



Richard S. Caputo

Partner

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Rich is the chair of the firm's Nonprofit Organizations Group. His primary practice is devoted to:

- Forming private foundations, public charities, supporting organizations and other tax-exempt organizations
- Addressing private foundation compliance issues, including self-dealing, qualifying distributions, excess business holdings and taxable expenditure responsibility
- Preparing, adopting and interpreting corporate policies and best practices tailored to the specific structure and compliance requirements of the organization
- Providing corporate governance advice (including advice on structuring and best practices, such as Sarbanes-Oxley practices) and preparing signatory and disbursement policies, conflict of interest policies and whistleblower policies
- Preparing articles of incorporation, bylaws, consents, EIN Applications and applications for income tax exemption
- Structuring and effectuating reorganizations, joint ventures and other strategic alliances (with nonprofit entities and between nonprofit entities and for-profit entities)
- Forming nonprofit and for-profit subsidiaries, including supporting organizations, to limit liability, manage assets more efficiently and protect an entity's public charity status
- Addressing public charity compliance issues, including intermediate sanctions, public support tests and private benefit rules
- Liquidating tax-exempt organizations (preparing all required documents, such as resolutions, dissolution notices, applications for tax clearance certificates, any required IRS notices and articles of dissolution, and obtaining Attorney General approval and Orphans' Court approval)
- Structuring compensation agreements, scholarship programs and loan forgiveness programs
- Assisting corporate fiduciaries in obtaining tax-exempt status for the charitable trusts they administer
- Representing corporate fiduciaries in various Orphans' Court proceedings, such as *cy pres* proceedings, court accountings and trust reformations
- Preparing estate planning documents, such as wills, trusts, powers of attorney and living wills
- Defending clients against federal tax assessments and preparing installment agreements and offers in compromise on behalf of such clients

Before Fox Rothschild



Rich was formerly a shareholder at Stevens & Lee, where he represented charitable trusts, private foundations, publicly supported organizations, educational organizations, hospitals and other tax-exempt organizations.

Beyond Fox Rothschild

An active speaker, Rich regularly presents to tax-exempt clients and corporate fiduciaries and has spoken for the Berks County Bar Association, the Lancaster County Bar Association, the Lehigh County Bar Association, the Bucks County Bar Association, the Berks County Estate Planning Council, the Lehigh County Estate Planning Council, the Chester County Bar Association, the Chester County Estate Planning Council, the Montgomery County Estate Planning Council, the Philadelphia Estate Planning Council, the Committee of Banking Institutions on Taxation, the Fiduciary Education Foundation, the PBA Wealth Management & Trust Conference, the Association of Fundraising Professionals Berks County Chapter, the Pennsylvania Bar Institute, the Chester County United Way and the Partnership for Philanthropic Planning of Greater Philadelphia.

Rich's presentations focus on a variety of tax-exempt organization topics, such as Private Foundations, Charitable Trust Administration: How to Avoid Surcharge; Advanced Private Foundation Issues; New Developments Affecting Public Charities, and Supporting Organizations; The Changing Face of Philanthropy; Code Section 4958 Intermediate Sanctions; Using Charitable Trusts In Estate Planning: Traps for the Unwary; Advanced Philanthropic Planning Opportunities: The Good, the Bad and the Ugly; and Esoteric Fundraising Vehicles: Pitfalls and Opportunities; The ABCs of Solicitation of Funds Registration Statements; Mergers and Reorganizations of Nonprofit Organizations and Minimizing Risk Through Insurance and Your Organizational Structure.

Practice Areas

- Nonprofit Organizations
- Fiduciary Litigation
- Tax Controversy and Litigation
- Taxation and Wealth Planning
- Health Law

Bar Admissions

- Pennsylvania

Education

- Villanova University School of Law (LL.M., 2001)
 - Taxation
- Pennsylvania State University Dickinson School of Law (J.D., 1997)
- Pennsylvania State University (B.S., 1994)
 - Accounting

Memberships

- American Bar Association
 - Tax-Exempt Organizations Committee
- Pennsylvania Bar Association
 - Tax Law Section
 - Tax-Exempt Organizations Committee
- Berks County Bar Association
- Berks County Estate Planning Council
- The Pennsylvania State University Planned Giving Advisory Council

