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Conversations with an Expert: Copyright Law

Posted by: Anonymous member (Administrator)

🕒 Wed, March 05, 2014 12:53 PM

Written by [Elisa Shoenberger](#), Loyola University Chicago

When Prospect Management and Research encounter complex situations of wealth at work, my colleagues and I constantly comment, “Wouldn’t it be great if we could sit down with someone who’s an expert and ask them?” It happens in discussions of patents, compensation at big law firms, royalties from books and other media, and more. In this series, I will do just that: I am going to seek out and talk to people or attend lectures on these topics and report back to you my findings as they are related to Prospect Management and Research. For this edition, I attended a February 2014 lecture on copyright law at Harold Washington College by Michael Graham, IP Attorney and Adjunct Professor at DePaul University.

Before we delve into the particulars of copyright law and what it means for Prospect Research, a copyright should be distinguished from other intellectual property protections: patents and trademarks. According to the US Patent and Trademark office, patents are “a limited duration property right relating to an invention, granted by the United States Patent and Trademark Office in exchange for public disclosure of the invention.”^[i] On the other hand, a trademark is “a word, phrase, symbol, and/or design that identifies and distinguishes the source of the goods of one party from those of others.”^[ii] A copyright “protects works of original authorship, such as writings, music, and works of art that have been expressed in a tangible medium.”^[iii] In other words, copyright protects the ways in which ideas are expressed, not the ideas themselves.

Protecting authorship through copyright originates in the U.S. Constitution: “The Congress shall have Power...To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.”^[iv] Copyright is about the promotion of the progress of arts and sciences. The Constitution explicitly provides that copyright is limited in duration. However, during that period of time, the right is exclusive for its owner, creating a kind of monopoly. Additionally, as Professor Graham notes, there is no mention of profits in the Constitution with respect to a copyright. Which begs the question again, of how copyright rights impact one’s wealth?

So what exactly can be copyrighted and what does it mean to hold a copyright? According to Professor Graham, copyright covers “original works of authorship fixed in any tangible medium of expression.” The following are some types of works subject to copyright protection: non-dramatic literary works, musical works (words and music), pictorial, graphical and sculptural work, computer program, dramatic works, and architectural works. Some items that are excluded from copyright are: ideas, historical facts, names, titles, short phrases and slogans, blank forms, and clothing.

A copyright is actually not a single right, but a bundle of rights. A copyright owner has the right to:

1. Reproduce the work
2. Create derivative works (like allowing a book to become a movie)
3. Perform the work publicly
4. Display the work publicly
5. License or transfer ownership (with a written agreement signed by the owner)
6. “[C]laim paternity and prevent mutilation of visual arts.”^[v]

Over the past half century, the duration that copyright is held has been extended, thanks in part to certain corporate interests including Disney. Originally, copyrights lasted 42 years with renewal. However, now for works created after January 1, 1978, “copyright protection lasts for the life of the author plus an additional 70 years. For an anonymous work, a pseudonymous work, or a work made for hire, the copyright endures for a term of 95 years from the year of its first publication or a term of 120 years from the year of its creation, whichever expires first.”^[vi] If the work was created prior to 1978, it gets much more complicated. As a consequence of these copyright extensions, older, previously public domain material has suddenly become covered by copyright.

For creators of potentially copyrightable material, registration of the copyright may be worth consideration. Prior to the 1976, registration of the copyright was required or the material was considered in the public domain. After 1976, registration was not required. Registration is fairly easy and inexpensive. You can register a copyright online for \$45 with the US Copyright office.

Though registration of the copyright is no longer required, there are special rights granted to the copyright owner if they register it before an infringement occurs. If you register before infringement and successfully win a case against infringement, the Copyright Act provides that a court may order the opposing party liable for your legal fees. And legal fees can be considerable: a simple case can cost \$500,000 while even cases that only get to the discovery phase can cost upwards of \$100,000. These cases can be more expensive than the value of the copyrighted material itself. Moreover, while it is hard to establish how much is lost with infringement, a court can award statutory damages if the copyright owner has registered.

In this age of the internet, fair use has become a front and center copyright issue. Fair use is based on the idea that there are certain things people should be allowed to use even copyrighted works if it promotes the progress of arts and sciences as provided in the US Constitution. Fair use depends on several factors, such as how much of the new work uses the old, what is the purpose of the new work, and whether the new work transform the older one into a new work. However, fair use is really only defined by the judge making the ruling.

