SUMMARY OF LEGAL OPINION ANALYSIS

This is a very brief summary of our eight page analysis of the legal opinion rendered to the SA Central Office by Kenneth A. Weber, Esquire. For more information on who we are and for the details of the matters summarized below, please refer to the full document. We, including several members of SA who are also attorneys, believe the legal opinion is wrong, for the reasons stated in our analysis and summarized below. We urge the delegates to stand firm and defend the traditional interpretation of the SA sobriety definition, as reaffirmed in the Cleveland Statement of Principle.

The integrity of our sobriety definition and its preservation for those who have found that they require it to survive and recover are values that far outweigh theoretical and unlikely legal considerations. The delegates should therefore view this matter as primarily spiritual in nature, not legal. (See Section A of the paper.) As set forth in SA's organizational documents, and consistent with the Twelve Traditions of SA, the delegates represent the fellowship and, as such, set policy for and direct its implementation by the trustees. The delegates therefore have the duty and also the authority to defend the integrity of our sobriety definition from both erosion from outside the fellowship and attack from within. (See Section C of the paper.)

In our opinion, laws prohibiting discrimination on the basis of sexual orientation are most likely not applicable to SA on a number of grounds (see Section B of the paper), as follows:

- A law banning discrimination on the basis of sexual orientation does not necessarily apply to disparate treatment of heterosexual marriages and same-sex unions. For example, at least half of the states that have such anti-discrimination laws on the books, do not allow for "marriages" between same-sex partners, nor do they recognize same-sex unions on an equal footing with marriage.

- Many of the states that prohibit discrimination on the basis of sexual orientation also prohibit discrimination on the basis of marital status. If the Weber legal opinion is followed to its logical conclusion, SA must also broaden its sobriety definition to include within its scope cohabiting couples even heterosexual couples in unmarried relationships, whether or not their relationship is "committed."

- SA is not a "place of public accommodation" and is therefore not within the scope of many of the anti-discrimination laws. While such laws might be construed as blocking SA's use of public facilities (public schools, public libraries, civic centers, etc.), they would not prevent SA from meeting in private facilities (churches, members' homes, private clubs, etc.).

- SA is an "expressive organization," and as such may not be restricted by such anti-discrimination laws. In this respect, SA is virtually indistinguishable from the Boy Scouts in the noted case decided last year by the United States Supreme Court.

- SA is also exempt as a "religious organization." While it is true that SA does not promote or require adherence to any specific creed or doctrine, it is "religious" as that term is used in the legal context. Several federal courts have found both AA and NA to be religious organizations for purposes of separation of church and state. There is no reason to believe the same logic would not qualify SA as a religious organization exempt from compliance with such anti-discrimination laws.

- Part of the Constitutional right to freedom of expression enjoyed by SA and its members is the right not to be forced to utter statements with which they disagree or to take expressive actions contrary to their desires. Any state law that would require the broadening of SA's sobriety definition to include same-sex unions would violate these Constitutional rights, because it would be compelling SA to make statements and take expressive actions that are diametrically opposed to SA's primary, unique message of sobriety.

We must seriously consider the long-term ramifications of what we do here. If we open this floodgate now in reaction to even the possibility that SA may be legally challenged, our sobriety definition will never again be ours. It would be subject to change in reaction to changing laws, shifting public mores, and ever vacillating opinions on what is politically correct. We feel very strongly that this would substantially weaken, if not kill, the fellowship.

ANALYSIS OF THE LEGAL OPINION OF KENNETH A. WEBER, ESQUIRE

This paper is an analysis and comment upon the August 9, 2001, legal opinion letter sent by Kenneth A. Weber, Esquire, and Jennifer Gingery Cook, Esquire, to the Ms. Kay Shotwell, SA Central Office. This document has been prepared by a group of SA members, several of whom are attorneys, and has been primarily drafted, with comments from the group, by an SA member who is a licensed attorney who has been in active legal practice for over twenty years. The various participants in this process choose to remain anonymous at this time, but if there is genuine reason for limited disclosure and discussion at a later date, that will be considered.

