

Volunteers warned of risks

BY DON LAJOIE

STAR STAFF REPORTER

Volunteering to sit on the board of a favorite charity entails more than public service — it also brings with it public responsibility, accountability and the potential threat of a lawsuit.

That was the warning Toronto lawyer Terrance Carter, who specializes in charitable law, delivered Wednesday to about 200 volunteers representing most of the 1,200 charitable and not-for-profit organizations in Windsor and Essex County.

Despite an increasing number of

EXPERT TIPS

- Conflicts of interest must be avoided.
- The interests of the organization take precedence over the interests of directors.
- The representatives must not act fraudulently.
- Directors are responsible for managing the corporation.

lawsuit, many people who become involved in their favourite causes — from sitting on the board of an agency raising cash for medical re-

search to running a minor hockey league — do not realize the extent of their legal vulnerability, Carter said.

“The vast majority of volunteers have little idea that they’re exposed,” he said.

“Volunteering should not be to seek honour or recognition. It’s a position of service to the collective good.... We want to encourage, and not discourage, that involvement. But people should be going in with their eyes wide open.”

He said even though they are not paid for their involvement, board members and directors take on the



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same kinds of legal risks, including personal liability, that managers of a business assume. Charitable corporations have a purpose “akin to a public trust,” he said.

Potential legal problems could arise from things such as fundraising irregularities and income tax problems to failure to pay organization employees or liability stemming from a criminal act committed by a volunteer or employee representing the organization.