

Emerging Issues in Philanthropy Seminar

*Urban Institute's Center on Nonprofits and Philanthropy,
Regulation of Nonprofits and Philanthropy Project*

State Regulation and Enforcement in the Charitable Sector

September 26, 2016

SPEAKER BIOGRAPHIES

Alan J. Abramson

Alan J. Abramson is a Professor in the Scholar School of Policy and Government at George Mason University, and Founding Director of Mason's Center on Nonprofit Management, Philanthropy, and Policy. Alan is also a Senior Fellow at the Aspen Institute, and an Affiliated Scholar at the Urban Institute. In these positions, he teaches, conducts research, and works with leaders on a broad range of nonprofit and philanthropic issues. For more than a decade, Alan headed the Aspen Institute's nonprofit and philanthropy program, overseeing a variety of research and leadership initiatives focused on critical nonprofit topics. Before joining the Aspen Institute, Alan Abramson was on the research staff of the Urban Institute. Abramson has served on many national and local nonprofit boards and advisory committees, and has been named among the 50 most influential leaders in the U.S. nonprofit sector. He is the author and co-author of numerous books and papers, and his work has twice won awards from the American Political Science Association. In 2015-2016, Alan is serving as President of the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA), the nation's leading association of nonprofit researchers. Alan Abramson received his Ph.D. in political science from Yale University and his B.A. from Wesleyan University.

Putnam Barber

Putnam Barber is a senior adviser at the Nancy Bell Evans Center on Nonprofits and Philanthropy at the University of Washington. He is the book review editor of *Nonprofit and Voluntary Sector Quarterly*. He has published several articles on the history and operations of state regulation of charitable solicitations including "Charitable Solicitations Regulation and the Principles of Targeted Disclosure" (with Megan Farwell) in *Nonprofit Policy Forum* (forthcoming). He is an adviser to the American Law Institute's project to develop a restatement of the Law of Charitable Nonprofit Organizations and to the Washington State Bar Association Nonprofits Committee's project to redraft the Washington Nonprofit Corporations Act. He has taught graduate courses about nonprofit organizations at both Seattle University and the University of Washington and was a senior adviser to Idealist.org. He has also been a board member of many organizations and is a past chair of the board of trustees of the Municipal League of King County.

Angela Bies

Angela Bies, Ph.D. is endowed associate professor of global philanthropy and nonprofit leadership at the School of Public Policy at the University of Maryland, where she provides leadership on a portfolio of global philanthropy education, research and service programs. Previously, she was chair of the faculty, associate professor and director of international programs at the Indiana University Lilly Family School of Philanthropy. She currently serves as Editor-in-Chief of *Nonprofit and Voluntary Sector Quarterly* and on the editorial board of *Nonprofit Management & Leadership*.

Her research interests include comparative nonprofit and NGO regulation, accountability and governance; and the emerging role of philanthropy, nonprofit capacity-building and sector

infrastructure cross-nationally. Prior to Indiana University, she was an associate professor of public administration at the Bush School of Government & Public Service at Texas A&M University, where she provided leadership on the creation of their nonprofit management program.

Before academia, Bies led the Charities Review Council of Minnesota and the Minnesota Women's Center. Her international development work includes service as a U.S. senior program officer for the American Field Service and evaluation and field projects in India, Africa, China, Central Europe and Pakistan. Trained in music originally, Bies also served as a Peace Corps volunteer in Kenya and a National Endowment for the Arts fellow.

Elizabeth T. Boris

Elizabeth T. Boris is an Institute Fellow of the Urban Institute and in August 2015, she became the Waldemar A. Nielsen Chair in Philanthropy at the McCourt School of Public Policy at Georgetown University, where she is a visiting professor of practice.

From 1991 to 1996, Boris was founding director of the Aspen Institute's Nonprofit Sector Research Fund, the first grant-making program devoted to supporting research on the nonprofit sector and philanthropy. Before her tenure at the Aspen Institute, Boris was vice president for research at the Council on Foundations, where she developed the research program and directed it for 12 years.

Boris is actively involved as an advisor and board member for various organizations in the nonprofit sector. In 2006 she received the Distinguished Achievement and Leadership Award from the Association for Research on Nonprofits and Voluntary Action. She was named a member of the *NPT Power & Influence Top 50* nonprofit leaders nine times by the *NonProfit Times*. The author of many research publications on nonprofits and philanthropy, she edited *Nonprofits and Government: Collaboration and Conflict*, with C. Eugene Steuerle, and wrote *Working in Foundations: Career Patterns of Women and Men*, with Teresa Odendahl and Arlene Kaplan Daniels.