One notable trend in copyright is the issue that there is now more of an emphasis on copyright proprietors (companies) than copyright creators. You may have heard news coverage of “copyright trolls,” disreputable, practically anonymous companies that go after creators in order to make money through litigation. You can read more about it at EFF. <https://www.eff.org/issues/copyright-trolls>

However, this issue extends beyond copyright trolls. Major corporations are battling over copyrights between one another and individuals, and even estates litigate over copyright. For instance, the Marvin Gaye estate is battling Robin Thicke over copyright infringement of Marvin Gaye’s “Got to Give it Up.”^[vii] The estate alleges that Robin Thicke infringed Gaye’s songs with his summer hit “Blurred Lines” and other works. The case is still pending between the Gaye estate and Robin Thicke.

So what does this mean for Prospect Management and Research? Remember that the copyright is intended to promote the progress of arts and sciences, not necessarily to generate a profit. Copyright protect the expression of many ideas, not the idea itself. There are many rights associated with copyrights including the right to copy and license it to other people. Registration is optional but gives copyright owners special rights if there are infringement lawsuits. Fair use is a tricky field that will continue into the future.

Most importantly, holding a copyright may not necessarily impact your wealth. Most copyrights are often not worth as much as it costs to take infringers to court. As noted before, a simple case could cost \$500,000. And that’s if all goes well. Some copyrights maybe worth fighting for, such as *Harry Potter* books, while others may be more trouble and expense to defend like a Facebook profile photo. On the other hand, due to the high legal fees, IP and patent attorneys may be worth looking at in your constituency for purposes of Major Gift research.

With this emphasis on copyright proprietors, it may also be worth looking at content owning companies, like Disney, who would hold many copyrights or families that may hold valuable copyrights. Those companies may profit extensively from the licensing of their copyright rights and may be worth the time for your organization to investigate their corporate giving or company foundations. Moreover, the people within the company may be Major Gift leads.

And keep an eye out for estates that may hold valuable copyrights. If you have famous singers, authors, and other copyright creators in your database, you may want to look a little harder at their families because “their copyright rights last at least 70 years after the death of the authors and may remain valuable property rights for longer than other assets.”^[viii]

That’s all for now!

- Elisa

[i] "Trademark, Patent, or Copyright?" US Patent and Trademark Office, accessed 2/21/14, <http://www.uspto.gov/trademarks/basics/definitions.jsp>

[ii] "Trademark, Patent, or Copyright?" US Patent and Trademark Office, accessed 2/21/14, <http://www.uspto.gov/trademarks/basics/definitions.jsp>

[iii] "Trademark, Patent, or Copyright?" US Patent and Trademark Office, accessed 2/21/14, <http://www.uspto.gov/trademarks/basics/definitions.jsp>

[iv] "Copyright Law of the USA," Copyright Office, accessed 2/21/14, <http://www.copyright.gov/title17/92preface.html>

[v] Graham, Michael, "Copyright: From Madison to Disney," Class Lecture, Business Law from Harold Washington College, Chicago, 2/20/14.

[vi] "How Long Does Copyright Protection Last?" Copyright Office, accessed 2/21/14 <http://www.copyright.gov/help/faq/faq-duration.html>

[vii] "Marvin Gaye's family nixes six-figure deal in Robin Thicke copyright fight," *FoxNews*, 8/25/13, accessed 2/21/14, <http://www.foxnews.com/entertainment/2013/08/25/marvin-gayes-family-kos-six-figure-settlement-from-robin-thicke-in-copyright/>

[viii] Graham, Michael, e-mail message to Elisa Shoenberger, February 28, 2014.

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Comments

 Thu, March 06, 2014 2:06 PM | Deleted user

Elisa, Thank you for shedding some light onto a complex topic!

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Spring Webinar: Financial Industry

Posted by: Anonymous member (Administrator)

🕒 Tue, April 29, 2014 8:01 AM

Written by Elisa Shoenberger:

In early April, APRA Illinois held its Spring Educational Event: “Financial Industry Overview and Happy Hour” at two locations: the University of Chicago and Lewis University. The event was composed of a lecture, webinar, and followed by a happy hour. The event was a big hit. Over 30 prospect development professionals and librarians from all over Illinois came out to the events.

