

# Charities & Not-For-Profits Law

## Profile

At Clark Wilson, we believe in giving back to our community. This stems from our firm's core values of caring, excellence, service, teamwork, alongside trust and integrity. Whether volunteering our time or raising funds for philanthropic initiatives through our Community Involvement and Charitable Giving Committee and our CW Cares program, we as a firm, are proud of our reputation of supporting those in need.

Our firm has significant corporate experience and our involvement with the charitable sector is a natural fit with our values. It helps us understand the landscape in which our charitable and non-profit clients operate. We understand the complex regulatory environment that our clients function within and the broad range of legal issues and challenges that can arise. The work of our diverse legal team on behalf of charities and not-for-profit organizations spans a wide range of industries. We represent a variety of related groups across Canada, including educational institutions, healthcare and community service associations, private foundations and Indigenous community organizations.

## SERVICES

Clark Wilson has cultivated a strong reputation in the industry by promoting educational programs and through the personal involvement of our team members. We appreciate the nuances of your organizational goals, policies and practices and the need to respect donor intentions while maintaining accountability to your stakeholders. The following is a list of some of our services:

- > Incorporation: establishing and maintaining not-for-profit and charitable organizations, including charitable trusts and foundations
- > Governance: creating efficient governance structures and providing ongoing advice,

including assistance with bylaws and policies, membership structuring and management, annual general meetings and director meetings, and corporate compliance matters

- > Tax: obtaining charitable registration and assisting with ongoing tax compliance matters, including donation receipting and valuation
- > Business Structuring: operating related businesses and structuring unrelated business vehicles (including subsidiaries, trusts, and partnerships)
- > Gift Planning: gift planning and donor agreements
- > Commercial: advising on a range of commercial matters including real estate, privacy and cybersecurity, intellectual property and employment matters
- > Insurance: assistance in obtaining the appropriate coverage, disputes with insurance providers and defending third party liability claims
- > Dispute Resolution: resolving corporate governance issues and disputes, including wills variation claims, contested accountings and proceedings to remove executors
- > Estate Administration: advising charities named as beneficiaries in wills on estate administration matters, including disputing executor compensation and applications to vary trusts and cy-pres applications

Our team members are active and engaged in supporting charities and other non-profits, with many of our lawyers and staff holding leadership positions and serving on boards of various organizations. Through this direct involvement and "hands-on" approach, we are aware of the latest issues and legal developments in the charitable sector allowing us to understand the needs of our clients and better serve the industry.

#### **Charities & Not-For-Profits Key Contacts:**

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