



Low-Income Communities Benefit from Financial Inclusion

AFFORDABLE AND ACCESSIBLE high quality financial services, such as savings, loans, insurance, and remittances, would be impossible for working poor and other low-income individuals without the nonprofit sector's attention to financial inclusion. Many of these individuals lack collateral or credit history to borrow or otherwise access funds needed to thrive. Throughout New York City and the nation, our nonprofit clients are creating and replicating programs that offer those left out of the traditional banking systems tools that enable to them to foster financial security, start small businesses, and contribute to the communities in which they live and work.

As part of our longstanding economic development program area, Lawyers Alliance provides loan funds, credit unions, and other nonprofit entities with the legal help they need to make capital available to underserved small businesses and low-income people. Our legal work also provides capacity building and transactional legal assistance to nonprofits that address financial security issues through financial training, education, and counseling for low-income individuals. Our network of pro bono attorneys continues to be available to play a crucial role in expanded access to financial services by representing some of New York's most effective nonprofits.



Photo: New Economy Project

Members of the Sunrise Cooperative, a New Economy Loan Fund borrower, are a co-op of auto repair shops that used a loan to help finance the construction of a new facility in the Bronx.

Helping nonprofits structure loan programs

Legal assistance allows nonprofits to create an appropriate legal structure, draft and negotiate agreements, and prepare documentation to operate successful community loan funds.

Case example: New Economy Project, an economic justice center that works with community groups throughout New York City, received pro bono legal help to establish a loan fund that supports worker cooperatives, community land trusts, and other community-led initiatives in neighborhoods of color. Lawyers Alliance volunteers from **Debevoise & Plimpton LLP** worked

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2016 Business Law & Leadership Gala



Honoree Lauren E. Seeger and Jeffrey C. Campbell, American Express Company



Larry Rubenstein, BCNA Board Member; Colleen Galvin, BCNA Board Member; Peter Brest, BCNA Board Member; Honoree Yanki Tshering; Steven Ritzel; and Leonid Ostrovsky, BCNA



Matthew J. Mallow, BlackRock, Inc., and Honoree Carol Bellamy

On May 19, 2016, close to 400 leaders from the legal, financial, and non-profit sectors gathered at Gotham Hall in Manhattan for Lawyers Alliance for New York's Business Law & Leadership Gala. This event is the largest annual charitable gathering of business and transactional lawyers committed to pro bono legal services for nonprofits that are strengthening New York City communities.

Aric Press, Partner, Bernero & Press, served as the evening's Master of Ceremonies for the third year. Mr. Press expressed admiration for lawyers, law firms, and corporations that participate in pro bono service. He emphasized that pro bono service distinguishes great institutions from their peers. Mr. Press also introduced the evening's *High Volume, High Impact* theme, which recognizes that lawyers working together can multiply the positive impact of nonprofits on low-income communities. Lawyers Alliance Deputy Executive Director **Elizabeth Guggenheimer** stated that it is a privilege to be a part of a staff and volunteer network that cares so deeply about Lawyers Alliance's work and New York City.

The recipients of the 2016 Business Law & Leadership Award for distinguished service are:

► **Lauren E. Seeger**, *Executive Vice President & General Counsel, American Express Company*

Ms. Seeger leads American Express Company's legal, compliance and ethics, corporate secretary, and federal and state government affairs departments. She is a member of the company's Operating Committee.

Ms. Seeger and American Express Company have a longstanding commitment to strengthening nonprofits and communities through leadership development, community service, and advising nonprofits that support small businesses and economic development. Her legal team shares the conviction that nonprofits, and those who lead them, are an essential element for positive change in underserved communities. For more than ten years, American Express has worked with Lawyers Alliance to provide high quality pro bono legal services to multiple nonprofits that benefit children, families, new immigrants, and other low-income New Yorkers. Recently, volunteers from the American Express legal department conducted an Understanding Contracts Clinic for Lawyers Alliance nonprofit clients. Ms. Seeger has extensive corporate and law firm experience. She serves on the Board of FTI Consulting Inc. She is a former member of the Board of the California Chamber of Commerce and of Umpqua Holdings Corporation, and is a former Board Chair of the Bay Area American Heart Association.

