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AND THE UNIVERSITY OF TEXAS SCHOOL OF LAW

UTCLE

24<sup>TH</sup> ANNUAL  
**NONPROFIT ORGANIZATIONS  
INSTITUTE**

*The Southwest's leading gathering of executives, attorneys, accountants, trustees, CEOs  
and CFOs of private foundations and nonprofit organizations.*

Earn up to 16.25 Hours of Credit Including 2.50 Hours of Ethics Credit  
Includes 19.00 Hours of CPE Credit for Accountants



January 10\*, 11-12, 2007

Four Seasons Hotel • Austin, Texas

*\*Optional Wednesday Evening Sessions*

**MAJOR SPONSORSHIP PROVIDED BY**  
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24<sup>TH</sup> ANNUAL  
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**WEDNESDAY EVENING, JAN. 10, 2007\***

\*Optional session—please select on registration form; additional fee.

**6:00 p.m. 2.25 hr including .50 hr ethics**

**Track A  
 Primer on Nonprofit Organizations and Charitable Giving**

This session covers choice of entity, obtaining appropriate tax-exempt status, prohibited transactions, intermediate sanctions, ethical issues, basics of unrelated business taxable income, basic liability issues and risk management, and basics of charitable planning. This session includes a review of changes to these areas made by the Pension Protection Act of 2006.

Michael V. Bourland, Fort Worth, TX  
 Darren B. Moore, Fort Worth, TX

**6:00 p.m. 2.25 hr**

**Track B  
 Reading Between the Lines: Beyond a Basic Understanding of Nonprofit Financial Statements**

Although financial statements and Forms 990 provide a wealth of information about the health and well-being of a nonprofit organization, they are not always easy to decipher. This session explores the information provided by each statement, analyzing ratios and other analytical tools commonly used by auditors, watch dog agencies, and the donor community. Using real-life examples, participants will go beyond the numbers to discover how financial information can provide insights into the operations, effectiveness, and viability of an organization.

Martha L. Benson, Dallas, TX

**8:30 p.m. Adjourn**

**THURSDAY MORNING, JAN. 11, 2007**

**Presiding Officer: Lucille DiDomenico,  
 Dallas, TX**

**8:00 a.m. Registration Opens**

Includes continental breakfast.

**8:50 a.m. Welcoming Remarks**

**9:00 a.m. 1.50 hr**

**Current Tax and Legislative Developments for Nonprofit Organizations**

Review of current developments: legislation (including the Pension Protection Act), regulations, IRS rulings, and court opinions, with emphasis on qualification for exemption, charitable giving, unrelated business, joint ventures, private inurement and benefit, political activity, and private foundations.

Bruce R. Hopkins, Kansas City, MO

**10:30 a.m. Break**

**10:45 a.m. .75 hr**

**Current Tax Compliance Issues**

This session will cover critical tax compliance issues for 2007, including what to expect from 2007 IRS initiatives and the new 990 form, results of 2006 EOCU audits, worst sins seen on Forms 990 and 990-PF, experiences with new Part V, Question 75 and Part III "foreign grant" blocks, ongoing 1023 troubles, and advising client about Internet issues with no IRS guidance on the subject.

Jody Blazek, Houston, TX

**11:30 a.m. .75 hr**

**Navigating the UBTI Rules: How to Run Innovative Programs without Tripping over the Tax Laws**

Fundraising is more competitive. Budgets are tighter. And, the tax laws just got tougher. What is a tax-exempt organization to do if it wants to increase its bottom line? This session will present program ideas for a variety of tax-exempt organizations, discuss whether a new program will trigger unrelated business taxable income, and provide suggestions on how to develop programs that are related to charitable purposes.

