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## **Legal Issues Related to Unfulfilled Charitable Pledges**

In today's challenging economic environment, where large amounts of wealth are "disappearing" overnight, the fulfillment of charitable pledges can no longer be taken for granted. Charities, donors, professional fund raisers, and third parties such as banks, landlords, and suppliers are increasingly asking whether pledged funds will in fact materialize, and what to do if they do not.

**What is a Charitable Pledge?** As a legal matter, a charitable pledge is a contract between a donor and a charity in which the donor promises to make a contribution in the future. Pledges may be oral or in writing. According to the Financial Accounting Standards Board (FASB), charities are required to record enforceable pledges as assets when they are made, just like any other debt obligation. If a pledge is not fulfilled, the charity must write off the unpaid amount of the pledge.

**When is a Pledge Legally Binding and Enforceable?** Under traditional contract law principles, a charitable pledge is enforceable if it meets the requirements for a legally binding contract. There must be an agreement between the donor and the charity -- in effect, the donor must promise to make a gift and the charity must promise to accept it. The terms of the agreement must be clear and all conditions specified. There must be "consideration" given in exchange for the pledge, which essentially means that the charity must agree to do something (or not do something) in exchange for the promised donation.

Alternatively, courts will enforce a pledge if the charity has suffered some detriment by taking action in reasonable reliance of the pledge, even though such detriment was not requested as consideration. This legal principle is known as "promissory estoppel" or "detrimental reliance." Actions that constitute detrimental reliance include soliciting other donors based on the pledge, incurring costs, entering into contracts, or borrowing money based on the expectation that the donor's promise will be kept. This principle is currently the law in roughly 30 states.

There are certain defenses that can be raised to avoid enforcement of oral agreements, including if the agreement is not one that is capable of being performed within one year from the time of the agreement. This defense against enforcement is called a "statute of frauds" defense. However, a party may be barred from raising the statute of frauds as a

# Legal Issues Related To Unfulfilled Charitable Pledges

## V4

**M Lipman**



## **Legal Issues Related To Unfulfilled Charitable Pledges V4:**

The Top Books of the Year Legal Issues Related To Unfulfilled Charitable Pledges V4 The year 2023 has witnessed a noteworthy surge in literary brilliance, with numerous compelling novels enthralling the hearts of readers worldwide. Lets delve into the realm of bestselling books, exploring the captivating narratives that have charmed audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has gripped readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Legal Issues Related To Unfulfilled Charitable Pledges V4 : Taylor Jenkins Reid's "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reid's compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens' "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a brilliant and thrilling novel that will keep you wondering until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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