At L’Arche, adults with and without intellectual disabilities share life and friendships in community.

We reveal the truth that people with intellectual disabilities have value and, when given

the opportunity, contribute to the growth of compassionate love in others.

“Authority in a community is not all-powerful. There are always limits to it. The responsibility of the leader should be well defined in the community’s constitution, and that constitution must also guarantee the rights of all members to express their concerns about the way authority is exercised. If it does not do this, the door is open to division and dissent.” Jean Vanier, *Community and Growth,* p. 231

Thank you for your participation in the recent discussions on the Constitution and Bylaws for L’Arche USA. You will find the collective comments to date [here](https://www.larcheusa.org/wp-content/uploads/2017/09/Community-feedback-draft-1-constitution-9-15-17.xlsx). You will be able to review the process, the mandate of the Ad-hoc Legal Committee and the first drafts of the Constitution and ByLaws [here.](https://www.larcheusa.org/member/legal-process-documents/)

[Ad-hoc Legal Committee](https://www.larcheusa.org/wp-content/uploads/2017/09/AdHocLegalCommittee-Mandate-1-20-17.docx)

[Consultation-Planning-Timeline-170412](https://www.larcheusa.org/wp-content/uploads/2017/09/Legal-Process-Consultation-Timeline.pptx)

[Constitution-Draft-170816](https://www.dropbox.com/s/tx0qabgvedbmr6f/Constitution_Draft_170816.docx?dl=0)

[Bylaws-Draft-170816](https://www.larcheusa.org/wp-content/uploads/2017/09/Bylaws_Draft_170816.docx)

**Why are we revising our Constitution, Bylaws and creating a Membership Agreement?**

As you recall, the L’Arche USA Business Plan which was adopted in the fall of 2016, prescribed to revise and simplify the L’Arche USA Constitution and to re-organize and extend L’Arche USA’s internal policies and procedures. Furthermore, we will undertake the development of a membership agreement between L’Arche USA and communities in the U.S., including a set of policies. The scope of this work was defined in the mandate of the Ad-hoc Legal Committee.

**Why was his work necessary?**

Although the current Constitution was only revised in 2014, it does not hold today’s reality. Regions as administrative entities were already criticized prior to the current mandate. The new programmatic outlook of L’Arche USA and the growth through additional communities have shifted responsibility from the National Assembly to the Extended Leadership Team (ELT), which has already met twice informally.

The 2012 L’Arche International Constitution transferred membership authority to confirmed countries. L’Arche USA carries the authority for membership in the United States and on behalf of the Federation. L’Arche USA and L’Arche communities in the U.S. must develop formal agreements that define the commitment of each community and L’Arche USA to membership rights and responsibilities, including membership fees, compliance to identity and mission as well as quality service provision, intellectual property and branding / messaging, etc.

**Reminder of the Process:**

In the fall / winter of 2016, communities were asked to nominate members for the Ad-hoc Legal Committee that is guiding this process. Communities were also asked to name liaisons for this process, which will require time and effort. In early spring, an outline of the process, including milestones for input and feedback and an introduction of the Ad-hoc legal committee and sounding board, was sent to each community, national board, national team, and the international stewardship board.

In May 2017, the Ad-hoc committee recommended to the National Board the process, framework and guiding principles of the work. The committee sought the advice from legal counsel regarding the current laws in the State of Washington in regards to bylaws of nonprofits. It was upon that advice that the committee edited the first draft of the constitution and bylaws in separate documents. The committee then sent a memo outlining key issues and recommendations to the Communities and National Board, asking for feedback.

The committee has received input from 11 communities and 2 Board members and has catalogued that information. As was stated in the memo in August, Johanna Telke, Board Chair of L’Arche Heartland and a member of the Ad-hoc Committee, was going to be at the St Louis meeting to facilitate a conversation around key issues, concerns and possibilities. Johanna has since been deployed by FEMA to help with hurricane relief in Florida. In her absence Sr. Anita Maroun will facilitate the conversation.

The input gathered at the meeting in September will be given to the committee, which will then edit a second draft of the constitution as well as the first draft of the membership agreement.

**Questions to be Discussed in St. Louis**

The Extended Leadership Team in St. Louis will have the possibility to understand and react to the implications of the two main shifts that the Draft Constitution presents:

* Role and Authority of National Assembly and the Extended Leadership Team.
* Purpose of Regions

The expected outcome of the session is:

* Dialogue with each other around questions, concerns affirmations of the above shifts.
* Understanding of the purpose of Regions and green light/red light to proceed with this direction.
* Understanding of the role and authority of National Assembly and Extended Leadership Team. Green light / red light to proceed with this direction.

**Clarification**

The Committee would like to offer clarifying information on some of the questions raised in this first consultation round. The current draft proposes the following:

* Extended Leadership Team is made up of Community Leaders of all member communities, the National Leadership Team and any other guests. Confirmed Communities will have the right to vote.
* The National Assembly gathers the: National Board, National Team, a variety of individuals from Confirmed and Probationary Members, including core members.
* Confirmed Communities vote at the National Assembly. Current individual members, including the National Board, will no longer have voting rights.

As the purpose of Regions is still discussed, we will not yet discuss the role of the Regional Leader. Communities and the National Team will give input this winter; the final decision rests with the National Leadership. New role descriptions will be effective as of July 2018.

**Next Steps**

The input gathered at the meeting in September will be given to the committee, which will then edit a second draft of the constitution as well as the first draft of the membership agreement. All detailed comments that were and will be given in writing will be reviewed and taken into consideration for this next draft.

Individual conversations with each community on the 2nd Draft of the Constitution and the 1st Draft of the Membership Agreement will take place in October, prior to the in-person meeting of local Board Presidents and the National Board in November / December.