

To: The Fellowship

From: Stuart Tooredman, Chairperson
World Service Office Board of Directors

The WSO Board of Directors does not have any new motions for you to consider at WSC '91. However, we are asking for your consent to continue our work with the WSC and WSB, on three proposals (included as addendums), and reaffirm some important decisions made by the World Service Conference in years past.

During the 1990 Conference, several important matters were brought to our attention. First, many of the previous decisions and actions of the WSC were not adequately documented in the printed record of the conference, or subsequently distributed to our members. Second, that the fiduciary relationship of the WSO to the N.A. Fellowship is not understood to the satisfaction of our members. Third, that the initial reasons surrounding the creation of a fiduciary responsibility for N.A.'s properties also were not clearly understood.

The initial reasons for creating a fiduciary entity were twofold:

1. To establish, for N.A., the capacity to protect and secure all intellectual properties, trademarks, and copyrights of the N.A. Fellowship.
2. To provide an essential mechanism by which all N.A. literature, books, pamphlets, handbooks, etc., would be uniformly produced, printed, manufactured, sold, and distributed.

The intent was to adequately protect the fellowship's properties; and to have the ability to take sufficient action, should the rights of the fellowship be infringed upon by others; and to firmly secure the production and distribution of N.A.'s conference-approved written message in a single management point. Thus, the WSO was created and strengthened. As the WSO grew, additional functions were added, such as providing administrative, organizational, and logistical support to the World Service Conference, and the fellowship as a whole.

Certainly, the activities during this past year concerning the production and distribution of Book One of the Basic Text have caused us to place these issues in front of our members again.

Our choices are not simple, and require a great deal of discussion: To reaffirm our past decisions, modify them, or provide another mechanism to protect and hold the properties of our fellowship. We encourage you to consider the issues carefully, and be prepared to discuss them at length at the Conference.

If the fellowship wishes to continue to have the WSO act in this capacity, then the conference will need to discuss it thoroughly, and choose to act positively on the following statements:

1. To reaffirm that all of N.A.'s intellectual and physical properties are held in a fiduciary capacity by the WSO, Inc., on behalf of the Fellowship of Narcotics Anonymous.

2. To reaffirm that the World Service Office, Inc., is the exclusive publisher and distributor of all World Service Conference-approved literature, including all books, pamphlets, handbooks, and other intellectual and physical properties, as directed by the Fellowship of Narcotics Anonymous through the World Service Conference.

During the 1990 Conference, several motions regarding the WSO by-laws were committed to the Board of Directors. One of these motions concerned Article 13--Amendments to the By-Laws, and directed that any changes in the by-laws receive the prior approval of the WSC. We have asked our attorneys to prepare a full report for the Conference on this matter, and will distribute it to all the participants, along with our annual report on or about April 1st.

The board did adopt a motion to amend its By-Laws at the January meeting. It concerns Article 6, section 4,--Director Elections. The motion reads "To insert a new item D, "All nominees to be included in the nominations panel (pool) must receive a majority vote of the WSC," and moves the existing item D to item E." This change reflects the action the WSC took last year in amending its election procedures.

This year, one of the primary goals of the board was to make the WSO more accessible to the fellowship, as well as to invite more participation from other committees and boards in the decision making. There are now a number of new policies we have implemented, and we believe you will see a noticeable difference in the overall operations of the office. As part of our desire to open the door wider, a great deal of information is now available upon request that was previously inaccessible. Although we are not able to provide a full archival service as of yet, we are working hard to make it a reality in the near future.

We have also spent the year working closely with the Board of Trustees and the WSC Administrative Committee on some of the more sensitive areas of world service operations. A great deal of the time we spent together was focused on the development of several proposals. These proposals concern areas of responsibility shared by all three service arms, but were previously and frequently administered by only one. The proposals call for the joint administration of these areas and create criteria and methods for how decisions are made.

