

3.2 Legal Documents

[return to Governance](#)

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Given the intentional distributed, decentralized nature of DDOs, along with the potential for them to run on hardware and/or use software not owned or developed by a single entity, it is important to employ a [community of interest \(Col\)](#) approach to develop, manage, and govern DDO solutions. Such an approach allows for the establishment and specification of requirements for a formal organization that balance the various goals of its participants in pursuit of a single shared mission and, at the same time, protects the joint [intellectual property \(IP\)](#) resulting from their collaboration.

- **Note:** Legal Documents serve as the Regulatory Aspect within the Governing Model. See [Governing Roles](#) and the [Governing Model](#) for more information.

When an organization is a joint venture between different legal entities, it must operate in accordance with legal documents that serve to manage the expectations of, govern the interactions between, and elaborate the collective and individual deliverables expected from the legal entities participating in that organization. In the context of DDO, *ecosystem Col* is the term used to refer to such a joint venture. Table 1 lists the legal documents required to formally launch an ecosystem Col. These documents support the process described in [stakeholder communities](#). Depending on the country of incorporation, all three may be required for the ecosystem Col to be formally incorporated. In general terms (more details provided in Sections 3.2.1, 3.2.2, and 3.2.3), the [charter](#) defines how the ecosystem Col interacts with the outside world; the [bylaws](#) define how it operates internally (e.g., fundamental governing rules, internal organization); [policies & procedures](#) (P&P), a document required for incorporation in the United States, establishes a set of principles to achieve the goals and vision of its charter and the specific methods employed to express these policies in action.

As already discussed in [stakeholder views](#), other types of Cols or [special interest groups \(SIGs\)](#) can be formed under the umbrella of a parent ecosystem: *ecosystems* and *domains*.¹⁾ As shown in Table 1, they must each be chartered according to the governing rules established in the bylaws and abide by the P&P of their parent ecosystem Col. Ecosystem P&Ps may include specific extensions to the parent ecosystem's Col P&P. In like manner, domain P&Ps may include specific extensions to their parent ecosystem Col P&P. All extensions to the parent P&P must be additive; they may not replace anything in the P&P of their parent ecosystem Col.

Table 1: Documents required to Create and Govern a DDO Col

DIDO Col	Charter	Bylaws	Policies and Procedures
Ecosystem	Yes(\$)	Yes(t)	Yes(‡)
Ecosystem	Subcharter of Ecosystem	covered by Ecosystem	covered by Ecosystem + extensions
Domain	Subcharter of Ecosystem	covered by Ecosystem	covered by Ecosystem + extensions from Ecosystem _ local

- (*\$*) Initially, a legal statement created by the founders of the organization that lays out goals, missions and officers for the organization
- (*t*) a legal document reviewed by lawyers from all the participating parties

- (#) *Some Policies and Procedures may be mandated by law (i.e., discrimination, ADA, Safety, etc., others are local added by local governing boards) and should be drafted/reviewed by lawyers of all participating parties*

NOTE: There are no standards for these documents. The initial versions of these documents, particularly the Bylaws, should be drafted by attorneys. In the case of the P&P, the initial version should be drafted with input from attorneys to address legally mandated items.

- [3.2.1 Charter](#)
- [3.2.2 Bylaws](#)
- [3.2.3 Policies and Procedures \(P&P\)](#)

1)

Described in more detail, along with illustrations, in [Ecosystem View](#) and [Domain View](#).

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