

11 Reasons Your Church May Need a Lawyer

There are other reasons besides lawsuits that call for legal advice.

The church usually begins looking for an attorney only when it is confronted with a crisis—such as being served with a lawsuit. However, the need for an attorney's advice actually arises during the planning stages of any activity or event. Common situations that call for an attorney's expertise are:



1. If the church is revising its governing documents, it should always engage an attorney familiar with nonprofit law in its state.
2. If the church is considering terminating a lay employee who is protected by law, it should always engage an attorney familiar with employment law in its state.
3. If the church is revising its employee handbook, it should always engage an attorney familiar with employment law in its state.
4. If the church is considering a new source or method of fundraising, it should engage an attorney familiar with nonprofit tax and fundraising rules and regulations.
5. If the church is revising its policies and procedures, it should have an employment attorney and/or a risk management attorney review the revised policies and procedures.
6. If the church is buying or selling land, it should engage a real estate attorney to review the transaction documents.
7. If the church is entering into a contract that exposes the church financially, it should engage an attorney to review the contract.
8. If the church is considering a new or different activity, it should engage an attorney to review the risks associated with that activity.
9. If the church is contacted by any taxing agency, it should engage an attorney to respond to the contact.
10. If the church is contacted by an attorney, it should engage an attorney to respond to the contact.
11. If the church becomes uncomfortable with any activity or financial transaction, it should engage an attorney to review the activity or financial transaction.

This post is taken from "When Your Church Needs a Lawyer," by Frank Sommerville