I attended the event held at the University of Chicago and had a great time!

The first session was “Initial Public Offerings: The Big Payday” by Catherine Cefalu, Senior Research Analyst at the University of Chicago. This was a presentation that she gave at the 2013 APRA International conference in Baltimore, Maryland. In her talk, she did a wonderful job of explaining how and why a private company would go public and what it means for Prospect Research. I will note some highlights but I highly recommend checking out the actual talk in the future.

Ms. Cefalu stressed that Research needs to be conscious of IPO events coming up for its donor base for several reasons. First, an IPO is a liquidity event for a donor, which would make the donor better positioned to make a gift. Second, it’s a company event which means that it will generate a lot of publicity for the company. Third, it’s a transparent event so there will required public disclosures. This is particularly great for Research since you will get a view into the finances of the company and may learn about the financial impact for your donor. Fourth, an IPO is a huge life event for the donor so it’s good to be aware that it is happening. Fifth, it may impact when a donor will give a gift. Ideally, a donor may give a gift after his or her company has gone public.

The second session was a webinar titled “Money Businesses: A Capitalist Primer” by Valerie Anastasio, Senior Advancement Officer of the Broad Institute of MIT and Harvard. In her talk, she focused on the Financial Industry as a whole, and urged Prospect Research to take a closer look at it since it has such major gift potential for nonprofits. First, the financial industry’s share of the GDP was 8% in 2011. The combined assets of the top 5 US banks were \$7.8 trillion as of December 2012. Finally, private equity firms raised \$1.3 trillion in the past 5 years. She explained various revenue streams for individuals working in the Financial Industry, which included commissions on trades, fees (transactions, administration, overhead), interest on loans, incentive fees (percent of profit), and prosperity trading.

Compensation can be quite impressive for investment service companies. However, Ms. Anastasio made the point that researchers should also look at individuals working in related industries like the legal field and information technology, because these industries are crucial in the success of the financial industry. For the full presentation, you should definitely check it out at ShareTraining.

In Hyde Park, after these two wonderful presentations, participants headed out to Mellow Yellow, a local restaurant, for some networking. What a day of financial industry learning! I’m looking forward to our APRA-IL [Basic Skills Workshop](#) in June and our APRA- IL [Fall Conference](#) in October!

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APRA International Memories!

Posted by: Anonymous member

Sun, July 20, 2014 12:16 PM

Written by Elisa Shoenberger, Prospect Management & Research Analyst, Loyola University Chicago

We're counting down the days to the 27th International APRA Convention in Las Vegas. We here at APRA-IL are very excited about the upcoming conference. It's four glorious days of lectures, workshops, networking, and socializing. In order to prepare for the conference, we have asked our fellow APRA-IL members to reflect on their memories of and lessons from conferences past.

Rodney Young, Prospect Data Project Coordinator at DePaul University, wrote, "I thoroughly enjoyed my time at the APRA International Conference 2012 in Minneapolis! It was a great time to connect with Prospect Research & Management professionals across the nation. I learned about best practices, innovative ideas, and challenges in different types of institutions. The connections made at APRA International led me to join the APRA-IL chapter and get involved. I highly recommend APRA International for anyone who wants to take their career to the next level!"

Elisa Shoenberger, Prospect Management and Research Analyst for Loyola University Chicago and presenter at this year's conference, wrote about her memories of her first conference in 2012: "At APRA International Conference 2012 in Minneapolis, I was really gratified to meet other people in my field. I met people whose experience varied widely. Some people had been in their roles for years while others just started. The environment was so positive and collaborative. At 'The New Researchers Symposium', I remember asking for help on international research. One of the session leaders was willing to help; she shared a PDF of international resources, such as websites and tips! It was really useful! While I was getting wonderful advice and insight, I remember explaining what a donor pipeline was to a researcher I met on the bus. Even I had something to share with my fellow APRA conference goers. But it's not all about work either! There are a lot of great social opportunities. I remember taking a 6:00am walking tour of Minneapolis with my fellow researchers. We wandered over to the Sculpture Garden at the Walker Art Center to see the giant spoon and cherry sculpture. I can't wait to go this year!"