We are asking for your consideration on three proposals: a Unified Budget and a Budget Review and Utilization Committee, a World Service Travel Policy, and a Translation Policy. Rather than ask the conference to approve these proposals now, we would request that they be supported for further work, ratified for implementation, and then brought back for WSC approval in 1992. This would allow world services to utilize the policies, prepare a combined budget proposal, work out the bugs, and make necessary changes based on our experience with those proposals during the year. The conference would then be asked to accept or reject the proposals in 1992, or in 1993. The motions to the conference are as follows:

- #10. That the WSC ratify the implementation of the World Services Translation Proposal for one year. (This proposal is enclosed as Addendum #1.)**

Intent: To utilize the translation policy during the coming year, and to make any necessary changes for improvement prior to formal adoption at WSC 1992.

#11. That the WSC ratify the implementation of the World Services Travel Proposal for one year. (This proposal is enclosed as Addendum #2.)

Intent: To utilize the travel policy during the coming year, and make any necessary changes for improvement prior to formal adoption at WSC 1992.

#12. That the WSC supports continuing the work in progress outlined in the Unified Budget and Review proposal. (This proposal is enclosed as Addendums #3A and 3B.)

Intent: To have the WSC show its support for additional research and investigation to be done towards the preparation of a combined (WSC and WSO) budget for the 1993 calendar year.

The following section of the WSO report is provided as our commitment to the recent settlement agreement concerning the production and distribution of the Basic Text. The motions from the agreement, as presented in this section, are the culmination of a joint effort by all concerned to obtain a clear understanding and determination from the fellowship. We encourage all regions, areas, and groups to read the introductory remarks thoroughly, and to consider each motion conscientiously during their subsequent deliberations. The motions are not accompanied with intent statements, and are presented without any further comment other than the following introductory remarks.

These are the comments of the Honorable Louis H. Pollak, J., United States District Court for the Eastern District of Pennsylvania.

THE COURT: We have spent the day hearing testimony in this matter. It is not the kind of a controversy that a court welcomes. It is, quite evidently, a controversy which is essentially internal to a group with many, many members, many dispersed subentities, a common purpose, a common purpose of great social consequence.

It is evident that the fellowship has engaged, over the years, the devoted participation of tens of thousands, now maybe hundreds of thousands, of people, people who have in their own lives been deeply troubled, and who have striven very hard to liberate themselves in the course of time, to help liberate others to brave this sort of peril.

For a controversy to arise in an enterprise of that kind is regrettable; certainly one that is controversy that seems to be deeply schismatic. It is more regrettable, and it appears to be beyond the capacity of the participants to resolve their differences internally, recognizing the larger importance of common purposes than the areas of disagreement. That is to say, the more regrettable one. An appeal is made to the secular authority of the courts to make dispositions.

I asked the parties to try their best to reach some resolution, at least on an interim basis; not on a final basis, and the efforts on the 27th and 28th of December evidently were not fruitful. Today's testimony only underscores for me the importance of some serious

attention being given to reconciliatory activity rather than activity of a divisive kind. I rather appreciate that with people feeling deeply, as evidently people do on each side of this issue, it is the tendency of each side to think, well, I am the reconciler, and it's the people over there who are being divisive.

I suppose in this courtroom right now, Mr. Wolfe and I are the only people who are in a position to say--maybe both sides suffer a little from the sins of inflexibility and certainty that virtue is mine and vice is thine.

I would ask you all to give some close attention to the possibility that there is more that you have in common than that divides you; and to carry on controversies of this kind is only destructive of, and diversionary from, your common purposes.

One point that I find particularly disturbing is to be told, as, in effect, Ms. Moore was telling me, that we have poor people who are greatly in need of guidance. They can't afford \$8 a book, and therefore, we want to make texts available to them for little or nothing; or at least we want to make access to such texts available.

