

Life-Line Bulletin

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Trustee Line for October 2016

A PDF version of this issue to distribute to your rooms, or to print out for easier reading, will be available after 10/31/16.

Thoughts From The Trustees - Current and Past

Disclaimer - The Trustee Line is a function of the Board of Trustees of Gamblers Anonymous. It is intended solely as a forum for members of the Board of Trustees to share opinions on issues related to Gamblers Anonymous. Any postings in this or any other edition of the Trustee Line are not to be construed as the opinion of Gamblers Anonymous, as a whole. The publication of any items on the Trustee Line do not constitute an endorsement or statement of approval or acknowledgement by Gamblers Anonymous of what the contents are.

The subjects listed below are themes that have been submitted by other Trustees. You may respond to any of them, or start an entirely new subject

Subjects that receive submissions from at least 13 different people, will trigger an email blast to all the current and past Trustees, signifying a 'Hot Topic Alert' on the Trustee Line.

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San Diego Item #27

10/16/16 - 8:32 AM

Item # 27 on the BOT Agenda, "Motion: Remove Corporate By-Laws from appropriate and approved literature immediately" was discussed in San Diego and was resoundingly defeated.

If you were one of the many Trustees that voted against this item, would you share with all of us your research regarding this item?

Were you knowledgeable on all the laws and issues regarding this item?

Did you review the Federal Tax Code to help you understand non-profit corporations?

Did you read the State of California statutes on non-profit corporations?

Did you ascertain what the responsibilities of a Director (Regent) of a non-profit corporation are to keep one's non-profit status within the law?

Did your vote possibly jeopardize the non-profit status of Gamblers Anonymous?

Did any of you think to table this item to have an outside legal opinion sought?

Bill B. - Area 6, South Florida

10/17/16 - 2:25 PM

Bill: The questions you pose are thought-provoking. I wonder how many Trustees can honestly answer 'yes' to ANY of them. I know I can't.

I don't consider myself apathetic; however I recognize my limitations when it comes to understanding some business or legal matters. Personally, when confronted with something I don't fully understand, I watch and pay most attention to people I trust. Also, when it comes to the corporation, I'm inclined to defer to the BOR, for whom I voted to act in my best interests.

John B. - Trustee Area 13, Philadelphia, PA

10/17/16 - 2:33 PM

Bill,

Item #27 failed in a very big way in San Diego. Many people spoke about their opposition to the item. I was one of those who voted against this item, and I also spoke against it, so let me get the ball rolling.

Your premise for why you wanted to take the By-Laws off the approved list can be distilled down to one thing – Allowing the BOR to gain complete and total control over the By-Laws. Taking it off the approved and appropriate list would have allowed the BOR to run autonomously. I use that word specifically, because with that approval, the BOR could change the By-Laws in any manner it would choose. Despite all the attestations that the members of the BOR would never go against the will of the BOT, that door would have been opened, if it passed.

The Guidance Code has a item under Article VIII, Section 10:

“The Board of Trustees shall act in an advisory capacity only in the operation of the International Service Office (I.S.O.). It is the intent of the duties entrusted to the Board of Regents of the International Service Office (I.S.O) that they should not enact any changes in the Articles of Incorporation or the By-Laws of the International Service Office (I.S.O.) without the majority of the Board of Trustees and the Board of Regents.”

The By-Laws has an item under Article VII, Section 2:

“The Board of Regents may seek advisory direction from the International Board of Trustees of Gamblers Anonymous. It is the intent of the powers entrusted to the Board of Regents of this corporation that they should not enact any changes in the Articles of Incorporation or By-Laws of this Corporation that is not compatible with the thinking and desires of the Board of Trustees of the Fellowship of Gamblers Anonymous.”

If the By-Laws are removed from the BOT purview, under the premise that only the BOR has the right to change the By-Laws, then this part of the Guidance Code and the By-Laws could easily be rendered moot. That means a believed to be well thought out decision by the BOR to allow donations from family and friends of Gamblers Anonymous members in memory of members that have passed away, would be in the By-Laws. The groundwork for this is part of the March '15 BOR minutes on pages 2 & 3, and I reference it by what I write below.

The roll call vote to approve was as follows:

Calvin C, Betty S, Woodie H, Mike S, Bob W. and Arnie B. The sole dissenting vote was Doug E. That's a 6-1 decision in favor of doing so. Valerie D. was absent for that meeting, but the vote was taken again during the following month's BOR meeting and Valerie voted in favor of the item. Then BOR Chair Steve F, indicated that he would only vote to break ties, so he didn't vote in either month's meeting. Valerie's vote, had she been present in the previous month, would have made the tally 7-1. If the By- Laws were removed as approved literature, the item would now be in the By-Laws, in direct violation of the Unity Step 7.