Amelia Aldred, Research Analyst at University of Chicago, wrote about her best memories of APRA International 2013 in Baltimore, Maryland. She had a great time "meeting lots of new researchers at the New Researcher Symposium and comparing notes on how we got into prospect research." She reflected on one session in particular: I went to "a session about family trees at the time, I thought, 'This is interesting, but when will I use it?' Then the week after APRA, I was assigned to create a family tree of one of our main donor families!" She also had a blast eating Baltimore crabs with her team and generally "geeking out."

Catherine Cefalu, Lead Prospect Research Analyst at the University of Chicago and presenter at this year's conference, made some helpful recommendations to first time conference goers:

"This year is going to be my fifth time attending the APRA conference, and my second time presenting at a session. Here are some of the things I've learned over the years:

- Do your research on the sessions and speakers, interesting places to eat near the hotel, and things to do in your spare time.
- Bring your business cards: both for networking with colleagues, and for the WealthEngine Money Ball!
- Dress in layers in the session rooms; the A/C tends to be pretty chilly.
- It's okay to spend time by yourself; I nearly ran myself ragged trying to Meet Everyone and Do Everything my first year.

- Don't be afraid to ask people to lunch or dinner, or to visit local APRA chapter happy hours. Last year, I had a great time hanging out with RIF UK.
- You'll probably lose your conference program at some point. Keep an extra one handy.
- Plan carefully what you bring with you when you head down to the conference for the day the elevators are often mobbed after each session.
- Not every session you sign up for has to be relevant to your current job or organization. I work in higher education, but like to attend at least one member/cause-related session per year.
- It's okay to leave a session if you think you might get more out of another one going on at the same time (unless it's completely full -check at the registration desk if you're unsure). I wouldn't recommend walking out of the New Researcher Symposium, though...
- Take good notes so you can debrief with colleagues when you get home!
- There is a sad tendency for some sessions to devolve into complaining about gift officers. Venting can be tempting, but don't let yourself get sucked into a toxic conversation. Remember: *partners* in fundraising!
- Visit the vendors and snag some swag! And pens. Get as many pens as you possibly can.
- Plan adventures!"

We can't wait to see you all there and hear about your experiences. See you soon!

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APRA International Recap!

Posted by: Anonymous member

Fri, August 22, 2014 3:34 PM

Written by Elisa Shoenberger, Prospect Management and Research Analyst at Loyola University Chicago

What a wonderful 26th annual APRA International Conference! It was a fantastic four days of conference learning and getting to know our peers at the Cosmopolitan in Las Vegas. People came from all over the US and even the world to attend the fifty-four education sessions in six different tracks, from Prospect Research to Campaigns.

While I attended many fascinating and insightful presentations, my favorite session was “Venturing into High-Tech Research” by Christopher Haight from Cornell University. Mr. Haight talked about the high tech industry focusing on both individual players and companies themselves. He outlined five groups of individuals that researchers should think about for prospecting: Investors, Founders, Early Employees, Bankers, and Lawyers. With respect to founders, he pointed out that they are often quite young when they get their big payout and exit the company. These founders may be disinclined to give a gift. Moreover, they may have sold many shares of their own company to get the financing for it to expand or go public. Mr. Haight suggested that organizations change the way they ask for gifts or imagine a gift’s structure. Instead of asking for outright gifts, organizations can ask for shares in a company. Imagine if your institution had asked for 1% or even 0.50% of Facebook! I believe his session was recorded so you may be able to check it out for yourself in the near future.

We also participated in great roundtable discussions in conjunction with APRA talks, our version of TED talks. Before the roundtable discussion, we heard three short talks on leadership. Josh Birkholz from Bentz Whaley Flessner presented his research about the power of leadership with character for companies’ bottom lines. Sandra Campero of Arizona State University talked about trusting your own instincts and helping other people become leaders in their own right. John McBride from the University of Chicago talked about having the confidence in oneself to succeed. After these insightful presentations, we had the opportunity to discuss leadership in general and in our specific shops with our fellow researchers. One fellow researcher mentioned that he brought his dog to work! He said that bringing his dog to meetings helped to reduce the overall anxiety of his fellow colleagues. What a fantastic idea!