Boris holds a BA from Douglass College, Rutgers University, graduating with honors and Phi Beta Kappa, and an MA and PhD in political science from Rutgers University.

Tim Delaney

Tim Delaney applies his diverse leadership experiences in law, government, and nonprofits as President & CEO of the National Council of Nonprofits, a trusted resource and advocate for America's charitable nonprofits that connects the nation's largest network of nonprofits. His former roles as partner at a large law firm (where he focused on litigation, media law, and government relations), Solicitor General and later Chief Deputy Attorney General for the State of Arizona (where he guided the state to win several cases in the U.S. Supreme Court), and President of the nonprofit Center for Leadership, Ethics & Public Service (where he championed positive ethics and advanced civic engagement) inform his current work helping charitable nonprofits throughout the country achieve greater impact by identifying emerging trends, engaging in critical policy issues, exchanging proven practices, and advancing their missions through advocacy.

Since graduating from Yale and earning joint degrees in law and public affairs from the University of Texas, Tim has helped nonprofits from a variety of vantage points, including as an attorney, author, board chair, CEO, consultant, founder, incubator, lobbyist, teacher, trainer, and volunteer.

Tim currently serves on the Leadership Council of Nonprofit VOTE and as a leader of the collaborative “Stand For Your Mission” campaign. He previously served as, among other things, an adjunct faculty member teaching graduate courses on “Leadership and Ethics in the Nonprofit Sector,” author of a guidebook on nonprofit advocacy, board chair of Valley Leadership, co-founder and later board chair of Valley Citizens League, a Steering Committee member for the international Affinity Group of National Associations, and a national Training Fellow for the nonprofit Center for Lobbying in the Public Interest, which the National Council of Nonprofits absorbed in 2012.

A sought-after speaker, Tim has made more than 100 keynote and other presentations for a diverse range of groups, such as ARNOVA, BoardSource, Conference of Western Attorneys General, Council of State Governments, Forum of Regional Associations of Grantmakers, Girl Scouts, Imagine Canada, National Association of State Charity Officials, Philanthropy New York, The Wheel (Ireland), and YWCA, as well as state governments across the country and most of the state associations of nonprofits. Additionally, Tim has been interviewed by ABC News, The Chronicle of Philanthropy, C-SPAN, NPR, The New York Times, Nonprofit Quarterly, NonProfit Times, San Francisco Chronicle, USA Today, U.S. News and World Report, Wall Street Journal, and many other news outlets. He also writes extensively, publishing articles and reports about advocacy, current events, nonprofits, and public policy.

Numerous organizations have formally recognized Tim’s community and professional contributions, including the National Association of Attorneys General (Marvin Award for leadership and service, and co-recipient of the Best Brief Award for legal writing in the U.S. Supreme Court), National Association of Community Leadership (Distinguished Leadership Award), LBJ School of Public Affairs (Distinguished Public Service Award – alumnus of the year), ASU School of Public Affairs (Faculty Associate Award for teaching excellence), ASU College of Extended Education (Outstanding Faculty Member Award for “excellence in teaching” at the Nonprofit Management Institute), the City of Phoenix (which dedicated the Delaney Family Playground in recognition of years of public service), and the NonProfit Times (Power & Influence Top 50 nonprofit leaders in the country in 2012, 2013, 2014, and 2015).

Marion R. Fremont-Smith

Marion R. Fremont-Smith is a Senior Research Fellow at the Hauser Institute for Civil Society (formerly the Hauser Center for Nonprofit Organizations) at the Center for Public Leadership at the Harvard Kennedy School. She is the author of *Governing Nonprofit Organizations, Federal and State Law and Regulation*, published in 2014 by the Belknap Press of Harvard University Press. Currently, she is Co-Reporter for the American Law Institute's Restatement of the Law of Charitable Nonprofit Organizations. Mrs. Fremont-Smith started her legal career as Director of the Division of Public Charities in the Massachusetts Office of the Attorney General and as an Assistant Attorney General. Following that she wrote a study of *Foundations and Government: State and Federal Law and Regulation*, published in 1964 by Russell Sage Foundation. Mrs. Fremont-Smith then joined the Boston law firm of Choate Hall and Stewart, becoming a partner in 1971, retiring in 1996 at which time she joined the Hauser Center at Harvard. She has taught the law of tax exempts nonprofit organizations at Harvard Law School, where she is currently Senior Advisor to the Social Venture Program, and served on the faculty of the Harvard Kennedy School. During her early time at Harvard, she co-founded with Elizabeth T. Boris and the Urban Institute the Emerging Issues in Philanthropy Program.