We do not purport to render a formal legal opinion or give legal advice, but we do present this to the delegates as the sincere professional reaction of certain SA members who happen also to be attorneys to a legal opinion letter that we believe is inaccurate in both content and emphasis. As you will read below, especially in Section B, we think the Weber opinion is wrong in automatically assuming that distinctions between heterosexual marriages and same-sex unions constitute unlawful discrimination on the basis of sexual orientation. And even to the extent anti-discrimination laws do cover such situations, we believe, contrary to what is stated and implied in the Weber opinion, that SA would not be subject to and/or would be exempt from such laws because it is not a place of public accommodation, and it is an expressive association and a religious organization. Any attempt to apply such laws to SA as suggested in the Weber legal opinion would, in our view, violate the Constitutional rights of SA and its members.

A. THE ISSUE IS PRIMARILY SPIRITUAL, NOT LEGAL

We firmly believe and start from the premise that the Cleveland Statement of Principle did not and does not change the SA sobriety definition. The Cleveland Statement is rather intended to prevent the sobriety definition from being altered by fiat or by design. Do not be misled by rhetoric that tries to turn these tables. We are now seeking to include in the SA white book a clarification of the words "spouse" and "marriage" as used in connection with the sobriety definition so that any shifting societal meaning of those words in other contexts does not erode SA's consistent understanding of its sobriety definition.

The Weber legal opinion ostensibly addresses the possible legal ramifications if SA were to change its sobriety definition to ***exclude*** same-sex unions. But actually it can be fairly characterized as a legal argument for why SA should change the sobriety definition to ***include*** same-sex unions. We strongly urge the delegates not to be diverted from their spiritual obligations to the fellowship they represent by fear of theoretical threats of vague and novel legal problems. We respond to the legal arguments in the next section of this document and, as you see there, we do not agree with Mr. Weber nor do we share his concerns.

Before turning to the legal analysis, though, we must place the matter in proper context. The sobriety definition debate is not something new to SA. We have experienced it over the years, and most of us have been around long enough to see its various manifestations. There will likely always be newcomers who initially challenge the definition, and our experience has been that the strongest groups in recovery are the ones that are secure in their own commitment to the sobriety definition and meet these challenges lovingly, directly, and firmly. It is, in our opinion, a blessing that there are other "S" fellowships who allow members to define their own sobriety. This gives

us an alternatives to offer to newcomers who cannot or will not accept our sobriety definition. We speak only for ourselves, and we are not for everyone.

But there is a larger, more insidious challenge to the sobriety definition that we are now facing. It is not from newcomers. And it not even from within the fellowship—even though it is being championed by some members of the fellowship. Our sobriety definition is being directly and seriously challenged by outside forces: social norms, current politics, and even (or so we are told) civil laws. If one accepts the full implications of the logic in the Weber legal opinion, the SA fellowship is NOT the master of its own sobriety definition. SA can be dictated to from the outside—by particular local, national, and international laws; by the current social and moral norms that are deemed politically correct in a particular time and society; or even by subtle changes over time in society's use of words that relate to the sobriety definition.

Ironically, the sobriety definition really ***is*** beyond the control of the fellowship—but it is ***not*** in the hands of shifting societal norms, lawmakers, judges, or politicians. We firmly believe, on spiritual grounds, not legal grounds, not only that the definition must not be changed, but that the possibility is not even open to debate. Just as there comes a time when the individual sexaholic must surrender the right to self-defined sobriety, the fellowship is now at the point where it must admit that it cannot change the sobriety definition, because it did not create the sobriety definition.

