withersworldwide

# Alana Petraske

PARTNER | NEW YORK

* *Not currently admitted in any US jurisdiction

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Alana is a partner in the charities team.

She advises both charities and their donors on a wide range of legal, fiscal, and regulatory issues. Her practice focuses on tax-efficient giving by corporate and individual donors, including advising on the structuring of philanthropic giving vehicles, the terms of direct funding, venture philanthropy, social investment and a range of operational matters. Alana was selected by the Society of Trusts and Estates Practitioners as the People's Choice – Trusted Advisor of the Year at the 2019/20 Private Client Awards.

Alana also focuses on international issues facing both donors and charities, including cross-border giving and fundraising, tax and fiduciary issues connected to overseas operations, UK regulation and recognition of foreign organisations, and the establishment of 'dual qualified' charity structures which enable tax-efficient giving in the US and the UK.

In addition, Alana has experience advising trustees, companies, royal charter bodies,  CICs, and associations on a variety of operational matters including: fundraising, sponsorship and trading, constitutional reorganisations, campaigning and elections, and social enterprise.

SECRETARY **LIYA ALI** +1 212 848 9807 Liya.Ali@withersworldwide.com

## TRACK RECORD

Obtaining UK tax recognition for a German family foundation.

Advising a private bank on its philanthropy offering.

Restructuring a group of family charities in light of changing activities and family dynamics.

Advising US, European and Australian educational institutions on tax-efficient cross--border giving and study abroad.

Establishing a US-UK dual-qualified family philanthropic vehicle for a UK resident non-domiciliary founding donor.

Advising a UK philanthropist on the structuring of a UK/French charity to receive valuable French assets tax-efficiently on death.

Advising a family foundation on involving the 'next generation' in the family philanthropy.

Advising a major US museum on the establishment of a UK affiliate.

Comparing jurisdictions for a family foundation for an international family.

Advising UK donor advised funds on donation acceptance and charitable grant making.

Assisting a family foundation with the return of a donation.

Assisting Cayman Islands advisers on the English law position of a proposed philanthropic grant.

Advising an entrepreneur on structuring philanthropic and social enterprise activities in connection with a family business.

Advising a philanthropic family on the reorganization of their family and business philanthropy.

Assisting a household name arts institution on the release of permanent endowment restrictions.

Advising an English charity on the application of tax anti-avoidance rules on the provision of donor benefit.

Providing tax and fiduciary advice to charitable beneficiaries in relation to the administration of an English estate.

Advising an international professional association on its jurisdiction options for establishing an international non-profit organisation.

## ADMISSIONS

- England and Wales, 2007
- Foreign Legal Consultant (State of New York)

## PUBLICATIONS

'*Trust-based philanthropy and the foundation board*,' Taxation of Exempts - February 12, 2021, author

'*Power and neutrality: An advisor's role in philanthropy and society*,' Philanthropy Impact Magazine - January 26, 2021, author

'*Philanthropy Needs to Rise to the Moment of the Racial Justice Movement*,' Barron's - September 25, 2020, author

'*Where Are The Billionaires Today One Year After Notre Dame?*' Forbes - April 15, 2020, quoted

*'Coronavirus and Giving,'* WealthManagement.com - April 2, 2020, author

*'How Philanthropists Are Helping During the Crisis,'* The New York Times - March 27, 2020, quoted

*'Charities Fighting Coronavirus Are Left Struggling,'* Forbes - March 24, 2020, quoted

'*Coronavirus: Philanthropy and charities*,' Withers Insight - March 16, 2020, author

'*Reputation and the Nonprofit Director: Fiduciary Challenge in the 24-Hour News Era*,' New York Law Journal - March 2, 2020

*'Reputation and the Nonprofit Director: Fiduciary Challenge in the 24-Hour News Era,'* York Law Journal - March 2, 2020

'*When forever is too long: the rise of spending down in philanthropic foundations*,' STEP Journal - October 2019