Jeffrey C. Campbell, Executive Vice President and Chief Financial Officer of American Express Company, presented the Award to Ms. Seeger. He described their long professional connections, her special leadership qualities, and how she embraced New York City and its enthusiasm for pro bono.

► **Carol Bellamy**, *Former Executive Director, UNICEF*

Ms. Bellamy has had a distinguished career in the public and private sector. She is currently Chair of the Global Community Engagement and Resilience Fund Board of Directors and served ten years as the Executive Director of

UNICEF. In 1969, she helped found the Council of New York Law Associates (Lawyers Alliance's original name), was a member of the Steering Committee from 1969 to 1972, and the Council's first Treasurer. Ms. Bellamy currently serves on Lawyers Alliance's Board of Advisors, providing continued input on organizational strategy. Ms. Bellamy also served as the Chair of the Global Partnership for Education, President and CEO of World Learning, and Director of the Peace Corps. She worked in the private sector at Bear, Stearns & Co., Morgan Stanley, and Cravath, Swaine & Moore LLP. Ms. Bellamy spent 13 years as a public official, including five years in the New York State Senate. In 1978, she became the first woman elected to citywide office in New York City when she was voted President of the New York City Council, a position she held until 1985.

Matthew J. Mallow, Senior Managing Director and Chief Legal Officer of BlackRock, Inc., presented the Award to Carol Bellamy. He described the early days of the Council and Ms. Bellamy's accomplishments and spirit through the present day. Mr. Mallow, also a Council founder, received a Business Law & Leadership Award at our 45th Anniversary celebration in 2014.

► **Yanki Tshering**, *Executive Director, Business Center for New Americans*

As founder and Executive Director of Business Center for New Americans (BCNA), Ms. Tshering has developed and implemented economic development programs in New York City for more than 20 years. BCNA was formed with a \$15,000 grant from the American Express Foundation to start a program to provide advice to refugees interested in starting businesses. Lawyers Alliance staff and volunteer attorneys have provided BCNA with pro bono legal services on 14 separate matters over the past seven years. BCNA has received national recognition for its creative and practical asset development programs for low- to moderate-income refugees and immigrants in New York City. BCNA has made over \$15 million in micro-loans to date and over 1,500 refugees and their families have graduated from the Center's Individual Development Program for Refugees, investing over \$24 million in assets such as home ownership and small businesses. Ms. Tshering is also a Board member of Credit Builders Alliance.

Business Center for New Americans Board Member **Peter Brest** presented the Award to Ms. Tshering. He detailed BCNA's impact on the immigrant community in New York City, which has helped these business owners provide a better life for their families and communities.

Lawyers Alliance Board Chair **Ariel J. Deckelbaum** expressed gratitude to the 43 Gala sponsors, as well as the collective talent of Lawyers Alliance's volunteers, staff, and founders. Lawyers Alliance Executive Director **Sean Delany** closed the evening by reiterating the importance of the impact that Lawyers Alliance volunteers have on our nonprofit clients and the City as a whole.

We invite you to view the sponsor list at www.lawyersalliance.org/gala.php. We especially thank our Platinum Chairs: American Express Company; Cleary Gottlieb Steen & Hamilton LLP; Cravath, Swaine & Moore LLP; and Skadden, Arps, Slate, Meagher & Flom LLP and our Gold Chairs: Merck & Co., Inc. and Sullivan & Cromwell LLP.



Honoree Yanki Tshering; Ariel J. Deckelbaum, Paul Weiss, Rifkind, Wharton & Garrison LLP and Lawyers Alliance Board Chair; and Honoree Carol Bellamy



Angela Seeger; Honoree Lauren E. Seeger; and Martha McGarry, Skadden, Arps, Slate, Meagher & Flom LLP

2016
**BUSINESS LAW &
 LEADERSHIP**
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with New Economy Project to (i) structure and form a limited liability company to serve as the vehicle to conduct the loan fund's activities; (ii) set up effective policies and procedures to make loans; and (iii) draft appropriate loan documentation forms. Once this groundwork was in place, the fund moved forward and began making its first investments. New Economy Project honored Debevoise and Lawyers Alliance at its 20th anniversary celebration this spring.