As an example, the Twelve Steps of Alcoholics were not designed or created. They were an after-the-fact articulation of the common experience of the earliest recovering alcoholics. The same holds true for our sobriety definition. We did not ***invent*** it, we ***discovered*** it by the grace of God. Those who fashioned the sobriety statement in the earliest days of SA did not simply apply their keen minds to a knotty intellectual problem and select one of a number of possible solutions. Rather, these conclusions "were forced upon us in the crucible of our experiences and recovery" (especially early failures) and validated by the continuing history of our common experience. SA's sobriety definition is the distinctive feature of its unique place in the sex addiction recovery family, and from the beginning, this has been universally recognized not only by us, but by all the other fellowships as well.

The sobriety definition was not created by us, it was ***given*** to us. Remember, "no human power could have relieved our sexaholism," but the "God [who] could and would if He were sought," blessed those earliest recovering sexaholics with the realization and awareness that what they later articulated in SA's sobriety definition was the key essential requirement. A higher power worked through their collective group conscience as they gradually recognized and acknowledged the truth of their common experience of recovery. The common experience of the overwhelming majority of members has since confirmed this, and our common welfare demands that this discovery be honored and protected. It is for this reason that we, and a multitude of others, are so adamant in our defense of the traditional interpretation of the sobriety definition. We believe—based on our experience, not because of mere opinion—that there is a deep and abiding spiritual significance to sexual sobriety.

This is the crucial and controlling reason why the sobriety definition cannot be changed from within SA, and that it must be protected against erosion of its meaning from without. It must not be changed from within, even if those who would change it somehow manage to muster internal control of our intergroups and service organizations. Nor can its meaning change merely

because the words used to articulate it may have shifted in their conventional meaning in society. Its meaning does not change merely because certain people or groups feel it is unfair to them, even if their perceived unfairness finds sympathy in outside society or support in civil laws. And, as we now show, there is in reality no cause for undue concern on the legal front.

B. LEGAL ANALYSIS OF THE WEBER OPINION

For purposes of evaluating the legal issues, it does not matter whether definition is being changed or merely clarified. The legal question is whether SA is legally prohibited from excluding same-sex unions from its understanding of the words marriage and spouse as used in the sobriety definition. If some law prohibits that, it will do so whether we begin to impose the restriction tomorrow or have had it in place for years. So the real bottom line question is whether SA is in any way legally precluded from defining sexual sobriety in such a way that excludes same-sex unions.

1. SA membership is not restricted on the basis of sexual orientation.

SA does not exclude anyone from membership who has a desire to stop lusting a become sexually sober. We do not exclude someone because he or she is a homosexual, just we exclude no one on the basis of race or religion. Weber makes the absurd claim that the traditional interpretation of the sobriety definition "would never allow [homosexuals] to complete all Twelve Steps of SA." No one in SA is prevented from working any of the twelve steps because of sexual orientation, nor is a minimum length of sobriety imposed as a condition to working any of the twelve steps. Our program teaches that "more important than the mere length of our calendar sobriety is its quality and our own personal integrity." ("The Sobriety Definition," Sexaholics Anonymous "white book" at p. 192)

Weber argues that our definition precludes homosexuals from "full" membership because of minimum sobriety requirements for participation in certain aspects of meetings and for certain "leadership" positions. But the portions of the white book he cites present minimum sobriety requirements as part of a ***suggested*** meeting format. ("Appendix 1," Sexaholics Anonymous "white book" at p. 197-199) Neither SA as a whole nor any SA group can impose specific minimum sobriety requirements on any other SA group. There is no uniformly applied standard, so the idea that this restricts "full" membership in SA is misguided.

The nature of the so-called "leadership" positions in SA are not "fuller" levels of membership. "Our leaders are but trusted servants; they do no govern." Our "one ultimate authority [is] a loving God as He may express Himself in our group conscience." (SA Tradition Two) In a fellowship based on humility and service, a so-called "leader" does not claim greater status than any other member, not even a newcomer struggling to maintain sobriety. In fact, for SA as in all Twelve Step fellowships in the AA tradition, the newcomer is the most important of all our members.