Karen Gano

Karen Gano is an Assistant Attorney General in the Special Litigation Unit of Connecticut Attorney General George Jepsen's Office. She has handled charities and land conservation matters for the Attorney General for the past twelve years. Before joining the Attorney General's Office, AAG Gano worked in the nonprofit sector, then with the Connecticut law firm Carmody & Torrance LLP, in the Trusts and Estates Division and representing nonprofits. Gano serves on the Executive Committee for the Estates and Probate Section of the Connecticut Bar Association and on the Board of the National Association of State Charities Officials (NASCO), an affiliate of the National Association of Attorneys General. She was founding president of the Multistate Registration and Filing Portal, Inc., a multistate corporation established by NASCO and endorsed by NAAG to create a multistate, unified electronic charities registration system. She serves on the Advisory Board for the National Center for Philanthropy and the Law, and on the State of Connecticut's Probate Rules Advisory Committee. Gano is a graduate of Smith College and University of Connecticut School of Law.

Alissa Gardenswartz

Alissa Gardenswartz is the Deputy Attorney General for Consumer Protection in the Colorado Attorney General's Office. Prior to becoming the Consumer Protection Deputy, Alissa led numerous investigations and prosecutions involving violations of state and federal consumer protection laws, including charity fraud, foreclosure fraud, and antitrust cases. She has practiced in the Colorado Attorney General's Office since 2007. Prior to joining the Colorado Attorney General's Office, Alissa worked in private practice in both Denver and Washington, D.C., and began her career with the U.S. Federal Trade Commission Bureau of Competition. Alissa has served on the National Association of State Charity Officials board since 2010, including serving as president of the board in 2013-2014. She also has served as faculty for the National Attorneys General Training & Research Institute as well as for the National Institute for Trial Advocacy. Alissa is a graduate of UCLA and the University of Chicago Law School.

Kirsten Grønbjerg

Dr. Kirsten Grønbjerg is a nationally recognized scholar on nonprofit and public sector relationships. She has been with SPEA since 1997 and is also an adjunct professor in the Sociology Department. In addition, Grønbjerg holds the Efroymsen Chair in Philanthropy at the Lilly Family School of Philanthropy at Indiana University, located at Indiana University-Purdue University Indianapolis (IUPUI), where she is also professor of Philanthropic Studies.

For the last 15 years, Grønbjerg has directed a major project on the Indiana Nonprofit Sector: Scope and Community Dimensions which analyzes and disseminates information about Indiana nonprofits and their contributions to the state and local community to help community leaders and public policy makers develop effective and collaborative solutions to community needs. Her other research and publications focus on nonprofit funding relations, nonprofit capacity, nonprofit data sources, and the American welfare system. Grønbjerg directs a group of researchers publishing a series of reports to help community leaders develop effective and collaborative solutions to community needs and to inform public policy decisions by providing baseline information about the Indiana nonprofit sector.

In 2005, Grønbjerg received the Award for Distinguished Achievement and Leadership in Nonprofit and Voluntary Action Research from the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA). She is active in public service as a member of the Giving USA Advisory Council for Methodology since 2000, a member of the International Reference Group for a major project on Danish Voluntary Work; and a member of the Community Planning and Research Committee of the United Way of Central Indiana.

Janet Kleinfelter

Janet Kleinfelter graduated summa cum laude from King College in 1986 and from the University of Tennessee, George C. Taylor School of Law, magna cum laude, Order of the Coif, in 1989.

Kleinfelter clerked for Judge William C. Koch on the Tennessee Court of Appeals from 1989 to 1992, when she joined the Office of the Tennessee Attorney General. In 1997, she successfully defended the constitutionality of the Tennessee Charitable Beneficiaries Act of 1997 and began representing the Attorney General in matters involving charitable gifts and trusts. In 2009, Kleinfelter was named Deputy of the newly-formed Public Interest Division, which has responsibility for overseeing all nonprofit corporations, including public benefit hospitals, as well as all charitable gift and charitable trust related matters for the Attorney General's Office. The Public Interest Division also provides advice and representation to the Division of Charitable Solicitation and Charitable Gaming in the Tennessee Secretary of State's Office. Additionally, Public Interest Division represents the State Election Coordinator and the Bureau of Ethics and Campaign Finance, represents state departments and agencies in matters under the False Claims Act and non-medicaid qui-tam cases, and represents and advises all government officials and departments on issues involving public records and open meetings. In 2010 Janet was elected to the Board of Directors of the National Association of State Charities Officials (NASCO) and currently serves as President of the Board.

