

California Lawyers Foundation
Policy and Process Regarding Co-Sponsorship of
Projects, Activities or Educational Programs

Background and Purpose of Foundation:

California Lawyers Foundation (the “Foundation” or “CLF”) was formed in April 2019 by the California Lawyers Association (the “Association”) to serve as the charitable arm of the Association. As an auxiliary charitable organization of the Association, the Foundation will conduct charitable programs, projects, and activities (including continuing legal education (CLE) and other educational programs to support and educate lawyers and others in the legal profession) that further the Foundation’s and the Association’s common mission of promoting excellence, diversity, and inclusion in the legal profession and fairness in the administration of justice and the rule of law. Further, consistent with the Foundation’s charitable purpose, the Foundation will undertake charitable work in the Association’s three key initiative areas: (1) diversity, equity and inclusion; (2) access to justice; (3) civic education and engagement. Subject to the Foundation’s separate Gift Acceptance Policy, the Foundation may be the recipient of gifts restricted to these or other purposes.

General Principles:

To protect the 501(c)(3) tax-exempt status of the Foundation, respect its separate corporate existence, not run afoul of IRS, California Franchise Tax Board and California Attorney General charitable trust rules and guidance, and comply with the rules set forth by the California Fair Political Practices Commission (FPPC), the Foundation operates under the following general principles, all of which must be observed when the Association or any of its constituent parts—such as sections or committees—interacts with the Foundation.

- Decisions with respect to the Foundation must be made by the Foundation’s board and officers, some (but not all) of whom are also officers of the Association. The traditional corporate formalities must be observed with respect to the Foundation to ensure that it acts independently and that the risk of “piercing the corporate veil” does not arise. Officers and directors of the Foundation must act in the best interests of the Foundation.
- All activities of the Foundation must be charitable¹ in nature and consistent with the charitable purposes of the Foundation as set forth in its governing documents (i.e., Articles of Incorporation and Bylaws) and its application for recognition of exemption under IRC Section 501(c)(3) (IRS Form 1023).
- Any gift to the foundation or payments made by the Foundation must have a direct nexus to the Foundation’s charitable work. In making decisions about the activities of the Foundation, its

¹ For I.R.S. purposes, the term “charitable” encompasses “educational” and for ease of reference, is used throughout.

board and officers must consider the IRS principles prohibiting private inurement or private benefit—essentially, payments or other benefits to individuals unrelated to the Foundation’s charitable work or unreasonable in amount based on the services provided to the Foundation by the individual.

- The FPPC prohibits using the Foundation as a mere “pass-through” vehicle for Association payments to reimburse the travel expenses of public officials who serve as speakers or panelists at, or who otherwise attend, educational activities of the Foundation. The Foundation may use its own funds to reimburse speakers and panelists, of course. These activities may include co-sponsored CLE activities, provided the Foundation agrees to co-sponsor and the scope of the activities falls within the parameters of the Foundation’s mission.

Policies for Co-Sponsoring Programs:

Co-Sponsoring Educational Programs, Projects or Activities Related to the Initiatives

In its sole discretion, CLF may co-sponsor educational programs, projects or activities in the core initiative areas with entities other than the Association or its constituent parts, provided funding is available to do so and the proposed program, project or activity is consistent with the Foundation’s mission, strategic plan and priorities. CLF may also choose to co-sponsor educational programs in the core initiative areas with the Association or component parts of the Association (also in the sole discretion of the Foundation). Examples of activities may include but are not limited to diversity fellowship programs, scholarships, summits, educational programs, technological platforms, public education materials or outreach activities.

Co-Sponsoring Educational Programs Unrelated to the Initiatives

Absent extraordinary circumstances, CLF will only co-sponsor educational programs outside the three core initiative areas with the Association or a constituent part of the Association, such as a section or committee. Exceptions to this general rule require executive director and board chair and board treasurer consent. In all cases, the proposed program, project or activity must be consistent with the Foundation’s mission, strategic plan and priorities.

While CLF has some funds available to support co-sponsorship of educational programming, requests for co-sponsorships that involve costs to the Foundation may exceed the funds available for this purpose. Accordingly, in applying to the Foundation for co-sponsorship, requestors are encouraged to request the minimum amount needed to support the program in question.

Process for Requesting Co-Sponsorship

To request the Foundation co-sponsor a program project or activity, the requestor should submit a Co-Sponsorship Request Form. Requestors should be prepared to address the following:

- What is being proposed and how is the event or activity consistent with the Foundation’s mission?
- Who is ultimately responsible for the event or activity? (organization, entity within organization)
- Who is the point of contact if there are questions about the application?

- When and where will the event or activity take place?
- Is funding requested and if so, the amount of the request plus a copy of the budget for the program, project or activity. If the proposal covers an ongoing activity, what period of time is the funding requested from the Foundation expected to cover?

Requests for co-sponsorship should be submitted as far in advance as possible but no later than eight weeks prior to the planned event or activity. Absent unusual circumstances, the Foundation will endeavor to make a decision regarding requests for co-sponsorship within four weeks of receipt for routine requests. As a note of caution, Foundation support may be constrained by resource availability, depending on the amount of financial assistance requested and the volume of requests. In some cases, this may mean that the Foundation offers less financial support than was requested or denies requests due to lack of available funding to support the request. If the Foundation denies a request for reasons other than the absence of available funds to fulfill the request, then the requestor may ask the Foundation board to review the denial. Decisions by the Foundation board are final.

Requirements if the program, project or activity is approved:

Publicity and Foundation Visibility

Unless the Foundation, in its sole discretion, opts not to do so, if the Foundation co-sponsors a program, project or activity, the requestor shall agree to give the Foundation “equal billing” with the other entity in any and all materials and publicity associated with the event or activity.

The prior written consent from the CEO and Executive Director of the Foundation, or their designee, is required to use the name or logo of the Foundation.

Other Requirements

If the Foundation so chooses, it may have the opportunity to have a spokesperson of its choosing participate in the event or activity as appropriate.

In instances involving remitting payment directly, all communications will come from the Foundation. The Foundation may request periodic written reports about approved co-sponsored events and activities from requestors.

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