It's interesting that after this issue hit the BOT floor in Cherry Hill that the BOT was swayed by the authors of the item. To the shock of many, the item passed the first vote. Between Cherry Hill and Cancun, a maelstrom of controversy started with the sole purpose of defeating the item during the second vote. Prior to that second vote, the BOR reversed their decision by the same 7-1 margin, to now oppose the item. That's the difference between the procedure of making changes to approved literature versus any other status. Approved takes 2 votes – otherwise only 1. Had the previous BOR voted it in with the By-Laws being removed as approved literature, I seriously doubt that the new BOR elected in Cherry Hill '15, would have moved to reverse the decision. Keeping the By-Laws as approved literature is about checks and balances, where the group conscience of 125 Trustees is a more credible sourcing of decisions than the individual thinking of 9 members.

Having said that, I'm tired of this shouting from the rafters that nobody can change the By-Laws other than the BOR. Guess what, the BOR changes it because it is taking direction from the decisions of the BOT. The BOT has never filed any papers with the California Secretary of State, or any other regulatory division. It is the BOR that does this. So with that fact uncovered, the rest of these questions that are cited, do not apply. This is something called an argument from false premises.

So all your questions about the BOT's collective knowledge of these legal issues you cite are irrelevant. In fact, I would submit that aside from you, that no one on the BOR has any of the answers you seek in your submission. That prospect, if indeed it is true, is a bit unnerving because the business side of the Corporation of Gamblers Anonymous comes under the direct responsibilities of the BOR.

Your last question of whether the Trustees had the responsibility to table the item to get an outside legal opinion on this issue, was an overreach. The real question should have been why wasn't a legal opinion secured as part of the discussion in San Diego? I know that if I present an item at a Trustee meeting, I do my own due diligence and prepare whatever support material I need to aide in the passage of the item. If I encounter something I wasn't expecting that requires additional support, then I accept the fact that I was evidently unprepared to present my item. I don't blame others if the item fails as a result of not having that additional material.

Now here is something upon which to chew, which may be a bit off topic to some degree. If you are so intent on having every detail covered, as you are generally inclined, how is it proper to have the directors of the corporation, also be officers of the corporation? It's not illegal, but it is also not arms length. We should have a group of officers responsible for running the ISO and updating all documents and filings. There should be a separate set of Directors, doing what directors should be doing. Who is doing the 1, 3 and 5 year planning?

In my opinion, instead of worrying about the By-Laws being approved literature, we should be forming a committee to restructure the BOR. Looking at any of the minutes of the BOR, it has been very clear for a long time, that we don't do anything to ensure the future of the Fellowship. We are also quickly coming to a critical juncture in our history, as to where the BOR stands relative to the BOT.

I will close with this. OA was formed 3 years after us. Its revenue stream is 4 times that of ours. That is a testimonial to how stuck the BOR is in doing nothing in the area of what a true Board of Directors should be doing – what and where is our future?

David M. – Area 12, New Jersey

[Note: As Trustee Website Admin, my submissions to the Trustee Line are all reviewed by the Trustee website committee members, to ensure that they are in conformance with the guidelines.](#)

10/18/16 - 8:10 PM

I would normally find the back and forth regarding Item #27 a healthy discourse if it was not loaded with so much unhealthy hyperbole on both sides of the equation. No, we shouldn't give the Board of Regents carte blanche to change the By Laws without Board of Trustee input. I think both the Guidance Code Article VIII, Section 10 and the By-Laws Article VII, Section 2 are as succinct as they could be regarding the check- and-balance duality of the two governing bodies. All of us should embrace that, unequivocally. On the other hand, we also should not be impairing the Regents' ability to change our By-Laws (a legal document) based on a legal opinion, albeit hypothetical at this point, by invoking the two-consecutive-meeting rule that appears in our Guidance Code (not a legal document) that applies to GA-approved literature.

If there is ever a call for reasoned thinking, now is the time. How about this? Going forward to Cherry Hill and then on to Ontario, let's revise the Guidance Code by adding a section that the By-Laws can only be changed by an affirmative single vote of the Trustees at either the next scheduled Trustee Meeting (if occurring soon) or, if necessary, at a "quick response" meeting at the behest of the Chairman of the Board of Trustees. Once that is accomplished, the Board of Trustees will have (or should have) the peace of mind to take the By-Laws off the approved literature list knowing they have not given the proverbial ranch away to the Board of Regents. The check- and-balance is maintained and everyone gets what they sought in the first place, oversight and flexibility.

Regards...

