LeClairRyan.Com
(202) 659-6730

Chris Ashby
Chris.Ashby@LeClairRyan.Com
(202) 659-6706

March 23, 2010

Mr. Linwood Cobb
Chairman
Seventh Congressional District Republican Committee
11216 Byfield Court
Henrico, Virginia 23233

Re: General Counsel Opinion

Dear Chairman Cobb:

This General Counsel Opinion responds to your request dated March 9, 2010. You have asked two questions:

1. May a District Committee remove an ex officio member of the District Committee, who serves on District Committee by virtue of his membership on the State Central Committee, pursuant to Article VII, Section C of the Republican Party of Virginia's Plan of Organization ("State Plan")?
2. Does a duly elected member of the State Central Committee continue to serve as an ex officio member of the District Committee so long as he serves as the District's representative on the State Central Committee?

Question 1

Article VII, Sec. C of the State Plan provides, in pertinent part, that "any [] member of an Official Committee may be removed from office by vote of two-thirds (2/3) of the **other members of the Committee....**"

Pursuant to this rule, only two-thirds (2/3) of the members of the State Central Committee may vote to remove a duly elected member of the State Central Committee (subject to the conditions and procedures set forth in Article VII, Sec. C).

Mr. Linwood Cobb
March 23, 2010
Page 2 of 2

Question 2

An ex officio member of an official committee serves by reason of his office. So long as an individual holds the office or position that entitles him to an ex officio position on a board or committee, he continues to serve in his ex officio capacity.

Article IV, Sec. A.6. specifies that District members of the State Central Committee serve ex officio on the District Committee ("but their right to vote shall be determined by Article IV, Section E").

Therefore, a duly elected District representative serving on the State Central Committee continues to serve as an ex officio member of the District Committee so long as he serves as the District representative on the State Central Committee.

These opinions are consistent with the reasoning of two previous General Counsel Opinions issued to Alfred Anderson and Howie Lind on February 12, 2009. The opinion issued to Mr. Anderson set forth the procedures by which a District representative to the State Central Committee could be removed or replaced. The opinion issued to Mr. Lind concluded that District Committee meeting attendance requirements could not be applied to an ex officio member. These opinions are attached.

Pursuant to Article X, Sec. A.1. of the State Plan, this General Counsel Opinion may be appealed to the Appeals Committee and/or State Central Committee within 30 days of the date that the Opinion is posted on the RPV website.

Sincerely,



Lee E. Goodman
General Counsel

Enclosures