

PLEASE SEND A COPY OF YOUR COMPLETED INPUT TO US TOO SO WE MAY ALL  
LEARN & GROW C/O Jim M. 43437 Crestview rd. Columbiana, OH 44408

THE FOLLOWING ARE COMMENTS MADE TO ORIGINAL  
TRUST DOCUMENT WORKING GROUP

5-16-91

Members aware of the facts will no longer tolerate the existing situation. More "Illicit" texts and other literature will appear. More members will be hurt. We could lose our non-profit status. Most important: fewer addicts could find recovery.

A Literature trust document that reinforces the solution rather than compounding the problem could be an honest initial effort.

SOME POINTS AND CONSIDERATIONS RE: LITERATURE TRUST

1) for our common welfare: A document should be written which accurately describes and formally defines the unwritten "trust" and de-facto contractual agreement that already exists. The different entities that are party to this trust and contract need to be accurately defined and characterized. The roles of these parties and their relationship should be realistically specified. This document should surpass current or past written or perceived limitations, definitions, guidelines, policy or procedure.

2) (simply stated) NARCOTICS ANONYMOUS TRUSTS IT'S SERVICE BOARDS, COMMITTEES, TRUSTED SERVANTS AND (EMPLOYEES) SPECIAL WORKERS TO RESPONSIBLY PRODUCE(PUBLISH) DISTRIBUTE, CONSERVE AND DEVELOP IT'S PROPERTY FOR THE BENEFIT OF THE "ADDICT WHO STILL SUFFERS" ACCORDING TO THE SPECIFIC OPERATIVE GUIDELINE/CONTRACT IN THE 2ND, 7TH, 8TH, AND 9TH TRADITIONS

...6)[reiterated] the fellowship Narcotics Anonymous creates the property and wishes it to be given to those who need it. Service boards and committees (ASC's, RSC's, WSC & WSB) and their agent WSOinc. package the property and offer it for use according to the direction of the fellowship. Addicts who still suffer acquire the property from the agent and use it to their benefit.

7) A (real) "trust" already exists: the preceding is accurate description of that trust. --- Document is only formalization.

8) Whether this trust is formalized or not, whenever the spirit of the trust is broken the owner/trustor will assign different "trustees" to achieve goal of gifting "property" to beneficiary.

**(Proposed) Lit.Trust Background Statement - Introduction**  
**6/20-21/'91**

During the years between 1978 and 1982 Narcotics Anonymous began the process of self-definition and maturity that would allow our Fellowship to become a significant worldwide force for recovery from addiction. A relatively small group of people, ordinary recovering addicts, developed our fellowship's first significant item of property - our Basic Text - the book entitled Narcotics Anonymous. This collection of NA members worked as part of the literature sub-committee of the world service conference. The Four major writing/editing literature conferences were located both centrally and at geographical extremes across the fellowship so that the maximum number of NA members could attend and participate.

Every NA member who wanted to help write our book had the opportunity. The committee eventually numbered in the hundreds of active participating members. Each had a role and a voice in the content of our basic text. During this time these members and the fellowship of which they were representative developed a trust bond with the service structure that the results of their work would be used in the same spirit and manner it was developed. This is the basis and foundation of the Literature Trust Document.

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**- excerpts -**

**(LETTERS FROM NA GROUPS TO THE CALIFORNIA ATTORNEY GENERAL)**

We are a "group" a local chapter of the spiritual fellowship Narcotics Anonymous. As a discreet unit, an autonomous but integral part of this fellowship we wish to clearly state that we are part-owners in each and every item of "Intellectual Property" that belongs to Narcotics Anonymous, and we do not assign or give ownership of any item of this "Intellectual Property" to any service board or committee of Narcotics Anonymous.

All service boards and service committees of Narcotics Anonymous are defined by one principle; the Ninth Tradition of Narcotics Anonymous..."N.A. as such ought never to be organized, but we may create service boards and committees, directly responsible to those they serve." All Narcotics Anonymous service boards and committees are theoretically composed of these trusted servants who do not govern.

"THE FELLOWSHIP INTELLECTUAL PROPERTY TRUST" is a legal document proposed to the World Service Conference of N.A. by the World Service Board of Trustees. In this legal document the "Parties" of the trust are: Trustor (owner) - WSC, Trustee - WSO, and Beneficiary - Fellowship (Groups) of N.A. This is **wrong**; the Fellowship of Narcotics Anonymous-the groups of NA own all of the property of NA, Therefore, this



document, as proposed, is invalid. There are many other misrepresentations in the document but this one major flaw is the basis of our severe objection to the document...

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We, The Recovery First Group of Narcotics Anonymous are writing in protest of decisions made by the World Service Conference. The WSC has chosen to violate the spiritual principles of Narcotics Anonymous, therefore WSC decisions are "null and void". We will not be bound by WSC decisions, Narcotics Anonymous is not bound by WSC decisions.

