

**THE NATIONAL CENTER ON
PHILANTHROPY AND THE LAW**

**AN ASSESSMENT OF ITS VALUE
AND BENEFITS TO THE FIELD**

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EXECUTIVE SUMMARY

Housed at New York University School of Law, The National Center on Philanthropy and the Law (NCPL) was founded in 1988 to promote scholarship, research and training in those aspects of law related to the nonprofit sector. In 2004, the NCPL commissioned an evaluation of its activities and contributions. The evaluation was completed in 2005, drawing on in-depth interviews and on-line surveys completed with a wide range of individuals who had attended at least one NCPL event.

NCPL CONSTITUENTS

NCPL appeals to professionals across disciplines and this interdisciplinary appeal is seen as one of the Center's strengths. Attorneys in private practice and academicians at law schools or other university departments or institutes make up the largest share (80 percent) of NCPL survey respondents. Survey respondents also include lawyers and others who work for nonprofit organizations, foundations, and government agencies.

Among many NCPL constituents responding to the survey, participation in Center conferences and use of its materials and resources are recurrent activities. The typical constituent respondent reports having attended almost all annual conferences and one or more mini-conferences. Many constituents also are in direct contact with the Center and use NCPL materials – conference papers, monographs and the bibliography – in their work.

NCPL AS AN ORGANIZATION

Among its constituents NCPL is regarded as:

- Well-attuned to the field;
- Intellectually astute;
- Highly analytic in its approach;
- Well-connected in the field;
- A field leader;
- Open-minded; and
- Respectful.

NCPL also is characterized as maintaining a balance between presenting a conservative or liberal perspective on the issues and in meeting the needs of practitioners and academicians. One of the strengths of the Center's approach is its appeal and inclusion of professionals who approach issues from different perspectives. Both of its two major constituency groups – practicing attorneys and academicians – are highly supportive of Center activities and programs

ASSESSMENT OF QUALITY OF NCPL'S WORK

Constituents give high marks to NCPL's activities and services. These are consistently rated as consequential and of excellent quality. NCPL is seen as addressing high priority

issues in the field of nonprofit law. Constituents report that NCPL provides information of very high quality, and keenly understands their field and the nature of their work.

In particular, NCPL annual conferences and mini-conferences are overwhelmingly rated as being of high quality on a diverse set of dimensions with approval ratings of 92 percent or higher on virtually all dimensions. These conferences are lauded for their relevance, the quality of their presentations, their logistical organization, and their mix of participants.

The vast majority (94 percent) of those who have worked with similar organizations rate their NCPL experience as much better or better than their experiences with the other organizations.

EFFECT OF NCPL'S WORK

An impressive percentage of constituents (65 percent) reported that the Center's work has had a "significant positive" effect on their work. They note that the Center has this positive effect by providing reliable, accurate information; offering opportunities to expand contacts with colleagues; and providing insights into critical issues.

A large percentage of surveyed constituents (77 percent) also reported that the Center's work makes a substantial contribution to the field in general. All constituents acknowledge that the most sustained contribution the Center makes is through its annual and mini-conferences. The Center is credited with:

- helping to establish and support a distinct academic discipline and practice specialty;
- contributing to discourse in the field without advancing an agenda beyond preserving strong intellectual standards; and
- promoting a rigorous analytic approach that welcomes divergent perspectives.

NCPL IN THE FUTURE

NCPL is a valued, consequential institution in the area of nonprofit law. Relatively few of those most immediately served by present Center activities made suggestions for changing its current work. When asked what the Center should do in the future, the most consistent message these constituents sent is "keep doing what you are doing."

In identifying those areas to which the Center should give the highest priority, respondents unequivocally chose the annual conference (77 percent), mini-conferences (61 percent) and the bibliography project (55 percent). Among key Center constituencies – attorneys and academicians – these three projects and the website are even more highly regarded and seen as vital to NCPL's mission.

When asked how the Center might improve its work in the future, constituents offer a variety of suggestions. For the most part, their recommendations are minor enhancements to what the Center is already doing. In particular, current constituents see little reason to change the structure, content, and audience of the conferences.

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INTRODUCTION

Housed at New York University School of Law, The National Center on Philanthropy and the Law (NCPL or, the Center) was founded in 1988 to promote scholarship, research and training in those aspects of law related to the nonprofit sector. In its nearly 16 years of operations, NCPL has been instrumental in helping define key issues in law and government regulations affecting nonprofit activities, developing up-to-date curricular materials for use in law schools across the nation, and hosting cross-discipline conferences involving practicing attorneys, academicians, and government staff involved with the legal aspects of the nonprofit sector in critical discussions of emergent issues.

In 2004, the Center staff sought assistance in the conduct of an assessment of its activities. Several key questions framed the assessment:

- What the Center has accomplished;
- How the Center is perceived in the field; and,
- How the Center can best serve this field in the future.

The Center engaged two evaluation specialists — Bernard J. McMullan, Ph.D. and Sam A. Stephens, Ph.D. — to undertake this independent assessment. The assessment's primary components consisted of in-depth interviews with key stakeholders in the Center, specifically, members of NCPL's Advisory Board, and a survey of recent participants in NCPL conferences.

Evaluation approach

In the first part of this assessment, the evaluation team interviewed members of the Center's Advisory Board about their perceptions of the Center's achievements, strengths and challenges. We invited their opinions about the questions that a broader assessment might usefully address. We summarize our findings from our interviews with these key supporters of NCPL in Chapter 1.

For the second part of the evaluation, a sample of individuals who had attended NCPL conferences was selected to respond to a web-based questionnaire.¹ A total of 73 individuals responded to the survey. In a few instances, respondents did not complete a substantial portion of the survey items. As a result, the effective number of responses that could be used for analysis was 65 resulting in a response rate of usable questionnaires of 50 percent. This response rate is strong given the important positions and status of many of the individuals contacted. Unsolicited surveys of professionals often yield only minimal responses. We believe that the reputation of the Center and the benefits that respondents receive from their association with it were instrumental in gaining this level of cooperation. As a side note, virtually all of those who formally declined to participate in the survey (4

¹ A printed version of the survey questionnaire is presented in Appendix I. Appendix II presents the results of the survey process.

percent of those contacted) cited restrictions on the participation due to their role as a former or potential funder or as a result of their particular public position.

The survey instrument was composed of numerous items developed in response to expressed interests of Center staff and Advisory Board members and also drew from assessment instruments used with other organizations². The final instrument included slightly more than 150 items arrayed in lists for easy administration. The majority of the questions asked respondents to choose among several possible answers. Respondents were given the opportunity to answer in their own words in approximately 10 items. These verbatim responses are interspersed where appropriate throughout this report.

The final survey was divided into seven sections:

- Description of respondent position and organization
- NCPL Conferences
- Other NCPL Services and Activities
- Contact with NCPL Staff
- NCPL as an Organization
- Effect of NCPL on Respondents' Work
- Center's Impact on the Field

Most respondents were contacted and asked to participate in the survey using e-mail addresses supplied by NCPL.³ The e-mail introduced the survey and its purpose and directed respondents to a website where they could conveniently complete the survey and submit it on-line. At the conclusion of the survey collection phase, 80 percent of the completed surveys had been submitted through this website. Data from the questionnaires submitted in paper form were entered into the database upon their arrival.

Organization of this report

This report is organized into the following chapters:

- Chapter One summarizes findings from interviews with members of the NCPL Advisory Board.
- Chapter Two begins to present findings from the survey, describing those served by NCPL and how they participate in NCPL activities and services.
- Chapter Three presents findings related to constituents' assessments of the quality of Center services and activities.
- Chapter Four considers how NCPL's constituents describe it as an organization.

² For example, the survey of NCPL constituents incorporated survey items for rating organizational effectiveness and responsiveness used in projects conducted for The Atlantic Philanthropies, The Lumina Foundation, and several other organizations' members, grantees or constituents. Where necessary, new items were specifically designed for this survey.

³ For those respondents for whom an e-mail address was unavailable through NCPL or proved to be incorrect, their organization's website was searched to identify a current e-mail address. When no working e-mail address was found, a package containing a printed version of the questionnaire and a pre-addressed, postage-paid envelope was mailed to them.

- Chapter Five summarizes the benefits that constituents attribute to the Center for their work and for the field of nonprofit law.
- Chapter Six recounts what NCPL constituents believe the Center should be doing in the future.
- The final chapter briefly summarizes the key findings of the assessment and considers their implications for NCPL as it looks to the future.

CHAPTER ONE: WHAT DO KEY SUPPORTERS THINK OF NCPL?

NCPL has played a seminal role in helping to define, authenticate, and promote the field of nonprofit law. Its stature has been substantially enhanced by its excellent work. NCPL has distinguished itself by identifying key issues facing the field, engaging national experts in analysis of these issues, and providing forums for discussions about these topics among academicians, policymakers, regulators, and other practitioners.

According to Advisory Board members, there are several ways in which NCPL has made unique contributions to the field:

- helping to establish and support a distinct academic discipline and practice specialty;
- contributing to discourse in the field without advancing an agenda beyond preserving strong intellectual standards; and
- promoting a rigorous analytic approach that welcomes divergent perspectives.

However, while identifying these contributions, board members raise important questions about the future: What is the intent or goals for NCPL as it moves forward? Who are its target audiences and what are their needs and interests?

Initial Responses Regarding NCPL's Contributions to Date

Major Legal Issues. The ten interview respondents identified the following major legal issues for philanthropy and nonprofit organizations over the past decade:

- The definition of what constitutes a charity and charitable deductions, including such specific issues as pay-out requirements, endowments, and political activities;
- Governance and fiduciary responsibilities, including conflict of interest;
- International philanthropy in an era of terrorism;
- Appropriate limits on executive compensation and administrative and fundraising expenses;
- The line between for-profit and nonprofit activities, including commercialization in the service of fundraising and conversions from nonprofit to for-profit status;
- Intermediate sanctions and monitoring and enforcement activities; and
- The impact of technology, especially as it affects the exploitation of intellectual property.

Influence of NCPL on These Issues. The ten respondents generally felt that NCPL had been influential in calling attention to and stimulating response to these issues. They

reported that NCPL was successful in pursuing important issues, but not necessarily in identifying them for the field.