Jack R, Area 1A, Orange County, California

10/19/16 - 3:52 AM

Bill: I think the solitary fact that the combined BOR, BOT (1st vote) and the BOR / BOT revenue review committee recently failed to prevent a first vote success for an item that would have allowed the ISO to accept outside contributions and effectively render Gamblers Anonymous a NON – FELLOWSHIP, points clearly to the need for the By – Laws to remain as they are in terms of potential to change. Only the availability of the second vote of the BOT and the period of reflection for all in between votes, assisted greatly by the Trustee Line I might add, prevented a disaster on that very recent occasion .

The intent that the BOR should not act without support of the BOT should never change and the item you refer to seems to be just another attempt to subvert that intent. It had to fail. It should always fail. It's only possibility of success is getting ushered in the back door by devious means and that would also require a one vote scenario.

Given that we still don't know whether the BOR or the BOR / BOT revenue review committee authored that disastrous item, that we cannot even ascertain who was responsible for authoring that item by checking the records, that the people themselves didn't even seem to know, it is even more important to retain the checks and balances as they are at the moment.

Jack, while I accept that a one vote scenario could possibly galvanize BOT members to take extra care first and only time around, I don't really follow how proposing a one vote scenario is anything different, anything new, other than seeking to give effect to an item that failed, astoundingly, by all accounts.

Indeed, the thought that, if your proposal succeeded, some of these items could get through by virtue of a single vote at a quick response meeting called someday by a BOT Chair who may be a former BOR chair or member or supporter raises a very large red flag for me. Perhaps I misunderstood your point ?

Odie.B. - Area 36, Ireland S / E

10/19/16 - 11:17 AM

Odie, the Regents are the "corporate" arm of our fellowship whereas the Trustees are the "philosophical" arm. Very few organizations I know of have this type of governance structure. In fact, if you went to most of our membership, they are either unaware that this duality exists or if they are aware, could not tell you who does what. I'm sure there are Trustees out there who think that taking the By-Laws off the approved literature list was simply another power grab by the Regents akin to wanting to change how the fellowship is funded and they would not be completely inappropriate in thinking so. However, the fact remains that GA is not only a fellowship with a mission described in Article III of the Guidance Code, it is also a California Corporation and as such, needs some modicum of flexibility when addressing changes as might be seen as necessary by their legal counsel. At present, any changes to approved literature, the By-Laws included, require not one but TWO consecutive votes by the Trustees. At its extreme, this might mean that if we received a legal opinion the day after one of our Trustee meeting ends, the ISO might have to wait up to a year before implementing those changes. That is simply not reasonable from either a legal standpoint or (perish the thought) a common sense standpoint. The compromise I proposed would allow the Regents a little more flexibility (in terms of implementation time) to make necessary changes to the By-Laws while at the same time preserving the Trustees' right, ability, and duty to keep the Regents from making a bad decision such as the one they made last year regarding outside donations. Neither side should be drawing lines in the sand but rather, trying to figure out a way for one side to meet the other side's needs.

Regards...

Jack R. - Area 1A, Orange County, California

San Diego Item #14

10/17/16 - 2:22 PM

Agenda #14: Copying Literature.

Clarification, please: "Copying of any GA approved literature is prohibited, unless specifically designated for that purpose. Such designation will be listed on the item(s), where applicable."

Page #1 of the PRGM Pamphlet and Financial Forms, states “One week prior to the Pressure Relief Group Meeting, the member should be given copies of Pages 2,4,5,6,7,8,10 and 11.”

Question: Do these physical pages get torn out of the pamphlet and given to the member; or should photocopies of these pages be used? Is this what is meant by “designation will be listed on the item”?

Your friend in Recovery,
John B. - Trustee Area 13, Philadelphia, PA

10/17/16 - 6:52 PM

John, my take would be that there is already the pre – existing intent in the wording you have quoted which has the same effect as whatever form the designation will take from now on. i.e. We should remain free to copy those particular pages for the purpose of providing them to a member in advance of a PRGM.

I believe it would take an agenda item to free these pages from having the newly required designation, therefore any new print must contain the designation or be bound by the designation if some other format is used, therefore there is no difference, for those particular pages. I doubt if I am mistaken, but stranger things have happened.

Odie B. - Area 36, Ireland S/E

Open Positions

10/20/16 - 5:08 PM

To all the Trustees:

we presently have 22 areas without any representation. we have 8 areas that are underrepresented. By the time we get to Cherry Hill, decisions are going to have to be made. Do areas need to be reduced in Trustee numbers? Do areas need to be covered that are not represented? I would ask the chair discuss this with BOT restructure committee and come up with some ideas to remedy the situation.. I will entertain any ideas from fellow Trustees

Ian S. - Area 6D Trustee, Georgia