Nicola Fuentes Toubia, Houston, TX

**LUNCHEON PRESENTATION**

**12:15 p.m. Pick Up Box Lunch**

**Sponsored by Thompson & Knight LLP**

**12:30 p.m. .75 hr**

**From Funding to Investing: Defining and Increasing the Effectiveness of Philanthropy**

This presentation addresses the critical difference between funding (the business of granting

money) and investing (the business of creating human gain). Equally important is the distinction within nonprofit organizations between providing services and achieving results. These objectives are not always the same. This session offers a fresh set of concepts and tools for effectively defining, increasing, and measuring the outcomes from money and projects that seek social and human improvement.

Hal Williams, Rensselaerville, NY

**THURSDAY AFTERNOON**

**CONCURRENT SESSIONS  
 TRACK A: PRIVATE FOUNDATIONS**

**Presiding Officer: Ronald S. Webster,  
 Houston, TX**

**1:30 p.m. 1.00 hr**

**Investment and Tax Implications of Alternative Assets**

Increasingly, foundations and endowments have recognized the diversification benefits of alternative asset investments in providing stable and predictable returns necessary to fund ongoing charitable programs. At the same time, recent tax legislation has increased the likelihood that foundations and endowments will encounter IRS compliance difficulties through participation in these investment limited partnerships. An attorney, investment advisor, and foundation CFO will provide practical perspectives on the role of alternative assets in portfolio diversification and compliance with the IRS Code.

William H. Caudill, Houston, TX  
 Don Snider, Phoenix, AZ  
 Craig M. White, Dallas, TX

**2:30 p.m. .75 hr**

**Private Foundations Form 990-PF**

This session will consider expansion of the 4940 excise tax to include all "investment income," the impact of expense allocations on sections 4940 and 4942 compliance, reporting out-of-corporation elections, use of cash distribution test for older entities, reporting alternative investment income on Form 990-T issues, a proposed revision to Form 990-PF, and more.

Jody Blazek, Houston, TX  
 David L. Nelson, Houston, TX

**3:15 p.m. Break**

3:30 p.m. .50 hr

**A New Look at Program-Related Investments**

An overview of the laws and regulations governing PRIs by private foundations; evolving uses of the PRI concept; and considerations in making your first PRI.

Brian W. Crozier, Austin, TX

4:00 p.m. .75 hr

**Communicating Within, Through and About Your Foundation**

Foundations have two currencies—the money we grant and the knowledge we share. How well is your foundation sharing its knowledge? With whom do you share it, both internally and externally? How do you share it? This workshop will explore the ever-changing world of internal and external communications and help us develop sound strategies with which to communicate to others who we are and what we do. We will look at a variety of communication vehicles, and examine a variety of audiences, from existing and potential grant recipients to the local media and Capital Hill. Learn what you need to know to stay visible and connected.

Carol Stabler, Dallas, TX

4:45 p.m. .75 hr including .50 hr ethics

**Best Practices for Private Foundations**

This session will address what written policies and practices all private foundations should have and follow in their governance, and will give examples of sample documents.

Lucille DiDomenico, Dallas, TX  
Ronald S. Webster, Houston, TX

**TRACK B: CHARITABLE ORGANIZATIONS**

**Presiding Officer: Michael V. Bourland, Fort Worth, TX**

1:30 p.m. .75 hr including .50 hr ethics

**Best Practices for Public Charities**

Nonprofit board service is a privilege and an obligation, and nonprofit board and staff are being challenged to manage their nonprofit organizations in the best manner possible. This session discusses standards and benchmark programs being used by nonprofits across the country.

Rose Mary Fry, San Antonio, TX  
D'Ann Johnson, Austin, TX

2:15 p.m. .50 hr

**Public Charities and Self-Dealing: A Case Study on Intermediate Sanctions**

This session will focus on the most important federal tax law impacting public charities in 30 years—intermediate sanctions. Intermediate sanctions are excise taxes imposed on insiders who receive an "excess benefit" from a financial transaction with a charity (i.e., excessive compensation for board members, sale of assets not at fair market value). This discussion will trace the first opinion on intermediate sanctions, *Caracci v. Commissioner*, from the IRS examination through the courts.