The World Service Conference has gone along with the World Service Office, World Service Board of directors, and the board of trustees in seeking power and control of the spiritual fellowship of Narcotics Anonymous that created them. They participated in the theft by deception of stealing the copyrights of The Basic Text of Narcotics Anonymous. These copyrights belong to the fellowship of Narcotics Anonymous as a whole, not to any service board or committee.

Our Basic Text was written by recovering addicts for addicts seeking recovery without support of the W.S.O., Inc. it was written by the NA members who participated in our literature movement during the late 70's and early 80's. Our book was not written as a "work for hire" but rather, We wrote our book as a labor of love. We entrusted the publishing of our book to the W.S.O.inc. withall intent that the fellowship would continue to "own" its ownbook with all the rights and responsibilities of that ownership. What has happened instead is that the W.S.O., Inc., with support of it's board of directors and the World Service Board of Trustees have manipulated changes in our text without seeking direction of the NA Fellowship. Theses World "service" entities haveused the World Service conference as a vehicle to endorse theirbehavior while compromising the Twelve Traditions of Narcotics Anonymous.

World Services including most of it's boards, committees and officers, participate in persecution of NA members who speak out against their policies. They even prosecuted one member by taking him into Federal Court for copyright infringements. They deliberately selected this member, only one of many involved, who is dying from the AIDS virus and did not have the financial backing to defend himself.

World Services in general and the WSO inc. specifically have used a large portion of the funds generated by sales of our book to provide "services" that were not requested by those they serve. A great deal of money has been spent to further their own singular perceptions through political style propaganda via their exclusive access to effective Fellowship-wide communication. This violation of our spiritual principles is expanded through world service travel worldwide, to personally manipulate the Fellowship, interfering with the group conscience process and influencing groups, area and regional committees and service offices to agree with their power and control political beliefs. NA world services regularly violate the principles of the ninth tradition including... "the ninth tradition goes on to define the nature of

the things that we can do to help N.A. It says we may create service boards or committees to serve the needs of the fellowship. None of them has the power to rule, censor, decide, or dictate. They exist solely to serve the fellowship... Narcotics Anonymous."

#### PERSONAL OBSERVATION/EXPERIENCE

I participated in discussions held at MRLCNA in Harrisburg, Pa. in February, 1991.

The purpose of these discussions was to "heal" the division in the Narcotics Anonymous fellowship which resulted in case #907631 before the Eastern District Federal Court. We were to be part of a working group that was drafting an Intellectual Property Trust document which would accurately describe the origin, ownership, and purpose of Narcotics Anonymous literature and the bond of trust between the fellowship of Narcotics Anonymous and it's service boards, committees, and service office.

The participants in these discussions were: George H Stu T, Bo S, David M, Oma J, Jim M, and Kathleen M.

Stu T clearly stated during these discussions that WSO Inc. would not suggest any definitive action regarding the copyrights on NA literature during WSC '91. Stu re-affirmed his promise during a conference call April 19, 1991, "...we'll keep things status quo until we get finished..."

Stu T broke his promise when, during the WSO Inc. report to WSC '91, he called upon attorney Terry Middlebrook to address the conference regarding copyrights. Subsequently, Mr. Tooredman initiated the motion that the conference re-affirm WSO inc.'s "exclusive rights" to copyright and publish NA literature.

Jim M  
216-482-4932

ONE OF THE REASONS TO DRAFT THIS DOCUMENT IN THE FIRST PLACE WAS THE QUESTION OVER THE EXCESSIVE COST OF OUR LITERATURE. THIS DOCUMENT NOT ONLY DISALLOWS THE FELLOWSHIP THE ABILITY TO HELP DETERMINE THE PRICE OF ITS LITERATURE, BUT PLACES COMPLETE CONTROL OF PRICING IN THE HANDS OF WSO, Inc.

ALL N.A. LITERATURE BELONGS TO (IS OWNED BY) NARCOTICS ANONYMOUS - THAT IS, N.A. GROUPS, AND MAY BE USED BY THOSE GROUPS -(NARCOTICS ANONYMOUS) AS THEY SEE FIT. The copyrights on our Basic Text have been registered not only improperly, but FRAUDULENTLY: The book was not written as a work "made for hire," but written by N.A. members as part of "we can only keep what we have by giving it away" and "we tried to carry this message to others." The copyrights cannot, and never will be "owned" by any other entity than Narcotics Anonymous. The copyrights were entrusted to WSO, Inc. as a fiduciary. WSO, Inc. has flagrantly ignored and superceded its fiduciary responsibilities. The



"trust" has been broken. WSC & WSB have condoned and reinforced this activity. If WSC & WSB cannot do something corrective about this situation, we can, and we will.

