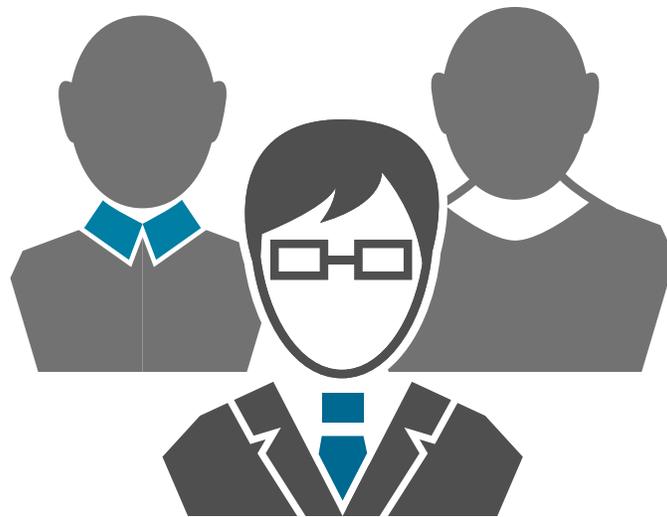


11 Reasons Your Church May Need a Lawyer

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



**Frank Sommerville,
Attorney and CPA**

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.

Adapted from “[When Your Church Needs a Lawyer](#),” an article that also offers advice for selecting and supervising an attorney. For further help with legal issues, purchase the downloadable resource [Avoiding Church Lawsuits](#) and the four-volume set [Pastor, Church & Law](#).

Frank Sommerville, CPA, is a shareholder in the law firm of Weycer, Kaplan, Pulaski & Zuber, P.C. in Houston and Dallas, Texas, and an Editorial Advisor for Church Law & Tax Report. Frank received his masters in professional accounting with an emphasis on taxation from the University of Texas at Arlington. His law degree is from the University of Houston Law Center. He holds a license as a Certified Public Accountant. He is also Board Certified in Tax Law by the Texas Board of Legal Specialization. Frank is rated AV (highest possible) by Martindale-Hubbell Legal Directory.

Resources

ONLINE RESOURCES:

ChurchLawAndTax.com provides comprehensive, searchable, and easily-accessible information on legal, tax, financial, and risk management matters affecting churches and clergy. The full archives of both *Church Law & Tax Report* and *Church Finance Today* reside on the site as does the Richard R. Hammar Legal Library.

ManagingYourChurch.com serves church leaders by providing accurate, authoritative, and timely law, tax, finance, church administration, and risk management articles and resources.

PUBLICATIONS:

Church Law & Tax Report (published bi-monthly) provides practical information to church leaders on important legal and tax developments that have a direct impact on ministry. In each issue, Senior Editor Richard R. Hammar, J.D., LL.M., CPA, provides summaries of the most recent tax laws affecting churches and ministries, plus compelling case studies. This vital publication keeps pastors, board members, attorneys, CPAs, and church business administrators apprised of the ever-changing legal and tax environment, allowing for sound decisions.

Church Finance Today (published monthly) keeps church treasurers and bookkeepers informed with timely and practical information on issues all churches face when managing money: internal controls, compensation, reporting, and budgeting. In addition, subscribers receive *SkillBuilders*, a supplement offering specific steps to improve money management practices.

FOR BOOKS AND OTHER RESOURCES VISIT **ChurchLawAndTaxStore.com**:

Church & Clergy Tax Guide

Find comprehensive help understanding United States tax laws as they relate to pastors and churches with **Richard Hammar's** annual *Church & Clergy Tax Guide*. Tax law in general is highly complex and ever-changing. Add to that the many unique rules that apply to churches and clergy and you're set up for a challenging task that requires an expert's guidance.

Church Finance: The Complete Guide to Managing Ministry Resources

Overseeing the financial health of a church is no simple task. Increased regulations, IRS audits, and changing technology are a few of the challenges facing both new and experienced treasurers, bookkeepers, business administrators, and executive pastors. *Church Finance*, the groundbreaking, comprehensive guide created by respected experts and CPAs, **Michael E. Batts** and **Richard Hammar**, gives you the confidence you need to manage every aspect of your job.

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