Charles E. Hodges II, Atlanta, GA

2:45 p.m. .50 hr

**Mergers, Conversions, Dissolutions and Other Types of Nonprofit Reorganizations**

Faced with changing times and changing tax laws, many charitable organizations must restructure to survive and thrive.

Tina Lundy Melo, Houston, TX

3:15 p.m. Break

3:30 p.m. .50 hr

**What Nonprofits Really Need to Know about Human Resources and Don't**

Your employees are the one resource that can have the greatest impact on your organization's success. What can you do to insure it is a POSITIVE impact?

Kay Oder, Austin, TX

4:00 p.m. .50 hr

**Discover Your Inner Capitalist: Earned Income Success Stories**

This session will discuss how earned income projects can diversify your nonprofit's revenue stream and provide an overview of what you must consider before tackling an earned income project. Nonprofit panelists will share "the good, the bad and the ugly" of their own experiences.

Moderator: Michael A. Bacon, San Antonio, TX  
Additional Panelists TBD

4:30 p.m. .50 hr

**Volunteer-Friendly Policies and Procedures**

You can make your organization more attractive to volunteers by adopting pro-volunteer protections. This session discusses the secrets of making your organization the place where volunteers want to serve.

Frank Sommerville, Arlington, TX

5:00 p.m. .50 hr

**Chasing Government Money: How to Obtain Earmarked Funding**

The purpose of this session is to help nonprofits understand how to find and secure funding from their local and federal government representatives. Hear success stories from City Year, a national service and civic leadership organization, an organization that has successfully obtained earmarked funding for the past five years.

Rex Carney, Philadelphia, PA

5:30 p.m. Adjourn to Reception

Sponsored by The Frost Financial Management Group

FRIDAY MORNING, JAN. 12, 2007

Presiding Officer: P. Mike McCullough, Dallas, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .75 hr including .25 hr ethics

**Supporting Organizations: New Rules, or Ruled Out?**

New strictures burden this planning tool, and even call its continued viability into question. Some damaging provisions are retroactive. This session will look at the issues and at case studies.

Terry L. Simmons, Dallas, TX

9:15 a.m. 1.00 hr

**Compensation Issues for Exempt Organizations**

IRS National Office will share first-hand insights regarding the IRS compensation and compensation-related initiatives, including its report and findings. Learn about Section 501(c)(3) proposed regulations governing whether or not the sanction of exempt status revocation in addition to Section 4958 excise taxes should be imposed in situations involving excess benefit transactions. The session will also provide guidance in how to establish accountable plan policies to avoid the trap of expense reimbursements being inadvertently re-classed as compensation.

David L. Fish, Washington, DC  
Joyce Hellums, Austin, TX

10:15 a.m. Break

10:30 a.m. .50 hr

**Gifts In Connection with the Sale of Business Interests: Issues and Opportunities**

The presentation will explore gifts of business interests that are about to be sold, which present both risks and opportunities for the donee.

David M. Rosenberg, Dallas, TX

11:00 a.m. .75 hr

**When Private Benefit Is (and Is Not) Consistent with the Concept of Charity**

This session considers the circumstances in which a purportedly charitable purpose or activity qualifies (or fails to qualify) as such when it confers private benefits.

Johnny Rex Buckles, Houston, TX

11:45 a.m. .50 hr

**Basics of International Grant-Making**

This session covers IRS requirements for grants made by public charities as well as the more specific requirements for private foundation grants including equivalency affidavits and expenditure responsibility. The session additionally covers due diligence for good grant-making, compliance with anti-terrorist guidelines and special challenges present in international grant-making.

