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Learning the Law of Nonprofits by Launching New Organizations

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Alex Campion. (Photo by Mike Ekern '02)

Jason was always angry. He separated himself from the other children at the Honduras orphanage. He had a crummy attitude about everything. "This is a troubled kid," thought Philip Stamman when he met 11-year-old Jason. Stamman, 18 at the time, wished he could adopt him. Stamman learned Jason's story. When orphanage staff found Jason, he was living with his younger brother beneath a tree and under a pile of leaves. Their dad had disappeared, and their mom was mentally ill and couldn't take care of them. Every day Jason would go into town and do what he had to do – sell or steal – to bring food back for his brother.

No wonder Jason was so angry. Over the last seven years, Stamman '12 has been to Honduras nine times. He leads mission trips through Impact Ministries International, which runs a Christian orphanage in the city of Comayagua. On every trip, Stamman watches families come to Honduras and fall in love with a specific child. Sometimes the child finds them. American families really want to adopt the children, but Honduran laws currently do not allow for international adoption. Only five to seven adoptions have been allowed per year, but Stamman hopes to see more. For him, it's an issue of saving lives. Impact Ministries International's orphanage houses at most 60 children. There are more than 3,000 children on the streets in the city of Comayagua alone.

Their stories are similar to Jason's. Their fathers have long since disappeared, and their mothers essentially have abandoned them. With limited resources, government and private orphanages can only house so many children at one time. By adopting children from the orphanage, families would be helping that child, but also helping to get starving children off the streets and into the orphanage. To make this happen, Stamman decided to start his own nonprofit. "My goal with Fulfilling Families International (FFI) is to create a non-profit agency that facilitates adoptions from Honduras to the United States," Stamman said. "Right now FFI is more of an advocacy group, because we're not an adoption agency yet. The goal is to help Honduras become friendly to the idea of international adoption by partnering with my contacts in Honduras to open doors."

About a year and half ago, he filed for articles of incorporation and found board members. Then he ran into a roadblock. "I needed to file for tax-exempt status with the IRS," he said. "I thought, 'I can't do this. It's too much work.' I tried to do it over the summer, and I was contacting law professor Scott Taylor with questions. He suggested that I take his nonprofits class, and we'd work on it together."

A Nonprofits Course

Professor Taylor decided to teach his Nonprofit Organizations course as a practicum last fall. For the first half of the semester, students read Taylor's 2011 book, *The Law of Tax Exempt Organizations in a Nutshell*, and discussed the material in class, focusing on compliance with Minnesota statutes. For the second half of the course, students worked in groups as volunteer legal counsel for four different local nonprofit groups in need of federal tax-exempt status. Taylor was available when help was needed, but he gave the class as much freedom and responsibility as possible. The approach worked. Clients raved about the student's outstanding professional work. Taylor enjoyed watching the students "totally get into the projects" and the spirit of the class. He maintained that their enthusiasm was not due to him, but to the magic of students engaging with real nonprofits where they felt like they were making a difference. A few students signed up for the class with particular motives and loads of passion.

A Nonprofit to Even the Odds

Alexandra Campion '12, was on the wait-list for the Nonprofit Organizations class. She had a start on an idea, and she couldn't wait

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to finish actualizing it. Campion was a public relations major as an undergraduate at the University of South Carolina, and was drawn to nonprofit work. Her sophomore year she attended a leadership camp that brought home some sobering facts for her. Campion explained, "There is a deficit in women's leadership across all industries. For example, there are an equal number of male and female law students, but men have a disproportionate advantage when it's time to fill key positions. Once in those key positions, women only earn 78 percent of what men do in the exact same roles." Campion came away from that camp convinced of the critical importance of leadership training for young girls.

After college, Campion spent a year traveling to college campuses as a leadership consultant through her sorority. She loved it, and her idea for a Center for Girls' Leadership began to percolate. She thought that if she could provide the training and inspiration for young women now, once they were in a place where they could step up, they would. As a School of Law student, Campion began to lay the framework to start her nonprofit, and the Tommie community soon caught her passion. Two years prior, classmate Michael Biver '12, told Campion to include him on the board of directors whenever she got the ball rolling. Campion's current board of directors includes five University of St. Thomas law students. Biver is one.

"It's extremely important to have men in on the issue," Biver said. "It's easy to get women to rally around the cause, but if you only have women involved in the conversation, you're not changing those perspectives in the male-dominated business culture that are the problem. If men aren't part of the dialogue, you're building momentum, but not knocking down some of those barriers." Last year, Campion told Professor Taylor about her vision for the Center for Girls' Leadership. He thought it was solid, and they decided to present her organization as a potential project for the fall 2011 nonprofit course.

