

Lee Goodman Defends Party's First Amendment Right to Choose Its Nomination Method

The Washington Post, Associated Press, Virginia Business
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Lee E. Goodman, partner in Wiley's Election Law & Government Ethics Practice, was quoted in recent media and business news stories regarding a lawsuit brought against the Republican Party of Virginia by state Sen. Amanda F. Chase, a contender for governor of Virginia.

According to *Associated Press*, Ms. Chase had sought a court order to rule out holding an assembled convention, instead of a primary, to select the Republican candidate. A convention could involve thousands of people meeting in an unsafe manner during the pandemic, which Sen. Chase also argued would be illegal under Gov. Ralph Northam's executive orders. Circuit Court Judge Margaret P. Spencer ruled that the lawsuit lacked standing and granted the Republican Party of Virginia's motion to dismiss the case.

Mr. Goodman, former Chairman of the Federal Election Commission, successfully argued the case for the Republican Party. The court hearing garnered significant media attention. The *Associated Press* quoted Goodman's courtroom argument that the party had months to decide what to do, noting the current executive order was to expire soon and restrictions could change. "This is a manufactured crisis," he said.

"It is wholly speculative about the future," *Virginia Business* quoted Goodman, adding that Gov. Northam's executive order limiting the amount of people at public gatherings could be loosened by late spring or summer and the EO is set to expire on February 28.

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The Washington Post quoted Mr. Goodman's suggestion that the Party had several lawful options, including the possible alternative of a "massive Zoom" in lieu of an in-person convention scheduled for May 1 if the same virus restrictions were still in place at that time.

Wiley's Andrew G. Woodson joined Mr. Goodman on briefs in the case. The case was *Chase v. Republican Party of Virginia* in the Circuit Court of Richmond.

To read *The Washington Post* article, [click here](#). To read the *Associated Press* article, [click here](#). To read coverage by *Virginia Business*, [click here](#) and [here](#).