
LEADING BY EXAMPLE: THE NEW ACFLS CHARITABLE FOUNDATION, INC., a California Nonprofit, Public Benefit Corporation

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You may have heard something about the new ACFLS Charitable Foundation, Inc., at the ACFLS Holiday Party in San Francisco or at the ACFLS Spring Seminar in Rancho Mirage. This article describes the genesis of the ACFLS Charitable Foundation, Inc. (“Foundation”), reviews the activities of the Foundation to date, and discusses its plans for the future. We hope that you will consider a yearly tax-deductible donation to the Foundation of the equivalent of one billable hour at your hourly rate. We also hope that members of ACFLS will assist in identifying deserving organizations or persons in their community and encourage them to apply to the Foundation for a grant.

Challenged in early 2014 by Judge Thomas Trent Lewis (the first judicial member of ACFLS) to take a more proactive role in the family law community, to lead by example and to create a legacy, the ACFLS Board discussed creating a separate charitable foundation. The Board established a committee, chaired by Coordinating Director and former President, Joseph J. Bell, to investigate and explore the idea. The exploratory committee included Jill Barr, Karen Freitas, Sterling Myers, and Lynette Berg Robe. In December 2014, the Board approved an interim *ad hoc* grant program for ACFLS, dependent upon available funds. The first grantees, nominated by Board members, were the Harriett Buhai Center and the Sacramento Children’s Fund. These \$1,000 grants were announced at the 2014 Holiday Party in San Francisco. In 2015, the ACFLS Board doubled the grants and gave \$2,000 each to Levitt & Quinn and to Legal Advocates for Children.

After over a year of study and debate as to whether or not to create a formal non-profit corporation, and acting upon the recommendation of the exploratory committee, the ACFLS Board voted in December 2015 to approve the formation of the separate Foundation. ACFLS provided startup funds in the amount of \$5,000 to the new charitable corporation. The goal of the new Foundation is to contribute to ACFLS’s legacy by raising funds to donate to organizations and persons working to enhance access to justice in family law, to provide scholarships to legal aid attorneys, and to make donations to other non-profits who are providing education, training, and mentoring in family law or who are engaging in other activities consistent with the mission of ACFLS.

ACFLS itself is a non-profit corporation with a federal 501(c)(6) tax status, defined as an association for the



Lynette Berg Robe is a past President of ACFLS, and she is also a past Chair of the Los Angeles County Bar Family Law Section. In 2016, she received the Spencer Brandeis Award, the highest honor bestowed by the Los Angeles County Bar Family Law Section. She also served on the board of AFCC California, was a member of State Bar FLEXCOM and editor of the Family Law News. She is a founding incorporator of the ACFLS Charitable Foundation, Inc., and is serving as its first Secretary. She has received the AV Preeminent rating by Martindale Hubble. Currently, Lynette is confining her family law practice to mediation and consensual dispute resolution.

improvement of businesses, professions, and trade. As such, it cannot accept charitable donations. Any monies given to ACFLS by its members are tax-deductible only if they qualify as business expenses. The recommendation of the exploratory committee was to create a new and separate 501(c)(3) charitable entity. In December 2015, the ACFLS Board voted to allow the ACFLS name to be used in conjunction with a separate 501(c)(3) charitable foundation. A volunteer committee was formed to create a separate corporation. The volunteer incorporators were: Jill L. Barr (Sacramento), Joseph J. Bell (Nevada), Dianne M. Fetzer (Sacramento), John D. Hodson (Solano), Seth D. Kramer (Los Angeles), Mary Molinaro (Sacramento), Sherry Peterson (Alameda), JB Rizzo (CPA, Los Angeles), and Lynette Berg Robe (Los Angeles). All Foundation Board members are certified family law specialists and members of ACFLS, except for JB Rizzo, the Foundation’s certified public accountant, whose expertise was greatly needed and has been soundly appreciated.

Joseph Bell prepared Articles of Incorporation and Bylaws, which were approved by the ACFLS Board at its December 6, 2015 meeting, and were adopted by the new Foundation on February 5, 2016 at the first

meeting of the voluntary board. At that same meeting, elections were held, and officers were elected as follows: President, Joseph Bell; Vice-President, Mary Molinaro; Chief Financial Officer, JB Rizzo; and Secretary, Lynette Berg Robe. Over the next few months, the ACFLS Charitable Foundation, Inc., a California Non-Profit Public Benefit Corporation, registered with the California Secretary of State, received non-profit status for federal and state tax exemptions, and established a bank account.

The Foundation was launched officially at the 2016 ACFLS Spring Seminar in Rancho Mirage. The Foundation asked attendees to make a donation in the amount of one billable hour of his/her time. After the 2016 Spring Seminar, thanks to the generosity of the ACFLS Board (a \$5,000 donation), and donations from other ACFLS members and attendees, the Foundation had received an additional \$15,000. By December 2016, we had a total of \$27,000 to make grants.