To be sure, we do not call someone sober unless he or she is practicing sexual sobriety as SA defines and understands it. Admittedly, this places married heterosexual couples in a different posture than sexually active same-sex couples. For the reasons explained below, however, this does not constitute unlawful discrimination on the basis of sexual orientation.

2. Precluding same-sex unions from the scope of "marriage" as used in SA's sobriety definition does not necessarily constitute discrimination on the basis of sexual orientation.

The Weber opinion states that SA's sobriety definition, if it excludes same-sex unions, is subject to challenge under state and local laws and ordinances that prohibit discrimination on the basis of sexual orientation.[1] After you strip away all the legalese, however, the opinion letter simply says this: "There are some laws out there that prohibit discrimination based on sexual orientation, those laws might be interpreted to also preclude distinctions between same-sex unions and marriages, and because of that someone might try to sue SA." In a day and age when anyone can and does bring a lawsuit against anyone else for just about any real or imagined wrong, this is not really informative. Nevertheless, assuming that it is worth while to consider the potential applicability of these vague and undefined anti-discrimination laws, there are a number of serious weaknesses in the Weber opinion which we now address.

Without any analysis or reasoning, the Weber opinion assumes that a sobriety definition that precludes same-sex unions would violate anti-discrimination laws based on sexual orientation. But this is not a fair reading of the law in general. But many of the states that have such laws do not themselves extend equal treatment to same-sex unions, domestic partnerships, etc. Thus, a total of ten states (California, Connecticut, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, Rhode Island, Vermont, and Wisconsin) have laws proscribing discrimination on the basis of sexual orientation in public accommodations, yet at least half of these same states (California, Maryland, Minnesota, Rhode Island) also have specific laws either prohibiting or in some way restricting same-sex unions. And even in the remaining states (with the exception of Vermont) the question is not necessarily settled.[2] Thus, even states that seek to proscribe discrimination based on sexual orientation do not consider disparate treatment of heterosexual marriages and same-sex unions as violative of those laws.

Even if the laws potentially reach SA's sobriety definition, we urge the delegates to think long and hard before automatically assuming that SA must change its sobriety definition to fit the laws. Consider the possible consequences. For example, many of these anti-discrimination laws also proscribe discrimination on the basis of marital status, thus ostensibly making it unlawful for a landlord, for example, to refuse to lease an apartment to a non-married heterosexual couple because he disapproves of pre-marital sex. The logical conclusion of the Weber opinion must be,

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[1] The Weber opinion acknowledges that there is no federal law preventing discrimination on the basis of sexual orientation, but it should also be noted that the courts have consistently held that neither homosexual conduct nor same-sex unions enjoy protection as "rights" under the United States Constitution. *Bowers v. Harwick*, 478 U.S. 186 (1986); *Zablocki v. Redhail*, 434 U.S. 374 (1978); *Loving v. Virginia*, 388 U.S. 1 (1967); *Storis v. Holcomb*, 645 N.Y.S.2d 286 (Sup. Ct. 1996); *Dean v. District of Columbia*, 653 A.2d 307 (D.C. 1995); *Baehr v. Lewin*, 852 P.2d 44, *recon. in part*, 875 P.2d (Haw. 1993); *Matter of Estate of Cooper*, 564 N.Y.S.2d 684 (Sup. Ct. 1990); *Singer v. Hara*, 522 P.2d 1187 (Wash. App. 1974); *Jones v. Hallahan*, 501 S.W.2d 588 (Ky. 1973); *Baker v. Nelson*, 191 N.W.2d 185 (Minn. 1971).

[2] Source: Lambda Legal Defense and Education Fund, New York.

therefore, that in order to limit its legal exposure in those jurisdictions SA, must also change its sobriety definition to allow cohabitation of couples, committed or not!

