



NSAC News

National Spiritualist Association of Churches, Lily Dale, New York

www.nsac.org

April 2017

Certifications Issued

Certifications have been granted as follows, during the period from January 1 through March 31, 2017:

Certified Medium: Marie Gaines, Glendale, Arizona

Commissioned Spiritualist Healer: Emily Nadeau, Sabattus, Maine; Patricia Pepin, Sabattus, Maine; Patricia Sabine, Sabattus, Maine

Congratulations to these members for this achievement. They have continued their Spiritualist education and, applied for and been granted certification.

Trustee Reception in Milwaukee for NSAC Members

NSAC members are invited to a reception hosted by the NSAC Board of Trustees on Sunday, April 30, at 4 pm in Milwaukee. The reception will be held at Morris Pratt Institute headquarters, 11811 Watertown Plank Road. (*This address is in Wauwatosa although its postal address is Milwaukee.*) Contact the NSAC Secretary for more details, nsacsecretary@nsac.org.

Biannual Reports Due April 15

Biannual reports are due at NSAC Headquarters this year by April 15. Reporting requirements are stated in the NSAC Procedures document for each department and committee, except that the due date is April 15 this year.

Reports are reviewed by trustees at their mid-year meeting. Contact NSAC Secretary Carol Luetkens with any questions concerning your report.

Michigan State Association Convention

The Michigan State Spiritualist Association of Churches is holding its Annual Convention on May 18-21,

2017. The presenter at this year's convention is the Rev. Sharon Watson, NST, who will be presenting workshops on Thursday evening and Friday afternoon.

The Convention will be held at the Odawa Hotel, Petoskey, Michigan overlooking scenic Lake Michigan. For more information, contact Rebecca Strauss, MSSAC Secretary, rstrauss52@yahoo.com.

Who Is Your Auxiliary's Agent for Service of Process?

Incorporated religious or charitable organizations are required to designate an agent to receive important legal notices on behalf of the organization. At the time of incorporation the name and contact information of a *registered agent* must be entered in the incorporation documents.

Each auxiliary must file an annual renewal of the auxiliary's corporate status and pay a minimal renewal fee. When you renew you must also confirm that your registered agent information is current, including the name, address, and phone number. NSAC has had many instances over the years where a *registered agent* has moved, been replaced, or passed. If the auxiliary does not file contact information for the new agent, important notices to the auxiliary may become "undeliverable." Such notices can be IRS or state notices of past due fees or taxes. Or, they could be a notice that a lawsuit has been filed against the auxiliary or that the auxiliary's corporate status has been changed to "inactive." If no response is made to any one of these notices it could lead to a default judgment in the case of a lawsuit, or penalties for failure to pay taxes or fees.

Your agent must physically reside in the state and must have a physical street address. PO boxes are not accepted. The agent's address must also be different from the business ad-

dress. The agent can be a corporate officer, director, or simply a member of the auxiliary. Also, there are corporations that, for a fee, will serve as your agent for process.

I suggest each auxiliary include renewal of the current agent's position as agent, or, appointment of a new agent, as a part of the annual meeting agenda. It can also be included in the agenda of the new board for its first post-convention meeting each year.

—Jeffrey Lucas, NSAC Counsel
Attorney at Law

Camp Promotion for 2017 Season

Camps wanting promotion through NSAC for the upcoming season are asked to send 200 programs and other promotional materials to NSAC Headquarters. They must be received by May 31 to be included in the June mailing to churches and ministers. Additional copies may be sent for display and pick up by visitors during the Lily Dale summer season.

Is Your Church Planning to Sponsor Public Activities on Church or Camp Grounds?

I frequently get calls asking for a "release of liability form" for various activities or day trips sponsored by a church or camp. Those requests make me cringe because a release must be *customized* to stand a chance if it goes before a court. Releases are always strictly construed by the courts *against the church*, the "release." This is why I first suggest that a local attorney be consulted if you have an established relationship with one. The courts, both state and federal, are all over the board with their rulings. If you don't have a local attorney, I will have to ask a series of questions about the activity, the expected "class" of attendees, and the physical nature of the grounds, buildings, and known

potential hazards that can be anticipated. Are the attendees going to be elderly? Are they minors? What kind of supervision will be active and present throughout the event?

A customized release, setting forth *specific* hazards anticipated, will be viewed more favorably by a court than a general release. One reason the courts don't favor general releases is that they can make an organization less vigilant in managing risks. Releases are often found effective in situations involving "simple negligence." But, no court I have been able to find has ever found a release effective that releases a sponsor from "gross negligence." Of concern is that if a court finds gross negligence is present, the court can then order punitive damages against the sponsors personally. There are many definitions of "simple" vs. "gross" negligence. As a starting point when determining whether an act constitutes gross vs. simple negligence, courts ask the question: Would a person of common sense consider the conduct/act "reckless" and done with knowledge of the seriousness of the risk.

So, there are no assurances your release from liability form will stand up in court. However, if carefully drafted, specific, and with local laws and court rulings considered, you can certainly, and substantially increase your level of protection. Finally, depending upon the nature of the activity, I often suggest that the church or camp consult with their insurer to see if they have any recommended forms or language they like to see in a release.

—Jeffrey Lucas, NSAC Counsel
Attorney at Law

Opportunity to Host NSAC Convention in 2019 and 2020

Both 2019 and 2020 are available for churches and state associations wanting to host an NSAC convention. Conventions are an excellent way to bring members of your church or association together. Help is available in the form of a convention-planning handbook and a meeting planner, who can help with securing a venue which best meets our needs.

For more information, contact NSAC Secretary Carol Luetkens at 716-595-2000 or nsacsecretary@nsac.org to discuss.

Reminders

April 15: Department and Committee Biannual Reports due

April 30: NSAC member reception, MPI headquarters, Milwaukee, 4pm

May 31: Camp promotion materials due at NSAC for mailing

October 22-27: NSAC Convention 2017, Milwaukee

Saving Our Spiritualist Churches Report

Compilation of the complete report on *Saving Our Spiritualist Churches: NSAC Delegates to the Rescue* has been finished. Members who have not as yet requested a copy may do so by email to nsacinfo@nsac.org, with SOSC Report as the subject.

Bookstore News

Featured this month . . .

Church Membership Classes, by Rev. Sharon Snowman. This book con-

tains 15 lessons on the Science, Philosophy, and Religion of Spiritualism. Each lesson is followed by a quiz for the student's review. All forms of phenomena including healing, mediumship, trance, direct voice, and so many others are explained in language that both the beginning student and the lifelong Spiritualist can understand. Rev. Snowman's book covers material from ancient times through modern investigation. The many reasons for wanting to become an active member of a Spiritualist church are explored in detail. This course in church membership is a must for the serious student of Spiritualism and will be an excellent addition to every NSAC church library.

BKS 351, \$10.00

Order from NSAC Bookstore, PO Box 217, Lily Dale, NY 14752, nsacbookstore@nsac.org, 716-595-2000. Checks and credit cards accepted. If order total is \$100 or more, prepayment of 50% is required.

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Published monthly by the National Spiritualist Association of Churches, 13 Cottage Row, PO Box 217, Lily Dale, New York 14752. 716-595-2000, www.nsac.org, nsacinfo@nsac.org.

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