



POSITION DESCRIPTION

 MAJOR, LINDSEY & AFRICA

MAJOR, LINDSEY & AFRICA | 1 SOUTH WACKER DRIVE, SUITE 1750, CHICAGO, IL 60606 | 312-372-1010

April 2018

The Kresge Foundation

3215 W. Big Beaver Road

Troy, Michigan 48084

<https://kresge.org/>

The Kresge Foundation (the “foundation”) has engaged Major Lindsey & Africa on an exclusive basis to conduct a search for a **Lead Attorney** to be located at their headquarters in Troy, Michigan (a suburb of Detroit). Interested candidates please submit your resume (in MS Word format) to Heather Fine at hfine@mlaglobal.com or to the MLA recruiter who contacted you about this position. Please do not contact the company directly; all resumes sent to the company will be routed to MLA for handling and will create delays.

LEAD ATTORNEY: SUMMARY INFORMATION

Overview: The Lead Attorney will be a thoughtful and trusted advisor to the Board, Executive Team and staff and assist in advising on grantmaking, investments, social investments, governance issues, tax (specific to exempt organizations) and other general corporate law matters of the foundation including contracts and leases, intellectual property, technology, and insurance related matters. This position includes ongoing work as well as short and long-term projects such as policy development, research, and analysis, with an eye toward ensuring compliance with laws governing private foundations. This work will be done with the support of external counsel, in partnership with the foundation's Executive Team and under the supervision of the VP, CFO, CAO, Treasurer and Board Secretary.

Organization: The Kresge Foundation is a \$3.6 billion private, national foundation that works to expand opportunities in America's cities through grantmaking and social investing in arts and culture, education, environment, health, human services and community development in Detroit. In collaboration with nonprofit, public, private and philanthropic partners, the foundation helps create pathways for low-income people to improve their life circumstances and join the economic mainstream. For more information, please go to <https://kresge.org/>.

Compensation: Competitive salary and benefits.

Experience: The successful candidate will have at least seven (7) years of corporate/business law experience with an emphasis on transactional matters. Experience



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advising tax-exempt entities, specifically experience counseling private foundations, is a clear advantage. Experience handling investment transactions is a strong plus. **Prior law firm experience is required.**

Relocation: Yes. This is a national search.

Bar Admission: Admission to a State Bar of any jurisdiction in the United States and licensed to practice in Michigan (or admitted to the Michigan Bar within a reasonable time following the commencement of the position).

Organization Overview

The Kresge Foundation is a \$3.6 billion private, national foundation that works to expand opportunities in America's cities through grantmaking and social investing in arts and culture, education, environment, health, human services and community development in Detroit. In collaboration with nonprofit, public, private and philanthropic partners, the foundation helps create pathways for low-income people to improve their life circumstances and join the economic mainstream.

Our Mission

Established by Sebastian S. Kresge in 1924: To promote human progress.

“The brilliance of Sebastian Kresge is best exhibited in his guiding wish that the foundation ‘promote human progress.’ It is the responsibility of the board and staff to interpret his maxim and to take the foundation where it needs to go to be relevant in the 21st century. Redefining ourselves as a strategic philanthropy represents our efforts to fulfill this responsibility.”

ELAINE D. ROSEN, CHAIRWOMAN, KRESGE BOARD OF TRUSTEES

Our Values

These five values shape who The Kresge Foundation is as an organization and guides how the foundation works – with each other and with its many grantees and partners.

Stewardship

How we manage our resources: The foundation commits to exhibiting the highest levels of integrity, humility, excellence, and an abiding sense of responsibility in acting as stewards of the human, reputational, and financial resources entrusted to us to advance the foundation’s mission and to animate the credo of our founder, Sebastian Kresge to leave “the world a better place than we found it.”



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Respect

How we treat one another: The foundation will treat with respect every staff member, and everyone with whom we work, valuing each person's distinctive background, personal style, and perspectives, while displaying honesty, dignity, kindness, trust, and collegiality in all of our interactions with one another.

Creativity

How we approach our work: The foundation will embrace experimentation, reasoned risk-taking, and continuous improvement, recognizing that we must balance support for proven and effective approaches with the pursuit of new approaches that, although unproven, hold the promise of breaking through stale or unproductive approaches to the seemingly intractable challenges our society faces.

Partnership

How we work with others: The foundation will actively seek out and embrace opportunities to partner and support others to devise and implement solutions, recognizing that by cooperating, coordinating, and aligning with others and one another we will leverage collective experience, insight, networks, and resources to more effectively advance the foundation's mission to promote human progress.

Opportunity

How we seek to improve the lives of low-income people living in America's cities and how we invest in our staff: Through the work of its programs and partnerships, the foundation will deploy an array of grantmaking and investing tools to expand opportunities for low-income people living in America's cities so that they may improve their life circumstance and join the economic mainstream. The foundation will foster a workplace environment and culture in which staff members have the opportunity to express their talents and ambitions, be acknowledged and rewarded for their achievements, grow in their effectiveness and careers, and see their efforts reflected in a strengthened sense of common purpose.

Foundation History

In 1924, with an initial gift of \$1.6 million, Sebastian Spering Kresge established The Kresge Foundation in Detroit. He did this to commemorate the 25th anniversary of the S.S. Kresge Company, which began as a single five-and-10-cent store – a revolutionary merchandising idea at the time – and grew into a nationwide chain of stores. Many years later, the enterprise became known as Kmart Corp.



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Mr. Kresge chaired the first foundation board meeting and then served as treasurer until his death in 1966, at age 99. By then, he had contributed \$60.5 million to the foundation. All along, he maintained a steadfast commitment to charitable giving.

