

JACLYN FABEAN CHERRY

1525 Senate Street
Columbia, South Carolina 29208
803-777-3394 (office)

Academic Experience:

University of South Carolina School of Law, Columbia, South Carolina
2008 – Present

Professor of Law, January 1, 2020-present

Courses: Contract Law, Nonprofit Organizations Clinic, Nonprofit Organizations/Tax Exempt Organizations, Small Business Capstone.

Director of Clinical Legal Education, July 2019-April 2022

Responsible for the overall management of the Law School Clinic (eight clinics), ranked 15th nationally by USNWR (2023) among clinical programs at public universities, and the Externship program. Included supervision of staff, case management systems and compliance with professionalism rules.

Associate Dean for Academic Affairs, July 2014-June 2018

Responsible for all matters related to the operation of the academic program of the Law School including ABA site visit and supervision of several related offices including the office of the Registrar, Academic Success and Bar Prep, Externships, Clinics and Pro Bono.

Associate Professor of Law (with tenure), August 2013-December 2019

Assistant Professor of Law, May 2008-August 2013; elected member American Law Institute (ALI) 2012

Duquesne University School of Law, Pittsburgh, Pennsylvania
1997 - 2007

Professor and Associate Director Clinical Legal Education
Director of Economic & Community Development Law Clinic

- Taught and managed Economic & Community Development Law Clinic providing legal services to 50 nonprofit organizations per year throughout the community.
- Oversaw and managed six in-house clinics, several mini-clinics, and clinical externships (approximately 150 students per year). Supervised faculty, supervising attorneys and staff. Prepared and administered grant proposals and reports. Established and directed several clinic outreach offices.
- Taught Tax Exempt Organizations and other courses.

University of San Diego School of Law, San Diego, California
June - August 2003

Visiting Professor - Taught Nonprofit Tax Exempt course to J.D. and L.L.M. students.

Publications:

Books: UNDERSTANDING NONPROFIT AND TAX EXEMPT ORGANIZATIONS, Carolina Academic Press, 3d ed. (2022)

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SOUTH CAROLINA NONPROFIT CORPORATE PRACTICE MANUAL, 3rd ed., co-author, South Carolina Bar Association (forthcoming 2025)

TAX EXEMPT ORGANIZATIONS: CASES AND MATERIALS LexisNexis 3d ed. (2015)

TAX EXEMPT ORGANIZATIONS: CASES AND MATERIALS, TEACHER'S MANUAL LexisNexis 3d ed. (2015).

SOUTH CAROLINA NONPROFIT CORPORATE PRACTICE MANUAL, South Carolina Bar Association, co-author (2015)

UNDERSTANDING NONPROFIT AND TAX EXEMPT ORGANIZATIONS, LexisNexis 2d ed. (2012)

TAX EXEMPT ORGANIZATIONS: CASES AND MATERIALS, LexisNexis 2d ed. (2008)

TAX EXEMPT ORGANIZATIONS: CASES AND MATERIALS, TEACHER'S MANUAL, LexisNexis (2008)

UNDERSTANDING NONPROFIT AND TAX EXEMPT ORGANIZATIONS, LexisNexis (2006)

TAX EXEMPT ORGANIZATIONS: CASES AND MATERIALS, LexisNexis (2003).

TAX EXEMPT ORGANIZATIONS: CASES AND MATERIALS, TEACHER'S MANUAL, LexisNexis (2003)

Articles:

Nonprofit Governance: Who Should be Watching? A Look at State, Federal and Dual Regulation, 13 Ohio St. Bus. L.J. 145 (2019)

Commercial Activity and the Operational Test, 29 Tax'n Exempts 9 (2018) (invited)

Property Tax Exemption for Charitable Nonprofit Organizations: A Uniform Possibility, 18 Wake Forest J. Bus. & Intell. Prop. L. 1 (2017)

Charitable Organizations and Commercial Activity: A New Era, Will the Social Entrepreneurship Movement Force Change, 5 J. BUS. ENTREPRENEURSHIP & L. 345 (2012)

The Current Status of Nonprofit Director Liability, 50 DEF. L. J. 611 (2001)

The Current State of Nonprofit Director Liability, 37 DUQ. L. REV. 557 (1999)

Book Chapter: "Tax Exempt Law: Internal Revenue Code §§501(c)(7), (3), (2), (4)", The Law of Fraternities and Sororities, Carolina Academic Press, April 2024

Other:

American Law Institute:

- Members Consultative Group, Restatement of the Law of Corporate Governance, 2021- present.
- Advisor, Restatement of the Law of Charitable Nonprofit Organizations, 2014-2019.
- Associate Reporter, Principles of the Law of Charitable Nonprofit Organizations, 2013.
- Editor, Principles of the Law of Nonprofit Organizations, 2011- 2013.