Helping nonprofits participate in City policies aimed at financial inclusion

New York City's Municipal ID Card for residents enables financial institutions to open bank accounts and provide other financial services regardless of immigration status, homeless status, or gender identity, but residents often need guidance from nonprofits to obtain these cards. Several community development credit unions accept the City's Municipal ID Card for that purpose. In 2015, the Urban Institute released a study commissioned by the New York City Department of Consumer Affairs' Office of Financial Empowerment indicating that 360,000 City households are unbanked, and an additional 780,000 are underbanked, meaning that they have checking or savings accounts, but often rely on costly financing alternatives such as check cashing or payday loans. Lawyers Alliance helps nonprofit clients working to address these challenges.

Case example: Neighborhood Trust Federal Credit Union (NTFCU), a community development financial

institution serving more than 3,500 upper Manhattan residents and businesses, provides its members with affordable financial services and products, as well as financial counseling. Volunteer attorneys from **Kirkland & Ellis LLP** assisted NTFCU in drafting and negotiating a Memorandum of Understanding between NTFCU and the New York City Human Resources Administration (HRA) outlining the operation of HRA's Municipal ID Program intake at NTFCU. Within the first 12 months, more than 3,000 people applied for IDs and inquired about NTFCU's services.

Helping nonprofits pilot national financial programs

Community development credit unions collectively serve more than five million consumers deemed the most challenging to reach, including low-wage workers, immigrants, and individuals with damaged credit. To improve financial well-being, these underserved communities must have access to affordable financial services combined with guidance on how to take advantage of financial products and services. The Borrow and Save program, developed by the **National Federation of Community Development Credit Unions**, helps underserved consumers break the cycle of borrowing from credit cards and payday lenders by providing access to small dollar loans with a simultaneous savings component.

Case example: Staff attorneys at Lawyers Alliance and volunteer attorneys from **Milbank, Tweed, Hadley & McCloy LLP** assisted the Federation with developing a license agreement for member credit unions to offer the Borrow and Save program. The attorneys also registered the trademarks associated with the program, which was piloted last year and has now expanded nationally.

The legal services provided by Lawyers Alliance staff and volunteers allow nonprofits to operate with more confidence that their financial inclusion programs are carefully considered, legally structured, and well-documented. The result is greater access to financial services for disadvantaged New Yorkers, so they can better live and thrive in a modern economy.

For more information on Lawyers Alliance's financial inclusion work, please contact Senior Staff Attorney **Neil Stevenson** at (212) 219-1800 ext. 273 or nstevenson@lawyersalliance.org.

The Neighborhood Trust Federal Credit Union is a community development financial institution serving more than 3,500 upper Manhattan residents and businesses.



Photo: Neighborhood Trust Federal Credit Union

Elizabeth Perez Appointed Legal Director

Lawyers Alliance has named **Elizabeth Perez** as our new Legal Director. Ms. Perez, who joined Lawyers Alliance in 2007, has served as Staff Attorney and Senior Staff Attorney and most recently launched the Urban Health initiative. Ms. Perez's predecessor, **Linda S. Manley**, has become Deputy General Counsel for New York State Homes and Community Renewal.

In her new role, Ms. Perez is responsible for nonprofit client outreach, client representation, and supervision of Lawyers Alliance's staff attorneys. She has significant experience in advising nonprofits with business and transactional legal issues, including organizations working in the areas of urban health, immigrant services, elder services, and safety net services.

She is co-editor of *Advising Nonprofits*, Lawyers Alliance's signature publication, and an expert in legal issues related to governance, contracts, and lobbying regulation.

"Elizabeth is an extraordinary attorney, who has earned the respect of her colleagues, nonprofit managers, and attorneys. With her leadership and enthusiasm, Lawyers Alliance is able to serve a greater number of clients with of a greater number of volunteer attorneys," said **Sean Delany**, Lawyers Alliance's Executive Director.

Prior to joining Lawyers Alliance, Ms. Perez was an associate at Clifford Chance US LLP. She received her J.D. from Columbia University School of Law, an L.L.M. from the University of London, and a B.A. from Texas A&M University.



Elizabeth Perez

Additional Staff Changes Advance Lawyers Alliance's Programs

Our newest and longtime staff members are collaborating to serve lawyers, nonprofits, and communities.