In addition to attending these fabulous sessions, this was a special APRA conference for me personally. Not only was it my third conference, but I was also fortunate to be asked to speak on a pre-conference panel called “Managing Planned Giving Relationships,” which promoted a dialogue between gift officers and researchers to facilitate and expand planned giving programs in our respective organizations. My fellow panelists were Lawrence Henze, Principle Consultant at Target Analytics, Camille Licklider, Executive Director of Gift Planning at Northwestern University, and Tina Pugh of Nature Conservancy. Our panel suggested that organizations steward planned giving prospects when they give an annual gift, not when they are identified as a planned giving prospect. The message of the moment: stewardship, stewardship, stewardship! It was also fascinating to learn how some factors correlate with certain planned giving types. For instance, people who tend to give political contributions tend to elect for annuities while people with stronger giving to religious organizations more often choose bequests.

The conference wasn’t only mind-blowing ideas; we also had opportunity to get to know our fellow researchers. APRA IL hosted a happy hour on Thursday after sessions at the Cosmopolitan’s fancy Chandelier Bar, where we had the opportunity to meet many of the colleagues we’ve talked to via phone for APRA IL meetings.

During our happy hour, we each shared our favorite parts of conference so far. Catherine Cefalu, Lead Prospect Research Analyst at University of Chicago, noted that her favorite part was geeking out over keynote speaker Una Osili, Director of Research at the Indiana University Lilly Family School of Philanthropy. Amelia Aldred, Prospect Research Analyst at University of Chicago, fondly recalled following the APRA 2014 Twitter feed. She said, "I liked hearing people's thoughts about different sessions and I introduced myself to several prospect researchers simply because I liked their Twitter feed so much." She also noted how much fun she had following #APRAhooligans, a "fun joke Twitter feed about APRA, full of pirates and ninjas and even Carmen Sandiego. So much geeky fun." She also had a blast "walking the Las Vegas Strip with my colleague Sarah Johnson. She is an organized crime history enthusiast, so we went to a bunch of sites where famous mobsters worked and cut dealsundefinedvery fun!"

APRA International Conference is the only way to do Vegas!

Until next year!

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The Truth about Obituaries

Posted by: Anonymous member (Administrator)

🕒 Fri, October 31, 2014 8:41 AM

By Elisa Shoenberger

No one reads the obituaries except maybe Prospect Management and Research. It's an interesting world in our field especially since people are always talking about "big data" and "analytics." Obituaries seem the definition of antiquated, old-fashioned, and dull. It's not a lot of fun reading through the obituaries day in and day out. My colleagues and I believe that the next billion-dollar idea is for someone to create a reliable obituary reading system.

I digress. Obituaries, I'll admit, have their place. They are probably one of the more reliable sources for family connections. From my experience with writing and editing an obituary for my family, I learned that the families or a representative of the family have to review the obituary. Mistakes are the result of family error or proofing errors. For me, this makes me feel pretty confident of obituaries as a source for family connections. Finding an obituary for someone in a family has solved so many mysteries of people's relationships to each other. It is actually disappointing when I cannot find one when researching someone when a question comes up about their family.

Obituaries can help accomplish your organization's mission. This is the heart of why Prospect Management and Research go over the obituaries every day. We want to acknowledge the passing of alumni, friends and their loved ones. Plus it is unfortunate when an institution keeps mailing to people who have passed away. No need to accidentally salt a wound. Moreover, Loyola has priests on staff that can reach out to the families to provide pastoral care. Some of the priests even preside over funerals. So it's essential for us to continue in fulfilling our mission.

In addition to aiding in cause of mission, obituaries surprisingly can be a wealth indicator. Obituaries are not cheap; the longer the obituary, the pricier they get. We are talking about a couple hundred dollars if not thousands of dollars. Moreover, if someone is in the *New York Times*, it is really a big deal. At least a thousand dollars for a short death notice. For many newspapers, the picture is extra too. Curiously, the *Chicago Tribune* will give you a deal, if you run the obituary for multiple days. Of course, you have to be careful about the way you promote a lead when there has been a death in the family.

While obituaries mark sad and serious occasions, they can definitely reveal quirky and sometimes humorous aspects about the deceased and/or their family. Several obituaries have referred to "granddoggies," a term to refer to the deceased's beloved dogs. Sometimes you find interesting hobbies about the deceased from obituaries. One obituary mentions a person's love of raising chickens in the city nonetheless and acupuncture. Independently, these activities would be mildly unusual but not special. Together, they are unique. Some euphemisms for death are curious, such as suggesting that the deceased had been promoted to the heavenly baker of the sky.

