

Tax-Exempt Organizations

Tax-exempt organizations often face unique tax and employee benefit challenges. Our tax-exempt organization practice provides coordinated advice on these areas of law. We regularly assist our clients with the unique state and tax law requirements for tax-exempt organizations. We also regularly work with our clients on issues involving the Internal Revenue Service's tax-exemption determination letter process, self-dealing, intermediate sanctions, unrelated business income tax, and tax-shelter investment rules. And we use our employee benefit plans expertise to ensure that our clients, their staffs, and their executives are provided benefits under progressive, legally-compliant employee benefit structures. Our past experiences include:

- The development of an over 40-entity tax-exempt corporate structure covering over 20 states so as to maximize each entity's protection from corporate liability, including obtaining applicable income and franchise tax exemptions for the entities.
- Advice on day-to-day corporate and licensing issues in a "general counsel" style role for small tax-exempt organizations.
- The design and implementation of a for-profit subsidiary structure to maximize the licensing revenue of a tax-exempt entity.
- The redesign of a large tax-exempt organization's benefit plans, including the freezing of a defined benefit plan, because of a changing business environment.
- Creation of defined contribution health care products to allow tax-exempt organizations to more effectively manage their healthcare costs.
- Drafting employment agreements for officers of a large tax-exempt organization to provide for both current and future deferred compensation while bringing pre-existing split dollar insurance and other benefits into compliance.
- Design of 457(b) programs for senior executives in order to increase the tax-advantaged deferred compensation available in their retirement.
- Negotiation and settlement of Federal Insurance Contributions Act (FICA) payroll tax audits.