A common theme among these responses was that NCPL added value by highlighting the nuances of the issues, by stimulating deeper analysis, and by providing an opportunity for those in the field to reflect on issues and carefully consider possible legislative, regulatory or practice changes. In particular, its commissioned papers push scholars to research issues they might not otherwise consider –especially issues that bridge academics and practice. The conferences provide a venue for scholars and practitioners to meet and discuss these issues from their different perspectives.

There was more uncertainty regarding whether and how NCPL’s activities made a difference in the policy arena – in legislation, regulation and governmental monitoring of the nonprofit sector. Several noted the difficulty in tracing the influence of NCPL’s papers and conferences on changes in regulations or in legislation, and wondered about the extent to which the discussion got beyond the small group of direct participants. However, two respondents were able to give specific examples of how ideas and papers originally presented at a Center conference were circulated and eventually published and the authors invited to participate on committees and task forces crafting specific legislation or regulations.

There was general agreement that the role of NCPL’s work in educating policy makers and regulators is key to its unique value, and that this should be a major focus for the evaluation, as difficult as it may be to demonstrate.

Center Activities in Response to Issues. All of those interviewed were convinced of the value of the annual conferences as places for structured analysis and discussion of these important issues. The commissioned papers were also seen as important, but several respondents felt that more effort should be made to publish and/or more widely disseminate both the papers themselves and the notes from the proceedings. Some respondents recognized the difficulty in moving from a conference paper to one that is ready for publication, but there was general consensus that the analysis embodied in the papers and the proceedings were worthy of greater visibility and attention in the field.

Several of the initial ten respondents mentioned the mini-conferences as especially important in responding to more specific, immediate issues. A number noted that the NCPL’s support of law students through fellowships made a valuable contribution to the field.

Almost all the respondents mentioned the bibliography as an important resource provided by NCPL, but often as an afterthought later in the interview. Only one practitioner felt that the bibliography was primarily useful for academicians; most other practitioners found it useful in their work.

Effectiveness of Center’s Strategies. NCPL was believed to be effective in stimulating an elite group to reflect on a comprehensive set of important issues by providing the opportunity and stimuli for critical analysis and open discussion. NPCL conferences

were viewed to be of particular value by bringing together people with different perspectives, especially those within the federal regulatory agencies.

Advisory Board members saw NCPL's conferences as a way to keep individual participants – including themselves – up-to-date on emergent issues in nonprofit law. NCPL was also seen as an important catalyst in research on the nonprofit sector. The mini-conferences were especially valuable in mobilizing key people to analyze appropriate response to immediate events. Specifically mentioned was a mini-conference conducted in the immediate aftermath of the September 11th attacks.

At the same time, several people noted that other entities, such as the ABA Tax Subcommittee on Exempt Organizations, have had more impact on legislation. In fact, some respondents noted that the conferences should not be expected to have such direct effects, but that the analysis and discussion supported by NCPL indirectly results in better legislation and regulation. In fact, one respondent noted that crafting legislation or regulations based only on the brainstorming of ideas encouraged at the conferences could have negative results.

When asked to identify the especially important or unique contributions of NCPL to the field, frequently mentioned was the opportunity for individuals from diverse backgrounds to come together for an extended period for open discussion of important legal issues. This represents a rare experience for many working in the field. From the perspective of these ten respondents, the conferences are a unique opportunity to bring academicians and practitioners who represent nonprofit entities together with policymakers and regulators. Several key papers have had far-ranging influence in the field and NCPL has helped define the field as one with intellectual rigor.

Initial Responses Regarding NCPL's Work in the Future

Current or Emerging Issues in the Field. Several respondents noted that many of the issues that NCPL has addressed in the past have continued to be important or will re-emerge. The following issues were named by the ten initial respondents as those they expect to be of importance in the future:

- Global giving;
- Standards of fiduciary responsibility for directors and officers with regard to the public trust;
- Norms for nonprofit salaries and compensation;
- Foundation pay-out requirements;
- Commercialism in the nonprofit sector;
- Charities, especially churches, and political giving; and

- Optimal enforcement strategies.

All the respondents believed that NCPL should continue responding to these issues through commissioned papers and conferences.

Additional Resources or Capacities to Increase Center Effectiveness. The most important way in which NCPL could become more effective, according to these respondents, would be to secure a stable funding base. Therefore, increased capacity for and attention to fundraising within NCPL was mentioned by a number of those interviewed. Several suggested that perhaps conference format, topics, or size might need to be modified to interest potential funders and that this should be further investigated.

Capacity to publish and disseminate the conference papers and proceedings was mentioned as another important capacity that would enhance Center effectiveness. Broader publications and dissemination capacity was seen as one way to increase the visibility of NCPL and its contributions.

Several respondents mentioned increasing the diversity of conference participants beyond lawyers on the East Coast as necessary to making NCPL more visible and more effective.

Several specific suggestions were raised tentatively by respondents, but with questions about feasibility or appropriateness. These included:

- Maintaining and enhancing the bibliography by providing links to the actual articles;
- Providing more formal career placement services;
- Adding staff;
- Connecting more directly with non-legal literature and analysis on the nonprofit sector; and
- Increasing the number of participants or observers at the conferences.

When asked about new directions for NCPL, the general consensus was to continue its current activities. A representative comment was “they have found their niche.” At the same time, the initial respondents made other suggestions to enhance or sustain NCPL. These included more active marketing as a resource in academia and forging links with other centers on philanthropy and nonprofit organizations.

Initial Responses Regarding the Evaluation

Topics the Evaluation Should Address. Many respondents felt that the types of questions they were asked would be appropriate for the evaluation as a whole. The following specific topics or information needs were specifically identified:

- Regarding the conferences:

- What is the effect of attending the conferences, especially by those who did not prepare papers or make presentations, on participants' work, immediately and in the longer-term?
- In particular, how were the conferences useful to policymakers and regulators? What, if any, effect did their participation have on legislation, regulation or enforcement?
- Regarding the visibility of NCPL and its work:
 - Who does and doesn't know about NCPL?
 - How is the work of NCPL assessed by those in the field?
 - Are potential funders aware of NCPL?
- Regarding other organizations in the field:
 - What do these other organizations think about NCPL and its work?
 - What does NCPL do that is unique and what overlaps with the work of other organizations?
- Regarding the continuation of NCPL:
 - Does NCPL provide sufficient value to the field that it should continue?
 - Which of NCPL's activities are of highest priority?
 - What activities or topics would appeal to potential funders?
- Regarding the conferences:
 - What do people in the field believe are the important current and emerging issues?
 - What is the appropriate size for the conferences?
 - Should there be more full conferences or more mini-conferences?
 - Should there be more inter-disciplinary conferences?
 - Who should be invited to the conferences?

In the following chapters of this report, we address many of these questions raised by members of the Center's Advisory Board.

CHAPTER TWO: WHO DOES NCPL SERVE AND HOW DO THESE CONSTITUENTS PARTICIPATE IN NCPL ACTIVITIES AND SERVICES?

The National Center on Philanthropy and the Law provides a wide range of activities and services to the field. These include:

- Annual conferences
- Mini-conferences
- NCPL bibliography project
- NCPL fellowship programs
- NCPL website
- Student placement assistance
- Referrals to qualified practitioners
- Referrals to academic specialists
- Curricular materials
- Case books/textbooks
- Networking opportunities
- Opportunities to present/publish work

These activities and services are intended to serve a broad set of constituents whose work involves them in legal issues related to the philanthropic sector – attorneys in private practice, legal counsel to nonprofit organizations or philanthropies, faculty in law schools or other academic departments such as schools of management, lawyers in government regulatory agencies at the state or federal levels, advisors to legislators, and so on.

WHO ARE THE CENTER’S PRIMARY CONSTITUENTS?⁴

Based on the survey of Center constituents, the annual conferences serve two primary groups:

- Practicing attorneys (49 percent), and
- University faculty (31 percent).

The remaining constituents (20 percent) report a variety of positions such as managers and staff of nonprofit organizations and government agencies (see Table 1, row totals).

Given this, it is not surprising that more than half of these NCPL constituents are affiliated with law firms (31 percent) and law schools (25 percent). Other affiliations include nonprofit organizations (19 percent) and municipal, state and federal governments (10 percent). Those unaffiliated with these first four types of organizations (15 percent) report working in foundations, research and policy centers, or being independent consultants. (See Table 1,

⁴ As discussed earlier, the survey sample was selected from Center lists of conference participants.

column totals, for the distribution by organizational affiliation; the table also displays the cross-tabulation of respondent position and organizational affiliation.)

Table 1: Respondent Position and Type of Organization

| Organization Type | Position in Organization | | | Total Organization Type |
|-----------------------|--------------------------|-------------|------------|-------------------------|
| | Attorney | Academician | Other | |
| Law Firm | 100% | 0% | 0% | 31% |
| Law School | 0% | 100% | 0% | 25% |
| Nonprofit | 55% | 0% | 45% | 19% |
| Government | 50% | 0% | 50% | 10% |
| Other Organization | 22% | 33% | 44% | 15% |
| Total Position | 49% | 31% | 20% | 100% |

HOW ACTIVE ARE THESE CONSTITUENTS IN THE CENTER'S ACTIVITIES?

NCPL constituents can be characterized by their level of involvement in the predominant Center activities – annual conferences, mini-conferences, contact with the Center office, and in use of Center publications. (See Table 2)

Annual Conference. Probably the Center's most visible activity, and one that occupies considerable Center resources, is the annual conference. Preparing for the conference includes:

- Selecting an issue area as the focus, done in consultation with the Center's Advisory Board;
- Identifying experts in the field to prepare papers and/or presentations for the conference;
- Inviting participants who would be knowledgeable about and interested in the issue area;
- Arranging for the logistics of the conference, including hotel arrangements for the participants and the conference sessions; and
- Preparing summaries of the conference proceedings.

Thus, the annual conferences represent a substantial investment of Center resources, and are the Center activities in which most of the surveyed constituents participate.