I hear from Mr. Hollahan that, in principle, the WSO has no difficulties with furthering what would seem to be such a clearly laudable goal, assuming one believes in the purposes of Narcotics Anonymous. But, of course, the resolution which would flow from an assent by the directors of the WSO to making texts available, free, to Ms. Moore's home group, and possibly to other groups which have constituencies which really can't pay, afraid of \$8 a volume, that resolution begins to seem remote when one is told, yes, but the text that WSO has in stock, its Fifth Edition, is not a text that we in conscience could accept. It's a little curious to be told by Ms. Moore that maybe the Third Revised Edition might be acceptable. They would have to talk to the group about that. But it's certainly not the Fifth Edition.

That was apparently beyond the pale in discussion with the group. I have not inquired into, and I do not intend to inquire into, what the debates are with respect to what texts are appropriately within the compass of the revered Twelve Traditions, and what are not. Debates of that sort have a habit of being unproductive. Yet, I can't believe that if you people on both sides of the aisle, both sides of the litigation, really have a shared earnest commitment to people gripped by addiction, that you cannot find a way of reconciling your differences; recognizing that shadings of verbal meaning may, usefully, be the subjects of honest debate rather than insuperable obstacles to getting on with your real business of saving people who are desperately ill.

I guess I'm saying to you that, after listening all day, I think there's an awful lot of self-righteousness on both sides of this case. And for people who are trying to save others, that sort of self-righteousness is not entirely attractive.

So now you have my preachment. I'm going to leave you for some hours with that preachment to chew over. I'm going to challenge you, both sides, to have the courage of your convictions; to talk with one another, not against one another, but with one another, with a view, at least for the moment, of reaching accommodations -- maybe small accommodations arrived at now -- to obviate the need for going forward one way or another with an application for a Temporary Restraining Order, and beyond that a Preliminary Injunction.

Maybe accommodations arrived at right now could pave the way for larger accommodations, so that you could then use more fruitfully the machinery of the World Conference and get back to reasoned collective debate rather than imposing solutions on one another.

I don't know whether you really have the courage of your conviction. I wonder whether each side isn't simply taking a refuge in its self-described virtue. Maybe if I talk long enough in this vein, you can recognize me as a common enemy, and that will give you something to unite about.

You're not the only people who recognize the evils of narcotics addiction. A person in my line of work sees it every day in this courtroom, and these courtrooms are replicated by the tens of thousands throughout the country. For every one of your home groups, there are scores and scores and scores of courtrooms. So if you want to work at these problems, work at them.

Work at them for the balance of this evening and tomorrow morning. You can come back here tomorrow at 11:30, and you can tell me whether you've been able to manage to talk constructively together.

As I understand it, the conversations up to now, on the 27th and 28th, were between Mr. Moorhead, on the one hand, and Mr. Synnestvedt and Mr. Fields, on the other. Mr. Synnestvedt and Mr. Fields are lawyers. I was about to say only lawyers. I don't mean that in a disparaging sense, or I would disparage myself. I'm only a lawyer, too. But we're instrumentalists in this business. It's Mr. Hollahan and his colleagues on the one, and Mr. Moorhead and his colleagues on the other hand, who are going to have to decide whether they can do something constructive.

I think the next set of conversations -- and I'm going to leave you here in this courtroom. This a good venue to start. Its neutral ground has a certain severity that may remind you of your common obligations. I think it should be the attorneys and the litigants, Mr. Hollahan, as well as his attorneys, Mr. Moorhead -- and I hope, Mr. Moorhead, your colleagues with you -- talk here in the courtroom; go out and have supper, talk more there. If you can't work something out this evening, then you'll have a few hours in the morning. But take your responsibilities seriously.

Forget the posturings of this courtroom. If you come up empty-handed by tomorrow morning at 11:30, then I will go forward to consider the motion for a Temporary Restraining Order. Good night.

(Whereupon, the Court began the proceedings at 9:45 a.m.) Friday, January 4, 1991.

MR. SYNNESTVEDT: The parties have carefully followed Your Honor's instructions, and have worked together long and diligently, and have a reached an agreement.

THE COURT: That's very gratifying.

MR. SYNNESTVEDT: It's one that finally disposes of this matter, subject to Your Honor's entry of an order, that we worked out the language of, and I'd like at this time to hand up a copy of the agreement that the parties entered into. Attached as Exhibit A is a copy of the proposed form of order.

