

KELLY HART

ATTORNEYS AT LAW

DANA M. STAYTON Partner

dana.stayton@kellyhart.com
P: (817) 878-3595 F: (817) 878-9280

Fort Worth



BIOGRAPHY

Dana M. Stayton advises clients in the initial organization and ongoing operation of nonprofit organizations and charitable trusts, including Code Section 501(c)(2) title-holding companies, Code Section 501(c)(3) public charities and private foundations, Code Section 501(c)(4) social welfare organizations, Code Section 501(c)(5) labor organizations, Code Section 501(c)(6) trade associations, Code Section 501(c)(7) social clubs, and political action committees. Ms. Stayton counsels clients concerning obtaining and maintaining exemptions from federal income tax, state franchise tax, sales and use tax, and ad valorem tax. Ms. Stayton functions as general counsel to many of her nonprofit organization clients advising on the foregoing tax issues and other issues including employment, intellectual property, collaborations, and real estate.

Together with colleagues from Whitley Penn LLP and JP Morgan Chase Bank, Ms. Stayton coordinates, hosts, and presents Lunch and Learns for Nonprofit Professionals held quarterly in Fort Worth as a community service for the Fort Worth nonprofit community. For example, Ms. Stayton coordinated and moderated a panel discussion held May 2018 entitled Program Effectiveness - How to Measure and Utilize the Data, and coordinated and served as a panelist on a panel discussion held April 2019 entitled the Future of Fundraising.

Ms. Stayton represents buyers and sellers of art in domestic and international transactions; negotiates complex acquisition, sale and auction transactions; and counsels concerning claims with respect to the return of stolen or illegally exported art. She also advises high net worth individuals concerning estate planning matters and counsels clients concerning charitable giving. Further, Ms. Stayton represents clients with respect to marital property matters, including premarital agreements, partitions of community property and post nuptial agreements.

Ms. Stayton is active in various community organizations. Ms. Stayton is a Sustaining Member of the Junior League of Fort Worth. Ms. Stayton is a member of the Board of Directors and the Secretary of Caribbean Wildlife Alliance, a Code Section 501(c)(3) organization that promotes Endemic Caribbean conservation. Ms. Stayton serves as the Assistant Secretary of both Performing Arts Fort Worth, Inc. and Multipurpose Arena Fort Worth. In 2009, Ms. Stayton was a member of the District 7 selection committee of the Texas Bar Foundation, and in 2010 chaired the same committee. Ms. Stayton is an Active Member of the 2008-2009 class for Leadership Fort Worth and was a member of the Junior League of Fort Worth (2004-2010). Further, Ms. Stayton is a past member of Junior Woman's Club of Fort Worth (2005-2008).

EXPERIENCE AND HIGHLIGHTS

- Sought issuance of Texas Attorney General Opinion OR 2020-07079 regarding whether a client is a governmental body for purposes of the Public Information Act

- Represented Texas Christian University in its collaboration with the University of North Texas Health Science Center to create the TCU and UNTHSC School of Medicine
- Represented Multipurpose Arena Fort Worth in the formation of the entity to operate Dickies Arena
- Represented a Code Section 501(c) entity in the audit of its Form 990-T and a submission of an offer in compromise with regard to the tax imposed
- Represented the Trustees of a charitable trust to judicially modify the terms of the trust
- Represented a donor in structuring a multi-million dollar gift to a university
- Converted a for-profit drug counseling entity to a non-profit entity and obtained Code Section 501(c)(3) exemption for the same
- Obtained a private letter ruling for a private foundation client regarding a Code Section 507(b)(2) transfer
- Obtained an advance ruling that a private foundation commencing a 60-month termination would be treated as a public charity during the 60-month termination period
- Represented a nonprofit cancer care provider in the sale of substantially all of its assets and the sublease of its real properties to another cancer care provider
- Assisted two nonprofit youth and family service providers in the combination of their assets and programs
- Represented a nonprofit autism therapy provider with its merger into another nonprofit service provider
- Represented a business in forming an employee hardship assistance organization and obtained Code Section 501(c)(3) exemption for such organization
- Form and maintain State and Federal political action committees
- Represent numerous charitable organizations in significant corporate governance issues such as interpretation, drafting and amendment of charter and bylaw provisions, conflicts of interest, and executive compensation arrangements

AFFILIATIONS AND HONORS

AFFILIATIONS

- Tarrant County Probate Bar Association
- Tarrant County Bar Association, Tax and Estate Planning Section
- Assistant Secretary, Performing Arts Fort Worth, Inc.
- Assistant Secretary, Multipurpose Arena Fort Worth
- Leadership Fort Worth
- Junior League of Fort Worth, 2004-2010 (Active), 2018-Present (Sustainer)
- Junior Woman's Club of Fort Worth, 2005-2008
- Texas Bar Foundation, Fellow
 - District 7 Membership Selection Committee, 2009
 - District 7 Membership Selection, Chair, 2010

HONORS

- Top Attorney in Attorneys for Nonprofits Law, *360 West* magazine, 2017-2020
- Top Attorney, *Fort Worth, Texas* magazine, 2005-2011, 2014-2020
- Texas Super Lawyers, Thomson Reuters, 2013-2020
- Great Woman of Texas, *Fort Worth Business Press*, 2017
- Texas Super Lawyers Rising Star, Thomson Reuters, 2008-2013
- 40 Under 40 honoree, *Fort Worth Business Press*, 2009

EDUCATION

- Texas Tech University School of Law, J.D., *magna cum laude*, 2000
Order of the Coif
- Texas Tech University, B.B.A., *magna cum laude*, 1997

ADMISSIONS

- State Bar of Texas, 2000

SPEECHES & PUBLICATIONS

- Speaker, "The Future of Fundraising," Lunch and Learn for Nonprofit Professionals, April 2019