Daniel Aiese joins us as Development Coordinator. He serves as a key liaison to our institutional funders and individual supporters. Previously Mr. Aiese worked as an ESL teacher in Argentina, an analyst at a trade publication, and a donor research coordinator at the Children's Tumor Foundation.

Office Administrator **Wilma Alexander** ensures that our workshops and webinars, facilities, database, and administrative functions operate smoothly. Prior to joining us, she assisted with advocacy and workers' rights initiatives at the New York affiliate of Restaurant Opportunities Centers United (ROC-NY).

Mary Burner is the new Staff Attorney responsible for our growing Urban Health program area, which includes preventative health, food security, healthy aging, and environmental health. A current priority is helping community-based organizations to navigate the complexities of New York State's Medicaid Redesign. Before joining Lawyers Alliance, Ms. Burner was an associate at White & Case LLP and completed her master's degree in public health.

Connie Cho joins us as Program Associate for Urban Health and is responsible for client outreach, client intake, and legal research. Prior to joining Lawyers Alliance, Ms. Cho was a New York City Urban Fellow at the NYC Office of the Deputy Mayor for Health and Human Services and worked at the NYC Administration for Children's Services.

In addition, Lawyers Alliance is pleased to announce the promotion of **Nicole Cuttino** to Senior Staff Attorney. Ms. Cuttino, who joined Lawyers Alliance in 2011 as Staff Attorney, is responsible for our Children and Youth services program area, which serves hundreds of nonprofits each year.



Mary Burner, Dan Aiese, Connie Cho

Voter Registration and Other Nonpartisan Political Work

During the election season, some nonprofits are advocating for their communities before officials who are running for reelection. Others are working to register voters, educate community members about candidates' positions, and get out the vote. While the Internal Revenue Code allows nonprofits to conduct each of these activities, 501(c)(3) nonprofits may not support or oppose a particular candidate. Even nonprofits that are not involved in electoral activity may need guidance about candidate appearances at the organization's events and other interactions.

A 501(c)(3) organization **CAN** engage in the following activities, with precautions to ensure that the activity is nonpartisan:

Educate candidates and the general public about issues.

- Share information with all candidates, for instance by posting it on your website.

Conduct issue advocacy.

- Document the advocacy's non-electoral purpose in any communications with an incumbent running for office, and in Board minutes, a resolution, or a strategy document.
- Focus on substance, not candidates.
- Adopt a media policy to avoid partisan politics.
- Don't start a new or special advocacy campaign timed around an election.

Publish a scorecard indicating how legislators voted on particular issues.

- The scorecard should not comment on a candidate's qualifications or suggest support for or opposition to their candidacy.

Prepare a candidate questionnaire and create a nonpartisan voter guide.

- Do not display an organizational agenda or preferences.
- Focus on multiple issues.
- Distribute questionnaires to all candidates.

Conduct a nonpartisan voter registration drive and work to get out the vote.

- Do not target specific groups to affect the election, but you may target certain groups because they are underrepresented.
- Focus on multiple issues, not just one.

Sponsor a candidate debate or forum.

- Invite all candidates.
- Include a broad range of nonpartisan questions.

Sell, trade, or rent a mailing list, conference room, or other resources to candidates.

- Charge fair market value.
- Make it equally available to all candidates on the same terms.

Additionally, staff of 501(c)(3) organizations have a First Amendment right to conduct political activities on their own time.

- Staff should participate in their own name.
- Staff may not use organizational resources such as e-mail, computers, or phones.

On the other hand, 501(c)(3) organizations **CANNOT**:

Endorse a candidate for public office.

Contribute to or make independent expenditures on behalf of a candidate.

Ask candidates to sign a pledge on any issue.

Increase the volume or amount of incumbent criticism or praise as election time approaches.

Allow a candidate to campaign at the organization's meeting or event.

Lawyers can educate and advise nonprofits about permissible civic engagement and prohibited partisan political activities.

Case Example: Drug Policy Alliance (DPA), a national organization promoting policy alternatives to the drug war, received assistance from volunteer attorneys from **Cahill Gordon & Reindel LLP**, who reviewed and updated its Election-Related Activity Guide. The Guide explains the types of nonpartisan election-related activity the organization may perform and how DPA employees may be involved in political campaigns on their own time. With this help, DPA and its employees are better informed to comply with recent Supreme Court opinions, Federal Election Commission rules, and other recent developments concerning nonprofits and elections.