*'Global Tax Transparency and the Nonprofit Sector,'* New York Law Journal - July 25, 2019

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'*Making grants overseas: a refresher on HMRC rules for charities*', Charity Tax Group (May 2019)

*'Philanthropy in the era of 'Toxic Donations' - expert view,'* Spear's - May 29, 2019

*'Government Support of Journalism: Canada's New Qualified Donee Meets a UK Review - Parts I and II,'* - The Canadian Taxpayer - May 2019

*"Incentivising truth and democracy: UK and Canadian developments in public interest journalism"* – Alliance (April 2019)

*'Complex Gifts and International Giving Vehicles,'* CASE International Advancement: North American Strategies for Global Alumni Relations and Fundraising - January 2019

*'Charities and Cryptocurrency'* – STEP Journal (May 2018)

'Charities and the Criminal Finance Act 2017 – STEP Webinar (March 2018)

*'Avoiding Family Philanthropy Pitfalls,'* Family Business Magazine - January/February 2018

*'Giving solutions for the Multi Family Office'* - The International Family Offices Journal (June 2017)

*'Charity investment – Integrating Money and Mission'*, Philanthropy Impact Magazine (April 2017)

*'Giving and receiving: Philanthropy and the giving spectrum'* – Law Society's PS magazine (December 2016)

*International Families and their Philanthropy: Jurisdiction and Structure Choices'* , Trusts and Estates - 2016

*'Foundation investment – Integrating Money and Mission'*, Philanthropy Impact Magazine - 2016

*'Wake-Up Call For UK Charities – The Common Reporting Standard Is Here'*, Global Tax Weekly - May 2016

*'Common Reporting Standard and Charities'* , Charity Tax Group Annual Conference - April 2016

*'International families and their philanthropy: jurisdiction and structure choices'* , Trusts and Estates - 2016

*'Foundation investment – Integrating Money and Mission'*, Philanthropy Impact Magazine - 2016

*'Where can I earn more interest on church savings?'*, Financial Times - Your Questions - May 2015

'*Philanthropy and the international family*', Offshore Investment - August 2014'*A pivotal moment for Gift Aid*', Finance Focus - October 2013

'*The business of family business giving*', Campden FB - April 2013

'*Dispatches from the Philanthropy Front Line*', Philanthropy Impact - March 2013

*'Charities: Implications of FATCA'*, Governance & Compliance (with Kristin Konschnik) (November 2012)

*'Investing in the US'*, Charity Finance (with Kristin Konschnik) - November 2012

*'Anglo-American Philanthropy in a time of fiscal crisis'*, Offshore Investment (with Richard Cassell) - July 2012

*'The Giving White Paper one year on'*, The Guardian - June 2012

*'Technical Briefing - the tax relief cap: a lawyer's view'*, Charity Finance - April 2012

*'Technical Briefing: Proposed reduced rate of Inheritance Tax'*, Charity Finance - August 2011

*'Philanthropy and the Non-Domiciliary'*, STEP Journal - August 2011

*'Philanthropy Review: A call to Action'*, The Guardian - July 2011

*'Giving to the Full'*, The Lawyer - June 2011

## MEMBERSHIPS

- Non Profit Organizations Committee, NY City Bar Association
- National Assciation of University and College Attorneys
- STEP Global Philanthropy Advisers Special Interest Group
- Executive Committee, Charity Law Association
- CLA Standing Committee on Taxation
- Steering Committee, STEP Philanthropy Advisors Global SIG
- Board of Trustees, Philanthropy Impact
- Advisory body, Charity Tax Commission
- Charity Tax Group
- International Bar Association
- STEP Charities SIG
- STEP Family business SIG

**TALKS**

*'Legal Issues of Museum Administration,'* Withers will sponsored conference on museum administration - March 11, 2021, speaker

*'Post Exit: Philanthropy on sale of the family business'* – Business Families Spotlight (November 2017)

*'Next Generation Philanthropy'* - The Philanthropy Programme seminar (September 2017)

