

Private Foundations

Private foundations are charities that ordinarily rely for their support on a single company, family, or individual. Most private foundations serve their charitable purposes by making grants rather than conducting their own direct charitable operations. They are governed by stricter legal rules than public charities, and they often face difficult and highly technical legal compliance issues. Our lawyers help private foundations to navigate these regulatory complexities. We help founders, board members, and foundation staff to learn the rules so that they can focus their energies on philanthropy and avoid colliding with legal obstacles.


AREAS OF FOCUS


- › Forming and securing tax exemption for foundations.
- › Issues arising from grants to non-traditional grantees, e.g., a project of an organization that is not a U.S. public charity, or complex projects where further funding depends on specific benchmarks.
- › Structuring transactions to avoid both direct and indirect self-dealing.
- › Negotiating, documenting, and opining on program-related investments.
- › Qualifying as a private operating foundation or a private pass-through foundation in order to benefit the community while generating maximum tax benefits for donors.
- › Advocacy grantmaking.
- › Qualifying distributions.
- › Grants to individuals.

We also help companies develop effective legal structures for their community benefit activities, often including a company foundation.

CONTACT INFORMATION

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