



Committee Members

February 20<sup>th</sup> 2015

Lenny Cowles of RMSF      Michelle Klimesh of Golden Gate      Merritt Horn of RMSF  
Bob Bruyn of Heart of America      Tom Allen of OK Society      Avi Dogim of NY Society

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Events have conspired to hinder the full committee to meet by phone and conduct a proper meeting. Therefore without the benefit of full deliberation, several members have chosen to “neither agree nor dis-agree” regarding this report, nor has anyone offered or requested to submit a “Minority Report.”

The Chair of the Judicial with the full endorsement of committee members;  
Merritt Horn and Michelle Klimesh now respectfully submit the following report:

The following PDF Documents are attached for reference:

EC Response to Petitioners 2014.08.22

UBFJudicial Report to EC 2014.10.08

UBFJudicial Opinion on IT Motions 2014.11.04

UBFJudicial Opinion on Visioning Motions 2014.11.04

Review of Minutes - Confidentiality Guidelines 2014.10

Prior to the current crises, Judicial had begun work on Constitutional Amendments, and as events unfolded it became impossible to continue that work.

Following receipt of the Petition, the Chair offered the EC the services of the Judicial Committee. The Chair asked Arlene Weimer to prepare and review the steps necessary to mediate.

The EC decided to use the services of a professional mediator and asked Judicial to secure recommendations. The Chair delegated John Hay to head a selection team to find a Chicago based mediator, which was done. A separate report on Mediations has been proved by the EC.

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The Chair, in its efforts to understand the unfolding of events, constructed a TIMELINE with regards to IT. This TIMELINE was posted to Judicial committee members for review and use as background for deliberations as early as Sep.16'14. The IT TIMELINE was also posted to the EC and received without comment as early as Nov.08'14.

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The Committee was asked a number of questions regarding parliamentary procedures and the validity of Motions passed by Council and the EC. These reports are attached.

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During recent events, the Chair was accused of a breach in confidentiality and meddling in the affairs of the Officers. The Judicial Committee disagreed. See attached report for details.

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The Chair initiated an extensive review of GC & EC minutes regarding confidential guidelines. It was discovered that in July 2007, Council had tasked 3 senior members with bringing forth recommendations for confidential guidelines. However, no guidelines were ever presented to the GC or EC. No deliberations ever took place, no votes taken. See attached report for details.

Yet, at some point in time, two different (but similar) documents were posted to The Fellowship Web-site regarding confidentiality and folks natural enough assumed them to be real, regrettably they are non-verifiable.

The governing principle is simply, without record of a motion and a vote, then authorization does not exist. Without authorization, validation cannot be made. Publication on the Web-site *does not* make them real or binding. Only a recorded Motion & Vote can do that. Therefore, The Fellowship does not have the benefit of a set of confidentiality guidelines.

Constitutionally, the Secretary is charged with validating the accuracy of Fellowship documents. After informing the Secretary and the EC of the Chairs research, that validation did not exist for these documents and requested that they be removed from the web-site, the Secretary said they were still valid. The Judicial Chair objected. The Documents remain on the web-site.

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The Policy & Procedures Committee has presented new Confidential Guidelines that are radically different from the previously contested documents. These new guidelines were approved by the EC on Jan.29'15.

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7 Recommendations:

- 1 The General Council needs to pass a Resolution establishing clear authority regarding the day to day IT operations and its development.
  - 2 Immediately remove un-validated documents & guidelines and replace them with official documents. Current General Council Confidential Guidelines on the Web Site have no documentations verifying their authority.
  - 3 The General Council needs to discuss the question, what is meant by; "The President shall be the principle executive officer," as it is used in the section 9.3 of the UBFCConstitution.
  - 4 The General Council needs to "task" either the Policy & Procedures Committee or some other, with developing for approval and adoption: "Rules of Procedure of the Executive Committee," which are called for in section 10.8 of the UBFCConstitution.
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We respectfully leave you to your deliberations.

In Loving Service,

Lenny Cowles