## WHY ARE YOU DOING THESE THINGS? A BRIEF (BUT ACCURATE) HISTORY OF NA LITERATURE AND INCIDENTS IN WORLD SERVICE NOT GENERALLY KNOWN

DATES ARE APPROXIMATE (FROM MEMORY) ACTIONS ARE EXPLICIT

### Following WSC '79

•Work on "Our Book" begins as a project of the Fellowship...by the World Literature Committee (members were members just by being willing to help). This was not the WSC Literature Subcommittee, that we know today but something called the World Literature Committee. Any NA member could be a part-of.

•First World Literature Conference; World lit. held first conference, wrote first literature handbook.

Following WSC '80 Work on Basic Text continues...WLC-2 decides to frame chapters from little White Book...

Memphis Feb.'81- WLC-3 THE CONCEPT: POWERLESS OVER THE DISEASE - IDENTITY-very simply AN ADDICT...AND...THE 1ST DRAFT OF OUR Basic Text - THE GREY BOOK ...are developed by World Literature Committee

Memphis Mar.'81- Grey Book distributed to every known NA Group (free) for review and input.

### Santa Monica April '81

•WLC-4 Fellowship responds with lots of input. Edit by committee, factoring-in all input begins. WLC membership swells into the hundreds - no NA member is ever denied membership. Book is becoming outgrowth of fellowship.

### WSC '81

•Obvious battle between WSO & WSB. 1st real WSC - most of the fellowship is represented.

### Warren June '81, Miami Sept. '81

•Basic Text finalized by committee despite irresponsible, political new chairperson who eventually resigns. Strong, directly- responsible, open committee survives to serve in spite of inadequate trusted servant.

### Memphis Nov. '81

•WLC elects its own new chairperson, distributes Approval Form of Basic Text to the Fellowship. Every known NA group receives a copy. Policy committee (WSC) enlists help of World Lit members to help draft a new service manual reflective of current fellowship practices- including reformation of WSO, Inc.

### WSC '82

•Book is approved by the fellowship through the WSC. WSO instructed to produce hardcover by September. Price of book established at \$8.00 until office "gets on its feet," then will be lowered - perhaps to \$4.50 or less...

### Mid-winter '82/'83

•No book published by WSO. Most of fellowship copies approval form for use by members till hardcover is out.

### WSC '83

•"1st Edition" is altered from form approved by fellowship. Justification used was that some few members feel changes are appropriate. Fellowship demands book returned to approved state by a reformed WSO, Inc.-->2nd Edition

•Motion passed WSC by 2/3 of voting participants that RSR'S ONLY VOTE AT WSC. CHAIRPERSON CALLED MOTION DEFEATED BECAUSE NOT 2/3 OF TOTAL REGISTERED VOTING PARTICIPANTS.

•WSB MAKES EMOTIONAL APPEAL BASED ON (PROBABLY SOLICITED OR FRAUDULENT) LETTER FROM GROUP IN NEVADA TO 'POLL' FELLOWSHIP DURING A 90 DAY-PERIOD REGARDING CHANGES TO THE CONCEPTS OF 4TH, AND 9TH TRADITIONS REPRESENTED BY DELETIONS IN 1ST EDITION. FELLOWSHIP REPORTEDLY RESPONDS IN AFFIRMATIVE, THOUGH DOCUMENTATION NOT AVAILABLE TILL 1991. --->3rd Edition

•"Original 13" pamphlets approved.

### '83-'84

•Fellowship Report, originated as open fellowship-wide communication, becomes increasingly (and unnecessarily) detailed and exclusive in tone. WSO, Inc. initiates "Newsline," presenting Office's views to every NA group world-wide, free.

•Price of Basic Text is still \$8.00 (printing cost reported to be \$1.45).

### WSC '84

•NA WAY magazine taken from the fellowship and given to WSO, Inc.

•World convention incorporated as a profit making venture

administered by WSO, Inc.

- WSC Finance committee disbanded.

- World service communication persuades fellowship to accept concept of "vote of confidence" for RSR's.

WSC '84 con't....

- WSC committee membership begins to close, eventually becomes small controllable groups of like-thinking members.

WSC '85

- Little White Book revisions passed... Lit. sub-com. will factor into basic text --->3rd Edition Revised

- Motion passed to allow WLC to do "minor editing of Basic Text for tense, verb agreement, etc." Office hires professional editor to do lit committee's work resulting in many changed concepts -->4th edition.

WSC '86

- Fellowship tells world services "no more professional writers." However, WSC takes it upon themselves without fellowship direction to re-edit Basic Text as committee of the whole -->5th edition [allowing no fellowship review/input and ignoring established fellowship Approval process]

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THESE ARE SOME OF THE REASONS WHY MANY OF US MAINTAIN THAT THE 2ND EDITION WITH THE REVISED LITTLE WHITE BOOK SECTION ARE THE LAST AND ONLY "FELLOWSHIP APPROVED" BASIC TEXT

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Literature Trust Document - Working Group (Input)

Roy D - 216-637-3145

The definition of parties relevant to the L.T.D. seems to be of question. I will attempt to proliferate the definition and application of these parties.