Between the 2016 Spring Seminar and the 2017 Spring Seminar, the Foundation created a website, secured domain names, opened PayPal and "Square" accounts for credit card donations, created banners for events, created donor cards and flyers to promote the Foundation, created letterhead, and planned fundraising activities for the Holiday Party. At the Holiday Party in December 2016, the Foundation raised money with raffles and a silent auction in addition to receiving hourly rate pledges or donations. We created a Grant Application form which interested applicants can access on the website to request a grant. We also obtained Liability and Errors and Omissions insurance.

At the November 10, 2016 meeting, the Foundation Board voted to give two grants.

At the December 2016 ACFLS Holiday Party, the Foundation announced a grant to the Sacramento Children's Fund. The Sacramento Children's Fund is a California non-profit corporation, a 501(c)(3) under federal law, which raises funds to provide many different kinds of assistance to children in need in Sacramento, California. It was founded in 1999 to help at-risk children who were represented by minor's counsel in family law cases. These children are some of the neediest in the Sacramento community. Many are embroiled in their parents' dissolution. Many have been abused or neglected as a result of their parents' substance abuse, violence, or other dysfunction. Many of their needs cannot be met by the court because of the lack of resources. The mission of Sacramento Children's Fund has been to enhance the quality of life for these children or to bring an unexpected happiness to them. Since its inception, the fund has provided monies for children in these cases for such things as counseling, tutoring, music lessons, summer camp, clothing, and much more. Recently, the fund expanded to allow any interested person to apply for funds for a needy child

in a family law case, and it is no longer limited only to minor's counsel requests.

After his death in May 2016, the Foundation Board voted to bestow a grant in honor of Judge Kenneth Black, a Los Angeles County Family Law Judge who was greatly respected and who had participated in a number of ACFLS Spring Seminars. Judge Black's family had asked that donations in his honor should be made to the Harriett Buhai Center for Family Law in Los Angeles. The Foundation Board decided to present this grant in Judge Black's honor at the 2017 ACFLS Spring Seminar.

The Board decided to increase the two grants to \$5,000 each. The Foundation Board adopted a policy for the future that the Foundation would reach out to attract nominations and applications from organizations from all over California. Our goal for the grants to be given at the Holiday Party in 2017, and at the ACFLS Spring Seminar in 2018, is that we will actively recruit applicants from all over California. The Foundation Board hopes that ACFLS members will identify qualified individuals and organizations and recruit them to apply for a grant.

The 25th anniversary of the ACFLS Spring Seminar just happened to occur this year in March. Karen Freitas, Treasurer of ACFLS and also a co-chair of the 2017 Spring Seminar, suggested that the Foundation co-sponsor a dinner on Saturday night, March 25, 2017, to raise funds for the Foundation. This event was very successful. We had 125 in attendance, and we raised about \$12,000 from the dinner, and with other donations, that was a total of \$16,900 from the Spring Seminar weekend. Seth Kramer, ACFLS President and Foundation Board member, explained why we were giving a grant in memory of Judge Black. Judge Black's daughter Catherine Black attended and thanked the Foundation for the honor. Because Betty Nordwind, the Executive Director, broke her ankle and could not attend, outgoing president David Shebby accepted the check for \$5,000 on behalf of the Harriett Buhai Center for Family Law ("HBCFL"). Lynette Berg Robe introduced the HBCFL and described its many beneficial activities, and David Shebby elaborated on the HBCFL's mission of access to justice in family law matters for the most impoverished people living in Los Angeles County. Foundation President Joseph Bell gave some anecdotes about the history of the ACFLS Spring Seminar, and Judge Thomas Trent Lewis rounded out the evening with humorous and inspirational comments.

At this juncture, the Foundation has about \$39,000 in its coffers. Our hope is to be able annually to provide future grants of \$10,000 to at least two qualified organizations or individuals, one grant at the December 2017 Holiday Party in San Francisco, and one grant at the 2018 ACFLS Spring Seminar in Rancho Mirage, and to continue building our reserves so that we may offer more and even larger grants in the future.

We hope the Saturday night Charitable Foundation Dinner at the ACFLS Spring Seminar will become

a regular event. Besides being a fundraiser for the Foundation, it provides another opportunity for socializing and networking in a lovely setting. Last year, ACFLS had close to 400 registered for the Spring Seminar, and many brought their spouses and significant others. It is a busy weekend, but we believe there are many who would like to enjoy a relaxing and delicious dinner on the grounds of the beautiful Rancho Mirage resort and support the Foundation at the same time.

If you want to learn more about the Foundation, go to our website: <http://www.acflsfoundation.org>. There, you will find information, including the Grant Application.

We hope that ACFLS members will help in finding qualified organizations and individuals and encourage them to apply for a grant. We also hope that every ACFLS member will pledge a donation to the Foundation each year in the amount of one hour at his or her hourly rate. Go to the website now to make your tax-deductible donation online through PayPal, by telephone, or by check as indicated. We hope you will help us lead by example and ensure the lasting legacy of the Association of Certified Family Law Specialists.