Board of Directors



- Gilmore Henne Foundation
- Berkshire Country Club
- Olivet Boys and Girls Club

Publications

May 18, 2017

How To Select a Merger/Reorganization Structure That Is Right for Your Nonprofit

Nonprofit Organizations Alert

April 19, 2017

For Many Nonprofits, May 15 Is Tax Filing Deadline and Marks 'Start of the Year' Review

Nonprofit Organizations Alert

March 4, 2016

Annual Nonprofit Checkup

Nonprofit Organizations Alert

April 30, 2015

May 15: State and Federal Filing Deadlines and Beginning of the Year Review of Insurance, Donor Letters and Corporate Records

Nonprofit Organizations Alert

January 2013

The American Taxpayer Relief Act of 2012 Extends IRA Charitable Rollover Until December 31, 2013

Nonprofit Organizations Alert

August 2012

Nonprofit Governance: Signatory Authority of Officers and the Importance of a Thorough Bylaw Review

Nonprofit Organizations Alert

August 2012

IRS Issues Notice on Charitable Contributions to Domestic Disregarded Entities

Nonprofit Organizations Alert

June 10, 2011

IRS Identifies Organizations That Have Lost Tax-Exempt Status and Provides Guidance on Attaining Reinstatement

Nonprofit Organizations Practice Alert

Events

Common Legal and Operational Errors Made by Nonprofits

October 26, 2017 at 11:40am – 12:30pm

DoubleTree Hotel

Hosted by: RKL



Strategies for Not-for-Profit Organizations to Minimize Risk

June 8, 2017
Philadelphia Cricket Club
Hosted by: Baker Tilly

The 15 Most Common Errors Made by Nonprofit Organizations

June 7, 2017
Renaissance Woodbridge Hotel
Hosted by: Withum

Traps for the Unwary: Using Charitable Trusts in Estate Planning

May 11, 2017
Saucon Valley Country Club
Hosted by: Estate Planning Council of the Lehigh Valley

Soliciting Gifts Outside of PA: What Should We Know

February 15, 2017 at 3:30pm
Alvernia University Upland Center
Hosted by: Association of Fundraising Professionals Berks Regional Chapter

Mergers and Reorganizations of Nonprofit Organizations

November 1, 2016 at 10:50am – 11:40am
RKL LLP
Hosted by: RKL'S 2016 Not-For-Profit Seminar

Don't Get Left in the Dark: Common Errors and Issues Encountered by Nonprofit Organizations

November 12, 2014
Hosted by: Bryn Mawr Trust Wealth Management Division

Nonprofit Governance Seminar

February 20, 2013
Bentley Systems, Inc.
Hosted by: United Way of Chester County

Professional Education for Tax Professionals

June 7, 2012
Hosted by: Primepoint Technology

The ABCs and 123s of Nonprofit Organizations

February 16, 2012
Hosted by: Association of Fundraising Professionals Berks Regional Chapter

Partnership for Philanthropic Planning of Greater Philadelphia 2011 Planned Giving Day Conference

October 26, 2011
The Union League
Hosted by: Partnership for Philanthropic Planning of Greater Philadelphia

The ABCs and 123s of Nonprofit Organizations

October 19, 2011
Hosted by: Fox Rothschild LLP



The ABCs of Charitable Trust Administration

June 1, 2011

Hosted by: Fox Rothschild LLP

ABC's of Tax Exempt Organizations

February 3, 2011

28 E. Orange Street

Hosted by: Lancaster Bar Association

2010 PBA Wealth Management & Trust Conference & Exhibition

October 27, 2010

Hershey Lodge & Convention Center

Hosted by: Pennsylvania Bankers Association and Pennsylvania Bar Institute

Sound Judgments, Smart Decisions: An Organizational Perspective for Senior Nonprofit Leadership

September 21, 2010

Philadelphia Country Club

Hosted by: Fox Rothschild LLP

2010 Certified Trust and Financial Advisor (CTFA) Continuing Education Seminar

May 26, 2010

The Harrisburg Hilton

Hosted by: Fiduciary Education Foundation

Planned Giving: Charitable Trusts or Donor Advised Funds

October 28, 2009

The Union League

Charitable Trust Administration: Common Errors that Could Lead to Surcharge

June 16, 2009

Hosted by: PBA School of Fiduciary Services, Investments & Wealth Management

Estate Planning with Charitable Trusts: Traps for the Unwary

May 21, 2009

The Harrisburg Hilton

Hosted by: Fiduciary Education Foundation

The Changing Face of Philanthropy

March 24, 2009

Hosted by: Montgomery County Estate Planning Council

Estate Planning with Charitable Trusts: Traps for the Unwary

November 6, 2008

Hosted by: The Committee of Banking Institutions on Taxation's 39th Annual Fall Tax Day