OWNER:TRUSTOR

The fellowship or members of the fellowship of Narcotics Anonymous. The owner or owners maintain and empower the Trustee (World Service Conference) to make decisions, with the approval of the owners, relevant to the intellectual properties of the owner. This is not Power of Attorney. A spiritual trust is mutually exchanged that the trustee will act in the best interest of the collective owners and the owners will support the action of the trustee.



#### TRUSTEE

The World Service Conference of Narcotics Anonymous. The body given authority by the owners to act upon decisions and deliver services effecting Narcotics Anonymous as a whole. The trustee may create committees to develop and define, with owners approval, what tangible or intellectual properties are. The trustee may elect or appoint an agent (World Service Office) or entity responsible for the acquisition of legal requirements concerning protection of the owners property, as well as fiduciary responsibility on behalf of the trustee.

#### AGENT

The World Service Office of Narcotics Anonymous. In the capacity of obtaining and maintaining all legal requirements and fiduciary responsibility, the agent may also receive an amount of remuneration as determined by the trustee.

#### BENEFICIARY

The future members of Narcotics Anonymous. Through the efforts of the agent, the 'newcomer' becomes the beneficiary of the Trust. The paradox of this instrument is that the beneficiary, in time, becomes the owner and continues the process by which this Trust is based. As the new owners of the Trust determine the identity of new or additional property to be placed in this Trust, they have the sole responsibility and power to direct the Trustor (RSRs) in the application of the Trust.

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All of the above definitions are centered in the belief that the spiritual direction set for this trust will be obtained and maintained through the ultimate authority of our fellowship as described in our 12 traditions.

I fear that the definition, as written in the present form of the trust, leaves room for control of the property of Narcotics Anonymous to a system that does not abide by our spiritual principles.

This document has the ability, once approved by the fellowship, to invert the service structure and place the direction of our literature under the auspice of the agency the fellowship created to implement the fellowship's direction.

I don't know if any of the intent of the creation of this document is designed to circumvent the necessity to seek direction from the fellowship of NA, but it feels like it does.

During an attempt to involve the fellowship in the creation of this document I, as well as other members, expressed a concern as to the wording used by the creators. With the



amount of time given to peruse the contents as well as the impact this document may possess, I strongly recommend that we postpone approval of the Trust until such time that we can understand it's existence.

Roy D 216 637 3145

EXCERPTS

January 28, 1992

WSB Van Nuys, CA

Dear fellow members,

...Another matter concerns me now: the copyrights to our literature. Along with many others, I helped work on literature directly in my capacity as a member of the World Service Office Literature Committee, Board of Trustees Literature Committee, and as Chairperson of the World Service Conference Literature Committee. In that time, there was a fundamental understanding: Addicts were writing for addicts, passing on what was known of recovery in N.A., and that none of us sought, nor would receive, any personal gain. It felt like a giant Twelfth Step. I think time has verified this. The main discovery was that there was a verbal literature trust. It went like this: "We're doing this work with no thought of self, out of love and gratitude. We seek no byline, no royalties..."

If you had been involved in talking with the few thousand members who contributed time, travel, and material sufficient to see the Basic Text from dream to reality, you would probably feel some loyalty to those whose trust you had to earn. This trust is still upon me as well as others who were fortunate enough to be directly involved.

I realize now that we were in error to not have documented this statement formally. Our trust in the leadership during that time was perhaps overzealous. Our encouragement to the old WSO to inspect their accounting and copyright procedures, was perceived as personal criticism of Jimmy Kinnon, and was one example of how things started to go wrong. I pray that we can show some good sense and goodwill to formulate a suitable trust document. In my opinion, the document currently out for approval would not stand up to Fellowship scrutiny, or be an effective service document even if it were approved. The misconception remains, and perhaps is even fostered, that WSC approval equals Fellowship approval.

...It's sad when some of our most loving, dedicated, and selfless members are betrayed and leave the Fellowship when they see that processes have been abused and ignored, or see individuals taking advantage of their servant positions.

We need plain and simple documents defining the role of our world service branches in carrying out the will of the Fellowship. Any member should be able to read, understand, and feel a degree of respect to the material maintaining the Fellowship's legal right to copy the material it has created. As written, the current "Fellowship Intellectual Property Trust Agreement" is harsh and intimidating.

... I was asked to participate in developing what was then called the "literature trust document." While I put in over 70 hours working on this, I cannot see where any of my input, nor that of the other members who also submitted input, was utilized. Foreseeing a need to review what was said in the conference calls, and not wanting any viewpoint to be lost, a taped transcript has been made of both

calls. These are available upon request. It is somehow prophetic that the need for this documentation is being manifested.