Table 2: Participation in NCPL Activities

| | Total | Position | | | Organization | | | | |
|--|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov't | Other Org. |
| Average annual conferences attended | 4.6 | 4.9 | 5.0 | 2.3 | 5.6 | 5.4 | 4.1 | 2.3 | 3.9 |
| Percent attending an NCPL mini-conference | 33% | 41% | 53% | 39% | 50% | 67% | 33% | 17% | 25% |
| Contacted Center about work topic | 59% | 58% | 60% | 58% | 65% | 58% | 55% | 40% | 79% |
| Average conference proceedings used (max = 14) | 5.0 | 5.1 | 5.9 | 2.9 | 5.5 | 5.7 | 4.4 | 2.0 | 5.3 |
| Average Center monographs used (max = 7) | 2.5 | 2.1 | 2.9 | 0.7 | 2.4 | 2.7 | 1.2 | 2.4 | 0.9 |

The surveyed constituents attended, on average, between four and five annual conferences. Among attorneys and academicians the average was 4.9 and 5.0, respectively. The constituents with other positions attended an average of slightly more than 2 conferences.⁵

Constituents who worked at law firms or teach at law schools had, on average, attended more than five annual conferences. The average for other constituents was between two and four conferences. Those from government agencies attended slightly over two annual conferences on average; those from nonprofit organizations and from all other types of situations attended about four.

Presenting Conference Papers. The discussion at the annual conference is preceded by prepared papers and/or presentations by experts in the field. Of the surveyed constituents, 29 (49 percent) had given a paper or presentation at an annual conference. Academicians frequently reported (75 percent) having given a paper at an NCPL conference. A smaller proportion of attorneys (46 percent) said they had presented at an NCPL conference.

Attending Mini-Conferences. Mini-conferences are held at irregular intervals, primarily to respond to a current issue or question in the policy or regulatory arena. For example, a mini-conference was held to help inform New York State officials about issues concerning government/nonprofit relations in the response to the September 11th tragedy.

Of the surveyed constituents, 33 percent had attended at least one mini-conference.⁶ Constituents affiliated with law schools (67 percent) were most likely to report that they had

⁵ Two individuals reported having never attended an annual conference. Since the sample was drawn from conference attendees, it is likely that these respondents simply forgot that some of the conferences they attended were sponsored by NCPL.

attended a mini-conference while only half of constituents affiliated with law firms reported having done so. Participation in mini-conferences among those affiliated with nonprofit organizations, government agencies or other organizations was substantially less frequent.

For those who have participated in them, mini-conferences are very highly regarded:

- *“This mini-conference was excellent; the first out of the box on an important subject. [I] can't think of any way it could have been improved.”*
- *“It was outstanding. I cannot think of how it could have been improved.”*
- *“It was close to ideal – timely and excellent participants.”*

Overall Level of Conference-Related Activity. One way to characterize the surveyed constituents is by a summary indicator of overall level of activity. Constituents are considered “very active” if they had attended one or more annual conferences since 2000 and had given a paper or presentation at a conference. “Moderately active” constituents are those who had attended at least one recent conference. “Less active” constituents are those who attended their last conference in the 1990’s.

More than seven in ten (75 percent) constituents can be described as “very active.” Almost all other constituents were “moderately active.” Only a single individual can be considered “less active.”

Almost eight in ten (79 percent) constituents who are practicing attorneys or academicians (78 percent) can be characterized as very active. The percentage of very active constituents in other occupations is considerably lower – about six in ten (60 percent).

Similarly, almost 90 percent of constituents who work at law firms and 80 percent of those employed at law schools were characterized as very active. The percentages of those employed in other settings who are very active are lower, but still impressive: government (67 percent); nonprofit organizations (64 percent) and other organizations (71 percent).

There are two implications of these particular findings. First, those who chose to respond to this survey are those who are closely attached to NCPL. Thus, the findings in this report reflect the perspective and opinions of those who are most aware of NCPL’s work and presumably see value in it. Second, in the design of its conferences and other work, NCPL has successfully engaged these professionals in a manner that they find compelling and accessible.

Contact with NCPL Staff and Office: Many of the surveyed constituents see the Center staff as a professional resource. More than three in five (63 percent) reported that they had contacted NCPL staff with issues arising in the course of their work.

⁶ Among all survey respondents, only two reported never attending a Center annual conference and one of these had also never attended a mini-conference.

The likelihood that a constituent had contacted the Center staff is similar among most groups of constituents – attorneys in practice and academicians; those working in law firms, law schools and other organizations. Only one group was less likely to have contacted the Center with regard to their work – 40 percent of government employees reported making this type of contact with the Center.

The frequency of constituent contact with the Center does not appear to impose a substantial burden on the staff. One in seven respondents report they never contacted the Center at all. No constituent contacted the Center more than once a month and only eleven percent reported contacting the Center monthly. Most constituents were in contact with the Center several times a year. (See Table 3)

Table 3: Frequency of Contact with Center Staff during Past Year

| Contact with NCPL During Past Year | Percent |
|------------------------------------|---------|
| More than once a month | 0% |
| Monthly | 11% |
| Several times during the year | 68% |
| Once during the year | 6% |
| Never had direct contact | 14% |

Use of NCPL Materials. NCPL has published proceedings from its fourteen annual conferences, making them available in printed and electronic versions. They have also published seven monographs on a range of topics. These materials are used by a number of the constituents surveyed, as shown in Tables 4a and 4b.

As noted earlier, on average, constituents used more than one-third (five) of the fourteen conference proceedings published by the Center. In general, proceedings from earlier conferences, as might be expected, are named by fewer constituents (25 percent to 35 percent) as being used in their work.

Several proceedings were cited by more than half of the surveyed constituents. These include:

- “Governance of Nonprofit Organizations: Standards and Enforcement” (1997)
- “Private Foundations Reconsidered: Policies and Alternatives Old and New” (1999)
- “Political Activities: Nonprofit Speech” (1998)

Table 4a: Use of NCPL Materials: Conference Papers and Proceedings
By Respondent Position Arranged by Frequency of Reported Use

| Conference Paper and Proceedings Title ⁷ | Total | Position | | |
|--|-------|----------|-------------|-------|
| | | Attorney | Academician | Other |
| "Governance of Nonprofit Organizations: Standards and Enforcement" (1997) | 53% | 61% | 43% | 50% |
| "Private Foundations Reconsidered: Policies and Alternatives Old and New" (1999) | 52% | 52% | 50% | 40% |
| "Political Activities: Nonprofit Speech" (1998) | 51% | 58% | 61% | 27% |
| "Nonprofit Speech: Lobbying & Political Campaign Activities" (1994) | 47% | 54% | 43% | 40% |
| "Reformation of the Charitable Contribution Deduction" (2001) | 43% | 46% | 57% | 12% |
| "Conversion Transactions: Changing Between Nonprofit and For-Profit Form" (1996) | 42% | 44% | 43% | 22% |
| "Taxing Charitable Investments" (2000) | 41% | 46% | 43% | 27% |
| "Rationales for Federal Income Tax Exemption" (1991) | 35% | 31% | 43% | 30% |
| "International Giving: Policies and Regulations" (1995) | 33% | 33% | 43% | 10% |
| "Charitable Solicitation: Is There a Problem?" (1990) | 32% | 27% | 43% | 20% |
| "Research Agenda: Legal Issues Affecting Nonprofit Corporations" (1989) | 28% | 19% | 50% | 10% |
| "Religious Institutions as Nonprofit Entities: Issues of Access, Special Status, and Accountability" (1993) | 26% | 27% | 29% | 10% |
| "Emanations from Rust: The Impact on the Nonprofit Sector of the Doctrine of Unconstitutional Conditions" (1992) | 24% | 25% | 21% | 10% |
| "Charitable Statistics" (1992) ⁸ | 22% | 20% | 29% | 0% |

⁷ Arranged in order of most frequently named.

⁸ The Conference and Proceedings entitled, "Charitable Statistics," was derived from an NCPL mini-conference but is available through the Center.

Table 4b: Use of NCPL Materials: Conference Papers and Proceedings
By Respondent Organization

| Conference Paper and Proceedings Title ⁹ | Total | Organization | | | | |
|--|-------|--------------|------------|------------|-------|--------------------|
| | | Law Firm | Law School | Non profit | Gov't | Other Organization |
| "Governance of Nonprofit Organizations: Standards and Enforcement" (1997) | 53% | 51% | 42% | 73% | 67% | 43% |
| "Private Foundations Reconsidered: Policies and Alternatives Old and New" (1999) | 52% | 58% | 50% | 12% | 33% | 77% |
| "Political Activities: Nonprofit Speech" (1998) | 51% | 53% | 64% | 45% | 50% | 43% |
| "Nonprofit Speech: Lobbying & Political Campaign Activities" (1994) | 47% | 53% | 42% | 64% | 0% | 43% |
| "Reformation of the Charitable Contribution Deduction" (2001) | 43% | 39% | 38% | 9% | 50% | 36% |
| "Conversion Transactions: Changing Between Nonprofit and For-Profit Form" (1996) | 42% | 56% | 42% | 27% | 0% | 43% |
| "Taxing Charitable Investments" (2000) | 41% | 61% | 42% | 30% | 25% | 29% |
| "Rationales for Federal Income Tax Exemption" (1991) | 35% | 29% | 42% | 45% | 0% | 46% |
| "International Giving: Policies and Regulations" (1995) | 33% | 44% | 42% | 9% | 0% | 36% |
| "Charitable Solicitation: Is There a Problem?" (1990) | 32% | 35% | 42% | 23% | 0% | 29% |
| "Research Agenda: Legal Issues Affecting Nonprofit Corporations" (1989) | 28% | 23% | 42% | 18% | 0% | 36% |
| "Religious Institutions as Nonprofit Entities: Issues of Access, Special Status, and Accountability" (1993) | 26% | 23% | 25% | 35% | 0% | 29% |
| "Emanations from Rust: The Impact on the Nonprofit Sector of the Doctrine of Unconstitutional Conditions" (1992) | 24% | 25% | 25% | 30% | 0% | 21% |
| "Charitable Statistics" (1992) ¹⁰ | 22% | 23% | 17% | 11% | 0% | 36% |

⁹ Arranged in order of most frequently named.

¹⁰ The Conference and Proceedings entitled, "Charitable Statistics," was derived from an NCPL mini-conference but is available through the Center.