Education:

Duquesne University School of Law, Pittsburgh, Pennsylvania

Seton Hill University, Greensburg, Pennsylvania

B.A. Magna Cum Laude, Major: English Minor: Business Management

Honors and Awards:

“Two Thumbs Up Award”, Delta Alpha Pi Honor Society, University of South Carolina Student Disability Services, 2015-2016.

Fellow, American Bar Foundation (elected), 2014.

Fellow, Inaugural Pipeline for Academic Leadership, (PAL), University of South Carolina, 2014.

“G.G. Dowling Faculty Award” (presented to a faculty member who typifies to fellow faculty outstanding qualities of integrity, concern for others, and legal scholarship), presented by the University of South Carolina School of Law, 2012.

“Woman of the Year” by the Duquesne University School of Law Women’s Law Association 2003.

“Regional Partnership Award” presented by the Mon Valley Initiative, October 1998.

Select Presentations:

“Nonprofit Governance”, Together SC, Presenter, August 2022.

“Nonprofit Board of Directors: Legal Accountability and Transparency”, Presenter, Blueprint for Leadership, United Way of the Midlands, April 2022.

“The IRS and a Phi Alpha Phi Fraternity-Legal Parameters of 501(c)(3) and 501(c)(7) Entities”, Co-Presenter, Webinar, December 11, 2021.

“Navigating the Complexities of the Clinical Teaching Market”, Assist Working Group, AALS CLEA Conference, Chicago, Illinois, April 2014.

Testimony, before SC Senate Judiciary Subcommittee on S-552 Revised Uniform Unincorporated Nonprofit Association Act, March 2014, Columbia, South Carolina.

“Transactional Law and the Curriculum,” Leader, AALS and CLEA Conference, Seattle, Washington, June 2011.

“Bridging the Gap between Clinical and Nonclinical Courses: Nonprofit and Economic and Community Development Law,” Nonprofit and Philanthropy Law Section of the American Association of Law Schools, Annual Meeting, New Orleans, Louisiana, January 2010

University of South Carolina Law School and University Service

Law School Academic Responsibility Committee, 2023-2024
Member, University Committee on Tenure and Promotion (UCTP), 2022-2025
Chair, UCTP- Panel (spring 2023)
Law School Faculty Selections Committee, 2022-2023
Chair, Law School Curriculum Committee, 2021-2022
Law School Curriculum Committee, 2020-2021
Law School Faculty Advisory Committee, 2020-2022
Law School Strategic Planning Committee, 2020-2022
Law School Re-Opening Committee, spring/summer 2020
Chair, Law School Veterans Law Clinic Director Hiring Committee, 2017-2018, 2021
University of South Carolina Academic Program Liaison Committee, 2014-2018
University of South Carolina Assessment Advisory Committee, 2014-2018
Law School Faculty Advisory Committee, 2011-2013 (elected), 2014-2018
Law School Faculty Selections Committee, 2011-2012, 2012-2013, 2013-2014, 2014-2018
Law School Admissions Committee, 2010-2011
Law School Curriculum Committee, 2009-2010, 2011-2014
President, Law School Order of the Coif 2011-2015

Memberships/Boards include:

Committee Member “ad hoc”, SC Unincorporated Nonprofit Association legislation
Advisory Member, Nelson Mullins Riley Scarborough Center on Professionalism, 2013-2022
Member, the American Law Institute (elected), 2012-present
Founding Member, SC Volunteer Lawyers for the Arts 2010-present
Co-Chair, Governance Review Committee, CLEA 2010-2012
Member, SC Secretary of State Nonprofit Advisory Council 2009-2012
Legal Advisor, United Way Collaboration for Community Change (“C3”) 2009-2011
South Carolina Bar Association
American Bar Association (member Nonprofit and Business Law sections)

Past Board Service:

Board President, Bethlehem Project
Board Member, Pittsburgh Neighborhood Legal Services Association
Board Member, Redstone Highlands Presbyterian Seniorcare

Other Legal Experience:

Mistick, Sittig & Weiss, Attorneys at Law, Pittsburgh, Pennsylvania
Attorney
Court of Common Pleas, Allegheny County, Pittsburgh, Pennsylvania
Judicial Law Clerk to the Honorable Lee J. Mazur

Bar Admissions:

US Supreme Court
Supreme Court of Pennsylvania
US District Court for the Western District of Pennsylvania
Supreme Court of South Carolina