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2019

NONPROFIT LAW CONFERENCE

WEDNESDAY, MARCH 20, 2019

Minnesota CLE Conference Center

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NONPROFIT LAW CONFERENCE

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FEATURING:

Attorney General Keith M. Ellison
Discussing the 2019 Priorities of the Minnesota AG's Office

PLUS –

- Eve Borenstein's Popular Annual Update
- State of the State for Nonprofits in Minnesota

And much, much more!

Wednesday, March 20, 2019
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370 | Third Floor City Center | Minneapolis

SCHEDULE

8:30 – 8:55 a.m.
CHECK-IN & CONTINENTAL BREAKFAST

8:55 – 9:00 a.m.
Welcome & Introduction
– *Heidi N. Christianson*
J. Patrick Plunkett
Course Co-Chairs

9:00 – 9:15 a.m.
State of the State for Nonprofits in Minnesota
An overview of key developments in the Nonprofit field. Numbers, employment trends, compensation, types of Nonprofits, areas of growth and decline will be discussed.
– *Jon F. Pratt*

9:15 – 9:45 a.m.
Tax Reform and its Continued Impact on the Nonprofit Sector
An update on Tax Reform's impact on nonprofits from both the state and federal perspective.
– *Emily D. Robertson*
Jon F. Pratt

9:45 – 10:00 a.m.
BREAK

10:00 – 11:00 a.m.
IRS Exempt Organizations Update
Our annual not-to-be missed dose of Eve. This session features a fast paced overview and important analysis of the IRS Exempt Organization Division's activities and priorities for 2019.
– *Eve R. Borenstein*

11:00 – 11:30 a.m.
Minnesota Attorney General Update
Minnesota Attorney General Keith Ellison joins us to share insight into his priorities for 2019 and his office's work regulating and overseeing nonprofits and charitable assets in Minnesota.
– *Attorney General Keith M. Ellison*

11:30 – 11:45 a.m.
BOXED LUNCH DISTRIBUTED
(PROVIDED BY MINNESOTA CLE FOR ALL ATTENDEES)

11:45 a.m. – 12:30 p.m.
Protecting A Nonprofit's Brand and Reputation
A candid discussion about inappropriate conduct, operational changes, loss of leadership, breach of fiduciary duty and other challenges a nonprofit organization might experience that have the potential to damage the organization's brand and reputation. Get practical advice on prevention, response and corrective actions.
– *Kate Barr*
Sarah J. Gillaspey
Emily R. Menchaca
J. Patrick Plunkett, moderator

12:30 – 12:40 p.m.
BREAK

12:40 – 1:40p.m.
BREAKOUT SESSION A

101 Nonprofit 101
An overview of the Minnesota Nonprofit Corporation Act and the regulatory authority of the Minnesota Attorney General.
– *J. Patrick Plunkett*

102 Organizational Changes: Merger, Dissolution and Conversion
This presentation examines the legal considerations when nonprofit organizations are involved in mergers, conversions and dissolutions. We will examine statutory, contractual, regulatory and business considerations.
– *Kimberly A. Lowe*

103 The Use of DAFs in Charitable Giving
This session examines the use of Donor Advised Funds to facilitate convenient, tax efficient charitable giving, including an overview of relevant regulations and guidance.
– *Alexander J. Stoflet*

1:40 – 1:50 p.m.
BREAK

1:50 – 2:50 p.m.
BREAKOUT SESSION B

201 Tax Exemption 101
An introduction to federal and state tax exemption including income tax exemptions, real estate tax exemption and sales tax exemption.
– *J. Patrick Plunkett*

202 Alternative Revenue Streams for Nonprofits
Learn about some of the most common alternative (non-grants, non-program service revenue) revenue opportunities being sought out by nonprofits, and how they are viewed from a tax and reporting standpoint.
– *Tom W. Hodnefield*
Zachary J. Crain

203 Troubleshooting Restricted Gifts
This presentation provides practical guidance on accepting and administering endowments and other restricted gifts. It will also address modifying problematic donor restrictions.
– *William Sternberg*
Brendan M. Wilson

2:50 – 3:00 p.m.
BREAK

3:00 – 4:00 p.m.
BREAKOUT SESSION C

301 Fiscal Sponsorship in the Real World
This session is a primer on the legal issues that can surround fiscal sponsorship, and a discussion of the ways individuals with charitable projects are using fiscal sponsorship to advance their goals – from single projects like an event or a piece of public art, to incubating a new program, to providing funding to a group or organization that is generally not charitable but does conduct charitable activities. Panelists will engage in a conversation with each other and the audience, bringing the perspectives of outside legal counsel, in-house legal counsel, and the non-lawyer program director.
– *Hetal Dalal*
Danielle Gangelhoff
Emily D. Robertson

302 Nonprofit Advocacy 201
What are all the ways nonprofits can advance systems change and influence public policy, while operating within the limits of their tax-exempt status? This session will cover the basic rules governing lobbying, advocacy and intervention in campaigns, but also go beyond the basics to cover when an organization should consider forming a 501(c)(4) or political action committee to advance its work – and when it can comfortably work within its 501(c)(3) status.
– *Sarah Duniway*

303 Donning and Doffing Your Lawyer Hat: Ethical and Practical Issues for Legal Advisors Serving as Directors
1.0 ethics credit applied for
This session is for those serving, or considering serving, on a nonprofit board of directors. We will discuss the potential role confusion the lawyer-director needs to manage, and the accompanying issues of competence, conflicts, and confidentiality. Consideration will be given to the Minnesota Rules of Professional Conduct.
– *Gregory A. Larson*

4:00 – 4:15 p.m.
BREAK

4:15 – 4:45 p.m.
Emerging Fundraising Platforms and How Regulators May View Them
An interactive discussion about emerging fundraising platforms and how regulators may approach oversight of a nonprofit's use of them.
– *Heidi N. Christianson*
Gina M. Kastel
Gregory B. Lam

COURSE INFORMATION

LOCATION
Minneapolis –
Wednesday, March 20, 2019
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
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Wednesday, March 20, 2019

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