3. The anti-discrimination laws at issue most likely do not apply to SA.

For the reasons stated in the previous section, disparate treatment of heterosexual marriages and same-sex couples does not necessarily violate laws prohibiting discrimination on the basis of sexual orientation, and in most cases it probably does not. Nonetheless, there will undoubtedly be some jurisdictions where same-sex unions will fall within the protection of anti-discrimination provisions. For example, it has been held that the Vermont constitution proscribes discrimination between heterosexual marriages and same-sex unions.[3] But even in these states, it must still be determined whether the law applies to non-government entities—for example, there are several states that prohibit discrimination on the basis of sexual orientation in public but not in private employment[4]—and, if so, whether it applies to a fellowship such as SA. A comprehensive answer to this question would require a detailed evaluation of each state or local law and each situation. In general, however, we can take a great deal of comfort that SA would be exempt from compliance with any such law on one or more of several possible grounds, the more important of which are addressed in the following sections.

(a) SA is not a "place of public accommodation."

Most challenges against non-governmental membership organization under anti-discrimination laws turn on whether there has been unlawful discrimination in access to "places of public accommodation." This is a legal term of art, and it is usually tied to a public "place" (e.g., a restaurant, sports arena, park, bar, etc.) and not to the membership association as such. In *Boy Scouts of America v. Dale*, for example, the U.S. Supreme Court criticized the New Jersey Supreme Court's application of "its public accommodation law to a private entity without even attempting to tie the term 'place' to a physical location."[5] The Court also noted that both state and federal courts had consistently held that the Boy Scouts were not a "place" of public accommodation.[6]

Like the Boy Scouts, SA meets at various places, but it is not itself a place. It is a membership organization. The Weber opinion is correct that anti-discrimination laws theoretically might preclude SA's access to certain public meeting "places" and facilities (e.g., public schools, city halls, public libraries, etc.), but this would almost certainly not extend to private sites of the type most often used for SA meetings, e.g., churches, private institutions, members homes, etc.).

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[3] *Baker v. State*, 744 A.2d 864 (Vt. 1999).

[4] Source: Lambda Legal Defense and Education Fund, New York.

[5] 530 U.S. 640, 657 (2000).

[6] 530 U.S. at 657 n.3 (citing *Welsh v. Boy Scouts of America*, 993 F.2d 1267 (7th Cir. 1993); *Curran v. Mount Diablo Council of the Boy Scouts of America*, 952 P.2d 218 (Cal. 1998); *Seabourn v. Coronado Area Council, Boy Scouts of America*, 891 P.2d 385 (Kans. 1995); *Quinnipiac Council, Boy Scouts of America, Inc. v. Comm'n on Human Rights & Opportunities*, 528 A.2d 352 (Conn. 1987); *Schwenk v. Boy Scouts of America*, 551 P.2d 465 (Ore. 1976)). The Supreme Court further noted that no other court (state or federal) has held otherwise. *Id.*

(b) SA is exempt from anti-discrimination laws as an "expressive association."

Perhaps the biggest reason why SA would not be subject to such laws, however, is its and its members' First Amendment expressive associational freedoms. As the United States Supreme Court has explained, "implicit in the right to engage in activities protected by the First Amendment" is "a corresponding right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends."[7] A group is entitled to this Constitutional protection if "the group engages in 'expressive association.' "[8] "The First Amendment's protection of expressive association is not reserved for advocacy groups. But to come within its ambit, a group must engage in some form of expression, whether it be public or private."[9]

