



STEVEN JOHN & ASSOCIATES, LLC
Attorney Search Consultants

Position Description:

Counsel

Heising-Simons Foundation



January 2022

About Heising-Simons Foundation

The Heising-Simons Foundation (the Foundation) is a family foundation based in Los Altos and San Francisco, California. The Foundation works with its many partners to advance sustainable solutions in climate and clean energy, enable groundbreaking research in science, enhance the education of our youngest learners, and support human rights for all people.

In 2021, the Foundation awarded more than \$141 million in grants. The Foundation's grantmaking is guided by the values of humility, courage, justice, opportunity, sustainability, innovation, relationships, and integrity.

About the Founders

Mark Heising and Liz Simons each grew up with a tradition of giving, learning about the importance of the communities that surrounded them, and of the value of philanthropy. They met at the University of California, Berkeley, in 1979. Liz earned her master's in education from Stanford University, became a Spanish-bilingual teacher, and founded Stretch to Kindergarten, a spring-summer early childhood education program. Mark earned his master's in electrical engineering and computer sciences from the University of California, Berkeley, became a chip design engineer, and went on to hold six U.S. patents. In 2007, they established the Foundation, and were later joined on the board by their daughter, Caitlin Heising, who graduated from Brown University and earned her master's in public administration at the London School of Economics & Political Science (LSE) with a focus on social impact.

In 2016, Liz and Mark joined the [Giving Pledge](#), publicly committing the majority of their wealth to philanthropic causes. You can read the letter they wrote about why they joined [here](#).

The Heising-Simons Foundation is a proud member of Glasspockets, a service of the Foundation Center that champions philanthropic transparency in an online world. Click [here](#) to visit our profile.

Position Summary

| Position | Counsel |
|----------|---------|
|----------|---------|

| | |
|------------------------|---|
| Organization | Heising-Simons Foundation |
| Location | San Francisco or Los Altos, CA; Remote considered for the right candidate |
| Reporting Relationship | The role will report to the Foundation's General Counsel |
| Website | https://www.hsfoundation.org/ |

About the General Counsel's Office

The General Counsel's office is responsible for providing timely, coordinated, and thoughtful legal advice that is grounded in applicable law and tailored to the Foundation, enhancing its ability to achieve its charitable goals. Legal staff counsel internal clients on a wide variety of regulatory, compliance, and risk-management matters. The office provides similar counsel in connection with the Foundation's affiliated 501(c)(4), the Heising-Simons Action Fund. The office is currently comprised of one individual, the [General Counsel](#). We are looking to add a second lawyer as Counsel.

About the Position

The Counsel will help facilitate the grantmaking of the Foundation and the Heising-Simons Action Fund, our affiliated 501(c)(4) organization by advising staff and conducting legal research on the rules that apply to the Foundation's and Action Fund's programmatic work and operations; developing and implementing legal compliance-related templates, policies, processes, and trainings; and reviewing grant proposal reports, and agreements, contractor agreements, and other contracts. This lawyer will also be expected to assist the Foundation's administrative departments on legal issues, and lead projects to keep the Foundation's general policies and procedures up to date with the law and best practices. The lawyer should have corporate transactional experience; experience in-house or with the nonprofit sector is preferred. Strong interpersonal and client service skills are extremely important, as are abilities to prioritize and multi-task. Compensation is dependent on years of applicable experience.

The Counsel will support the General Counsel in continuing to build out the structure, policies, and processes of the organizations, partnering with operations and program staff to provide timely and comprehensive advice and training on risk management and

an array of legal issues. This position provides a unique opportunity for a lawyer and creative thinker committed to the nonprofit sector to join a developing legal function and help support a growing organization.

The primary responsibilities of the Counsel are to:

- Provide legal counsel to program teams, grants management, operations staff, and communications on grant making activities and contracts.
- Support existing systems for complying with applicable federal, state, and local laws.
- Support staff training and resource development on a range of nonprofit tax and political compliance areas.

This full-time, exempt position reports to the General Counsel who is located in the Los Altos office and may work from either the Foundation's Los Altos or San Francisco office. Remote work options will be considered for the right candidate.

