

# SIMMS SHOWERS LLP

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

305 Harrison Street, S.E., 3<sup>rd</sup> Floor ■ Leesburg, Virginia 20175 ■ (703)771-4671 ■ Fax: (703)771-4681 ■ [www.simmsshowers.com](http://www.simmsshowers.com)

## Church Incorporation Questionnaire & Retainer

Church Client Name: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Address: \_\_\_\_\_ Office Phone: \_\_\_\_\_

\_\_\_\_\_ Office Fax: \_\_\_\_\_

\_\_\_\_\_ Home Phone: \_\_\_\_\_

\_\_\_\_\_ Cell Phone: \_\_\_\_\_

**Instructions:** Thank you for contacting us! Please complete this form carefully, providing as much information as possible and attach additional sheets and documents as needed and/or requested. Please provide all documents for your Church, if available, such as the Constitution and Bylaws, Statement of Faith, Member's Covenant, Personnel Manual or HR handbook, deeds of property and any IRS Form 1023 for tax exempt status previously sought, recent annual financial statement or Annual Audit. Please send the completed Questionnaire & Retainer and all documents to: **H. Robert Showers, Esq., Simms Showers, LLP, 305 Harrison Street SE, Third Floor, Leesburg, VA 20175**, along with the checks requested herein. In almost every case, your Constitution and/or Bylaws will also need to be reviewed and amended when you incorporate, so please also **send them electronically (via email as a 'Word' attachment)** to [hrrs@simmsshowerslaw.com](mailto:hrrs@simmsshowerslaw.com) so we can edit and show you the changes we made.

1. Name of Church/Organization: \_\_\_\_\_

Trade name or alternative name: \_\_\_\_\_

Church Logo: \_\_\_\_\_ (attach example of logo and name, e.g. Church stationery)

2. Would you like Simms Showers to perform a preliminary service mark search of the Church name listed above to determine if the name has been trademarked and registered with the U.S. Trademark Office by another party for a fee of \$100? Yes \_\_\_\_\_ No \_\_\_\_\_

3. Would you like Simms Showers to obtain a corporate seal and notebook for a cost of \$52.00 (including shipping)? Yes \_\_\_\_\_ No \_\_\_\_\_

4. Would you like Simms Showers to complete a Virginia sales and use tax exemption short form (ST-13A) on behalf of the Church and provide instructions for its use for a fee of \$150; or the sales and use tax exemption "long form" for a fee of \$550? Give us a call to explain the difference.

Yes \_\_\_\_\_ No \_\_\_\_\_ \$150 \_\_\_\_\_ \$550 \_\_\_\_\_

5. Please provide Federal Identification Number of the Church \_\_\_\_\_, or do you want us to obtain a new EIN for your new Church entity (\$100)? Yes \_\_\_\_\_ No \_\_\_\_\_

6. Please list the physical address of the principal place of worship and the physical address of the Church office, if different.

\_\_\_\_\_  
\_\_\_\_\_

7. Purposes of Church (Vision, Mission and/or Purpose Statement):

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8. Your Church is a member of, affiliated with, or associated with what denomination(s), association(s) or other organization(s):

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9. How is your Church presently governed (*i.e.*, by Pastor, Board of Elders, Trustees, Deacons, Church Council, or other group)? Would you like to change the current governing structure? If so, how?

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10. List names and addresses of the initial Board of Directors (must be at least three individuals). **(The Board of Directors should be the governing board of the Church).** Attach a separate sheet if necessary.

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11. Please describe how the Board of Directors will be elected/appointed.

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12. Your Registered Agent - A Registered Agent for a corporation is required by the State Corporation Commission; he/she primarily receives legal documents (any lawsuits) and corporate documents and filings. We have already included the Registered Agent fee for the first year in the total incorporation price as we want to be sure our clients are off to a good start! After the first year, Simms Showers, LLP would be glad to continue as the Church's Registered Agent for an *annual* fee of just \$200, which includes preparing the Church corporation's Annual Report for timely filing with the State Corporation Commission **and includes one hour of legal advice regarding any service of process/Registered Agent matter!** Please indicate another qualified individual if you do not wish to have Simms Showers serve as your Registered Agent after the first year is complete.

Yes \_\_\_\_\_ Please have H. Robert Showers, Esq. of Simms Showers, LLP serve as our Registered Agent.

Name and Address of Other Registered Agent:

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13. If the Church has members, please describe member qualifications and admission process:

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How many members are on your Church roll? \_\_\_\_\_

What is your average attendance on Sunday? \_\_\_\_\_

14. Please describe any other organizations/ministries affiliated with your Church.

\_\_\_\_ Day Care or Parents' Co-op                      \_\_\_\_ Foundation  
\_\_\_\_ Christian School                                      \_\_\_\_ Other Affiliated Ministry: \_\_\_\_\_

Are any of these affiliated entities separate corporations with their own separate 501(c)(3)?  
Yes \_\_\_\_ No \_\_\_\_ If yes, please provide copies of Affiliation Agreements and Corporate Articles of Inc. and Bylaws from each Church-affiliated ministry or organization.

15. H. Robert Showers, Esq. will serve as Incorporator to file your Articles of Incorporation with the State Corporation Commission: Yes \_\_\_\_ No \_\_\_\_

16. May Simms Showers, LLP send your bill via email? Yes \_\_\_\_ No \_\_\_\_  
If yes, what email address should we use? \_\_\_\_\_

17. Does the Church own property(ies) and buildings? \_\_\_\_; if Yes, approximate value? \_\_\_\_  
If yes, you will need a Gift Deed drafted and recorded in order to transfer the property from the Trustees to the new Church corporation. Would you like us to draft the Gift Deed (to be billed at our associate attorney's hourly rate **per parcel and complexity with courts** and once incorporation is fully complete)? Yes \_\_\_\_ No \_\_\_\_ If Yes, please send a copy of all past Deed(s) for each parcel owned by the Church with Tax Map I.D numbers or GPIN information and a copy of the most recent Court Order appointing Church Trustees

**By my signature, I authorize Simms Showers, LLP to incorporate our Church and perform other legal services as requested, now or in the future at an hourly rate, and I have enclosed the following checks:**

**Please also check all that apply and enclose the appropriate check made payable to Simms Showers, LLP for:**

\_\_\_\_ **\$3,075.00 fixed fee for Incorporation, review and first revision of our Constitution & Bylaws, First Year's Registered Agent Fee and Organizational Meeting Agenda, Minutes and advice (includes \$75 filing fee needed to file the Articles of Incorporation;**

\_\_\_\_ **\$ \_\_\_\_\_ Other Legal Services as indicated in this Questionnaire (corporate notebook & seal, trademark search, sales tax exemption – short or long form, EIN, etc.)**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

How did you hear about Simms Showers law firm or Robert Showers? \_\_\_\_\_

*Would you like information on other legal services Simms Showers can provide to your Church or related tax-exempt entity such as tax-exempt counsel, risk management, necessary policies (employment handbook, electronic communication, Church discipline and restoration, child protection policy, etc.) legal audit, employment advice, construction advice, litigation defense, etc.?* Yes \_\_\_\_ No \_\_\_\_