"Each SA group has but one primary purpose—to carry its message to the sexaholic who still suffers." (SA Tradition 5) A crucial part of that message is clearly our particular brand of sexual sobriety. Neither membership in SA nor the message of SA can be separated from the sobriety definition. Thus, SA significantly departs from AA in formulating its Third Tradition: "The only requirement of membership is a desire to stop lusting and become sexually sober." (SA Tradition 3)[10] By adding those four words, "and become sexually sober," SA was clearly saying something, namely, that a desire to become sober is a crucial element of membership. And elsewhere in the SA literature, it is clear that SA sees a close connection between identity as a "Sexaholic" (i.e., a member of SA as opposed to merely a sex/lust addict or sexual compulsive) and the sobriety definition. Thus, in attempting to describe what a Sexaholic is, we naturally also have to define sexual sobriety. ("What is a Sexaholic and What is Sexual Sobriety," Sexaholics Anonymous "white book" at p. 202)

Our definition of sexual sobriety is an integral part of our message. As such, any law that would require us to change that definition or to accept as sober those who fail to satisfy that definition "would significantly affect [our] ability to advocate public or private viewpoints,"[11] and would thus be invalid because it violates our First Amendment rights. In *Dale*, the State of New Jersey argued that the exemption should not apply because the Boy Scouts do not associate for the purpose of expressing disapproval of homosexuality. But the Court responded that "associations do not have to associate for the 'purpose' of disseminating a certain message in order to be entitled to the protections of the First Amendment. An association must merely engage in expressive activity that could be impaired in order to be entitled to protection."[12]

Clearly, SA engages in an expressive activity, namely, carrying the unique message of sexual sobriety as defined in SA. Requiring SA to accept and treat as sober members who are not practicing sobriety under that unique definition will do far more than impair SA's ability to

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[7] *Roberts v. United States Jaycees*, 468 U.S. 609, 622 (1984).
[8] *Boy Scouts v. Dale*, supra, 530 U.S. at 648.
[9] Id.
[10] AA's Third Tradition reads simply: "The only requirement for A.A. membership is a desire to stop drinking."
[11] *Boy Scouts v. Dale*, 530 U.S. at 650.
[12] 530 U.S. at 655.

express that message, it will destroy the very message itself. In our professional opinion, the Weber legal opinion is clearly wrong when it declares that SA should not hope to rely on the Dale decision. The Dale decision enunciates a theory that would very likely apply to SA and would exempt it from the scope of such anti-discrimination laws.

(c) SA is exempt from anti-discrimination laws as a "religious organization."

Religious organizations are also generally exempt from compliance with laws precluding discrimination on the basis of sexual orientation. The Weber opinion wrongly concludes that this exemption would not be available to SA because it, like virtually all other 12 Step fellowships, considers itself spiritual rather than religious, and does not impose on its members any particular set of religious beliefs. There are several cases in which AA and NA have been held to be religious organizations for purposes of the Establishment Clause of the First Amendment of the United States Constitution.[13] This is not necessarily conclusive for our purposes, because these cases arose not in the context of discrimination challenges, but rather when defendants or convicts were required to attend AA or NA as a condition of pre-trial diversion or post-conviction sentencing. These courts thus held that AA and NA are sufficiently religious in nature that it violates the Establishment Clause (more popularly, but inaccurately, known as the requirement for "separation of church and state") to require such attendance without providing a secular alternative. Nevertheless, we believe that these cases together with the "private" and "expressive" nature of SA dictate in favor of a religious exemption for SA.

(d) Governmental interference with SA's sobriety definition or its interpretation would violate SA's and its members' rights under the First Amendment of the United States Constitution.

The "expressive association" and "religious organization" exemptions do not exempt organizations simply because they are expressive or religious; rather, such organizations and their members enjoy, as do all citizens, Constitutional protection of their rights to freedom of expression, association and religion. Regardless of what laws may apply to governmental action, as private citizens we are free to associate or not associate with whomever we please, and this includes the right to form private clubs and associations with like-minded persons. More importantly, part of our right to free speech and freedom of expression is the right not to be forced to utter a message with which we are in disagreement. For example, the United States Supreme Court has held that school children may not be compelled to salute the American flag,[14] and that a motorist may not be required to display the slogan "Live Free or Die" on his automobile license plate.[15] If a particular state or local government's anti-discrimination law were interpreted in such a way that required SA to change the meaning of its sobriety definition—the central kernel of the "message" that is its primary purpose—that government would be coercing

