PROJECTED OVERALL TABLE OF CONTENTS

CHAPTER 1
DEFINITION AND CHOICE OF FORM

Introductory Note
§ 1.01. Definition of a Charity
§ 1.02. Choice of Legal Form
§ 1.03. Charities with Members

CHAPTER 2
GOVERNANCE

§ 2.01. Fiduciary Defined and Scope of Duties
§ 2.02. Duty of Loyalty
§ 2.03. Duty of Care and the Business Judgment Rule
§ 2.04. Management and Expenditure of Investment Assets
§ 2.05. Definition and Duty of the Governing Board
§ 2.06. Delegation to Board Committees
§ 2.07. Fiduciaries’ Rights to Information
§ 2.08. Modification of Fiduciary Duties and Exculpation of Fiduciaries
§ 2.09. Immunity, Indemnification, and Insurance

CHAPTER 3
CHANGES TO PURPOSE AND ORGANIZATION

§ 3.01. Procedures for Changing a Charity’s Purposes in its Governing Documents and the Application of Existing Assets to New or Additional Purposes
§ 3.02. The Doctrine of Cy Pres
§ 3.03. The Doctrine of Deviation
§ 3.04. Change of Structure: Fundamental Transactions
§ 3.05. Insolvency and Bankruptcy
§ 3.06. Termination and Dissolution
CHAPTER 4
GIFTS: SOLICITATION, RESTRICTIONS ON CHARITABLE ASSETS, AND ENFORCEMENT OF PLEDGES

§ 4.01. Restrictions on Charitable Assets
§ 4.02. Creation and Interpretation of a Specific Restriction on a Charitable Asset
§ 4.03. Release or Modification of a Specific Restriction on a Charitable Asset
§ 4.04. Enforcement of Pledges
§ 4.05. Solicitation of Charitable Assets (TBD, possibly § 4.01 if section remains freestanding).

CHAPTER 5
GOVERNMENT REGULATION OF CHARITIES

§ 5.01. Role of the State Attorneys General
§ 5.02. Role of the State Courts and Remedies
§ 5.03. Role of the Federal Government
§ 5.04. Choice of Law

CHAPTER 6
STANDING OF PRIVATE PARTIES

Introductory Note

§ 6.01. Standing of a Private Party to Commence or Intervene in a Direct Suit Against a Charity
§ 6.02. Standing of a Private Party to Commence an Action on Behalf of a Charity: The Derivative Suit
§ 6.03. Standing of a Private Party to Enforce the Purposes to Which Charitable Assets are Devoted and Administrative Terms Governing Charitable Assets
§ 6.04. Standing of a Private Party to Commence or Intervene in a Cy Pres or Deviation Proceeding
§ 6.05. Definition of a Private Party with a Special Interest for Purposes of Standing