Some papers and proceedings received higher attention by attorneys than they did by academicians. In broad terms, attorneys appeared to be more interested in topics directly related to actions and activities of nonprofits – governance and lobbying, for example. Academicians appeared to be particularly interested in the theoretical underpinning of legal and regulatory issues that they presumably might include in their research and courses. Those in other positions tended to demonstrate less overall interest in most conference papers and proceedings, the exception being the 1997 proceedings concerning nonprofit governance.

There is relatively consistent reported use of conference papers and proceedings across survey respondents of different positions and organizational affiliation. As might be expected, use of these NCPL documents varies in a manner consistent with the patterns discussed earlier – those in law firms appear to focus on topics tied to nonprofit activities; those in law schools focus on those related to more theoretical issues; and those in nonprofits show keen interest in governance and limitations on lobbying and campaign activities. The sole inconsistency in the reported use of NCPL conference papers and proceedings is among surveyed constituents who work for the government. Government staff members reported no use of nine of the 14 documents these documents. However, two-thirds of these same government employees reported use of NCPL’s publication, “Governance of Nonprofit Organizations: Standards and Enforcement (1997).

About one-third of the Center’s monographs were used by these constituents, as well. (See Table 5) One monograph, “*Pledges to Nonprofit Organizations: Are They Enforceable and Must They Be Enforced?*” was named by more than 40 percent of Center constituents, making it the most frequently used monograph.

Table 5: Use of NCPL Materials: NCPL Monographs

| | Percent Reporting Having Used |
|--|-------------------------------|
| “Pledges to Nonprofit Organizations: Are They Enforceable and Must They Be Enforced?” (1993) | 42% |
| “Standing to Sue in the Charitable Sector” (1993) | 36% |
| “Cross-Border Charitable Giving” (1996) | 31% |
| “Bob Jones University: Defining Violations of Fundamental Public Policy” (2000) | 27% |
| “Privileges and Exemptions Enjoyed by Nonprofit Organizations: A Catalogue and Some Thoughts on Nonprofit Policymaking” (1993) | 25% |
| “A Call for Reform of the Operational Test for Unrelated Commercial Activity in Charities” (2001) | 20% |
| “Fundraising into the 1990s: State Regulation of Charitable Solicitation after Riley” (1989) | 8% |

As noted above, monographs are most likely to be used by attorneys and academicians and relatively infrequently by those in other positions. However, there are few notable

differences in the use of a particular monograph over another based on constituent or organizational affiliation.

Other Center Assistance. Several constituents named other aspects of NCPL that had been particularly helpful to them:

Opportunities for Interaction

- *“The opportunity to interface with a diverse group of knowledgeable experts in the EO field.”*
- *“The generation of a group whose attention is devoted to studying the charitable sector. This macro-achievement is overarching over all the others.”*
- *“NCPL provides me with a wonderful opportunity to interact with people in my field of practice.”*
- *“Knowing people has been invaluable, but it does begin to feel a little cliquish.”*

Access to Resources and Advice

- *“The bibliography project is incredibly helpful. As for the annual conference, I am honored just to attend!”*
- *“I have used the library collection and the NCPL library office space many times.”*
- *“I enjoy my discussions with Professors Manny and Dale. Both have helped as I searched for feedback on specific topics.”*
- *“Consultations on issues of interest to me.”*

SUMMARY

Attorneys and academicians make up the largest share of NCPL constituents. However, the organizational affiliation of participants in NCPL activities is not confined to law firms and law schools. Just under half of participants report that they work for nonprofit organizations, government agencies or other types of organizations. NCPL has demonstrated a capacity to appeal to professionals across disciplines and, as we will see in later chapters, this interdisciplinary appeal is one of the Center’s strengths.

For many NCPL constituents, participation in Center conferences and use of its materials and resources is a recurrent activity. The typical constituent reports having attended almost all annual conferences and one or more mini-conferences. In addition, a large proportion of constituents report having direct contact with the Center and using NCPL materials – conference papers and proceedings as well as monographs – in their work.

All in all, a high proportion of NCPL constituents are relatively proactive in using the opportunities provided by the Center. This reflects a confidence and reliance by these constituents for the Center’s work.

It is also apparent that constituents are selective when choosing among the opportunities – conferences, mini-conferences, publications and other services – provided by the Center. For example, those affiliated with law firms appear to use certain publications more

frequently in their work than do those affiliated with law schools or other institutions and *vice versa*. Thus, each of these varied constituencies finds a set of resources and opportunities provided by NCPL that are valuable to them.

CHAPTER THREE: HOW DO CONSTITUENTS ASSESS THE QUALITY OF CENTER SERVICES AND ACTIVITIES?

Overall, the Center is seen by its constituents as addressing important issues and providing high quality services and activities.

ADDRESSING HIGH PRIORITY ISSUES IN THE FIELD

All surveyed constituents reported that the Center generally addresses high priority issues in the field. More than half said that the Center does this consistently, and all others believed that the Center does so often. (See Table 6) The perception that the Center consistently focuses on important pressing issues was most frequently reported by those working in law firms (more than 80 percent) and in law schools (just over 70 percent). However, those in other organizations or positions were much less likely to concur that NCPL’s work consistently focused on issues that they believed were high priority.

Table 6: Respondents Assessment of NCPL’s Capacity to Focus on Key Issues

| | Total | Position | | | Organization | | | | |
|--|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov’t | Other Org. |
| Consistently Addresses High Priority Issues | 50% | 63% | 56% | 0% | 83% | 71% | 17% | NA | 33% |
| Often Addresses High Priority Issues | 50% | 37% | 44% | 100% | 17% | 29% | 83% | NA | 67% |
| Sometimes or Rarely Addresses High Priority Issues | 0% | | | | | | | | |

THE ANNUAL CONFERENCES

Constituents rated all aspects of the annual conferences very high. From the timing and logistics of the conference to the diversity of viewpoints presented, the great majority (84 percent to 100 percent) reported the conferences they attended as “excellent” or “good.” (See Table 7) These very favorable assessments were made by constituents from all groups.

Conferences logistics were rated exceptionally high.

- The timing of the conference invitations was rated as excellent by 87 percent.
- The registration process was reported as excellent by 82 percent.
- The meeting accommodations were described as excellent by 77 percent.

Table 7: Constituent Ratings of NCPL Annual Conferences

| | Excellent or Good | Excellent | Good |
|------------------------------------|-------------------|-----------|------|
| Timing of invitation to attend | 98% | 87% | 11% |
| Quality of discussions | 97% | 55% | 42% |
| Quality of presentations | 95% | 53% | 42% |
| Accessibility of presenters | 95% | 61% | 34% |
| Logistics of registration | 95% | 82% | 13% |
| Quality of meeting accommodations | 95% | 79% | 16% |
| Relevance of topics | 92% | 61% | 31% |
| Presentation of diverse viewpoints | 84% | 47% | 37% |

Certain elements of the conference format were also especially well regarded:

- Just over 60 percent of the surveyed constituents rated accessibility to presenters as excellent and 34 percent as good.
- Just over 60 percent rated the relevance of conference topics as excellent and 31 percent as good.
- More than half rated the quality of presentations and discussions in the session as excellent, and another 42 percent gave these aspects of the conferences a rating of good.

Only one aspect of the conference received an excellent rating by just under 50 percent of Center constituents – the presentation of diverse viewpoints. Even so, when combined with constituents who gave this aspect of the annual conferences a rating of good, more than eight out of ten gave favorable ratings.

THE MINI-CONFERENCES

The twenty-two surveyed constituents who had attended at least one mini-conference were asked to rate similar aspects of these sessions. (See Table 8)

Again, the mini-conferences convened by NCPL are exceptionally highly regarded. Topic relevance, presenter accessibility, logistics, and quality of presentations receive virtually unanimous praise as being excellent or good. Although presentation of diverse viewpoints is again at the end of the list, it is important to note that seven in eight respondents (87 percent) rated this aspect of the mini-conference as excellent.

Table 8: Constituent Ratings of NCPL Mini-Conferences

| | Excellent or Good | Excellent | Good |
|------------------------------------|-------------------|-----------|------|
| Relevance of topics | 100% | 96% | 4% |
| Accessibility of presenters | 100% | 86% | 14% |
| Logistics of registration | 100% | 78% | 22% |
| Timing of invitation to attend | 100% | 74% | 26% |
| Quality of presentations | 96% | 73% | 23% |
| Quality of discussions | 91% | 83% | 9% |
| Quality of meeting accommodations | 90% | 74% | 16% |
| Presentation of diverse viewpoints | 87% | 65% | 22% |

INFORMATION PROVIDED BY CENTER STAFF

Center staff received high marks for the quality of information they provide to constituents in general. Almost all (95 percent) of surveyed constituents rated the information provided to them as exceptionally high or high. (See Table 9.)

Table 9: Constituents' Assessment of Center Staff

| | Exceptionally High | High | Moderate to Poor |
|---|--|------|------------------|
| Quality of information provided by NCPL staff | 55% | 40% | 5% |
| How well do NCPL staff understand... | | | |
| | Mean rating on 7-point scale, where 7 = "deeply understands" | | |
| the field | 6.0 | | |
| the nature of my work | 5.5 | | |
| Percent who ever contacted NCPL on an issue related to their work | 63% | | |
| Of those, percent who were... | | | |
| very satisfied | 73% | | |
| satisfied | 27% | | |

Constituents also gave an average score of 6.0 (on a scale of 7) when rating how deeply Center staff understood the field in which the constituent works. Similarly, Center staff received an average score of 5.5 (on a scale of 7) for understanding the nature of the constituents' work.

Finally, more than three-fifths of constituents had contacted the Center on an issue related to their work. All (100 percent) report they were very satisfied (73 percent) or satisfied (27 percent) with the outcome of that interaction.

All constituent groups – regardless of position or organizational affiliation -- reported that the Center and its staff consistently provide information that meets their needs. This results from the in-depth understanding Center staff have of the field in general and the work of specific groups among their constituents.

The Center Compared with Other Similar Organizations. NCPL is among a handful of organizations that Center constituents named as useful sources of information and analysis.