For more than 80 years, his mandate to promote human progress was realized through the support of fundraising campaigns to build capital projects – libraries, hospitals, schools, museums, community centers and the like – that, over the years, have contributed to the creation of the nation's nonprofit infrastructure. The Kresge challenge grant created community excitement, spurred the growth of a nonprofit's donor base, and helped the organization reach its fundraising goal.

The Kresge Foundation today

In 2006, the foundation embarked on a multiyear transition to redefine itself for the needs of the 21st century. What resulted – and is in full operation now – is a strategic philanthropy. The foundation views issues in their entirety, takes measured risk, and employs an array of grantmaking and social investing tools to help expand opportunities for low-income people living in cities.

Its programs and their specific strategic objectives emanate from the six disciplines in which the foundation has traditionally worked: arts and culture, education, environment, health, human services, and community development in Detroit.

Since its founding, improving the life circumstances for low-income, underserved adults and children has been the constant philanthropic focus. In 2012 the foundation narrowed its geographic focus to the nation's cities. More than 80 percent of the U.S. population lives in and around cities. Working in them offers the foundation the greatest potential to assist the largest groups of people experiencing hardship and poverty.

Position Information

Reporting to the VP, CFO, CAO, Treasurer and Board Secretary, the Lead Attorney will be a thoughtful and trusted advisor to the Board, Executive Team and staff and assist in advising on grantmaking, investments, social investments, governance issues, tax (specific to exempt organizations) and other general corporate law matters of the foundation including contracts and leases, intellectual property, technology, and insurance related matters. The successful candidate will have at least seven (7) years of corporate/business law experience with an emphasis on transactional matters. Experience advising tax-exempt entities, specifically experience counseling private foundations, is a clear advantage. Experience handling investment transactions is a strong plus. Prior law firm experience is required.

Essential Duties and Responsibilities

Specific responsibilities of the Lead Attorney will include:



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- Provide strategic advice, counsel and legal support to foundation staff to provide the highest quality legal representation and positioning that supports the foundation's mission and strategic framework; includes research, counseling, document drafting, review and negotiation, regulatory work associated with general business transactions, intellectual property protection and technology, corporate requirements, internal foundation policy review and oversight.
- As a trusted business partner, troubleshoot issues with staff and assist in finding solutions.
- Cultivate knowledge of and provide periodic legal support on private foundation tax laws affecting grant making and the philanthropic sector generally.
- Assist with review and negotiations of documents on a variety of transactions, including grants, program-related investments and investments.
- Build and maintain strong relationships with outside counsel and assist with management of outside counsel budget and quality.
- Lead and facilitate foundation-wide projects, including developing and delivering training on legal issues.
- Construct and support the foundation's internal system to organize and track legal issues. Identify areas and processes for improvement, make recommendations, and implement and communicate changes.
- If required, assist with oversight and coordination of legal proceedings including litigation, document requests, regulatory investigations and inquiries and similar proceedings.
- Perform other related duties as required.

Qualifications & Skills

This position requires an accomplished attorney with a distinguished professional record and a strong business orientation. Personal and professional alignment with The Kresge Foundation's culture is of paramount importance. Candidates must be self-motivated and exhibit a passion for understanding the organization and contributing in a meaningful way to its strategy and long term strategic goals. In addition to possessing the requisite legal and technical skills, the successful candidate must approach this role with a high degree of ethics and integrity, as well as demonstrate strategic/conceptual thinking capabilities. Collaborative mindset is crucial.

Education and/or Experience

- Juris Doctorate from ABA accredited law school required.
- Active admittance to practice law (any state, in good standing) with ability to obtain admittance in Michigan required.
- At least seven (7) years of corporate/business law experience required with emphasis on transactional experience.



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- Experience advising tax-exempt entities, specifically private foundations is a clear advantage.
- Experience with investment transactions a strong plus.
- Experience advising governing board and senior management of complex organizations is preferred.

Core Competencies

- Superior intellect, with the ability to think critically and make clear and well-reasoned decisions; ability to see and handle more than the legal issues of a project; strong, pragmatic business acumen with the ability to recognize the broader consequences of legal advice; a strategic and innovative thinker who can bring value to his or her clients and find creative solutions to complex legal problems.
- Exceptional interpersonal skills and the ability to communicate (both orally and in written form) effectively with senior leaders and other professionals and colleagues at all levels of an organization while utilizing excellent business and legal judgment in complex situations.
- Strong attention to detail and ability to meet tight deadlines.
- Excellent research, writing, and presentation skills.
- Strong analytical skills and ability to understand complex and nuanced legal concepts and analysis.
- Commitment to collaboration and teamwork with staff at all levels.
- High level of ethics and commitment to mission, vision and core values.
- Absolute integrity and discretion essential due to exposure to sensitive and confidential information.
- Excellent judgment as reflected in a professional record of successfully and independently providing counsel to clients.
- Comfort with ambiguity and the ability to work through challenging complex situations; experience with resolving challenging problems.
- Strong project management experience.
- Highly developed diplomatic skills and organizational savvy.
- Demonstrated skill with Outlook, Word, Excel and PowerPoint

THE KRESGE FOUNDATION IS AN EQUAL OPPORTUNITY EMPLOYER AND ENCOURAGES DIVERSE CANDIDATES TO APPLY



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Process

Please submit a resume in Microsoft Word format with a letter describing your interest and relevant skills addressed to:

Heather Fine
Managing Director
hfine@mlaglobal.com

No calls please. Additional information can be found on www.mlaglobal.com. You may be required to complete additional documents to be considered for this position.