Sometimes you get a window into the family dynamics. For instance, in one obituary, one of the children was referred to as "the favorite son." And yes, there were multiple children listed. One obituary made mention about how one child and her husband took such loving care of their parents and then proceeded to mention the other children. Another obituary got a little more scandalous than is common. It used the phrase "Her shimmering hips led to" and then named the couple's children. Another obituary mentioned how the living spouse survived the marriage. That's one way to put it.

One obituary noted how the deceased and her husband eloped and got married in Las Vegas. It is neat to see that some people have actually done this; it is not just something you see in Hollywood movies. And there was the recent obituary written by the deceased that has gone viral. [You have to read it to fully appreciate it.](#)

Obituaries have their place in our big data world. They are great for family relationships. Moreover, they can help your organization fulfill its mission. The costs related to obituaries make them a bit of an unexpected wealth indicator. Finally, there can be some interesting and quirky aspects to obituaries.

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 Fri, October 31, 2014 9:08 AM | Deleted user

Elisa,
Great points as usual. Thank you!

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What is a Prospect Researcher?

Posted by: Anonymous member (Administrator)

🕒 Mon, April 06, 2015 11:48 AM

By Elisa Shoenberger, Senior Prospect Management and Research Analyst at Loyola University Chicago

Recently, I had an individual reach out to me for an informational interview about prospect research. We were asked about what we do, what we love and dislike, etc. We thought it was a great idea for the APRA-IL blog post.

1) What do you like most about working in prospect research?

What I love best about prospect research is how you are constantly learning. Every day, you could end up in an unusual space for a prospect. One day I was trying to determine the average sale price for a cemetery while the next I was looking at a company that sells light fixtures. No two prospects are the same. Moreover, there is that moment when you find an amazing lead that really brightens your day. Plus I'm a huge fan of corporate and foundation research. I love reading 990 forms (Foundation tax forms).

2) What do you like least about working in prospect research?

I'm not fond of politics but you'll find them no matter where you work—in or out of the nonprofit world. Another challenge is that we have to explain what we do a lot to people within our organization. We are a niche field and not a lot of people know about it. We also spend time trying to define what we do and do not do. We are often seen as gatekeepers to data even though we are not its stewards. It can be an awkward place.

3) What is your average day like?

I usually start off with a queue that has requested research from our gift officers and other departments. I first determine what the most important projects are in the queue for the day. Then I begin working on those pressing projects. Throughout the day, gift officers and other staff will ask me questions via email, phone and in person. Occasionally, I'll have questions myself for the gift officers about projects. Sometimes I get a priority project that makes me shift gears into another direction. When I'm not working on essential tasks, I'll work on proactive research, prospect management, and other projects.

4) Can you describe the balance of individual and team work in your position?

In our shop, we were built as a team. We may work individually on projects but we help each other out. We have a client based model, so I am the point person for specific gift officers while my team members work with others. If I have a priority project that I'm working on and I cannot get to another project, I'll ask for help from a team member. We often collaborate on how to approach projects and people. There is also a thriving community outside of the office. We belong to APRA-IL of course, which is a great resource for us. There's also Prospect_L, a list host, where you can ask questions and people do respond.

5) How does data analytics play a role in your job?

It's the big trend in the field. We have a lot of people, and it's hard to know where to start to find new prospects. Modeling projects can really help Prospect Management and Research and the gift officers know how to prioritize. For instance, a common modeling idea is: "This major gift prospect looks like this. Who looks like this person in our database but not currently a major gift prospect?" While analytics cannot guarantee that everyone who models well is a winner, it helps to narrow it down. Data visualizations are also key for Prospect Research and fundraising. Dashboards are amazing to understanding your data and realistically your constituency. Seeing data in a new way can really help drive strategy.

6) Are there any specific skills that are particularly important for a position in prospect research?

You need to be detail oriented. There's a lot of data out there, but it's not all good data. If you are looking at a prospect, you have to be careful not to confuse that person with someone else. You also have to be alert to possible trends. You have to be curious in this job. You have to be willing to go down the rabbit hole. Sometimes a research project is not cut and dry and you have to dig deeper.

Project management is also key. Budgeting time and segmenting tasks is essential. You'll get some complicated projects that you'll have to figure out how to do. Also, research can fill up all the time you have so you have to know when to stop. Sometimes it's not worth that extra 5 hours to confirm a tiny detail.

