

Legal Entity

Experience from the Polish Region.
Summer EDM in Birmingham 2015



Can We Set Up a Legal Entity?

“NA as such, ought never be organized, but we may create service boards or committees directly responsible to those they serve.”

“The Ninth Tradition goes on to define the nature of the things that we can do to help N.A. It says that we may create service boards or committees to serve the needs of the Fellowship. They exist solely to serve the Fellowship. This is the nature of our service structure as it has evolved and been defined in the N.A. service manual. - Basic Text - 9th Tradition”.

Concept 1 :To fulfill our fellowship’s primary purpose, the NA groups have joined together to create a structure which develops, coordinates, and maintains services on behalf of NA as a whole.



Why do we need a Legal Entity?

Concept 1: “To fulfill our fellowship’s primary purpose, the NA groups have joined together to create a structure which develops, coordinates, and maintains services on behalf of NA as a whole.”

- to meet requirements of the local law and be responsible (e.g. pay taxes, follow the law etc)
- to be able to carry the message more effectively (PI and H&I will gain a lot from it)
- to secure funds of the Regional Committee
- **It makes NA truly EXIST in society.** (“One of the continuing miracles of recovery is becoming a productive, responsible member of society.”Basic Text - Chapter Ten)

“Local service centers become incorporated in order to meet requirements of local and national law regarding business licenses, taxes, insurance, and employment. - A Guide to Local Services in Narcotics Anonymous”.



There is no universal way ...

“Because the needs of each community and each local service center vary so greatly, it’s not been possible to create a uniform handbook providing clear direction on how to operate all local service centers. The World Service Office, however, has substantial experience in advising local offices in many phases of their work and will be happy to lend assistance to area or regional committees who may be considering the creation of a local service center. - A Guide to Local Services in Narcotics Anonymous”.



Experience from Poland

Engaging groups (not only regional committee but also single groups into the process of legal registration) can strongly benefit the process. It taught us to trust in group conscious and follow concept two:
“The final responsibility and authority for NA services rests with the NA groups“.

The Polish fellowship has asked the groups in written form (regular mail to all groups) and has had an open discussions about it during service meetings around the country. All groups have decided that we should set up legal Entity.
Open Communication with our Groups is critical during this process from beginning to its end, because “our service structure depends on the integrity and effectiveness of our communications.” (Concept 8)



Experience from Poland - Asking for experience

- At the beginning we asked for experience from another 12 step fellowship that had their legal entity registered.
- Based on that advice we decided about the model of our legal entity,
- This brings a lot of concern and discussions in the fellowship during our regional and area service meetings, but we had finally decided about the form of our legal entity, we had decided to set up a **foundation**.
- **This process of gaining experience, making decision, and choosing a legal form took MANY years.**



Experience from Poland - Problems

After this decision made by groups we made some moves based on fear and were not good for overall process.

- The committee wrote the groups a letter full of fears -the letter was about fears of finding the money to support the legal entity. In addition the Service Committee expected a commitment from the groups to transfer 20% of their income to the Service Committee for maintaining the Legal entity. This raise a lot of concern in the groups (because they made the decision before being asked to support - and now were asked - with additional conditions.)This slowed down the process for few years.



Experience from Poland - Problems

- There were more fears about becoming legal and honest, seeking ways to illegally hide our money flow.
- The problem was in TAKING DECISION - not in the process of doing that.
- Because of the lack of decision making - trusted servants were not willing to serve in this committee.
- In addition - we as fellowship - forget to keep it simple. Structure of proposed solution was targeted to corresponding to current service structure and was complicated and hard to maintain from a legal perspective.
- The solution for the fears mentioned in this letter was in the workshops during our Group Assembly in Spring 2015.
- During these workshops the groups, voted for legal entity.



Experience from Poland - Decision

During the last Regional Service Conference we provided a planning session for the delegates that showed them the ability to:

- create a new committee for legal entity
- simplify the process

Delegates have voted **Yes** based on **Consensus**.

This was a final decision and the delegates provide full authority to a newly established committee to make Polish NA legal.



Experience from Poland

This gives service committee a strong mandate (decision of all groups) to work on the solution. And groups (Based on 3rd Concept “The NA groups delegate to the service structure the authority necessary to fulfill the responsibilities assigned to it.” have delegated the authority to Service Committee. Means - committee is responsible for execution of groups will.

Concept 4 was critical in establishing a new committee responsible for the set up a legal entity (Effective leadership is highly valued in Narcotics Anonymous. Leadership qualities should be carefully considered when selecting trusted servants.)



Experience from Poland - Planning

- The newly established committee asked for legal advice, that helped in writing down all the things that have to be done. We transferred this “things to be done” into small tasks.
- We have organised these tasks according to chronology and priority.
Remember that : **Any large task can be just a set of small tasks**, Set of small tasks will not make us feel overwhelmed :) **It's all doable!**

This is a critical part of the process, It is important to make a detailed plan and stay open minded if any changes will occur, please remember to adjust plans if something is changed and always keep them in written form - it is important to keep your plans up-to-date.

Remember: Planning is critical and helps all the committee members to gain detailed understanding of the process and all actions that have to be taken.



Experience from Poland - Execution

- The Committee met every two weeks, On every meeting committee members volunteered for tasks from the top of the list, and reported completion after two weeks (if not completed - task was going back on top of the list).
- Every committee meeting was ended up with “meeting minutes” that clearly described who and what was to be done before next meeting.
- Please remember that tasks should be small enough to be complit in 2 weeks. If Not - they have to be divided to smaller ones.
- We have also decided to simplify structure of proposed legal entity, we have to keep it simply, if this structure will be complicated - it will be hard to maintain.



Experience from Poland - Execution

- Currently we have completed most of the tasks regarding setting up legal entity, We, as a committee are staying in constant contact with Regional Service Committee and additionally are trying to maintain constant communication between its members, it helps us to take over tasks if something is going wrong for any of us. Frequent Communication between Committee Members is **CRITICAL for this process**. We have to be supportive to each other.
- We are also careful in choosing trusted servants for our committee, and consider all points of views from committee members and from fellowship in making any decisions.



Experience from Poland - Next step

We are preparing next concept review meeting with our area delegates in August (22-23), that will cover:

- presentation of all servants that will be registered as management and founders of our legal entity
- presentation of all documents prepared for registration
- meeting with lawyer to help answer all possible questions from delegates
- meeting with financial accountant to answer all questions regarding payment of taxes, money flow etc.

We want to give to our groups a FULL view of all aspects of proposed form of legal entity.



Experience from Poland - Communication

Communication between committee members and other service bodies of our fellowship is critical.

Effective and responsible communication with NA groups will also provide to service committee necessary resources. Final responsibility and authority rests in NA Groups.

Communication is the only way to establish Trust.



Experience from Poland - Trust

As trust was a critical spiritual value from beginning of this process is also important on its finish. As seen from experience - lack of trust in this that we CAN DO IT can slow down process.

We will ask our delegates to accept proposed solution and humbly agree on any answer. As we feel that higher power has guided us through all this process we have trust that any decision of delegates will be right.



Experience from Poland - Spirit of Service

**“In keeping with the spiritual nature of Narcotics Anonymous, our structure should always be one of service, never of government.”
(Concept 12)**