Estate Planning with Charitable Trusts: Traps for the Unwary

November 6, 2008

Hosted by: Committee of Banking Institutions on Taxation's 39th Annual Fall Tax Day



Charitable Trust Administration: Common Errors that Could Result in Surcharge

October 30, 2008

Hershey Lodge and Convention Center

Hosted by: 2008 PBA Wealth Management & Trust Conference

Charitable Trust Administration: How to Avoid Surcharge

May 21, 2008

Harrisburg Hilton

Hosted by: 11th Annual Fiduciary Education Foundation Continuing Education Seminar

Using Charitable Trusts in Estate Planning: Traps for the Unwary

May 7, 2008

Hosted by: Pennsylvania Bar Institute's 2nd Annual Estate Law Institute

Donor Advised Funds: After the Pension Protection Act

May 6, 2008

PineCrest Country Club

Hosted by: Third Annual Univest Foundation Planned Giving Seminar

News

July 31, 2012

Richard Caputo of Fox Rothschild LLP Presents Professional Education for Tax Professionals

April 26, 2012

Richard S. Caputo of Fox Rothschild LLP Gives Presentation to the Association of Fundraising Professionals Berks Regional Chapter

January 30, 2012

Richard S. Caputo of Fox Rothschild LLP Gives Presentation to Berks County Estate Planning Council

January 23, 2012

Richard S. Caputo of Fox Rothschild LLP Gives Presentation to Lehigh County Bar Association

December 19, 2011

Federation Sponsors Local Attorney Event

Jewish Times of South Jersey

December 19, 2011

Berks Ledger

The Reading Eagle

December 13, 2011

Richard S. Caputo of Fox Rothschild LLP Gives Presentation to the Atlantic County Bar Association

December 5, 2011

Ledger

The Reading Eagle



December 1, 2011

People: Speaking Out

Pennsylvania Lawyer

November 30, 2011

Richard S. Caputo of Fox Rothschild LLP Gives Presentation to Chester County Estate Planning Council

November 23, 2011

Caputo Speaks at Conference

Community Courier

November 21, 2011

Business News

The Mercury

October 31, 2011

Richard S. Caputo of Fox Rothschild LLP Presents at 2011 Planned Giving Day Conference

October 13, 2011

Caputo Gives Presentation on Trusts

The Mercury

September 21, 2011

Richard S. Caputo of Fox Rothschild LLP Gives Presentation on Trust Administration

September 6, 2011

People in the News

The Legal Intelligencer

September 1, 2011

Richard S. Caputo of Fox Rothschild LLP Presents "ABC's and 123's of Nonprofit Organizations"

June 13, 2011

Nonprofits Alert

@PANONonprofits

May 27, 2011

Kiss-A-Pig Contest Raises More Than \$150,000 for Olivet Boys & Girls

The Reading Eagle

February 28, 2011

Ledger

The Reading Eagle

February 22, 2011

Richard S. Caputo of Fox Rothschild LLP Presents "ABC's of Tax Exempt Organizations"

November 8, 2010

Berks County Ledger

The Reading Eagle



October 4, 2010

Berks County Ledger

The Reading Eagle

September 29, 2010

Richard S. Caputo Named Chair of Fox Rothschild's Nonprofit Organizations Group

June 21, 2010

Berks County Ledger

The Reading Eagle

June 16, 2010

Richard S. Caputo of Fox Rothschild Presented at Fiduciary Education Foundation on Charitable Trusts

December 8, 2009

Richard S. Caputo of Fox Rothschild Is Presenter at The 2009 Planned Giving Day Conference

August 5, 2009

Richard S. Caputo of Fox Rothschild Speaks at PBA Trust School

July 1, 2009

Richard S. Caputo of Fox Rothschild Speaks at Fiduciary Education Foundation Seminar

April 10, 2008

Fox Rothschild Adds to Growing Exempt Organization Practice 4 New Clients Join, 3 Affiliated with Minor League Sports Teams