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[13] E.g. *Kerr v. Farrey*, 95 F.3d 472, 479-480 (7th Cir. 1996); *Alexander v. Schenk*, 118 F. Supp. 2d 298, 300 n.1 (N.D.N.Y. 2000); *Yates v. Cunningham*, 70 F. Supp. 2d 47, 49 (D.N.H. 1999); *Warburton v. Underwood*, 2 F. Supp. 2d 306, 316-18 (W.D.N.Y. 1998); *Griffin v. Coughlin*, 673 N.E.2d 98 (N.Y. 1996); *Warner v. Orange County Department of Probation*, 870 F. Supp. 69 (S.D.N.Y. 1994).

[14] *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943).

[15] *Wooley v. Maynard*, 430 U.S. 705 (1977).

SA and its members to utter a public message with which they disagree, thus violating their First Amendment rights.

C. THE AUTHORITY AND RESPONSIBILITY OF THE DELEGATES

Finally, after reviewing the SA By-Laws, cited and relied upon in parts of the Weber opinion, we believe the delegates have not only a responsibility to defend the traditional understanding of the sobriety definition from outside influence, they also have the authority to protect it from internal attack. Based on our reading of the organizational documents together with our understanding of the SA Traditions, we believe it is clear that the SA Central Office and the trustees are not part of the SA fellowship as such. They are separate service organizations created to serve and be answerable to the SA fellowship.

By its own charter documents, the SA corporation and the trustees are subject to the will of the fellowship as directed by the delegates (through the GSC). The delegates are entrusted with setting policy, the trustees are merely to see that those policies are carried out and to see to day-to-day management of things like the Central Office. Somehow we have gotten way off base so that the trustees are attempting to set and manipulate policy.

We urge any delegate who does not understand his or her rights and obligations to the fellowship vis-à-vis the trustees to carefully consider the following provisions of the SA By-Laws which make it crystal clear that Sexaholics Anonymous, Incorporated (hereinafter "SAI") and the Board of Trustees are separate from and responsible to the fellowship as such, and that these entities were created for the express purpose of serving the fellowship ***as directed by the fellowship!*** To wit:

- "[SAI] has but one purpose--that of serving the fellowship of Sexaholics Anonymous, hereafter referred to as SA. It is, in effect, an agency created and designated by the fellowship of Sexaholics Anonymous ...." (Article 1.1)

- "[SAI] claims no proprietary right in the recovery program ... [but] asserts the negative right of preventing, so far as it may within its power, any modification, alteration, or extension of these steps, ***except at the insistence of the fellowship*** of Sexaholics Anonymous" (Article 1.1; emphasis added).

- "Authority. In accordance with the will of the fellowship ... the General Delegate Assembly is ... designated as the policy setting and decision making body of [SAI]." (Article 2.0)

- "Authority. The business and property of the corporation shall be managed and controlled by the Board of Trustees, as answerable to the General Delegate Assembly and the fellowship of [SA]." (Article 3.10)

- "Duties. The Board of Trustees is responsible for the day to day administration of the business of [SAI]. The Board takes direction from the [General Delegate] Assembly and oversees the will and the policies of the Assembly and the fellowship through committees." (Article 3.11)

This makes it perfectly clear that the delegates have ultimate authority over the trustees and SAI, that the delegates are authorized by the fellowship to establish policy and make substantive decisions, and that the trustees are entrusted with carrying out the policies established by the delegates and handling the day-to-day business affairs of SAI, at the direction and under the ultimate supervision of the Delegates. We therefore strongly urge delegates to rise up and take back the reins of the fellowship.

Thank you for permitting us to make this presentation, and our prayers are with all of you as the GSC approaches.