

Nonprofit/Tax-Exempt Organizations

Nonprofit organizations are one of the fastest-growing sectors in the U.S. economy, with more than 150,000 in California alone. Many nonprofit and tax-exempt organizations are expanding their missions and services to address greater demand while navigating complex regulations and increasing competition for resources and strong leadership talent. To succeed in this environment, nonprofits and tax-exempt organizations require sophisticated legal counsel.

Downey Brand's attorneys have assisted nonprofit and tax-exempt organizations across the spectrum, from business-oriented entities like trade associations, agricultural cooperatives, and credit unions to charities, foundations, and higher education institutions. We have significant experience helping clients comply with the stringent regulations that govern nonprofit entities, including campaign finance and asset management rules.

In addition to our work on the matters unique to nonprofit organizations, we assist tax-exempt clients with issues such as tax compliance, employment law, and litigation. As a law firm with comprehensive business law practices, we can harness a broad and deep collective knowledge to tackle the problems that nonprofit organizations encounter – and to shape the law even before it is passed. From complex business acquisitions and the establishment of new nonprofits to land use, insurance, and intellectual property matters, Downey Brand is a leading advocate for tax-exempt organizations in California and beyond.

Selected Experience

- Drafted and negotiated hundreds of legislative bills and regulations relating to the business operations of trade associations and their members.
- Formed numerous California non-profit public and mutual benefit corporations and assisted such corporations with obtaining IRS recognition of their tax-exempt status as 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6), 501(c)(7) and 501(c)(11) entities.
- General Counsel to dozens of industry trade associations who represent closely held and publicly traded member companies engaged in business throughout California.
- Serve as outside general counsel to the University of the Pacific, advising the Board of Regents and administration on corporate, tax-exempt, compliance and general business matters.
- Served as outside corporate counsel to two of the Sacramento region's leading nonprofit healthcare systems, including drafting and review of healthcare operations contracts, assisting with medical practice acquisition transactions, and providing advice on corporate governance matters and tax-exempt status issues.

- Counseled private foundations on entity formation and operational issues, including compliance with IRS self-dealing rules and other regulations specific to private foundations.
- Advised large charitable organization in the securing of a multi-million dollar credit facility.

Trade Groups

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- California Association of Pest Control Advisers (CAPCA)
- California Association of Winegrape Growers (CAWG)
- California Grocers Association (CGA)
- California League of Food Producers (CLFP)
- California Manufacturers & Technology Association (CMTA)
- Pest Control Operators of California (PCOC)