SPECIAL REPORT

"Philanthropy and The Digital Plutocracy: The New Non-Profit Darwinism"

by Francis Burton Doyle, Esq., *WealthPLAN*

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Recently, the local press has maligned Silicon Valley's digital plutocracy for its philanthropic disinclinations. Reasons given for the relative stinginess of the new wealth created in our Valley vary from total entrepreneurial absorption to non-profit Darwinism. Michelle Goldberg in an article in the *San Jose Metro* entitled *"Let Them Eat Micro Chips"* fosters the former theory. She concludes, "entrenched entrepreneurial values sometimes prevent the money from reaching the people who need it most. " The Silicon Valley elite strongly believes that everyone should work and work hard and above all be self-sufficient. Susan Vogel in her article in *Santa Clara Magazine* advances the hypothesis that the venture capitalist spirit is spawning an era of "Non-Profit Darwinism" among the non-profit community. She notes the changing philanthropic landscape of Silicon Valley is forcing philanthropic organizations to compete for donations on the same terms that private high tech business firms compete for rounds of venture capital. Debra Engel, a successful Silicon Valley executive, is quoted in the article as saying, "I'm uncomfortable providing support and then seeing that nothing changes. I look for programs that have leverage."

What needs to be said is that the Silicon Valley's philanthropic leadership as well as their financial advisory community of attorneys, accountants, investment bankers and managers must respond to the challenge posed by the hard work and self-sufficiency core ethic of the Valley's economic elite and the new Non-Profit Darwinism emerging in our community's non-profit sector. These values and the resulting change in our community's charitable giving landscape are unlikely to change. Rather than malign those who have the wealth or resist the inevitable specter of philanthropic disposition, those in a position to pilot wealth should accept the changes as a positive force and embrace them. The messages from the entrepreneurial elite in our community should spark the charitable sector to marshal a significant portion of this new wealth in a fashion, which can meaningfully transform our community. Likewise, advisors should not hesitate to include philanthropic objectives as important components of their clients overall wealth planning strategy. Our community's philanthropic and financial advisory leadership need to collaborate with their clients to establish a vision of enduring abundance and harmony for our community and then steadfastly chart a program of implementation, which specifies the essential elements of need in order to realize that vision. Individual non-profit organizations must then tailor their programs so as to effectively participate in this implementation process. Non-profits should embrace the concept that their participation will be measured in terms of effectiveness. By embracing the hard work and can do attitude of the entrepreneurial community, the non profit community can strengthen itself and become important participants in achieving a re-engineered community, which has top-notch educational systems which hold the promise of a regeneration of the entrepreneurial and technical excellence, which has become synonymous with Silicon Valley. At the same time the non-profit community must educate the elite that there is a true need for a safety net system for the disadvantaged. However, the non-profit community must also recognize that such a safety net system includes not only base survival food and services but necessarily includes programs which offer opportunity for full participation in the economic successes generated by of our phenomenal business community.

Questions? Comments? Please contact us by telephone or e-mail…

Estate Planning, Probate and Trusts involve complex areas of law. Individual circumstances must be considered before any advice can be given. The general information above is not to be construed as legal advice, which can only be given after consideration of the unique facts of each matter. Please seek the advice or counsel of your attorney, financial advisor or CPA, as it may be appropriate.

About the Author…

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- Member, *State Bar of California*
- *California State Bar* Certified Legal Specialist, Taxation Law and Probate, Estate Planning and Trust Law
- Founder, *WealthPLAN*, 30 years of experience in Tax, Estate-Planning Probate, Trust Administration and Litigation
- Instructor, *California Continuing Education of the Bar (CEB), Lorman Education* and *National Business Institute (NBI)*
- Professor; *Lincoln Law School of San Jose*, Wills & Trusts and Real Property
- President, *Santa Clara County Estate Planning Council*
- Chair, Planning Committee, Annual *Jerry A. Kasner Estate Planning Symposium*, *Santa Clara University*, *School of Law*
- JD, University of *San Francisco Law School*, MS, Taxation, *Golden Gate University*, BA *Santa Clara University*

A Note from Frank Doyle:

I have been working in this area of law for over thirty years…. I am a member of the *State Bar of California* and certified by the *Cal Bar* as a legal specialist in Taxation Law and Probate, Estate Planning and Trust Administration. I am also an educator and I enjoy teaching and sharing the stories of the challenging legal conundrums that I have solved in my practice over the years. I remember it well; I walked in the door and told my wife, "I quit my job today". She looked at me (holding our 6-week old son) and said, "What are we going to do?" It was at that point that I decided to break out on my own and start my estate planning practice. I hit the road and began to set up the alliances, a network of associates and the expertise to build a thriving international estate planning practice.

Over the years, I have continued to teach law school and present *MCLE* courses nationwide. I was frustrated with the fact that I have never found the information that would allow an attorney to capture the basics of developing and expanding a thriving estate planning practice, so I have created them for you now. I am the founder of *WealthPLAN* and bring over 30 years of experience in tax, estate planning, litigation, probate and trust administration. I have taken all of my experiences and legal expertise to create the *Advanced Legal Training Institute*, foundation course entitled, *Integrated Estate Planning Seminar Series (I-IV)*. This set of 17-AudioCDs include over 30 hours of legal information that will give you a jump start to get yourself into this lucrative and growing legal niche. I have taken the best ideas from all of my presentations, case studies and professional experience to provide you with a step-by-step program to support our aging population. I am now working with some of the children and grandchildren of my original clients. The *Advanced Legal Training Institute* tapes and workbooks offer checklists, templates, forms and articles to provide an in-depth educational experience for attorneys and other estate planning professionals. *P.S.* My 6-week old son, John, is now grown and a practicing attorney himself.