

## Nonprofit & Charitable Organizations

Today more than ever before, charitable and/or nonprofit organizations face unprecedented challenges—challenges that not only impact every aspect of their service, but also may threaten their very survival. The cascade of events occurring in the corporate sector has dramatically affected entities that depend on others for a variety of needs. In addition to chronic concerns of funding and financial support, these organizations may be in unfamiliar territory when considering issues such as staff layoffs and reductions, drastic declines in the value of their endowments and investment portfolios, the new complexities in Board disclosure requirements and tax reporting and many others.

Founded as a tax and corporate law boutique, and now a full-service law firm, Flaster Greenberg is sensitive to these issues and has developed a wealth of experience in assisting charitable and nonprofit organizations, as well as individual philanthropists, corporations and private donors. In addition to tax and corporate advice, our Nonprofit and Charitable Organizations attorneys have evolved into a multidisciplinary team drawn from related areas of the firm, including labor and employment, real estate, securities, bankruptcy and litigation.

### Strategic, Sophisticated Services

Our clients are a diverse blend of nonprofit and charitable organizations, as well as private philanthropists and corporate donors, including cultural and historical organizations, schools, colleges and universities, hospitals and medical research organizations, religious institutions, trade associations and community and civic groups.

Our assistance encompasses a comprehensive array of services executed by attorneys with many years of experience in the nonprofit sector. We are particularly strong in the area of developing innovative approaches to persistent needs, including funding and fundraising, and providing legal services consistent with the philanthropic mission of our clients. Members of our group have assisted nonprofit organizations with individualized strategies to increase or create sources of funding, while maintaining tax-exempt status. Our attorneys apply similar creative thinking and the benefit of their experience to the myriad of situations and circumstances unique to the nonprofit environment.

### Legal Services

#### Corporate/Transactional

#### Attorneys

Courtney E. Dolaway  
Allen P. Fineberg  
Stephen M. Greenberg  
J. Philip Kirchner  
Steven S. Poulathas  
Franklin J. Riesenburger  
Michele G. Tarantino  
Steven D. Usdin  
Frank H. Wisniewski

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- Structuring private charitable foundations for individuals and families
- Creating and counseling nonprofit organizations
- Obtaining recognition as a tax-exempt organization
- Counsel and representation of Boards
- Contract and bylaw reviews
- Articles of incorporation
- Equipment purchase

#### **Government and Regulatory Issues**

- Telecommunications and economic development counsel; grant programming
- Technology and corporate matters

#### **Intellectual Property**

- Trademark, copyright and intellectual property issues
- Provide guidance on the patent process and associated costs

#### **Labor and Employment**

- Advice on discipline and terminations
- Drafting employment contracts, including non-disclosure agreements
- Writing employee handbooks and facility handbooks for higher education institutions
- Teacher contracts and performance issues for independent private schools
- Contract terminations for upper-level staff
- Investigating and defending against claims of discrimination and harassment

#### **Real Estate, Land Use and Construction**

- Real estate, general business, finance, regulatory compliance, overall legal counseling
- Purchase and sale
- Land use approvals
- Construction contracts and bids
- Construction disputes, construction defect issues
- Development of affordable housing
- Development of public policy for affordable housing issues (for presentation in court)

#### **Taxation**

- Obtaining recognition as a tax-exempt organization
- Tax compliance and appeals; tax organizational matters

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- PILOT (Payment in lieu of taxes)