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## Social Enterprise Innovating through Impactful Partnerships

OK. I don't know what the title of my post means either, but that is actually my point!

Social enterprise is an emerging and developing business approach, whether accomplished through a tax-exempt organization, a traditional for-profit entity, or one of the newer hybrid forms—L3Cs, Benefit Corporations, or Flexible Purpose Corporations. With new approaches necessarily comes new language. This is to be expected. For example, I learned early on that:

“Partnering” means working collaboratively. It does not mean creating a new legal entity that is technically either general or limited and that may elect to be taxed either as a partnership or a corporation under the Internal Revenue Code.

“Being impactful” means doing something that makes a difference, not rear-ending the car in front of you on Highway 101.

“Double bottom line” is not the gold stitching on the seat of your jeans; it means conducting your business in a manner that makes a profit but also does something impactful. (See how I worked “impactful” into my definition?)

I think this is all about getting even with lawyers. Finally, the “doers”—aka the clients—are saying to the lawyers, “We never understood what you were talking about, and now it's our turn. To us, UBIT has always sounded like a character in a Lewis Carroll poem. Well, now let us tell you about our plan to monetize the collective consciousness through web-based meaningful dialogue.”

In law school, we played a game called “turkey bingo.” We would sit in the back row with bingo cards with the names of those students who felt compelled to speak all the time, and when each did speak, we would look for the name of that student on our bingo card. If you filled a row or column, you had to raise your hand and work the word “bingo” into your question or comment. I have suggested that we be given social enterprise bingo cards at social enterprise conferences, with words and phrases like “incentivize,” “collaborate,” “partnering,” “breaking down silos,” “social return on investment,” and “impactful.”

In the end, my advice to lawyers working with social enterprises is:

- › You need to have a working knowledge of the new language of social enterprise in order to understand what your clients want to accomplish; and
- › You also have to be comfortable enough to seek clarification where you don't understand your client.

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