In fact, only one in three of the surveyed constituents specifically named another organization producing useful information and analysis on legal developments in the nonprofit sector. Among those organizations that were cited are:

- The Hauser Center
- ABA Tax Section/Exempt Organizations Committee
- Urban Institute
- Independent Sector
- Exempt Organization Tax Review
- Council on Foundations

Constituents compared their experiences with the Center quite favorably in comparison with working with other similar organizations. (See Table 10.)

Table 10: Constituent’s Compare Their Experiences Working with NCPL with Working with Similar Organizations

| | Total | Position | | | Organization | | | | |
|---|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov't | Other Org. |
| No experience working with other organizations | 18% | 19% | 22% | 17% | 33% | 14% | 17% | 0% | 8% |
| <i>Of those with experience working with other organizations, those rating their experience with NCPL as:</i> | | | | | | | | | |
| much better | 29% | 46% | 28% | 0% | 37% | 34% | 40% | 0% | 18% |
| better | 65% | 38% | 72% | 100% | 37% | 58% | 60% | 100% | 82% |
| about the same | 6% | 16% | 0% | 0% | 25% | 0% | 0% | 0% | 0% |
| worse or much worse | 0% | | | | | | | | |

Almost one in five constituents (18 percent) reported that they work with no other organization similar to the Center. For this group of constituents, the Center plays a unique role as a resource in nonprofit law and regulations. Note that for one-third of those affiliated with law firms, NCPL is their major resource in this area.

Among the 82 percent of Center constituents who also worked with similar organizations, almost all (94 percent) rated their experiences with NCPL more favorably than their experiences working with other organizations. In fact, almost one in three described the Center as “much better” than other organizations in responding to their interests and needs.

Another two-thirds rated their experiences with the Center as “better” than with other similar organizations.

SUMMARY

NCPL’s activities are consistently rated as consequential and of excellent quality.

NCPL is seen as addressing high priority issues in the field of nonprofit law. This assessment is most strongly held by those affiliated with law firms and law schools.

NCPL annual conferences and mini-conferences are overwhelmingly rated as being of high quality on key dimensions. There is a slight fall off in ratings of the conferences’ success in presenting diverse viewpoints. However, even on this dimension, more than 80 percent rate this aspect of NCPL conferences as excellent or good.

Constituents report that NCPL provides information of very high quality, and keenly understands their field and the nature of their work.

Although many NCPL constituents report that there are multiple sources of the type of information provided by the Center, only one in three named another organization that produced useful information and analysis on legal developments in the nonprofit field. Each of the organizations named have large staffs working on these issues. Further, the vast majority of those who have worked with organizations similar to NCPL rate their NCPL experience as much better or better than their experiences with others.

Overall, the quality of work done by NCPL is highly regarded for its quality and usefulness to the work of its constituents.

CHAPTER FOUR: HOW DO THE CENTER'S CONSTITUENTS DESCRIBE IT AS AN ORGANIZATION?

The Center's value to the field and to individual constituents depends on how it is perceived as an organization. Center staff members describe the Center as a source of in-depth, non-biased analysis of timely legal issues. As its designation as "national" implies, the Center seeks to serve a broad range of constituents from across the nation. This chapter examines how the Center is perceived along some of these dimensions by members of its constituency.

APPROACH

The surveyed constituents were asked to characterize the Center along fourteen dimensions. Each dimension was presented as a continuum bounded by named opposite poles. There were six points along the continuum from which constituents could choose as best describing the nature of the Center.

The dimensions presented were:

- Risk-taking / Risk-averse
- Intellectually astute / Intellectually pedantic
- Open-minded / Closed-minded
- Field leading / Field-following
- Isolated / Well-connected
- Nationally-oriented / East Coast-oriented
- Practitioner-focused / Academic-focused
- Big picture oriented / Focused on details
- Outcomes oriented / Process oriented
- Aware of important developments / Out of touch with the field
- Reactive / Pro-active
- Conservative / Liberal
- Shallow / Analytic
- Arrogant / Respectful

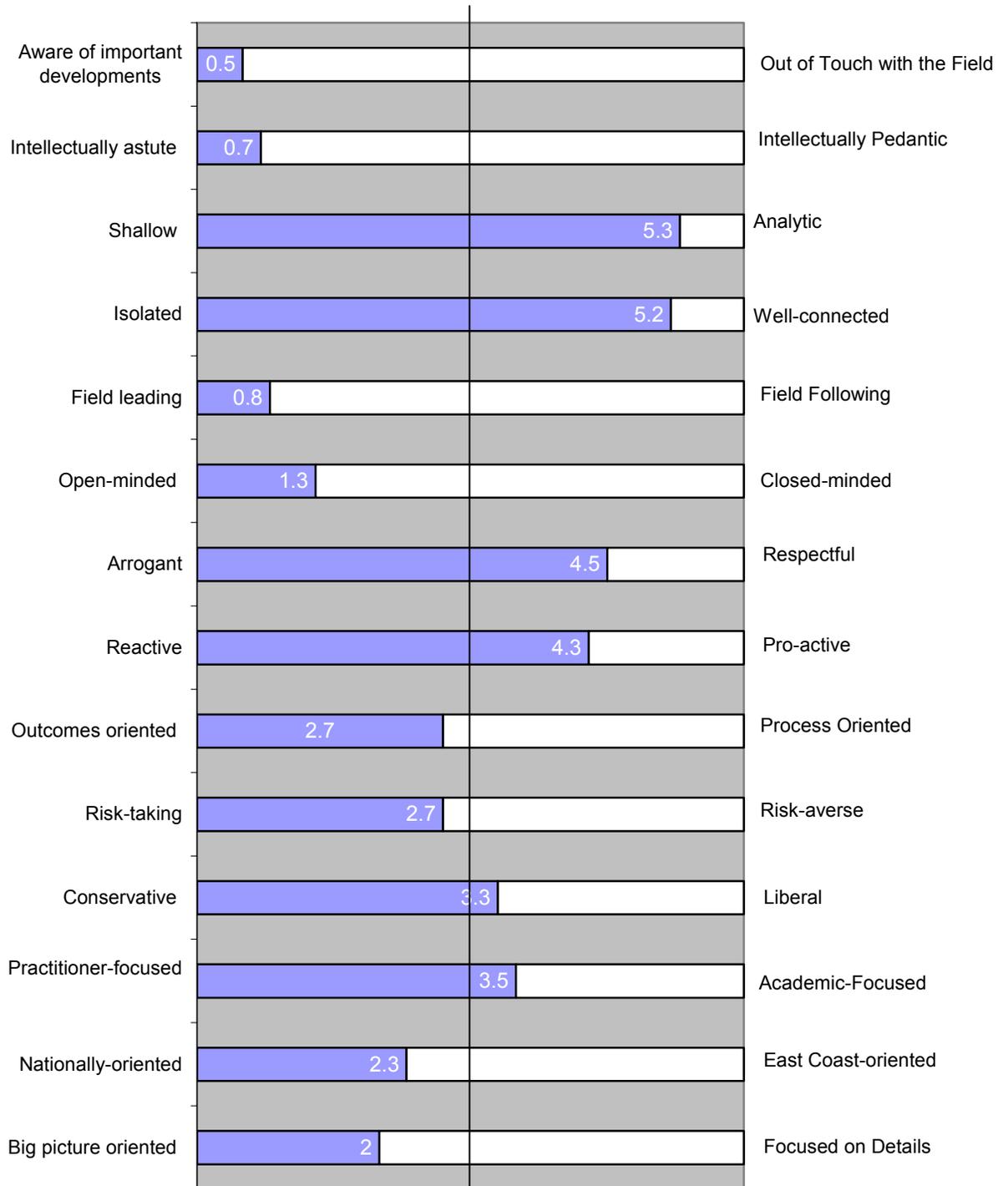
AREAS OF HIGH CONSENSUS AMONG CONSTITUENTS

The surveyed constituents consistently placed the Center at one end of a continuum on eight of the fourteen dimensions. This indicates considerable consensus among these constituents that the description at that end of the continuum is representative of the Center and its work. (See Chart 1)

The Center was described by its constituents as:

- Aware of important developments in the field

Chart 1: Perceptions of NCPL as an Organization



- Intellectually astute
- Analytic
- Well-connected
- Field-leading
- Open-minded
- Respectful

These ratings indicate that constituents regarded the Center as an important player in the field in terms of its access to information, capacity for analysis, and open approach to its work. A strong case can be drawn from this that the Center is a “heavy-weight” in the field of nonprofit law.

Just as important are the dimensions on which constituents’ assessments clustered in the middle of the continua. (A score between 2.5 and 3.5 indicates that constituents saw the Center as balanced between the two ends of the continuum.) These dimensions include:

- Outcomes-oriented vs. Process-oriented
- Risk-taking vs. Risk adverse
- Liberal vs. Conservative
- Academic-oriented vs. Practice-oriented

Being generally perceived as in the middle on these dimensions indicates the Center’s success in taking an unbiased, balanced approach to its work.

AREAS OF DIVERSITY IN DESCRIPTION OF THE CENTER

There are two dimensions on which there is considerable diversity of opinion among constituents.

- Constituents placed the Center all along the continuum of being Nationally- to East Coast-oriented.
- On the continuum between being Big Picture-oriented to being Detail-oriented, constituent responses were arrayed from the Big Picture end to the mid-point of the scale.

SUMMARY

Asking constituents to characterize NCPL on a variety of dimensions gives NCPL staff and board a multi-faceted mirror of how the Center is perceived in terms of its operating principles, organizational interests and institutional values. The position at which the Center is placed on each scale reflects how strongly a particular attribute is perceived by its constituents. The degree to which there is consensus among those assessing NCPL indicates whether or not NCPL's presentation of this attribute is consistent and clear.

The distribution of ratings of NCPL on fourteen organizational dimensions reveals that NCPL is regarded as:

- Well-attuned to the field;
- Intellectually astute;
- Highly analytic in its approach;
- Well-connected in the field;
- A field leader;
- Open-minded; and
- Respectful.

For an organization concerned with defining, exploring and examining a developing field, these characteristics are ideal. Similarly, projecting an image of balance between extremes of some dimensions may also be important for such an organization. NCPL constituents characterize it as showing balance in several areas:

- A balanced focus on outcomes and the processes for achieving those outcomes;
- Gravitating toward or avoiding risk;
- Espousing a conservative or liberal perspective; and
- Meeting the needs of both practitioners and academicians.