*'Innovative Solutions for Philanthropy'* – Philanthropy Impact and Maverick Collective Roundtable (Chair) - (September 2017)

*'Practice Note: The Common Reporting Standard'* – Practical Law (August 2017)

*'Charities & the move to tax transparency'* – Offshore Investment (July 2017)

*'Legal and Tax Matters for fundraisers'* – CASE Graduate Trainee Scheme training session (June 2017)

*'Launch your giving journey'* – Charities Aid Foundation and Saunderson House Roundtable (June 2017)

Charities and Transparency Regimes – Withers Charities Review of the Year (January 2017)

*'Philanthropy and Anti-terrorist financing regulation'* – STEP Philanthropy Half Day Conference, London (November 2016)

*'Common Reporting Standard and Charities'* – Charity Law Association Members' meeting , London (November 2016)

*'Philanthropy roundtable'* – Private Investor: Russia and CIS conference, London (October 2016)

*'Philanthropy and charitable giving'* – IBC Wealth conference, Cayman Islands (October 2016)

*'Tax and legal issues for fundraisers'*, CASE Graduate Trainee Scheme (June 2016)

*'Legal Update - including tax'*, Charity Law Association Annual Conference - October 2015

'*Giving Across Cultures*', CASE Europe Annual Conference - September 2015

*'Individual and Business Giving in an international context'*, British-Swiss Chamber of Commerce Roundtable - February 2015

*'Structuring International Charities: Theory and Practice'*, Russian Wealth Advisors Forum Zurich - February 2015

*'The role charity can play in the family business'*, Tax & the Family Business - November 2014

*'Family Foundations: Legal and Tax Issues'*, Philanthropy Impact Roundtable - July 2014

*'American Philanthropists in Europe'*, Philanthropy Impact Roundtable - June 2014

'*Giving Across Cultures*', CASE Europe Annual Conference - August 2013

‘*Tax issues for fundraisers*’ CASE Graduate Trainee Scheme - June 2013

‘*The 10% inheritance tax rate and maximising your return*’, Legacy Labyrinth - January 2013

The Philanthropy Programme - Panel: *‘Is the future of philanthropy bright?’* - November 2012

*‘Fundraising law update’*, Charity Law Review Conference 2012 - September 2012

*‘Philanthropy as a part of Wealth Planning’*, European Association of Philanthropy and Giving (May 2012)

*‘Key Tribunal decisions in 2011’*, Charity Law and Practice Conference 2011 - December 2011

*‘Cross border giving: still a challenging area for philanthropists and advisors’*, European Association of Philanthropy and Giving - October 2011

**EDUCATION**

Cleveland Institute of Music, Bachelor of Music, Master of Music
Cardiff University, Master of Arts
Oxford Institute of Legal Practice, Oxford, UK, Postgraduate Diploma in Legal Practice
University of the West of England, Bristol, UK, Graduate Diploma in Law
Fordham University, Master of Laws (LLM)

**LANGUAGES**

ENGLISH

**DATES**

JOINED: 2010

**RECOGNITION**

2021 Legal 500 US Recommended Attorney Alana Petraske

2021 Legal 500 UK Recommended Lawyer Alana Petraske

2020 Legal 500 UK Recommended Lawyer Alana Petraske

2020 Chambers UK Ranked Alana Petraske

2019 STEP Private Client Awards UK Peoples Choice for Trusted Advisor of the Year Alana Petraske

2019 Chambers UK Ranked Alana Petraske

2017 Legal 500 UK Recommended Lawyer Alana Petraske

2017 Chambers UK Ranked Alana Petraske

2016 Legal 500 UK Recommended Lawyer Alana Petraske

2015 Super Lawyers UK Recognized Alana Petraske

2015 Legal 500 UK Recommended Lawyer Alana Petraske

2015 Citywealth Leaders List Recommended Alana Petraske

2014 Legal 500 UK Recommended Lawyer Alana Petraske

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