THE COURT: Let me take a moment to look at this.

MR. SYNNESTVEDT: I'm sorry, I didn't have an opportunity to get it down to Your Honor earlier this morning. We made that last revisions after 9 o'clock.

THE COURT: Obviously, you have been working very intensively.

(Pause.)

Well, that sounds like a very constructive agreement, indeed, that you've arrived at, and I congratulate you. I call your attention to a couple of very minor typographical matters I think you might want to amend.

On page two, fifth line from the bottom -- well, I think the last word of that line should be "either the" or "a", but not both of them. That is, "either entered the preliminary hearing," or "entered a preliminary hearing."

MR. SYNNESTVEDT: I think the word "the" should be stricken, Your Honor.

THE COURT: All right. Suppose we make the changes and have the parties who are here with us in the court today initial the changes. I would think that would make good sense.

In the same line, my first name is L-O-U-I-S.

MR. SYNNESTVEDT: Sorry about that, Your Honor.

THE COURT: No apologies are necessary. I routinely have my name misspelled, but it's usually my last name.

On page three, in the fourth line of motion two, I think you mean "its" without an apostrophe; do you not?

MR. SYNNESTVEDT: Yes, Your Honor.

THE COURT: And I would, in the same vein, I would suggest that on page four, the various times where you refer to RSRs, that you probably don't want an apostrophe there, either. It's just an ordinary plural, isn't it?

MR. SYNNESTVEDT: Yes, I think that's correct, Your Honor.

THE COURT: The second line of the first full paragraph where it says, "four RSRs," and then down on the seventh line, the last work of the line is --

MR. SYNNESTVEDT: On the third line, too, Your Honor.

THE COURT: On the third line, correct, and the third line. And, finally, I guess it's the twelfth line, the third word, "by the RSRs," again you probably would not want the apostrophe. I'm sure you really didn't want me to be your proofreader, but it's very hard for me to read without a pen in my hand.

I'm certainly entirely satisfied to enter the Order which you are requesting me to enter by consent.

MR. SYNNESTVEDT: Thank you, Your Honor. I have the original typed version here.

THE COURT: You and Mr. Moorhead want to agree on, and initial, the changes in the agreement.

MR. SYNNESTVEDT: Mr. Moorhead has requested an opportunity to address the Court.

THE COURT: I'd be delighted to hear from Mr. Moorhead before I sign this Order.

MR. MOORHEAD: Your Honor, our Society of Narcotics Anonymous is only a microcosm of society at large, and we are thankful for the insight and the direction that you have offered us. We have many things to learn as individuals and human beings, and we must remain open to instructive, sound, wise admonishments that help redirect us in our endeavors.

Your patience and your tolerance for the proceedings that were in front of you the other day, and your admonishments to us at the end, were the catalyst that brings us to the point where we are today, putting seven years of divisiveness and hurt feelings and diversion from our societal purposes behind us. This is truly, in my mind, and in minds of all who have attended and participated thus far, a truly momentous day in the history of not only Narcotics Anonymous, but perhaps it may have further far-reaching implications for society as a whole.

I would beg Your Honor, if there is ever a time that someone comes before your court that is in need of an organization such as ours, that you not hesitate to call upon me personally, or any one of the people who were here in this courtroom, because, quite frankly, sir, we will go to the mat for them, and we're going to the mat for you, too. Thank you.

THE COURT: Well, I thank you, Mr. Moorhead, for what you have said. And I thank all of you for the very constructive spirit in which you have approached this matter.

There are lots of lawsuits that come to a federal court ranging all over the canvass, civil and criminal alike, and most people don't come to court unless there's considerable trouble. There are occasional times when one feels that a judicial intervention serves some constructive purpose. There are many times when one feels that all a court can do is contribute an orderly framework for the disposition of a problem and determine what the society's response must be where people are unable to resolve disagreements for themselves. But, not infrequently, one feels not a great sense of accomplishment besides registering society's verdict and establishing the discipline framework.