In only two areas – being nationally-oriented vs. East Coast-oriented and being big picture-oriented vs. being focused on details – is there limited consensus on which descriptor best characterizes NCPL. The issue of being perceived as having a national or an East Coast orientation was raised by both Center staff and members of its Advisory Board. It appears that constituents have neither a clear sense of a bias in its approach, or of having a balance either. Some see the Center as espousing a national view; others see it driven by East Coast interests; and some see it as taking a middle road.

In terms of constituents lack of consensus on the Center being best characterized as oriented towards big picture issues or focused on details, interpretation is more problematic. From some constituents' perspectives, the Center is focused on the macro issues of the nonprofit sector – governance, accountability, conversions. For others, the Center addresses the intricacies and implications of changes in tax law, pledge enforcement, and policies and enforcement standards. Clearly, both perspectives have merit as appropriate descriptors of some elements of the Center's work. In fact, it may be a particular strength of the Center that it has the capacity and facility to deal with both the theoretical and minute aspects of the law as it pertains to the nonprofit sector.

CHAPTER FIVE: HOW HAS THE CENTER BENEFITED ITS CONSTITUENTS AND THE FIELD?

The Center is expected to support the work of individual constituents and contribute to the overall field of nonprofit law. This chapter highlights the benefits of the Center’s activities and services, as reported by the surveyed constituents.

BENEFITS TO INDIVIDUAL CONSTITUENTS

Benefits of Participation in Center Conferences. Given the prominence of the annual conferences in the Center’s work, it is important that they provide benefits to participants. The surveyed constituents reported a variety of benefits from their attendance. No surveyed constituent reported gaining nothing from the experience. (See Table 11)

There is substantial consistency among surveyed constituents in what they perceive as benefits of participation in NCPL conferences. In fact, each of the potential benefits was noted by almost identical percentages of participants:

- 41 percent named developing or renewing a relationship with a colleague;
- 41 percent named hearing different perspectives;
- 39 percent noted having an opportunity to clarify thinking;
- 37 percent identified gaining insights into an issue; and,
- 36 percent said that learning of new resources and materials was a benefit.

Table 11: Reported Constituent Benefits from Participation in NCPL Conferences

| | Total | Position | | | Organization | | | | |
|---|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov't | Other Org. |
| Developed/renewed Relationship with Colleague | 41% | 45% | 44% | 25% | 53% | 53% | 45% | 17% | 23% |
| Heard different perspectives | 41% | 41% | 44% | 33% | 47% | 53% | 45% | 17% | 41% |
| Opportunity to Clarify Thinking | 39% | 38% | 44% | 33% | 37% | 53% | 45% | 17% | 41% |
| Gained new insights into issues | 37% | 38% | 44% | 25% | 42% | 53% | 45% | 17% | 35% |
| Learned of new resources or materials | 36% | 35% | 44% | 25% | 32% | 53% | 45% | 17% | 18% |
| None | 0% | | | | | | | | |

Attorneys and academicians were more likely to cite any of the named benefits from attending an NCPL conference. Similarly, those affiliated with law firms and law schools were more likely to identify these benefits than were constituents in other work settings.

Effects of the Center’s Activities on Constituents’ Work. The Center and its activities and services were influential in individual constituents’ work. Between 60 percent and 80 percent of the surveyed constituents reported that working with the Center has had a “great” or “very great” effect on some aspect of their work.

Table 12: Reported Benefits of NCPL Activities on Constituents’ Work

| To what extent has your relationship with NCPL affected your.... | Position | | | | Organization | | | | |
|--|----------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | Total | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov’t | Other Org. |
| <i>Connections with academicians in the field</i> | | | | | | | | | |
| very great effect | 48% | 63% | 44% | 17% | 67% | 43% | 33% | 0% | 33% |
| great effect | 35% | 19% | 27% | 67% | 8% | 43% | 50% | 100% | 33% |
| <i>Connections with policymakers and regulators</i> | | | | | | | | | |
| very great effect | 32% | 25% | 67% | 0% | 17% | 71% | 17% | 0% | 17% |
| great effect | 29% | 37% | 11% | 33% | 33% | 0% | 33% | 0% | 50% |
| <i>Connection with practitioners in the field</i> | | | | | | | | | |
| very great effect | 29% | 25% | 56% | 0% | 33% | 57% | 0% | 0% | 33% |
| great effect | 32% | 37% | 11% | 50% | 25% | 14% | 67% | 100% | 17% |
| <i>Knowledge of research and case in the field</i> | | | | | | | | | |
| very great effect | 23% | 19% | 33% | 17% | 25% | 43% | 0% | 0% | 8% |
| great effect | 58% | 69% | 44% | 50% | 58% | 29% | 100% | 0% | 75% |
| <i>Understanding of implications of policy changes</i> | | | | | | | | | |
| very great effect | 16% | 6% | 44% | 0% | 8% | 57% | 0% | 0% | 8% |
| great effect | 52% | 50% | 44% | 67% | 50% | 29% | 67% | 0% | 83% |
| <i>Grasp of developments in the field</i> | | | | | | | | | |
| very great effect | 16% | 6% | 44% | 0% | 8% | 57% | 0% | 0% | 0% |
| great effect | 52% | 44% | 44% | 83% | 50% | 29% | 50% | 0% | 91% |

Networking with professionals engaged in other aspects of nonprofit law by either their position or organization is a key benefit for many constituents. Among those who reported a “very great effect” on their work, many constituents noted that involvement with the Center gave them opportunities to network with others in the field. Almost half of the surveyed constituents who reported that the Center very greatly affected their work were able to develop and strengthen relationships with academicians. About one-third reported benefits from networking with policymakers and regulators, and almost three in ten benefited from opportunities to establish relationships with practitioners in the field.

There is substantial reciprocity across practitioners and academicians in the effect of building relationships with others. Academicians cited connecting with policymakers and practitioners as having a very great effect on their work. Practitioners reported that networking with academicians was effective.

Almost one-quarter of the surveyed constituents stated that their involvement with the Center had greatly affected their knowledge of research and cases in the field. In particular, academicians noted that working with the Center had had a substantial effect on their grasp of developments in the field and their understanding of the implications of policy changes.

Overall, almost two-thirds of the surveyed constituents rated the Center’s impact on their own work as 6 or 7 on a scale in which 7 represents a “significant, positive impact.” Academicians, in particular, reported that the overall experience of working with the Center was very beneficial — every one of this constituent group rated the effect of the Center on their work as either 6 or 7. (Table 13).

Table 13: Overall Impact of NCPL on Constituents’ Work

| | Total | Position | | | Organization | | | | |
|--|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov’t | Other Org. |
| Percent of Respondents Rating NCPL’s Overall Impact as 6 or 7, where 7 = Significant Positive Impact | 65% | 59% | 100% | 33% | 58% | 100% | 67% | 0% | 50% |

Every respondent who is identified as an academician or affiliated with a law school rated the overall impact of NCPL on his or her work as a 6 or 7. Approximately three in five attorneys (59 percent) and those affiliated with law firms (58 percent) reported that NCPL’s impact was strongly positive. A large majority of constituents from nonprofit agencies (67 percent) also gave NCPL high marks for its positive impact. Constituents in other positions or from other organizations, including government agencies, were much less likely than their counterparts to characterize NCPL as having a significant positive impact on their work.

BENEFITS TO THE FIELD

Overall Benefits. Beyond the benefits they see in their own work, the surveyed constituents reported that the Center has had an important positive impact on the field in which they work. More than three-quarters of the surveyed constituents gave the Center a rating of six or seven on a seven-point scale. (See Table 14)

The organizational affiliation of the constituents was related to the proportion of the group who gave the Center very high ratings. Almost 90 percent of those in academic settings believed that the Center had had a major influence in the field. About three-quarters of those in law firms and about two-thirds of those in the nonprofit sector made the same observation.

The areas in which the Center was believed to have made a substantial positive impact on the field varied considerably.

- Three-quarters of the surveyed constituents gave the Center high marks for **advancing the state of knowledge in the field**. Constituents working in law schools or nonprofit organizations were even more likely to report this contribution.

Table 14: Reported Benefits of NCPL Activities on the Field of Nonprofit Law

| Percent of Respondents Giving NCPL a Rating of 6 or 7 | Total | Position | | | Organization | | | | |
|---|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov't | Other Org. |
| Overall impact on the field | 77% | 69% | 89% | 80% | 73% | 86% | 67% | NA | 50% |
| Advanced state of knowledge in field | 72% | 69% | 87% | 60% | 64% | 83% | 83% | -- | 67% |
| Informed public policy in field | 52% | 33% | 71% | 80% | 40% | 67% | 50% | -- | 60% |
| Affected regulations and regulatory activity | 41% | 20% | 71% | 60% | 20% | 67% | 40% | -- | 56% |
| Affected private practice in the field | 15% | 7% | 43% | 0% | 10% | 50% | 0% | -- | 11% |

- Just over half of the constituents as a whole rated the Center as providing great benefits to the field by **informing public policy**. Constituents working in different types of organizations varied in their assessment – from two-thirds of those from law schools to 40 percent of attorneys in law firms.
- About four out of ten constituents credited the Center with substantial contributions in **affecting regulations and regulatory activity**. This view is especially strongly held by those in law schools (67 percent), while those working at law firms were quite unlikely (20 percent) to report this benefit of the Center’s work.
- Few constituents (15 percent overall) said that the Center has substantially **affected private practice** in the field. Among those working in law firms, even fewer (10 percent) made this report, while half (50 percent) of those affiliated with law schools believed this.

These patterns suggest that the Center is seen by its constituents as providing information and analysis to advance the field in general, rather than directly impacting government actions or legal practice. Center constituents affiliated with law schools are much more willing to attribute to the Center a broad impact on the overall field than are those affiliated with law firms or other types of organizations.

SUMMARY

NCPL should be greatly encouraged by its constituents’ assessment of the effects of its work. An impressive percentage of constituents reported the Center’s work has had a direct effect on their work – by providing reliable information; opportunities to expand contacts with colleagues; and gaining insights into critical issues. In addition, almost two in three constituents said that NCPL has a significant positive impact on their work.

