

2003 Nonprofit Organizations Institute
January 15-17, 2003 • Four Seasons Hotel • Austin, TX
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Thursday Morning, Jan. 16, 2003

9:00 am In Austin Only 0.75 hr	<p>Tax-Exempt Organizations and the Internet</p> <p>Use of the internet by tax-exempt organizations raises numerous questions about the application of old laws to scenarios that were not envisioned when the laws were enacted. With practical illustrations from actual web sites, this session will address the federal tax aspects of common uses of the internet by exempt organizations, including fundraising, charity malls, auctions, sale of goods and services, links to other web sites, corporate sponsorships and advertising.</p> <p>Suzanne Ross McDowell, Steptoe & Johnson LLP - Washington, DC</p>
9:45 am In Austin Only 1.00 hr	<p>Accounting for Related Nonprofit Entities</p> <p>In an era of heightened concern about transparency in financial reporting, transactions between and disclosures concerning related nonprofit entities are drawing the attention of donors, board members, regulators, and others. This session explores the proper accounting for transfers of assets between related nonprofit organizations, as well as providing guidance on when financial information must be consolidated.</p> <p>Martha L. Benson, Dallas, TX</p>
11:00 am In Austin Only 1.17 hrs	<p>A Restriction Too Far: When a Donor's "Just One More Thing" Can Spoil the Gift</p> <p>Gifts these days rarely direct a charity to use the gift for "general charitable purposes" but rather come with a variety of restrictions on use. While most restrictions are well intentioned, overreaching restrictions may limit tax deductions or otherwise boomerang on a donor, dead or alive. Similarly, certain restrictions may render gifts overly risky or unworkable to the charity. This session will explore risks to both donor and charity, including ethical issues facing legal advisors, with a practical focus on creating and dealing with restrictions.</p> <p>Cullen "Mike" Godfrey, Texas A&M University System - College Station, TX Terry L. Simmons, Thompson & Knight LLP - Dallas, TX</p>

Thursday Afternoon, Jan. 16, 2003

1:30 pm In Austin Only 1.00 hr	<p>D&O Update: Liability and Fiduciary Duty with a Focus on Insurance</p> <p>The recent corporate accounting and financial problems affecting public companies have resulted in increased scrutiny of how directors and officers discharge their duties, and increased attention to D&O insurance coverage, including coverage for nonprofit organizations and related entities. A leading coverage lawyer and leading broker discuss liability issues, coverage , policies and products.</p> <p>Jay R. Chappell, Marsh USA, Inc. - Dallas, TX Ernest Martin Jr., Haynes & Boone LLP - Dallas, TX</p>
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2:30 pm In Austin Only 1.00 hr	<p>Investments on the Edge: Coping with Declining Investment Returns</p> <p>This session opens with a discussion of legal issues for public charities and private foundations with respect to alternative investments, including responsibilities of officers, directors and trustees in evaluating these investments. Then, the President of the University of Texas Investment Management Company will explain how UTIMCO makes use of high value-added investments to provide returns necessary to maintain payouts in a time of declining returns.</p> <p>Bob L. Boldt, The University of Texas Investment Manag - Austin, TX David M. Rosenberg, Thompson & Knight LLP - Dallas, TX</p>
3:45 pm In Austin Only 1.50 hrs	<p>What's Unique about Religious Organizations</p> <p>This session will focus on how religious organizations are different from other nonprofit organizations. Learn how the First Amendment to the U.S. Constitution impacts their activities and the potential government funding of programs. After this session you should be able to tell the difference between a church (temple or congregation) and a religious organization. Make faith based relevant to you. Bring your questions for the question and answer session.</p> <p>Frank Sommerville, Weycer, Kaplan, Pulaski & Zuber, P.C. - Arlington, TX</p>
3:45 pm In Austin Only 0.50 hr	<p>Curing the Ills</p> <p>Mistakes in adhering to the Private Foundation sanctions can be avoided and penalties abated in certain circumstances. This presentation considers examples and solutions to the problems with deficits in distributable amount, unapproved scholarships, expenditure responsibility grants.</p> <p>Jody Blazek, Blazek & Vetterling LLP - Houston, TX</p>
4:15 pm In Austin Only 0.50 hr	<p>Facing Declining Investment Returns</p> <p>Conditions in the financial markets are causing private foundations to make mandatory pay-outs in excess of their income. A practical discussion, with examples, of how to include alternative assets in an investment portfolio to increase yield considering the size, staffing, risk profile, etc. of a foundation or endowment fund.</p> <p>Sheryl L. Johns, Houston Endowment - Houston, TX</p>
4:45 pm In Austin Only 0.50 hr	<p>Alternatives to Private Foundation Status</p> <p>How to avoid disadvantages of private foundation status without sacrificing the client's goals. New alternatives, including conversions of existing foundations, will be covered.</p> <p>Ronald S. Webster, Fizer, Beck, Webster, etal - Houston, TX</p>

Friday Morning, Jan. 17, 2003

8:30 am In Austin Only 1.50 hrs	<p>Current Developments</p> <p>This nationally renowned exempt organization expert reviews significant current developments in tax laws, Treasury regulations, IRS rulings and court opinions. Unrelated business income, intermediate sanctions, qualification for exempt status, private foundations and charitable giving will be addressed.</p> <p>Bruce R. Hopkins, Polsinelli Shalton Welte & Suelthaus P.C - Kansas City, MO</p>
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10:00 am In Austin Only 0.50 hr	<p>What's the Worst That Could Happen?: True Stories from the Office of the Attorney General</p> <p>Perspectives on protecting the public interest in charity; how the Attorney General gets involved: worst case scenarios and how to avoid them; creative solutions when things go wrong.</p> <p>Susan K. Staricka, Office Of The Atty General - Austin, TX</p>
10:45 am In Austin Only 1.00 hr	<p>Public Charities/Private Foundations and Business Transactions-A Good Mix or Not?</p> <p>Public charities and private foundations are becoming more sophisticated in investment and business transactions with each other and with individuals. While these transactions are opportunities for significant benefit, they are also encumbered with risk, both tax and financial. A number of case study examples will be discussed, highlighting opportunities and concerns in this area.</p> <p>Michael V. Bourland, Bourland, Wall & Wenzel, P.C. - Fort Worth, TX Stephen David Maislin, Greater Houston Community Foundation - Houston, TX</p>

Friday Afternoon, Jan. 17, 2003

1:00 pm In Austin Only 0.75 hr	<p>Advising Exempt Organizations from the Inside: A Case Study of the Creation of the NAACP National Voter Fund</p> <p>An in-house counsel presents his perspective on the mechanics of risk managing an exempt organization's activities associated with lobbying and political campaigns.</p> <p>Dennis Courtland Hayes, NAACP Legal Department - Baltimore, MD</p>
1:45 pm In Austin Only 0.50 hr	<p>IRS Plans and Policies</p> <p>Impact of IRS/Treasury Priority Guidance Plan and Implementing Guidelines for 2003 will be presented.</p> <p>Jason Kall, Internal Revenue Service - Houston, TX</p>
2:15 pm In Austin Only 0.75 hr	<p>Nonprofits Other Than C(3)'s</p> <p>501(c)(3) organizations have a charitable, religious, educational, or scientific purpose. However, there are additional nonprofits, such as civic leagues and social welfare organizations, labor and agricultural organizations, business leagues, etc. with different purposes and rules. This session provides an overview of the roles and operational rules applicable to the "other" nonprofits with a focus on lobbying activities.</p> <p>Edward M. Shack, Austin, TX</p>