Regardless of what Stu and George may have stated at the June 15 (1991) combined meeting, **that document was in no way ready for fellowship review or approval.** In fact, Stu said only a few weeks earlier that "We had better take time to work on it a little bit. I think if we expanded our thinking a little bit, we could come up with some viable options."<sup>(1)</sup> It was clear to everyone at the time that no consensus existed in the "small working group."

As time went on in May and June, and "we" continued to work on solutions to the extreme conflict of tone and approach, I was told that the work was discontinued due to lack of funds. At the time, I was only disappointed and chagrined. However, looking at the report on the seventh and eighth pages of the approved minutes, combined BOD/BOT meeting in June, Stu said "The small working group feels that the document is basically ready for fellowship review." **THIS IS A LIE.**

It was evident to everyone involved that conceptual problems existed and that the document was advanced prior to resolution of these issues without the knowledge or consent of the majority of the working group. Frankly, I was sad, albeit not surprised, to see documented evidence contradicting the excuse of a low budget. If this were a factor, surely the work could have proceeded in a less costly manner.

Is this matter going to go to the Conference? If so, as one member of the small working group, I would like to report now that some time and money is getting wasted. It won't pass at WSC, and if it does, the Fellowship will abandon it at the first strong wind. Hopefully, we will be able to grow together to the point where we don't play politics with one another. Apparently, we have not yet reached that point. I'm not too dismayed, though. I trust that some of you will have the wit and humor to scrutinize these classes of concern with more vigor.

Bo. S. 412-375-3377

(1) Page 37, May "lit trust" tape transcript



Rachel H.

To Whom It May Concern:

My input to the Fellowship Intellectual Property Trust document is based on the premise that all literature and other properties belongs to, properly, the Fellowship of Narcotics Anonymous.

In cases of literature written by an N.A. group, that group reserves the right to print, copy, and use that literature for its group purpose, as determined by group conscience. This may include, but is not limited to, pamphlets, meeting lists, newcomers packets, flyers, physical merchandise, etc. The group may or may not choose to release that literature to N.A. as a whole. Unless or until it is released to the World Service Conference Literature Committee (or other board or committee), that literature belongs to the N.A. group who produced it. Other groups may utilize and/or reproduce this literature, so long as it is not sold, produced for profit, or used for reasons other than fulfilling the group's primary purpose.

In cases of literature written by a Literature Committee of an Area or Regional Service Committee, that committee reserves the right to print, copy, and use that literature to fulfill the primary purpose of the group: to carry the message to the addict who still suffers. The ASC or RSC may or may not choose to release that literature to N.A. as a whole. Unless or until it is released to the World Service Conference Literature Committee (or other board or committee), that literature belongs to the ASC or RSC who produced it. N.A. groups, or other ASCs or RSCs may utilize and/or reproduce this literature, so long as it is not sold, produced for profit, or used for reasons other than fulfilling the groups' primary purpose.

In cases of literature written by the World Service Conference Literature Committee, other WSC boards or committees, or in cases of literature that has been released to the WSC by individuals, groups, areas, regions, or other committees, the WSC reserves the right to print, copy, and use that literature to fulfill the primary purpose of the group: to carry the message to the addict who still suffers. N.A. groups, ASCs or RSCs may utilize and/or reproduce this literature, so long as it is not sold, produced for profit, or used for reasons other than fulfilling the groups' primary purpose.

World Service Conference approved literature belongs to the fellowship of Narcotics Anonymous as a whole. Any changes to the concept or wording of WSC-approved literature must be made with the consent and 2/3 majority vote of all registered N.A. groups in this manner:

- 1) Proposed changes to literature will be compiled yearly by the WSCLC at the World Service Conference. All proposed changes, including the old language and the section or paragraph in

which it is found, will be mailed to the groups the first week of July, with a return date of September 1. All registered groups shall be allowed and encouraged to participate in the voting procedure, and ballots will be sent individually, according to the group number assigned by the World Service Office, Inc.

- 2) The ballots shall consist of a self-addressed, stamped postcard which has the group's registration number on it, and numbers assigned to each proposed change in the literature. Each number shall have "yes," "no," and "abstain" space in which to record the group's vote, along with a blank for brief comments.
- 3) Proposed changes to N.A.'s "12 Steps," "12 Traditions" or "Basic Text" shall be made and approved by a 3/4 majority of all registered groups.