Michael V. Bourland, Fort Worth, TX  
Lori A. McLaughlin, Dallas, TX  
Co-Author: Darren B. Moore, Fort Worth, TX  
Co-Author: Timothy A. A. Stiles, San Francisco, CA

12:15 p.m. Lunch on Your Own

**Presiding Officer: Coleith Molstad, Austin, TX**

**1:30 p.m.** **.50 hr**

**Changing Demographics: The Impact on Grant Making and Grant Seeking**

The past decade has brought a new wave of newcomers to the United States. Many communities in the Southwest have experienced demographic changes as immigrants and refugees have settled in places that have not always been so ethnically diverse. This session will explore the implications of these shifts on grant makers and grant seekers.

Elizabeth A. Casselman, Indianapolis, IN

**2:00 p.m.** **.75 hr including .25 hr ethics**

**A Guide for Nonprofits on Legal and Effective Lobbying (or How to Be a Troublemaker without Getting in Trouble)**

Nonprofit organizations and those who fund them have a responsibility to make their voices heard at the Texas Capitol and in Washington, D.C. Texans concerned about the future of the nonprofit sector and the people and ideas it serves need to understand the basic laws concerning lobbying. This session will provide practical tips on nonprofit lobbying and real world strategies about how to get the most out of your lobbying efforts.

Jason Sabo, Austin, TX

**2:45 p.m.** **.75 hr**

**Avoiding Labor Pains—Employment Law Essentials**

Tips on how to prevent common mistakes and enhance defenses for typical employment lawsuits like discrimination, retaliation, harassment, and wrongful discharge.

Connie L. Cornell, Austin, TX

**3:30 p.m.** **Adjourn—OR—Attend Optional Ethics Session**

**3:45 p.m.** **1.00 hr ethics**

**Optional Ethics Session**

**The 11 Commandments of Professional Responsibility**

A session of informative and entertaining parables covering ethics and professional responsibility.

Michael Sean Quinn, Austin, TX

**4:45 p.m.** **Adjourn from Optional Ethics Session**

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## Course Binder

The Nonprofit Organizations Institute generates the year's definitive set of resource materials for the nonprofit community. Don't miss papers on current developments, governance and compliance, along with sample forms, policies and "take-away" documents.

## Audio CD Set

The Nonprofit Organizations Institute presentations are available on CD. Listen to the entire conference or individual sessions at your convenience.

## eBinder on CD

Get the entire conference binder on CD, in electronic PDF format. Only \$50 if added to a registration or purchase of Course Binder or Audio CD Set. \$200 purchased alone.

## In-House CLE

Would your firm like to run an in-house version of this conference, with full participatory credit? Order In-House CLE and we'll also provide an Audio CD Set for the group and a Course Binder for each participant.



### ABOUT THE COVER

"Winter Tulips," oil on canvas, is by Laurel Daniel. For more information, contact the Davis Gallery at 512-477-4929 or visit [www.davisgalleryaustin.com](http://www.davisgalleryaustin.com)

## REGISTRATION FOR NO07

### Mail this registration form to:

The University of Texas School of Law, Attn. NO07  
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**

PLEASE PRINT CLEARLY

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Registrant's Email (required) \_\_\_\_\_

Assistant's Email (optional) \_\_\_\_\_

Invoices, confirmations and receipts are emailed to these addresses.

### REGISTRATION:

**Includes Course Binder, Thursday Lunch and Reception**

- Early Registration Fee due by Wednesday, Jan. 3, 2007 ..... \$435.00  
 Registration Fee after Wednesday, Jan. 3, 2007 ..... \$485.00

### ADD OPTIONAL WEDNESDAY EVENING SESSION—Select one:

- A. Primer on Nonprofit Organizations and Charitable Giving ..... \$50.00  
 B. Beyond a Basic Understanding of Nonprofit Financial Statements..... \$50.00

### CONFERENCE PUBLICATIONS AND MEDIA

**Allow 2-4 weeks from the conference date for delivery.**

- Course Binder *Without* Conference Registration ..... \$200.00  
*Note: Conference registration includes Course Binder.*
- Audio CD Set ..... \$175.00
- eBinder on CD (PDF format) ..... \$200.00/\$50.00  
*(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)*

### IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

**Allow 2-4 weeks from the conference date for delivery.**

- In-House CLE for 2—Includes Audio CD Set and Course Binder ..... \$750.00  
\_\_\_\_\_ Add participants (includes Course Binder) for \$200 each ..... \$ \_\_\_\_\_

**TOTAL ENCLOSED** ..... \$ \_\_\_\_\_

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- Check (make checks payable to: **The University of Texas at Austin**)  
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Card #     -     -     -

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Authorized Signature Exp. Date (mm/yy)

## AUSTIN

January 10\*, 11-12, 2007

### CONFERENCE LOCATION



#### Four Seasons Hotel

98 San Jacinto  
Austin, TX 78701  
512-685-8100

#### SPECIAL RATE \$205

(subject to availability)  
good through December 20, 2006

Parking: \$7 self-parking; \$12 valet  
(subject to change)

#### KEY DATES

##### Registration & Cancellation

January 3, 2007—5 p.m.

*last day for early registration*  
add \$50 for registrations  
received after this time

January 5, 2007—5 p.m.

*last day for full refund*

January 8, 2007—5 p.m.

*last day for partial refunds*  
\$50 processing fee applied

January 10, 2007—6 p.m.

*Optional Wednesday evening session*  
*begins*

January 11, 2007—9 a.m.

*conference begins*

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 16.25 hours, of which 2.50 credit hours will apply to legal ethics/professional responsibility credit.

## UTCLE'S SPRING CONFERENCE SCHEDULE

Please visit [www.utcle.org](http://www.utcle.org) for additional program dates and venues.

### Nonprofit Organizations Institute

January 10\*, 11-12, 2007  
Four Seasons Hotel, Austin

### Bankruptcy Litigation: Advanced Pre-Trial Practice

February 1-2, 2007  
The Center for American and International Law, Dallas

### VALCON: Legal & Financial Perspectives on Valuations

February 8-9, 2007  
Red Rock Casino, Resort and Spa,  
Las Vegas

### Securities Regulation & Business Law

February 22-23, 2007  
Belo Mansion, Dallas

### Wind Energy Institute

February 26-27, 2007  
Convention Center, Austin

### School Law Conference

March 1-2, 2007  
Hyatt Regency on Town Lake, Austin

### Collaborative Law Institute

March 8-9, 2007  
Hyatt Regency on Town Lake, Austin

### Telecom, Cable & Wireless Conference

March 8-9, 2007  
Hyatt Regency on Town Lake, Austin

### Oil, Gas & Mineral Law Institute

March 30, 2007  
Hilton Post Oak, Houston

### Health Law Conference

April 12-13, 2007  
Four Seasons Hotel, Houston

### Land Use Planning Law Conference

April 12-13, 2007  
Hyatt Regency on Town Lake, Austin

### Corporate Counsel Institute

April 19-20, 2007  
Westin Oaks, Houston  
May 10-11, 2007  
Cityplace Conference Center, Dallas

### County & District Clerks' Legal Education Conference

May 1-3, 2007  
Hyatt Regency on Town Lake, Austin

### Criminal Appeals

May 9-11, 2007  
Radisson Hotel & Suites, Austin

### Multiple Parties, Multiple Problems: A Symposium

May 10-11, 2007  
Permanent Court of Arbitration  
The Hague, Netherlands

### Labor & Employment Law Conference

May 17-18, 2007  
Hyatt Regency on Town Lake, Austin

### Technology & Computer Law Conference

May 24-25, 2007  
Four Seasons Hotel, Austin

### Conference on State & Federal Appeals

May 31-June 1, 2007  
Four Seasons Hotel, Austin

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THE UNIVERSITY OF TEXAS SCHOOL OF LAW  
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