

Religious Institutions

PRIMARY CONTACTS

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PRACTICES Appellate, Corporate Governance, ERISA and Other Benefits Litigation, Finance, Government and Public Policy, Insurance Recovery, Investment Management, Labor and Employment, Real Estate, Restructuring, Tax

Haynes Boone's Religious Institutions Practice Group provides experienced legal services tailored to faith-based organizations, addressing areas such as appellate representation, public policy advocacy, real estate and property solutions, corporate governance, insurance recovery, bankruptcy and restructuring, employment and ERISA compliance, and finance and investment. Their interdisciplinary team offers comprehensive legal support that balances financial stability with the preservation of religious missions and values. Areas of focus for religious and faith-based institutions include:

Appellate

- Representation of faith-based publications in cases involving freedom of speech and freedom of association
- Defense of faith-based institutions' constitutional and statutory rights at all levels of the judicial system
- Litigation addressing ministerial exception, Religious Freedom Restoration Act claims, and First Amendment protections

Public Policy

- Advocating for protection of free speech rights for faith-based institutions before legislative bodies

Real Estate and Property Solutions

- Strategic acquisition, sale, development, and leasing of church property
- Innovative repurposing solutions that balance revenue generation with mission preservation
- Land use, zoning requirements, and joint ventures
- Creation of covenants and regulations that promote religious faith and traditions

Corporate Governance

- Guidance on tax-exempt status maintenance and navigating UBTI issues
- Advisory services for religious-affiliated organizations including retirement homes, schools, universities, and healthcare facilities
- Fiduciary duty and compliance risk management
- Fundraising regulation compliance
- Establishment of proper management controls

Insurance Recovery & Risk Management

- Insurance coverage selection and claims assistance
- Risk assessment and mitigation strategies for religious operations
- Representation for church-sponsored shared risk pools on excess and reinsurance issues
- Compliance with state and federal regulations while respecting religious principles

Bankruptcy & Restructuring

- Navigation of Chapter 11 bankruptcy proceedings
- Restructuring of financial obligations
- Creditor negotiations
- Development of reorganization plans that preserve church assets
- Defense against tort claims while protecting assets and essential services

Employment and ERISA

- Development of workplace policies aligned with spiritual values and legal requirements
- Advisory services for religious-affiliated organizations including retirement homes, schools, universities, and healthcare facilities
- Representation in employment-related agency investigations, administrative charges, lawsuits, and arbitrations
- Guidance on workplace law compliance and ministerial exception applications
- Workplace and management training
- ERISA compliance

Finance and Investment

- Structuring of tax-exempt bonds and financing for church projects
- Investment strategy and endowment management
- Financial reporting guidance that maintains transparency and accountability
- Asset safeguarding in alignment with religious principles

Tax

- Entity structuring, formation and restructuring
- Tax incentives and credits
- Unrelated Business Taxable Income (UBTI)

Our Approach

We understand the dual imperatives facing religious institutions today: maintaining financial stability while preserving their core mission and values. Our interdisciplinary team draws from significant

experience across practice areas including Appellate, Healthcare, Litigation, and Pro Bono services to deliver comprehensive legal solutions that respect and advance the unique role of religious institutions in our society.