Final approval of new N.A. literature, which has been through the thorough input and review periods, will be made by 2/3 of registered groups in this manner:

- 1) Proposed literature will be compiled yearly by the WSCLC. All pamphlets and small books will be sent to each registered N.A. group. Large books will be sent to each registered Area Service Committees. This literature will be available for all groups to read and review.
- 2) Ballots shall be mailed along with proposed literature to each registered N.A. group. Ballots shall consist of self-addressed, stamped postcard which has the group's registration number on it, and numbers assigned to each piece of proposed literature. Ballots shall include, if necessary, corresponding numbers for large books that were sent to the ASC. Each number shall have "yes," "no," "abstain," and a space for brief comments.
- 3) Ballots and literature shall be mailed the first week of July, with a return date of November 1.

#### Use of logos and trademarks:

All physical property developed and produced by the WSO, Inc. belongs to the WSO, Inc. This shall include, but not limited to: calendars, mugs, book covers, etc., including only non-recovery related saleable items.

The N.A. logo, trademark, and hybrids belong to the fellowship of Narcotics Anonymous. Any group, ASC, RSC, or board or committee may make use of the logo, provided it is not used for reasons other than fulfilling the group's primary purpose.

An N.A. group may, as it sees fit, reproduce, modify, and/or



utilize conference-approved literature at its own discretion, provided that it is for the use of the group and its members only. Other groups may choose to utilize this literature, so long as it is not sold, produced for profit, or used for reasons other than fulfilling the group's primary purpose.

Trustee for all literature and intellectual property is the Fellowship of Narcotics Anonymous, as outlined in this document, and expressed by direct group tally votes on a yearly basis.

Trustor shall be the World Service Conference, as outlined in this document, and expressed by the yearly votes at the conference.

Beneficiary shall be the addicts who suffer, for indeed, they are truly the ones who should benefit most from the effort of our service.

In decisions that must be made throughout the year, decisions shall be made by direct polling of ASCs. Assuming that not many things happen "all of a sudden," most N.A. members should be aware of the issues that face the world service structure. It follows then, that if a matter arises during the year, that questionnaires, ballots, or other methods determining the course of action desired by the Trustee, shall be employed.

The World Service Office, Inc., is the service center for the N.A. fellowship. Its rights and responsibilities include: printing, producing, copying, distributing conference-approved literature. Its rights and responsibilities DO NOT INCLUDE: managing, making profitable, mortgaging, pledging, loaning, lending, or otherwise controlling the content, price, development or "profitability" of N.A. literature.

The WSO, Inc. has the right to control quality and quantity of printing, methods of distribution, and other "non-decision-making" aspects regarding the content of N.A. literature.

More will be sent as time permits.

If the WSO, Inc. spent \$20,000 in 1990 on developing the lit trust, we can assume that the vast majority of that was on legal fees. More than likely, Wagner & Middlebrook, the law firm retained by WSO Inc., developed the Trust from a standard document, and "tailored" it for N.A. use.

It must be made clear that the WSO, Inc. is the "Trustee" in this document. In the document, and in fact, it is a separate entity from the Fellowship of Narcotics Anonymous ("beneficiary"). The Fellowship must be informed that the law firm represents the interests of the WSO, Inc. (Trustee), and not of the Fellowship (Beneficiary). The Beneficiary must be entitled to legal counsel

of its own to represent the interests of the N.A. Fellowship.

616-544-5165

Carl D

Being privy to the ongoing efforts to make this Trust a reality I have taken the liberty to include my input on this material. In discussion with other members involved, several items are needed to make this workable:

- 1) Fellowship shall hold copyrights and decide actions. Beneficiary to be the addict who still suffers.
- 2) Trustees of literature shall represent the fellowship as a whole by some means of polls, numbers of groups or meetings, or areas.
- 3) That Trustee shall not be WSO, Inc., but the Literature Trust members. This document will then replace the WSO BOD by-laws affected.
- 4) Avoid legal terminology. The fellowship must understand.

This is in effect a fiduciary statement. Better written by the Fellowship than the WSO and its attorneys. In effect, it's like the employees telling the employers how things will be run. This obviously is entirely the wrong approach. This Trust, or better yet, "foundation," has the chance to be more far reaching than is seen on the surface. A "foundation" can allow us some freedom beyond what the BOD currently does.

I pray for an open dialogue that can be heard by all and allow for an open understanding beyond what the FIPT has developed into. The document with its "legalese" is controlled by the instrument to be filed. To that end, I limit this input to that section.

Our difficulties with the FIPT are many. The Explanatory Notes are vague and misleading. The term "essentially the same" (#1) begins the portrayal of a new fiduciary capacity as being the same as the way things have always been. It leads the reader to believe that it has been widely discussed (#2) over a year's time. But this is untrue. It was kept quiet until June of 1991. A term like "practically speaking" (#3) implies previous use of these practices, yet that hasn't been approved for use. "Consistent with" also denotes adherence to principles or course:



This does not hold true for this document. It changes procedures and does not state clearly the operating structure in current use in N.A., but one the WSO would like to see in place.

