Nonprofit and Charitable Organizations

Overview
Charitable organizations face myriad complex state and federal laws, so they need experienced and knowledgeable attorneys to help them remain in continued compliance. Our attorneys have extensive experience in all aspects of the life cycle of a tax exempt entity and maintain a strong presence in New Mexico’s nonprofit sector. We work with both large and small nonprofits to form the legal entity, prepare the governing documents, and obtain federal tax exempt status and exemptions from state property taxes. If an organization has its tax exempt status revoked, we assist in rehabilitating the nonprofit and having its tax exempt status reinstated.

Experience
We offer guidance in areas such as:

- Board governance and the fiduciary duties of directors;
- Issues related to private inurement, private benefit, and conflict of interests;
- Preparing and revising a charitable organization’s policies and procedures;
- Reviewing the annual 990 filings; and
- Other operational issues that regularly arise.

If two organizations plan to merge or a nonprofit entity must dissolve and wind down operations, we advise on the process from start to finish, including preparing the documents and state filings and work to protect the charitable
Nonprofit and Charitable Organizations

from additional liability. We also have attorneys from other practice areas, such as employment law, real estate, and litigation, who are familiar with the unique legal issues affecting charitable organizations and who can provide practical advice and representation for the organization.

Many of our clients are people with their own philanthropic visions who want to make donations or bequests to charitable organizations. We represent and advocate on behalf of large donors, including both individuals and foundations, who are interested in making major gifts or loaning items to charitable organizations. Our experience includes drafting the gift, loan, or endowment agreement and helping protect the philanthropic goals of the donor.