

PRELIMINARY APPLICATION
for participation in the “21 by 21” Project
Administered by BCK Law, P.C.

NOTE: As part of the 21 by 21 Project, BCK Law, P.C. can only assist groups or individuals looking to obtain nonprofit formation and tax-exempt status in Massachusetts, New Hampshire or Vermont.

Desired Name of Organization: _____

[The legal name of your nonprofit corporation may not conflict with any other organization registered in the state. Search other names here: <http://corp.sec.state.ma.us/corpweb/corpsearch/CorpSearch.aspx>]

Address of Principal Office:

Street: _____ City: _____ State: ____ Zip Code: _____

Telephone Number: _____ Email Address: _____

Contact Person’s First and Last Name: _____

Briefly describe the proposed charitable activities, purpose or “mission”: _____

Budget Projection (for the initial three years of operation):

Under \$100,000

\$100,000 - \$250,000

\$250,000 - \$500,000

\$500,000 - \$1,000,000

More than \$1,000,000

Are your total assets less than \$250,000 and your projected annual gross receipts less than \$50,000? If so, you might be eligible to use a streamlined tax-exempt application. Yes No

Initial Directors:

Name: _____ Residential Address: _____

Name: _____ Residential Address: _____

Name: _____ Residential Address: _____

Name: _____ Residential Address: _____

Name: _____ Residential Address: _____

[Initial Directors must be at least three unrelated people to form an independent board.]

Term of Office of Directors:

one year term annual election for all directors

two year term, biannual election for all directors

two year term, staggered election for all directors (i.e., 1/2 elected every year)

three year term, staggered election for directors (i.e. 1/3 elected every year)

Other: _____

Mandatory Officers:

President, Name: _____ Residential Address: _____

Treasurer, Name: _____ Residential Address: _____

Clerk, Name: _____ Residential Address: _____

[Officers Can be the same persons as Initial Directors and one person can fill more than one position.]

Registered Agent:

Name: _____ Business Address: _____

[A registered agent is responsible for receiving legal notices on behalf of your organization. The appointed registered agent must be physically located in the state and maintain an office that is open during regular business hours. If Clerk resides in Massachusetts, use Clerk.]

Fiscal Year: _____

[The organization may adopt any fiscal year. Some organizations adopt the calendar year.]

Are you willing to adopt a Conflict of Interests policy for your directors and officers?

Yes No

As you go through this process, you will receive a number of official original documents. It is best practice to organize these documents in one place. Some of these records will include your EIN letter, bylaws, meeting minutes, 501(c)(3) determination letter, and more. **Do you agree to keep the originals together in a safe corporate records binder?** Yes No

Forms and Costs Associated with Forming a Nonprofit Corporation:*

- 1) Articles of Organization, Massachusetts Secretary of the Commonwealth (\$40.00)
- 2) IRS Form SS-4: Apply for EIN, Internal Revenue Service (\$0)
- 3) Massachusetts State Tax ID Numbers and Accounts, Massachusetts Department of Revenue (\$0)
- 4) Form 1023 or Form 1023-EZ: Application for 501(c)(3) Exemption, Internal Revenue Service (\$275.00 for 1023-EZ; \$600 for Form 1023)
- 5) Exemption from State Income Tax, Massachusetts Department of Revenue (\$0)
- 6) Sales Tax Exemption, Massachusetts Department of Revenue (\$0)

- 7) Register for Charitable Solicitation, Massachusetts Attorney General (\$150 approx., depends on budget)

I have read the forms and costs of forming a nonprofit corporation and agree to pay the required filing fees.

**Please note that filing fees do vary by state.*

Initial Governing Documents and Policies Ratified by Board of Directors at First Meeting:

- 1) Bylaws
- 2) Conflict of Interest Policy
- 3) Elect Directors and Appoint Officers
- 4) Approve Resolutions (opening bank account, etc.)

I understand there are initial governing documents that will need to be ratified in order to obtain tax-exempt status.

Please read the following carefully and initial the end of the sentence to mark your understanding.

- This application does not ensure BCK Law, P.C. will assist you. You will be notified within 14 days of our decision or if we require further information. _____
- By signing this application, you acknowledge and represent that you have provided BCK Law, P.C. with accurate information, and you can speak on behalf of others seeking to form the organization. _____
- EXCEPT WHERE OTHER MUTUALLY SATISFACTORY ARRANGEMENTS ARE MADE ON A FEE FOR SERVICE BASIS, The firm is being engaged to perform a limited range of services as set forth in the firm's *pro bono* fee agreement which you will be required to sign prior to BCK performing any services.
- Legal assistance from BCK Law, P.C. is free to groups and individuals looking to form nonprofit entities in accordance with the firm's *pro bono* fee agreement, however, you are responsible for the filing fees associated with the applications and forms listed above.

- You may terminate BCK's services at any time for any reason. BCK may also cease representation of you/your organization at any time for any reason. _____
- Any information obtained by BCK Law, P.C. in the process of working with you is treated as confidential unless you direct us otherwise. _____

Signature: _____ **Date:** _____

Please send your completed Preliminary Application to Kelly Gibson, at kgibson@bck.com with the subject line, "21 by 21 Preliminary Application".