Constituents also reported that the Center’s work makes a substantial contribution to the field, in general. More than three in four constituents rated NCPL as having had a

significant positive impact on the field of nonprofit law. In particular, NCPL was particularly cited for leading the field to new thinking and practice and informing public policy in the field. Few constituents feel that the Center's work has directly affected private practice in nonprofit law.

The contributions of the Center are most strongly championed by those affiliated with law schools that see strong Center influence on knowledge creation, informing public policy, and in affecting regulations and regulatory activity in the field. Those affiliated with law firms and other organizations attribute less credit to the Center in these specific areas.

CHAPTER SIX: WHAT DO CONSTITUENTS BELIEVE THE CENTER SHOULD BE DOING IN THE FUTURE?

As documented in earlier chapters, the Center's constituents gave it high marks:

- For the quality of its activities and services;
- For its character as an organization;
- For its benefits to individuals in the field; and
- For its contributions to the field in general.

Constituents also had strong recommendations for the Center's future.

PRIORITIES FOR THE FUTURE

The Center has offered a broad range of activities and services – from its conferences, bibliography project, curricular materials and fellowship program to assistance in student placement, networking opportunities, and referrals to academicians and practitioners. Constituents were asked to indicate which of these should receive priority attention in the future.

When constituents are asked to assign a relative priority (high, moderate, or low) for those services or benefits they believe the Center should sustain or expand in the future, a clear ranking emerges. (See Table 15)

A majority of the surveyed constituents reported that the annual and mini-conferences, as well as the bibliography project, should be foremost in the Center's future.

- Constituents gave the highest priority ranking to the **annual conferences**.

Overall, more than three-quarters of the surveyed constituents said that the annual conferences should be given high priority. This opinion was especially strongly held by the two major constituent groups -- attorneys (85 percent) and academicians (86 percent), and those most involved in the Center's activities (87 percent).

- The Center's **mini-conferences** received the second highest priority.

About 6 out of 10 surveyed constituents believed that mini-conferences should receive high priority. This included three-quarters of practicing attorneys and almost two-third of those in academia.

- The Center’s **bibliography project** was also highly valued.

More than half of the constituents gave the bibliography project high priority, including about 60 percent of attorneys and academicians. Highly active constituents also believed the project should receive high priority in the Center’s plans for the future.

Table 15: Constituent Recommendations for NCPL’s Highest Future Priorities

| | Total | Position | | | Organization | | | | |
|--|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov't | Other Org. |
| Annual Conferences | 77% | 85% | 86% | 37% | 88% | 83% | 63% | 40% | 83% |
| Mini-conferences | 61% | 75% | 64% | 13% | 87% | 67% | 50% | 40% | 42% |
| NCPL Bibliography Project | 55% | 64% | 57% | 22% | 58% | 58% | 56% | 40% | 58% |
| NCPL website | 40% | 50% | 36% | 13% | 53% | 33% | 37% | 40% | 33% |
| Networking opportunities | 39% | 48% | 36% | 13% | 53% | 33% | 37% | 20% | 42% |
| Curricular materials | 35% | 46% | 21% | 50% | 59% | 25% | 25% | 0% | 33% |
| Opportunities to present/publish your work | 30% | 28% | 43% | 13% | 33% | 33% | 25% | 0% | 25% |
| Student placement assistance | 23% | 27% | 21% | 13% | 31% | 25% | 25% | 0% | 17% |
| NCPL Fellowship Programs | 19% | 28% | 7% | 13% | 29% | 8% | 37% | 0% | 17% |
| Referrals to qualified practitioners | 19% | 23% | 7% | 25% | 37% | 8% | 0% | 0% | 17% |
| Case books/textbooks | 18% | 26% | 14% | 0% | 29% | 17% | 25% | 0% | 8% |
| Referrals to academic specialists | 15% | 15% | 13% | 19% | 19% | 13% | 0% | 17% | 17% |

Certain other Center services and activities are also considered to be important to be continued.

- The Center’s website is rated as high priority by 40 percent of the surveyed constituents, including half of the practicing attorneys.
- Opportunities for networking – a natural byproduct of the Center’s conferences – were also a high priority for about four in ten of constituents. Again, about half of attorneys would give high priority to these opportunities.
- Curricular materials developed by the Center were identified as a high priority activity by 35 percent of constituents overall. However, only about a quarter of those working in law schools made this assessment, reflecting the development of other materials in the field since the Center’s earlier groundbreaking work.

Several NCPL services and activities were not selected as high priorities by its constituents. For example, referrals to qualified academicians or practitioners are likely to be incidental to the Center’s regular work. Other services and activities, as noted above, are of greater interest to one part of the Center’s constituency than are others. Even the Center’s major activities – the annual conferences and mini-conferences – are rated as a high priority by only a minority of those constituents who are neither attorneys nor academicians.

The fellowship programs that the Center sponsors in conjunction with the Vera Institute of Justice and the NYU Office of Legal Counsel receive relatively few votes (19 percent) for being a future high priority among Center constituents. Notably, very few academicians (7 percent) and those affiliated with law schools (8 percent) rate the internship program as a high priority. In fact, the majority of academicians (57 percent) and those affiliated with law schools (58 percent) rate the internship as a low priority.

SPECIFIC RECOMMENDATIONS FOR CONFERENCES

As described in Chapter 3, the Center’s constituents are quite satisfied with the format and content of the conferences. Reflecting this, when given the opportunity to select specific changes, relatively few respondents did so.

Table 16: Constituents Recommendations for Changes in NCPL Conferences

| | Total | Position | | | Organization | | | | |
|--|-------|----------|-------------|-------|--------------|------------|------------|-------|------------|
| | | Attorney | Academician | Other | Law Firm | Law School | Non profit | Gov't | Other Org. |
| Include more policymakers and regulators | 15% | 17% | 11% | 17% | 26% | 13% | 18% | 0% | 18% |
| Invite a broader range of people | 12% | 14% | 6% | 17% | 21% | 7% | 9% | 0% | 6% |
| Increase the number of participants and/or observers | 7% | 7% | 6% | 8% | 6% | 7% | 9% | 0% | 0% |
| Decrease the number of participants and/or observers | 7% | 3% | 11% | 8% | 5% | 13% | 0% | 0% | 6% |
| Hold them at different locations around the country | 5% | 3% | 11% | 0% | 5% | 13% | 0% | 0% | 0% |

The change that was most often selected (by 15 percent of the surveyed constituents) was a suggestion to include more policymakers and regulators in the conferences. The next most recommended change (by 12 percent) was related – to invite a broader range of those working in the field.

The other suggestions — increasing or decreasing the number of participants or holding conferences in different locations — received only minimal support.

Several constituents also added other recommendations for improving NCPL conferences. Some comments and recommendations addressed the quality of presentations and discussions:

- *“The conference was excellent; great speakers, commentators, timely topic. The discussion format (persons request an opportunity to speak and are recognized in that order) sometimes leads to a disconnect between original point and intervening comments. Not sure there is a practical way to solve that problem, however.”*
- *“I have been a presenter and an attendee. The conference follows the older lecture-followed-by-questions model. The benefit of that model is the presenter is given center stage. The disadvantage of that model is that the participation of the attendees is limited. With such a stellar group of attendees, an alternative model might be used, from time to time, where the presentation would be reduced to, say, 15 minutes, and the later discussion expanded to 45 minutes.”*
- *“[It] would have benefited by use of breakout sessions”*
- *“Discussions can be uneven. Open forum encourages different viewpoints, but downside is discussion at times lacks coherence and structure. Based on my limited observation, academics make better commentators because they do a better job of presenting their views in a way that frames the larger discussion. “*
- *“A summary brief should be provided afterwards.”*
- *“Perhaps more time for directed discussion, although there was a good amount of useful discussion as part of the sessions.”*
- *“If the presenters are called away by other obligations, as with David Aufhauser on the first day and several IRS participants on the second day, the opportunities for interaction are reduced. I was sorry not to hear Aufhauser’s reactions to some of the opinions expressed in the discussion after his presentation, for example. There is probably not much that the organizers can do about this.”*
- *“Better papers”*
- *“Higher overall quality of commentary.”*

Others reflected specifically about the mixture of academic and practical perspectives:

- *“...as a policymaker, some of the discussion was too academic (though generally interesting).”*
- *“The lead speaker (management school) could have been deeper. The lawyer presenters were excellent.”*
- *“I seem to recall that some of the presentations were very theoretical and not of much use in my practice.”*
- *“It was primarily focused on issues relevant for practicing lawyers - the topics/and style of discussion, made participation by a nonprofit exec (such as myself) difficult.”*
- *“[Give] little less time to the foreign perspectives.”*
- *“Fewer ‘players’; more academics”*
- *“More than some other recent ones, it made excellent use of academic expertise in the area.”*
- *“These conferences are extremely well run, so I have no logistical suggestions. The conferences strike a good balance between the practical and the academic; I would be careful to preserve that balance.”*

Several constituents commented on session time constraints as a problem:

- *“[Provide] more time on topics if interest was shown.”*
- *“There could have been additional time for discussion.”*
- *“There could have been a bit more time for discussion among the participants - some of the discussion had to be cut short because of scheduling. However, all of the sessions were important and, understandably, it is difficult to anticipate which ones will generate more discussion.”*
- *“The first session was on a highly charged topic (terrorism and money laundering) and there was insufficient opportunity for discussion. Discussion was cut off because of time constraints – it would have been preferable to extend the discussion time 15 minutes or so.”*

Increasing the diversity of viewpoints at conferences was a concern of some:

- *“More participation from Congressional staff.”*
- *“Make sure people with very different viewpoints are on the same panel.”*
- *“Continue diversifying speakers.”*
- *“As at many NCPL conferences -- but especially at a conference on enforcement – it would have been helpful to have greater representation from those actually doing (or at least who have done) that work – and fewer academics and practitioners whose interest is less direct.”*

A few issues related to logistics and accommodations were also raised:

