

**VFW**

**VETERANS OF FOREIGN WARS**

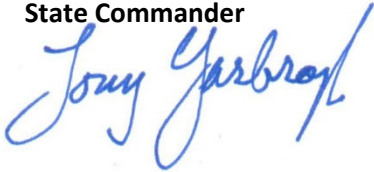
**DEPARTMENT OF NEVADA**

**LEGAL DOCUMENT  
MAINTENANCE  
POLICY  
2020-01**

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Approved: Anthony "Tony" Yarbrough  
**State Commander**



Attest: Richard Gardner  
**State Adjutant**

**Summary:** Post/District/Department legal documents shall be maintained by the Post/District/Department quartermaster in a safe and enduring manner. The quartermaster shall assure that all documents and their retention procedures are properly transferred to his or her replacement.

**Definition:** The definition of a legal document is any document that is issued to the Post/District/Department or required to be filed by government agencies or the Veterans of Foreign Wars of the U.S. (VFW). Legal documents:

- VFW Post/District/Department Charter (retained by the Post/District/Department commander)
- Nevada Secretary of State Articles of Incorporation
- Articles of Incorporation required by VFW National By-laws and Manual of Procedure
- Superior organizations' and Post/District/Department's By-laws
- VFW Department of Nevada Internal Revenue Service (IRS) Group Exemption letter, listing Post/District/Department Nevada as a subordinate
- Nevada Secretary of State Annual List of Officers filings
- Post/District/Department Nevada IRS annual filings (IRS Form 990 various)
- IRS Form 8822 and 8822 B (Change of address, change of responsible individual)
- Nevada Secretary of State Form "Statement of Change by Noncommercial Registered Agent"

**Procedures:** The Post/District/Department quartermaster shall be identified to the Nevada Secretary of State as the resident agent and to the IRS as the responsible individual for IRS filings.

When the post/district/department quartermaster changes, there shall be a formal turnover of all legal documents. The outgoing quartermaster shall thoroughly brief his replacement on the status of each document and the procedure required for each report. The outgoing and incoming Post/District/Department commanders shall attend this turnover meeting. The outgoing commander shall exhibit the Post/District/Department charter as part of the turnover process. The incoming quartermaster shall ensure the completeness and currency of the legal documents and sign an acknowledgement that he has accepted responsibility to maintain the legal documents as required. The acknowledgement form is attached to this policy document.

The Post/District/Department quartermaster at the appropriate time or as required by regulation shall file appropriate forms to notify external agencies (Nevada Secretary of State, IRS) of the change of responsibilities.

The Post/District/Department quartermaster shall maintain a master folder of all Post/District/Department legal documents, plus the completed Incoming Quartermaster Acknowledgement form. Periodic documents shall be added to the master folder as they are submitted to the proper legal agency. The master folder shall be available for confirmation by the State Inspector or his Deputy Inspectors at the annual Post/District/Department inspection.

***Incoming Quartermaster Acknowledgement***

I acknowledge that I have been thoroughly briefed on the status of each document and the procedure required for each report.

I am satisfied that I thoroughly understand the procedures and actions I must perform to maintain the Post/District/Department's legal document

I have ensured that all Post/District/Department legal documents are complete, accurate, and current.

I acknowledge that I have accepted responsibility to maintain the legal documents as required.

Signature

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Printed name:

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**Incoming** Post/District/Department Quartermaster

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Date

Witness:

Signature

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Printed name:

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**Outgoing** Post/District/Department Quartermaster