Very blatant is the statement about clear definitive terms (#4) regarding our literature process. This implies finality of fixing of how things are to be. This is not a representation that lends itself to "trust." Even though the process of writing this was moved from the WSO BOD chairperson to the Internal Committee of the WSB Chairperson, he is one and the same person, Stu Tooredman. A comment like this written from a previously approved procedure? (#5).

In the document itself, there are numerous occasions of new procedure. Conference-approved literature was previously the only material the WSO held in trust. Now the statement is "all," yet there is no description of what this means (#6). There is even a statement about literature added by the WSO (#7). This has never been practice in N.A.

Since the beginning of its development, this Trust's main input and consideration have come from the WSO and its Boards and lawyers. It seems very inappropriate for the fiduciary to write the fiduciary statement. The statement that the WSC and WSO shall mutually generate and agree on Trust Operational Rules (#8) is a very clear statement of a plan to continue to tell the Trustor what it will and will not do. I find this to be spiritually incorrect.

The Trustee's duties far outstep what has been standard practice in N.A. Administration, according to the statutes of California, has been bent by what is contained in this document (#9). The document does not allow for an immediate change to anything (#10). But the WSO does put in its place a long elaborate process to change what the Trustee is doing that the Trustor or Beneficiary may not want to be happening. A statement to deal with the Beneficiary impartially is followed by the description of what they have the rights to do regardless of its bias or fairness on the individual member (#11). This implies their ability to decide what might be adverse (#12) to the Fellowship. Yet we will see it can take a long time to correct their misjudgment.

The next several duties described in the Trust Instrument are again quite different from currently described processes and approved means of literature use development and production. Literature has been approved by a vote of the Fellowship at the WSC, then given to the WSO for production in its approved form. The duty to take Trust Property is outside the bounds of this procedure. Then it is followed by the Trustee's duty to make the property productive (#13). This can easily be used to modify the approved literature, something that is intolerable in a spiritual Fellowship grounded in group conscience. Then comes a statement that this can even be delegated to anyone they choose (#14). Once again, this is unacceptable; far outside of current development

for procedure, and contrary to fellowship-expressed wishes when used as a policy in the past. But it's been repeated again and again, and here it's presented as policy.

The Instrument talks of encumbering the trust property (#15), change the form of the business, take part in any other business it sees as necessary (#16), lease, and obtain loans with trust property to be mortgageable (#17). All well beyond current policy.

Perhaps most blatant is the statement on jurisdiction (#18). I could be wrong, but I don't think you can order copyright disputes into a particular state court system. But this may only be alluded to, and not legally enforceable, and the code section referenced may only apply to internal affairs of the Trust.

The trust rules can be easily side-stepped by Article IV by the determination that a rules application is in conflict with the terms of the Trust Instrument. Thus, they are not binding. Yet statements abound. Owner of all Trust property is not true. The Chicagoland Service Office held the copyright on our N.A. symbol and circle design, would not or did not release/sell it to the WSO, and now we have a new service symbol for our medallions, etc.

It sends notification to the conference participants and not the Fellowship. What better ways are there to get around direct responsibility than these? I feel this is a direct violation of Tradition 9, and violates Article I, Section 4 of this document titled, "In keeping with the 12 Traditions." Enough said?

#1	page 1	second paragraph
#2	2	first paragraph
#3	4	third paragraph
#4	5	first paragraph
\$5	4	second paragraph
#6	8	Section 2, Article I
#7	9	Article III
#8	9	Article III
#9	9	Article V, Sec. 1, Sub 1
#10	9	Article V, Sec. 1, Sub 2
#11	10	Article V, Sec. 1, Sub 6
#12	10	Article V, Sec. 1, Sub 5
#13	10	Article V, Sec. 1, Sub 6
#14	10	Article V, Sec. 2
#15	11	Article V, Sec. 4, Sub 5
#16	11	Article V, Sec. 4, Sub 3
#17	11	Article V, Sec. 4, Sub 5
#18	13	Article VIII



Linda R.

Hello family,

I would like to see WSC not allow the WSO to take over in subtle ways our freedom of expression, freedom of feelings, ideas, and the message of recovery that is our primary purpose.

I feel if you take from us what was so freely given, we will pay!

What else will the WSO ask for next without asking?

As members of groups, we as addicts in the process of recovery should take a stand or fall.

Chuck H.

Page 1, last sentence on Paragraph 2, sentence beginning "The document" and ending "exists today.": This paragraph states it is the purpose of this document to eliminate confusion as to the authority of the Fellowship, the WSC, and the WSO. The term "essentially, the same authority that exists today" neither clarifies any clear authority or authoritative boundaries imposed on each service branch, or defines any authority (or lack of) in the future.