Cindy M. Lott

Cindy M. Lott is program director for Nonprofit Management at Columbia University's School of Professional Studies. She develops the curriculum for and teaches in the MS program for nonprofit management. Before her current position, she was executive director and senior counsel to the National State Attorneys General Program at Columbia Law School, and within that program was the developer and lead counsel to the Charities Regulation and Oversight Project. Lott is also a senior fellow at the Center on Nonprofits and Philanthropy at the Urban Institute. She develops and moderates a series of national convenings on state and federal regulation of the charitable sector and is engaged in research regarding regulatory capacity and enforcement at the state level.

Lott is a frequent speaker at national conferences in philanthropic and nonprofit state regulation, compliance, management, and governance. Lott serves on the IRS Advisory Committee on Tax Exempt and Government Entities, the public policy committee of Independent Sector, is active in the Association for Research on Nonprofit Organizations, worked with major foundation leaders on behalf of the Council on Foundations, and is a former board member of the national charity monitor Wise Giving Alliance. She is a lecturer at Columbia University's School of Professional Studies and has taught as an adjunct at Columbia Law School and Indiana University School of Public and Environmental Affairs. Lott's consulting practice focuses on policy, legal, and research strategy for national advocacy groups and nonprofit organizations.

Lott was chief counsel to the 2004 Democratic National Convention and was deputy counsel to the 2000 Democratic National Convention. She has worked at large firms as a chief counsel and section chief in a state attorney general's office. Lott is a 1993 graduate of the Yale Law School and clerked for the United States Court of Appeals, First Circuit. She is admitted to practice in the District of Columbia, Indiana, and Massachusetts.

Lloyd Hitoshi Mayer

Lloyd Hitoshi Mayer joined the faculty at Notre Dame Law School as an associate professor of law in 2005 and became a full professor in 2011. He also served as the Associate Dean for

Academic Affairs from 2011 to 2015. He earned his A.B., with distinction and honors, from Stanford University in 1989 and his J.D. from Yale Law School in 1994. While at Yale, he was a John M. Olin Fellow in Law and Economics and served as business editor of the Yale Law and Policy Review and as an editor of the Yale Journal on Regulation. Following graduation, he clerked for the Honorable Lowell A. Reed, Jr., United States District Court for the Eastern District of Pennsylvania. He then joined Caplin & Drysdale in Washington, D.C., first as an associate and later as a member, where he concentrated on tax issues, particularly for nonprofit organizations. His areas of research interest and expertise include the laws governing nonprofit organizations, the growing intersection of election law and tax law with respect to lobbying and other political activity by nonprofits, and the role of nonprofits both domestically and internationally.

Steven Rathgeb Smith

Steven Rathgeb Smith is the executive director of the American Political Science Association. He was previously the Louis A. Bantle Chair in Public Administration at the Maxwell School at Syracuse University and the Nancy Bell Evans Professor at the Evans School of Public Affairs at the University of Washington. He has also been the editor of *Nonprofit and Voluntary Sector Quarterly* (NVSQ) and president of the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA). He is the author of several books including *Nonprofits for Hire: The Welfare State in the Age of Contracting* (with Michael Lipsky) and most recently *Nonprofits and Advocacy: Engaging Community and Government in an Era of Retrenchment* (with Robert Pekkanen and Yutaka Tsujinaka). He is president-elect of the International Society for Third Sector Research.

John Tyler

John Tyler is general counsel, secretary and chief ethics officer for the Ewing Marion Kauffman Foundation, which is dedicated to fostering economic independence by advancing education and entrepreneurship. In addition to managing the legal aspects and governance of the Foundation's programs and operations, John has authored or co-authored several law review articles and book chapters on distinctive aspects of impact investing and social entrepreneurship, including fiduciary duty, regulation, public private partnerships, assessing social impact, social business forms, and clarity about priority of purpose and accountability. He also frequently speaks on those topics, including for law schools at Columbia, Georgetown, NYU, Notre Dame, Texas, Miami, and Washington University; and for philanthropy for Urban Institute, Independent Sector, Philanthropy Roundtable, Council on Foundations; and others. John also speaks and publishes on other topics such as foundation governance, the roles of foundations in society, advancing university innovation and technology transfer, and U.S. policy on high-skilled immigration.