One doesn't feel a great sense of accomplishment in the sense that, too often, one is not very sanguine that constructive things will follow. This litigation is an exception, and an enormously gratifying exception to that generalization.

On the basis of what you, Mr. Synnestvedt, and you, Mr. Moorhead, have said, and on the basis of the text of the agreement you've arrived at, and the Order of which you are asking me to sign, and which I very happily do sign, I feel that the auspices are very good for moving forward in a constructive way, with efforts which obviously are of enormous consequence to the society. And I'm most gratified to the extent that our efforts here, the day before yesterday and this morning, have led in this proper direction.

I certainly will bear in mind, Mr. Moorhead, as I continue to do my work here, that we are in some significant sense institutionally working in parallel ways for these very important common purposes. And I will look forward to hearing, I hope -- perhaps the parties will favor me with letting me know what happens to accomplish the ends which are identified in your agreement, most particularly what provisions are ultimately determined by the processes which are contemplated for further consideration by the Conference.

I should add that I am gratified at the thought that the parties have felt that something useful might be accomplished by publishing what I had to say in court on January 2. I will have to tell you that after that hearing, I was a little concerned, perhaps more exigent in my censure, and less appreciative of your various efforts than I should have been. But I am glad that some positive message came through, and that in response to it, you were able to work so successfully together.

So I have signed this Order, and I will ask if you, that you -- will you undertake to file this, Mr. Synnestvedt?

MR. SYNNESTVEDT: Yes, Your Honor.

THE COURT: Perhaps if you would kindly return a copy of the agreement to my chambers.

MR. SYNNESTVEDT: Yes, Your Honor. The agreement is to be modified slightly by those typographical corrections. Thank you, Your Honor.

THE COURT: Thank you all. Unless there's anything further, we are in recess.

(Whereupon, the Court adjourned the proceedings at 10:00 a.m.)

- #13 That the fellowship reconsider its decision on which edition, or parts thereof (First, Second, Third, Third Revised, Fourth, or Fifth), of the Basic Text shall be produced and distributed by the WSO as the official and accepted text of Narcotics Anonymous.**

In order for this motion to be considered, a description of the differences between the respective editions will be sent to each registered area and region, along with a copy of the complete Basic Text Third Edition, Revised. It is expected that the WSC will rescind the motions adopted in 1988, which adopted the Fifth Edition as the Basic Text, as well as the motion restricting any change to the text for five years.

- #14. That the WSO produce, at a reduced price, the edition of the text ratified by the WSC. The actual price of this text should be determined in view of the following factors: its affordability to the membership at large; a change in the cost and quality of the materials used in producing the book; the responsibility of the WSO to provide services from the income generated by sales of the Basic Text; and whether it includes personal stories or only the first ten chapters.**

- #15. That the WSC be directed to obtain a group-by-group tally of all the groups registered with the WSO, on Motions 13 and 14 above. This procedure will begin on July 1, 1991 and continue through December 31, 1991. All the registered groups shall receive a copy of a paper detailing the differences between the editions of the Basic Text, and a complete copy of the Basic Text Third Edition, Revised. In addition, each group shall receive complete information concerning the issues relevant to a reduction in the price of the ratified text.**

The committee appointed to supervise this tally shall consist of the following: four RSRs, to be nominated by the entire group of RSRs in attendance at the 1991 WSC; two trustees to be nominated by the members of the World Service Board of Trustees; two WSO directors, to be nominated by the directors of the WSO; and the WSC Chairperson. Those nominated by the RSRs, trustees, and directors, respectively, are to be submitted to the World Service Conference in 1991 for confirmation by two-thirds published roll-call vote, failing which, those not confirmed shall be replaced by others nominated by the RSRs, the trustees, or the directors, respectively. Two members of the WSO staff shall also be assigned as nonvoting advisory members. The results of the group-by-group tally shall be published in the *Fellowship Report*, and confirmed as official at World Service Conference in 1992.