The Heising-Simons Foundation is committed to the safety of our staff and to facilitating connection and community with one another and our partners. While we were remote for the large part of 2020 and 2021, we are slowly moving toward a sustainable flexible hybrid work arrangement.

Primary Responsibilities

Provide legal counsel to program teams, grants management, operations staff, and communications on grant making activities and contracts:

- Partner with program teams to act as a counselor on grantmaking activities.
- Advise on legal issues that apply to private foundations and social welfare organizations, including application of the U.S. advocacy and lobbying rules, ballot initiative regulations, and campaign intervention regulations.
- Draft, review, and negotiate grant agreements, contracts, and other agreements, including collaborative agreements with other funders.
- Review grantee documents to confirm tax status and/or to ensure compliance with applicable internal and external rules and requirements.
- Partner with other operations team members to regularly update and improve standard templates, such as grant agreements, contract templates, proposal templates, etc.

Support existing systems for complying with applicable federal, state, and local laws:

- Develop and implement user-friendly policies and procedures as needed for legal compliance issues, working in conjunction with General Counsel and other departments.
- Partner with outside counsel and service providers to file required federal, state, and local disclosures related to lobbying, campaign finance, and other related issues.
- As requested, act as counsel in other specific legal areas, coordinating advice with the General Counsel and outside counsel.

Support staff training and resource development on a range of nonprofit tax and political compliance areas:

- Design and conduct training to program teams and others as needed on topics such as lobbying and electoral activity, and best practice in grants structuring and donor collaboratives.
- Draft guides and other materials for staff covering a variety of compliance areas.

Requirements

- J.D. from an accredited law school and a minimum of three years of related work experience. Current admission to the California bar or eligibility for immediate admission as registered in-house counsel is required.
- Experience at a law firm and in-house experience doing a range of transactional work.
- Experience with, and working knowledge of, the federal and state laws applicable to 501(c)(3) private foundations and/or 501(c)(4) social welfare organizations preferred.
- Candidate must be a team player, flexible, and enjoy working in a collaborative environment. Facility to work independently and as part of a team.
- Flexibility and adaptability to address legal concerns in a dynamic environment.
- Demonstrated ability to understand complex legal concepts and offer succinct explanations and counsel, and provide practical processes, guidance, and materials to colleagues.
- Excellent written and oral communications skills and strong ability to deliver quality training experiences in small and large groups.

- Able to communicate and work with people of different backgrounds internally and externally to achieve shared goals.
- Ability to understand the Foundation and Action Fund goals and provide counsel on how to achieve them with creative solutions that balance organizational goals, internal systems and policies, and legal risk.
- Commitment to living the Foundation's values.

Compensation and Benefits

- The target starting salary for this position is \$150,000-195,000, depending on experience.
- The Foundation offers a comprehensive employee benefits package that includes employer-paid medical, dental, and vision insurance for employees and dependents, short and long term disability, business travel and life insurance, flexible spending accounts for medical and child care expenses, a 401(k) plan (with a matching contribution of up to 16%), commuting assistance, an employee assistance program (EAP), tuition reimbursement and a generous professional development budget, matching gifts, fitness reimbursements, fertility assistance, and identity theft protection. In addition, the Foundation allows some schedule flexibility and occasional telecommuting, with manager's approval.
- Paid time off includes:
 - Vacation Time – starting at 4 weeks per year
 - Sick Time - 12 days per year
 - Personal Time - 2 days per year
 - Family Medical Leave
 - Parental Leave
 - Holidays

To Apply

The Foundation's success is dependent on its ability to build teams that include people with different experiences who can challenge each other's assumptions with new perspectives. We encourage people of color, from under-resourced communities, immigrants, LGBTQ+, and others with diverse perspectives and experiences to apply.

Interested, qualified attorneys should submit an electronic copy of their letter of interest and their resume to the following search consultants:

Steve John
Senior Partner
Steven John & Associates, LLC
steve@sjanda.com
(415) 505-6685

Jason Snyder
Partner
Steven John & Associates, LLC
jason@sjanda.com
(415) 505-6687

All inquiries and/or application materials sent directly to the Foundation will be redirected to Steven John & Associates, LLC for review, which may cause significant delay in evaluation and response.

On behalf of the Heising-Simons Foundation, we thank you for your interest in the Counsel opportunity.