

## ARTICLES OF INCORPORATION OF THE FRIENDS OF DRUG COURT

### FOUNDATION

#### ARTICLE I. NAME OF CORPORATION

The name of the corporation is THE FRIENDS OF DRUG COURT FOUNDATION

#### ARTICLE II. DURATION

#### ARTICLE III. PURPOSES:

The purposes for which the corporation is formed are as follows:

- (a) To function as a nonprofit corporation under the Utah Nonprofit Corporation and Co-operative Association Act.
- (b) To receive and maintain a fund or funds of real or personal property, or both, and, subject to the restrictions and limitations hereinafter set forth, to use or apply the whole or any part of the income therefrom and the principal thereof exclusively for charitable, benevolent, social and civic purposes. Such purposes may be accomplished by direct activity of the corporation or indirectly by financial contributions or gifts to other organizations which are exempt organizations of the types described by sections 501(c)(3) and/or 170 (b)(I) of the Internal Revenue Code of 1954, as amended, or corresponding provisions of subsequent federal tax laws, but only if such contribution or gift would constitute both a charitable contribution as defined in section 170(c), and a qualifying distribution as defined in section 4942(g), of the Internal Revenue Code of 1954, as amended, or corresponding provisions of subsequent federal tax laws.

#### ARTICLE IV. MEMBERS

There are no members of the Corporation unless so provided later by amendment to these articles of incorporation or provided in the bylaws.

#### ARTICLE V. LIMITATIONS

- (a) No part of the net earnings of the corporation shall inure to the benefit of any trustee, officer of the corporation, or any private individual (except that reasonable compensation may be paid for services actually rendered to or for the corporation affecting one or more of its purposes) and no trustee, officer of the corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.
- (b) No substantial part of the activities of the corporation shall be the carrying on of the propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publication or distribution of partisan literature) any political campaign on behalf of any candidate for public office.
- (c) The corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by organizations described by section 501(c) (3) or section 170 ( c) (2) of the Internal Revenue Code of 1954, as amended, or any corresponding of similar provision of the federal revenue laws that may hereafter be enacted.

(d) Notwithstanding any other provisions of these Articles, the corporation shall not conduct or carry on any activities which would subject the corporation to the excise taxes imposed on private foundations by sections 4941-4945 of the Internal Revenue Code of 1954, as amended, and specifically:

(1) The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by section 4942 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

(2) The corporation shall not engage in any act of self-dealing as defined in section 4941 (d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

(3) The corporation shall not retain any excess business holdings as defined in section 4943(c) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

(4) The corporation shall not make any investments in such manner as to subject it to tax under section 4944 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

(5) The corporation shall not make any taxable expenditures as defined in section 4945(d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

## ARTICLE VI. POWERS

The corporation shall have the following powers in addition to any other powers granted by law, all of which powers shall be exercised solely as a means of accomplishing the foregoing purposes:

(a) To accept, acquire, receive, take, and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree, or otherwise, for any of its objects and purposes, any property, real and personal, of whatever kind, nature, or description, or wherever situated.

(b) To sell, exchange, convey, mortgage, lease, transfer or otherwise dispose of, any such property, both real and personal, as the objects and purposes of the corporation may require, subject to such limitations as may be prescribed by law.

(c) To borrow money, and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange and other obligations of the corporation for moneys borrowed or in payment for property acquired or for any of the other purposes of the corporation, and to secure the payment of any such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights, or privileges of the corporation wherever situated, whether now owned or hereafter to be acquired.

(d) To invest and reinvest its funds in such stock, common or preferred, bonds, debentures, mortgages, or in such other securities and property as its Board of Directors shall deem advisable, subject to the limitations and conditions contained in any bequest, devisee, grant, or gift, provided such limitations and conditions are not in conflict with the provisions of section 501(c) (3) of the Internal Revenue Code of 1954, as amended, or sections 4941-4945 of the Code, or corresponding provisions of any subsequent federal tax laws.

(e) In general, and subject to such limitations and conditions as are or may be prescribed by law and these Articles, to exercise such other powers which now are or hereafter may be conferred by law upon a corporation organized for the purposes hereinabove set forth, or necessary or incidental to the powers so conferred, or conducive to the attainment of the purposes of the corporation, subject to the further limitation and condition that, notwithstanding any other provision of these Articles, only such powers shall be exercised as are in furtherance of the purposes of the corporation, enumerated in Article 3, above, and as may be exercised by organizations of the types described by section 501(c) (3) and section 170(c) (2) of the Internal Revenue Code of 1954, as amended, or corresponding provisions of any subsequent federal tax laws.

## ARTICLE VII. DISSOLUTION

Upon the dissolution of the corporation or the winding up of its affairs, the assets of the Corporation shall be distributed to charitable, religious, scientific, literary, or educational organizations which would then qualify under the provisions of sections 501 (c) (3) and 170 (b)

(1) of the Internal Revenue Code or corresponding provisions of subsequent federal tax laws.

## ARTICLE VIII. TRUSTEES

The number of trustees constituting the initial Board of Trustees shall be three, and the names and street addresses of the persons who are to serve as the initial trustees are as follows:

## ARTICLE IX. INCORPORATORS

The Incorporator for the company is Gregory G. Skordas

## ARTICLE X. THE REGISTERED AGENT

The registered agent for this Corporation shall be Gregory G. Skordas at 560 South 300 East Suite 225, Salt Lake City,

Utah 84111. The initial office for this corporation is 560 South 300 East Suite 225 Salt Lake City, Ut 84111