For more information on laws and regulations relating to voter registration and political activity, contact Senior Policy Counsel **Laura Abel** at (212) 219-1800 ext. 283 or label@lawyersalliance.org.

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Senior Staff Attorney

In-House Corporate Counsel Assist Nonprofits at Clinics

Lawyers Alliance welcomes opportunities to team with pro bono attorneys from corporate legal departments to ensure that nonprofit organizations receive appropriate legal information to operate strong and effective programs. The pro bono clinic model can be an effective way for nonprofit staff and Board members, with guidance from experienced in-house corporate counsel, to focus on particular topics and identify further legal needs.

In February, Lawyers Alliance hosted our Corporate Counsel Bylaws Clinic, which attuned nonprofit managers about steps they might take to update their organizations' bylaws and governance procedures. Participants learned about Nonprofit Revitalization Act requirements and best practices. Representatives from 12 nonprofits met with 20 lawyers from six corporate legal departments: **Citigroup, Credit Suisse, Deloitte LLP, NBCUniversal Media LLC, MetLife Inc., and Nomura Securities International, Inc.** The volunteers advised clients involved in important causes including economic development, job creation, hunger prevention, and literacy.

In April, Lawyers Alliance joined with **American Express Company** to present an educational clinic on Understanding Contracts. Attorneys from Lawyers Alliance and American Express conducted a training session for nonprofit managers on legal and practical issues to consider

when entering, reviewing, renegotiating, and terminating contracts. After the training, teams of American Express pro bono attorneys provided customized consultations for six nonprofits. Clients received advice about their loan documents, confidentiality agreements, exhibition agreements and independent contractor agreements. Volunteers helped nonprofits engaged in micro-lending, small business development, homeless services, urban arts and culture, and assisting those affected by crime and abuse.

Volunteers rave that they enjoyed "getting to know the organization" and "being able to use my experience for its benefit." Participating clients "learned a lot" and received "really great feedback" on legal challenges, policies, and documents.



American Express pro bono attorneys provided customized consultations for six nonprofits.

SAVE THE DATE

2016 Cornerstone Awards for Pro Bono Excellence

Thursday, November 17, 2016 • 6:00 p.m. – 8:00 p.m.

Hosted by Viacom

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AWARDS
2016



Lawyers Alliance *for* New York

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DLA Piper Receives New York's Highest Pro Bono Award

Lawyers Alliance congratulates **DLA Piper LLP (US)** for receiving the 2016 New York State Bar Association President's Pro Bono Service Award, presented in Albany on May 2.

During the past year, 204 of the firm's New York lawyers provided 26,086 total pro bono hours to help society's most disadvantaged and underrepresented. Ninety percent of DLA Piper's New York office participated. Pro bono work focused on children and education, community development, immigrant and human rights, and veterans.



Richard Gruenberger of DLA Piper LLP (US) (center) accepted the NYSBA award from Claire Gutekunst, President-Elect of NYSBA and David Miranda, President of NYSBA.

During 2015, DLA Piper volunteers worked with Lawyers Alliance on 41 active matters, including 20 new matters. Recently DLA Piper attorneys:

- Advised **Downtown Community Television Center** regarding funding agreements from the New York City Department of Cultural Affairs and the U.S. Department of Housing and Urban Development that help it to provide the community with television production courses and access to equipment.
- Prepared an application for **New Destiny Housing Corporation** for tax exemption on behalf of an affiliated entity, so the client can better channel its resources toward providing housing for low-income people and domestic violence survivors.
- Revised **American Dream Charter School's** employee handbook, including sick leave, attendance policy, benefits, and dress code, contributing to a stronger workforce for a school serving dual-language middle school students in the Bronx.

DLA Piper's nomination was sponsored by Lawyers Alliance, The Legal Aid Society, and New York Lawyers for the Public Interest, with support from the City Bar Justice Center, The Family Court of the State of New York's Volunteer Attorney Program, Immigration Equality, and Legal Services NYC.