- *“Better temperature control in the meeting room! That's the most serious critique I can come up with, as these conferences are always top-quality. They engage an amazing group of academics and practitioners in a format and atmosphere that always generates highly satisfying, high-level exploration of important topics.”*
- *“More room around the table.”*
- *“Finish the final session by 3:00 p.m. on Friday. Unless you live in a major city, getting home on Friday night from NY is a logistical problem. And I think that by 3:30 on Friday, a lot of folks are ready for a nap!”*

Future Conference Topics. Constituents also offered suggestions for topics of future NCPL conferences. Related topics can be grouped into several broad areas:

- **Regulation**
 - State regulation
 - State vs. Federal Regulation of Charity
 - Scope of IRS powers/doctrines over nonprofits
 - Reinventing regulatory systems for charities
 - Implications of new Charity Legislation if passed
 - Nonprofit governance issues after Sarbanes-Oxley
- **Implications of Private & Other Sector Activities**
 - Joint Activities of Nonprofit Organizations & For-Profit Organizations
 - Commercialism in the Charitable Sector
 - Comparison to for-profits
 - Quasi-governmental entities - IRC 115, tribal governments

- **Donations**
 - Enforcing Donor Restrictions on Charitable Gifts
 - Impact of Donor Intent
 - Charitable Contributions
 - Effect of repeal of income tax on charities
- **Hospitals & Healthcare**
 - Hospital tax exemption (hot issue right now)
 - Should healthcare be treated differently?
- **Theoretical Issues in Philanthropy**
 - The normative case against (and for) philanthropy
 - Social scientific (especially non-economic) perspectives
 - The political theory of nonprofit organizations

The list of recommended topics suggests that NCPL is at little risk of depleting the pool of topics of interest to its constituents in the nonprofit sector.

OTHER RECOMMENDATIONS FROM CONSTITUENTS

When asked to describe ways in which NCPL could be most helpful in their work in the future, several constituents offered some specific recommendations. Some suggested that the way the Center could be most helpful was continuing its present work:

- *“Continue same high quality work and presentation of conferences.”*
- *“Continue the conferences/mini-conferences.”*
- *“More of the same. I work in a different discipline, but legal perspectives shape and inform policy design in all disciplines.”*
- *“Open the conferences to more attendees.”*

Several suggested that a special track of programs for academicians would be beneficial:

- *“By increasing the academic component of its otherwise excellent annual programs, in terms of both topics and invitees.”*
- *“Perhaps a mini-conference once a year with academics only to discuss current research?”*
- *“A visiting scholar program that would provide support and space would be wonderful.”*
- *“Better awareness of availability of resources, perhaps through an annual email to academics who work in the nonprofit field.”*

Finally, some recommended new strategies for the Center to reach a broader audience:

- *“Occasional short papers.”*
- *“Outreach. I was not aware until reading this survey of much of the work of the Center.”*

Despite the length of the survey instrument, several Center constituents added concluding comments about the Center and its work. Their statements underscore the positive impression that many hold of the Center:

- *“Jill Manny and Harvey Dale are two of the finest folks in the field, in every possible respect. I only have two serious suggestions for improving their program. The first is for them to feel less obliged to satisfy the particular demands of the NYU law faculty; the second is to feel less obliged to cater to practitioner and regulator, as opposed to academic, interests.”*
- *“A HUGE benefit to the nonprofit community and nonprofit academics (like me).”*
- *“It is a very important contributor to the intellectual discourse in the field and I am delighted to be included.”*
- *“What a wonderful resource! The academic field of nonprofit law would be very different without it. Thanks for all it does!”*

SUMMARY

As noted throughout this report, NCPL constituents are very supportive and appreciative of the work that the Center does. They praise the Center for the high quality of its conferences, its responsiveness and the opportunities it presents for professionals in the field to meet and discuss important issues in the field of nonprofit law. Constituents believe that NCPL has a significant positive impact on their work and on the field.

When asked what the Center should do in the future, the most consistent message these constituents sent is “keep doing what you are doing.”

In identifying those areas to which the Center should give the highest priority, respondents unequivocally chose the annual conference, mini-conferences and the bibliography project. Among key Center constituencies – attorneys and academicians – these three projects and the website are highly regarded and seen as vital to NCPL’s mission.

When asked how the Center might improve its work in the future, constituents offer a variety of suggestions. Overall, however, their recommendations are – for the most part – minor enhancements or improvements of what the Center is already doing. While NCPL should carefully review the specific recommendations about conferences, even if each suggestion were adopted, it is unlikely that the structure, content, and appeal of the conferences would change substantially.

The sole recommendation that diverges, at least somewhat, with current Center activities is the creation of a strand of activities or conferences that are specifically geared to academicians whose research focuses on nonprofit law. However, one aspect of Center work most frequently cited as a strength is the blending of academic, practitioner and other perspectives in a single setting. An academically-focused strand might undermine this

benefit. In reviewing the titles of earlier proceedings, it appears that the Center had sponsored at least one conference addressing a proposed research agenda for the field. Center leadership can best speak to the advantages and disadvantages of reviving such an approach.

Constituents offer a variety of topics for future conferences and they appear to be closely aligned with the issues the Center has consistently addressed in its work during the past 15 years. The Center might consider topics using this list as a bellwether of the interests of its constituents.

In summary, constituents are very satisfied with the Center's services. They strongly encourage NCPL to sustain its signature activities – the annual conference, mini-conferences and bibliography project. Their suggestions for improving conferences are helpful but do not call for a substantial transformation of these events' structure.

CHAPTER SEVEN: OVERALL SUMMARY AND IMPLICATIONS

During its existence, the National Center on Philanthropy and the Law has established itself as an essential convener of some of the best thinkers – drawn from academia, leading law firms, charitable organizations, and the public sector – to analyze and discuss critical issues of one of the fastest growing sectors of the U.S. (and international) economy and society – nonprofit organizations.

Findings from this study reveal that NCPL is highly regarded for the:

- importance of its work;
- appeal to professionals drawn from different segments of the nonprofit sector;
- quality of its publications and activities;
- relevance and conduct of its conferences;
- impact on the field of nonprofit law;
- positive effect on its constituents work; and,
- values and principles that guide its work as an organization.

The Center is credited with:

- helping to establish and support a distinct academic discipline and practice specialty;
- contributing to discourse in the field without advancing an agenda beyond preserving strong intellectual standards; and
- promoting a rigorous analytic approach that welcomes divergent perspectives.

One of the strengths of the Center's approach is its appeal and inclusion of professionals who approach issues from different perspectives. Its two most major constituencies are practicing attorneys and academicians. Both constituencies are highly supportive of Center activities and programs. In addition, the Center's work also appeals to those affiliated with nonprofit organizations and government agencies charged with monitoring and regulating the nonprofit sector.

Through its array of activities, the Center provides sufficiently relevant information and topics to address the differing needs of its constituencies. Some activities and publications, for example, are of great interest to attorneys; others to academicians; and, others, to those who work in nonprofit organizations.

All constituents acknowledge that the most sustained contribution the Center makes is through its annual and mini-conferences. These conferences are lauded for their relevance, the quality of their presentations, their logistical organization, and their mix of participants. Constituents indicate that the continuation of conferences should be given the Center's highest priority in the future. When pressed for recommendations concerning the conferences, constituents offer a relatively scant number of minor suggestions, underscoring that NCPL's conferences are exceptionally well received.

NCPL has also established a reputation of having a strong positive impact on the field of nonprofit law and on the work of individual participants. Its analytic, unbiased approach has been instrumental in strengthening the place of nonprofit law as a key sub-discipline in both the practice of law firms and in the curricula of law schools. Further, beyond its approach, its products – conferences, proceedings, monographs – are regarded as important contributions in this area.

Finally, the Center has developed a coherent and positive image among its key constituents. This image includes a commitment to intellectual and analytic excellence; strong relationships with and exceptional access to the important players in the field and a leadership style marked by open-mindedness and respect; and, the careful maintenance of objectivity and balance between competing ideals of product (outcomes vs. process); political approach (liberal vs. conservative); and primary clientele (practitioner vs. academician). It is this combination of values and principles coupled with excellent, consequential work that makes NCPL a vital contributor in the field of nonprofit law.

The findings of this report have demonstrated substantial evidence that NCPL is a valued, consequential institution in the area of nonprofit law. It has revealed that those most immediately served by present Center activities have relatively few suggestions for changing its current work.

The Center provides a unique service to these constituents and the field by convening professionals with different perspectives and responsibilities to analyze important and emergent issues. Constituents report that this opportunity is not afforded elsewhere. The Center's support of its hallmark activities – conferences, publications, and the bibliography – consume the bulk of the personnel and financial resources. As such, focus, work and allocation of these resources are very well aligned to ensure it achieves its mission.

Appendix I: The Survey Instrument

Please see \NCPL Survey Instrument.pdf .

Appendix II: Survey Field Results

The National Center for Philanthropy and the Law provided an unduplicated list containing the names, organizational affiliations and contact information of 133 individuals who its records indicated had attended an NCPL conference between 2001 and 2003.

A personalized letter was sent to each individual on the list either by e-mail or by USPS using the contact information provided. In those instances where an e-mail was returned as undeliverable, we searched the website of the organization website with which the individual was affiliated to locate his or her correct contact information. In several instances, a broader search of the internet was required to track down an individual. In those cases where not valid e-mail address could be found, a letter was mailed using USPS.

The personalized letter introduced the study, assured confidentiality of responses and asked for participation in the study. Individuals were given two ways to participate. The first was to log onto a website (<http://www.zoomerang.com/survey.zgi?p=WEB223WEKLLT27>) established for this study through which respondents could complete the questionnaire interactively. The second option was to download and print a standardized (PDF) file of the survey instrument, complete it and return it via USPS or by fax. Approximately 80 percent of respondents interviewed submitted their responses using the website option.

Field Results:

| | Number | Percent |
|------------------------------------|--------|---------|
| Total Names on List | 133 | |
| Ineligible ¹¹ | 3 | |
| Total Sample | 130 | 100% |
| Total Refusals | 5 | 4% |
| Total Returns (complete & partial) | 73 | 56% |
| Total Useable Returns | 65 | 50% |

¹¹ Three individuals contacted the research team to indicate that they had been invited to an NCPL conference but had never attended.