Counsel, clients and classmates

At the beginning of Professor Taylor's course, students were presented with several potential projects and were allowed to pick the nonprofits that interested them. The class chose four:

- The Center for Girls' Leadership
- Fulfilling Families International
- A Tu Lado ("On Your Side")
- Rebound

A Tu Lado is an organization working in Latin America to improve emergency medical care in larger cities. It is a project created through Macalester College. Rebound was started by Carneann Foster '12, who graduated with a joint degree, J.D. /M.S.W. (social work). Rebound is still in the formation stages, and seeks to provide holistic services for juvenile offenders who are subject to the juvenile justice system.

The one stipulation for choosing projects was that students could not work on their own organizations, which forced Stamman (FFI) and Campion (Center for Girls' Leadership) to act as both client and counsel during the course.

"Originally I was annoyed that I had to switch to work on someone else's stuff," Stamman said, "but it was good that I did because I learned how to word things and start things from the perspective of another company. It was a crucial experience doing things twice. It was a lot more work and really difficult, but I got to play both roles and see both ends of it, which was really advantageous for me."

Since student Michael Biver already was serving on the Center for Girls' Leadership board, he decided to work with FFI. Stamman's FFI organization was a new type of nonprofit work for Biver, and with three nephews adopted from Korea, its mission also was close to his heart. As he and his two group members worked with FFI, and Stamman as its creator, Biver thrived on the real client interaction.

"[In a law practice] no client is going to come to you and say, 'I want x, y and z in a document on my divorce.' There's always going to be a dialogue, always a back and forth," Biver said. "Either there are going to be issues that they don't want to share with you or they don't know to share with you. So it was really, really nice to have a real person to deal with, but also a huge challenge. You had to figure out ways to get to the details not apparent in an initial conversation. That was hugely beneficial," Biver said. Biver hadn't enrolled in law school to become an attorney. Between his undergraduate years and law school, he worked with AmeriCorps, coordinating volunteers for community disaster response and relief. That was his first taste of the nonprofit sector, and he began to consider pursuing a career in it.

He then worked as a district executive for the Boy Scouts, and met several key people who were making a real impact in their communities. The common thread among the volunteers was a legal background. Biver knew he wanted to go back to school, and he decided that law school would give him the most options for whatever he decided to tackle. He entered the University of St. Thomas School of Law with the intention of re-entering the nonprofit sector. In what capacity, well, that was still up in the air.

His first hands-on legal nonprofit work was with St. Thomas' Community Justice Project clinic, where he worked with the nonprofit Brotherhood Inc. He gained experience with the ins and out of a nonprofit organization and a taste of how useful a law degree would be in that sector. When he saw that Professor Taylor was offering a course specifically on nonprofit law, he jumped at the chance to take it.

"With a real client you're motivated to step up the game and do everything you can for them. It makes it that much more rewarding when you do accomplish something, because it's not just checking off an assignment, it's helping someone." In the nonprofits class, Biver's group committed to getting the tax-exempt paperwork done for FFI, even if it happened after the semester's end.

"All three of them did a phenomenal job," Stamman said. "They worked really hard, and did a lot of research on my behalf. They filed a lot of stuff and wrote a lot for me. It was really cool to see my friends supporting me. I was really appreciative of their efforts."

As a student, Stamman ended up working with A Tu Lado, partially because of the Latin America connection. His group established close connections with the organization. There came a point in the process when the semester was coming to an end, and they hadn't filed the paperwork with the IRS yet. Stamman's group "put on the full-court press" and beat the course deadline. The group decided their help would extend beyond the class, even if a problem occurred later down the road.

For Stamman, the moment that sticks out the most came after the class was finished. He opened an email from A Tu Lado and read that their paperwork had been completely accepted by the IRS, and there were no questions – a rarity. Stamman said it was satisfying to help A Tu Lado reach a benchmark for its organization. After the course, Biver felt prepared with the basic skills to help a nonprofit through the initial stages of start-up. He said that the class was a great learning experience on many levels – not only did they learn about the nonprofit process, but also team leadership skills.

Mission in Action

According to Professor Taylor, his job is to facilitate learning experiences for students that move them beyond the litigation-based, Socratic case-method focus from their first year of law school. He likes to highlight transactional lawyering, helping people comply with legal requirements so they don't get into legal disputes. His favorite courses are the ones – such as Nonprofit Organizations – that allow students to take the law to the next level. He describes it as thought in action, or rather, law in action. It also could be described as mission in action.