The 9th Tradition says our service boards or committees are directly responsible to those they serve. Organized means to have control and to have management. Our service boards and committees are supposed to guide and offer help. This doesn't give anyone, any service board, or any committee the "right" or "power" to rule, control, or dictate control over the Fellowship as a whole. Many of the rules and wording in the Fellowship Intellectual Property Trust document, inconcise, guises to make it seem as though it is in the best interest of the Fellowship as a whole. Are individual or group freedoms to grow or have spiritual input stifled? Will addicts feel a part of or apart from due to restricting their voices, as a fellowship as a whole, from being heard?

I'm a bit apprehensive to let few speak for the many...already here and those to come. May our Higher Power guide us and show us the mature way to cope with this trying time.

Billy Z.

**THE PASSAGE AND THE IMPLEMENTATION OF THE FELLOWSHIP INTELLECTUAL PROPERTY TRUST AS IT NOW READS WOULD BE HARMFUL TO THE FOUNDATION AND TO SPIRITUAL HEALTH OF NARCOTICS ANONYMOUS AS A WHOLE!**

I. **The Trust is built totally on a defective premise.** This trust was, from its creation, predicated on a foundation of no less than three major lies:

- 1) The opening paragraph of the introduction to this document states in part, "Most of us assume that the World Service Conference has the authority to approve new or revised N.A. literature, and that the World Service Office has the responsibility to copyright, print, and distribute that literature.
- 2) A little further along on that same page, they also state that: "N.A.'s fellowship-wide service and decision-making body, the World Service Conference, has both the responsibility to create or revise N.A. literature and the authority to approve it."
- 3) Also on that same page, they tell us that they have done this "in part, because of U.S. law and international treaty regulate the way intellectual property - copyrights, trade-marks, and other creations of the mind or spirit - should be administered."

As it stands at this moment, right now at least in spirit as well as writing, the WSC is not (in itself) N.A.'s fellowship-wide service and decision-making body. In keeping with that same spirit, the WSC has neither the authority nor the right to create, revise, or approve any new or existing N.A. literature without the advice and consent of the Fellowship of Narcotics Anonymous. The WSC again is not the decision-making body of our worldwide fellowship. It is those members within all our Narcotics Anonymous groups that send their groups' conscience to, and speaks through, the WSC.

Since its creation in 1953, N.A. has been basically operating within the same by-laws. Established as a non-profit organization, the fellowship has had very few, if any, problems meeting its legal obligations with regard to by-laws, structure, or operation. To my knowledge (and I have done checking), it is a fact that insofar as the law and external matters are concerned, N.A. has a clean record.

Externally, they are clean with the US government, state of



California, and any international tribunal. I see no legal reason, therefore, to adopt this trust in its current form. The problem, however, lies within. More will be revealed in my summation.

II. Definition of terms (taken from an independent legal source)

- 1) A legal trust is a right of property, real or personal, held by one party for the benefit of another.
- 2) The Trustor is one who settles, creates, or administers the general policies of a trust; the grantor.
- 3) The Grantor is one who makes a grant.
- 4) The Trustee is one in whom property is vested for others; one appointed to execute a trust.
- 5) The Beneficiary is one entitled to profit, benefit, or advantage from a contract or estate.
- 6) The Trust Instrument is the relationship of all parties involved formally placed in writing.
- 7) The Trust Operational Rules are those rules which actually control the administration of the trust and all parties with respect therein.

IV. Summation

In this, my summation, I give to you a Trust. I further submit to you that this trust is not what it appears to be. This Trust is not held solely for the benefit of the Fellowship of Narcotics Anonymous. In reviewing this document, I offer you, the Fellowship, the following points of information for your consideration. It is my hope that this will be of some help when the time comes to vote in your home group:

1. This trust was also formulated, created, established, and would if implemented, be of financial benefit to the Trustee. Such an action, if accomplished in the administration of a trust, is illegal.
2. N.A.'s fellowship-wide service and decision-making body is not the WSC. The Fellowship as a whole, through its groups and the members through the WSC, has both the responsibility to create or revise N.A. literature and the authority to approve it.
3. For the benefit of the Fellowship, the Trust in its present form should not be approved at this year's conference, re-structured to reflect the following changes, and re-submitted in yet another year's time for approval at WSC '94.

- A. The WSO, Inc., shall remain as the administrator of the Trust, as trustee, with all the rights, duties, and powers with respect thereof.
  - B. The worldwide fellowship shall assume the role of the Trustor, with all the rights, duties, and powers with respect thereof.
  - C. **THE ADDICT WHO HAS YET TO FIND THE ROOMS OF NARCOTICS ANONYMOUS shall hereby be known as the Beneficiary, with all the rights, duties, and powers with respect thereof.**
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- 4. A document which holds such importance to the fellowship of N.A. should be available for review for one year.
  - 5. This document, if passed, would effectively eliminate a member's right to participate directly in the creation of N.A. literature.
  - 6. This document also grants the right and authority of the WSO, Inc., to create, revise, approve, sell, and distribute all N.A. literature within the office itself.