"The law school is interested in promoting social justice and the dignity of the individual," Taylor said. "Historically and currently society addresses that in a major way through the nonprofit sector. This sector is a vehicle through which students can create structures, organizations and communities that further social justice. Alex [Campion, Center for Girl's Leadership] is focused on girls because she sees a lack of opportunity for young girls to assume leadership roles, so she is creating this wonderful structure in which an eighth-grader might have an experience in law that will motivate her to pursue more with her future. Phil's [Stamman, Fulfilling Families Internationally] project is helping families and helping orphans. A Tu Lado is a potential paradigm shift in the way emergency medical care is administered in the lowest rungs of society."

The nonprofits course also illustrated another value of the law school in practice – community. Biver appreciated the tight, dynamic teamwork that was integral to the nonprofit project. When your grades are based on your performance in comparison to your classmates, team work tends to be rare in law school.

Stamman agreed, "UST Law finds a better approach. Though my peers are my competitors, there was more emphasis on 'Let's get there together.' Grades are important, but they're not the only thing. I have lots of friends here who have helped me. This nonprofit class is a good example."

Honduras Orphan Jason Changes His Attitude

After learning Jason's story, Stamman intentionally reached out to him on subsequent trips to Honduras. When the younger children stayed behind at the orphanage, Stamman made sure that Jason came with him. They hung out at the pool, rode the bus with the team, and ate at McDonald's. Slowly, a change could be seen in Jason because of the love shown to him at the orphanage. He had always taken care of his little brother, but now he was taking care of everyone. He had a great heart and seemed happier. Now Jason is 16, and he gets paid to do landscaping around the orphanage. He sends all of his money to his mom.

"Seeing Jason grow, seeing God change his life, that's what motivates me to [start a nonprofit to help orphans]," Stamman said. Stamman will take the bar exam this summer, only a few weeks after a trip to Comayagua, and get married in August to his fiancée, whom he met while on a trip to Honduras. Because of Professor Taylor's nonprofit law class, Stamman would like to practice nonprofit law, but is also interested in criminal prosecution. He and his fiancée plan to adopt children someday. He's not sure if Fulfilling Families International will ever be a full-time job for him, but plans for it to be significant part-time work.

In five years, Stamman hopes that FFI will be ready for adoptions. "I don't plan on it being a huge organization, but God's plans for it or my vision for what I want to do with it could change," Stamman said. And Stamman is staying open to possibilities because of children like Jason.

Students Consider Working with Nonprofits

Campion got a glimpse of the possible impact of her nonprofit, the Center for Girls' Leadership, at its first event in February. Nine high school girls and one college student gathered at the law school. There was a panel of five attorneys, small group discussions, and a mock trial. Campion wanted to motivate the girls to "think big." What were their big dreams? One girl came up to Campion and shared that her dream was to start a nonprofit for homeless people. She said that her inspiration was Campion and her friends.

"Alex has worked very hard putting together a talented board, so that will work well for her. They have a great plan and know exactly where they want to go, but they'll have to work on funding," Taylor said. Campion will take the bar this summer and wants to practice law for a few years, but said she could see herself stepping into the executive director role for the Center for Girls' Leadership. The center already has hosted a few events and won a Mission Award from the School of Law. Over the summer, it will focus on reaching out to schools, developing a core of volunteers, and spreading its exposure.

"But I really want to focus on reaching out to the girls," Campion said. The center is hoping to someday sponsor summer camps and obtain a permanent office.

Biver and Colleen, his wife and fellow law student, specifically sought a law school with a strong Catholic identity that integrated faith and reason into the practice of law, and used faith as an anchor for the most important things in life. They will take the bar exam this summer. "Even though I'm not planning on being a traditional attorney, I've done the work, and the bar will just be a nice bow on top," Biver said. The couple also is expecting their first child this summer. Colleen is planning to pursue bankruptcy practice, and Biver is exploring his options in the nonprofit sector, particularly in gift planning.

Reflecting on the Nonprofit Organizations course, Biver said, "Realizing that both Phil and Alex, two of my classmates, two of my peers, had projects we were going to be working on, opened up possibilities in my mind for starting or helping nonprofits. Just hearing Alex and Phil talking about their projects, what they were hoping to do and accomplish, showed me that if I had the desire, I could do what they're doing. It's not out of my reach."

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