7) What advice would you give someone looking to break into prospect research?

I'd read some of the books out there on the field. I started with Cecilia Hogan's *Prospect Research*. For analytics, check out Josh Birkholz's *Fundraising Analytics*, Peter Wylie's *Data Mining for Fund Raisers*, and Kevin MacDonell and Peter Wyle's *Score!* There's also a lot of great blogs out there too like Helen Brown Group's blog.

Moreover, I'd talk to people who work in the field. Informational interviews are great. Ask them more questions about what they do. Make sure it's what you want to do. Also, it really helps to know what you are talking about when you go to interviews!

Finally, go to APRA IL events, like the Basic Skills Workshop on May 1st!

Photo credit: [Janneke Staaks](#)

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 Mon, April 06, 2015 2:38 PM | Deleted user

Thanks Elisa!

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 Tue, April 28, 2015 1:54 PM | Anonymous member (Administrator)

This was a great overview! I'm just starting in the field, but have had the benefit of working under our current Researcher who has shared her experiences and tips with me and knows our officers and department/campus dynamic. Thanks for posting!

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APRA International 2015 Roundup

Posted by: Anonymous member (Administrator)

🕒 Tue, August 11, 2015 2:36 PM

By Elisa Shoenberger, Senior Prospect Management and Research Analyst, Loyola University Chicago

What an APRA International for the record books! Over four days, researchers, prospect managers, analysts came from all over the US and the world to New Orleans to learn, converse, and network. APRA IL Chapter had a particularly strong showing. We had fifteen members present at the conference this year from topics including dynamic portfolios, international research, corporate and foundation research and prospect management, and much more!

Below are a few of my takeaways from this year's conference.

The regular conference started off with a Keynote Speech from the incredible Dan Pollatta. His talk focused on the problematic ways society thinks about philanthropy. He talked about the problem with compensation for nonprofits. We are okay with CEOs of for-profits getting paid a lot of money, but there are investigative reporters going undercover to reveal the salaries of nonprofit CEOs. US society is just not comfortable with paying a lot of money in salary for nonprofits. However, if you want to attract the best and brightest and retain them, this perception is hurting nonprofits and their work.

There's a similar discomfort with marketing and advertising. Corporations can spend millions of dollars but charities that spend a lot of money talking about their cause are perceived as wasteful. Overall, the obsession with overhead costs only hurts charities and their causes. Instead of looking at how much a charity spends on operating costs, organizations and people should look at what the charity is doing and how many people it is helping. That's just a small part of his speech. Check out his TED talk here:

http://www.ted.com/talks/dan_pallotta_the_way_we_think_about_charity_is_dead_wrong?language=en

I attended "All the Right Prospects: Dynamic Portfolio Reviews" given by David B. Nacol, Executive Director, Schools and Programs, and Rebekah D. O'Brien, Assistant Director, at Northwestern University. What an incredible talk! The room was bursting with people! The speakers talked about the case of Northwestern's portfolio review process, a part of their larger Prospect Management system. At Northwestern, they have mostly transitioned to smaller portfolios, generally 25 to 35 prospects in solicitation or cultivation. Typically, gift officers only manage prospects that they have personally qualified. When gift officers join Northwestern's central fundraising teams, they start with zero people in their portfolio and gradually add people as they get to know prospects. That's just a tiny nugget of information from their talk.

I also attended "Corporate and Foundation Relations: Creating Impact" given by Michelle Heyn, University of Minnesota Foundation. Her talk focused on Corporate and Foundation Principal Prospects, rather than Corporations and Foundations as a whole. She talked about the various products that they create to help advance those relationships. One thing that blew my mind was that they use the Risk Factors section in a company's 10k and orient their strategy to help the company meet those challenges. What a brilliant idea.

At the CASE Conference for Corporate and Foundation Gift Officers that I attended in June, a representative of a tech company advised that universities and colleges should understand what problems a corporation is trying to solve when they approach them. This will help deepen the relationship. When asked how to find this information, the representative suggested talking to C-level individuals. This new idea of looking at "Risk Factors" is another way of tackling it. While not all companies have this information available, namely private companies, it's an important resource if we have it.

There was another round of APRA Talks, styled like TED talks. Presenters had about 5 minutes for their talk. The first was Greg Lambousy of the Louisiana State Museum talking about Hurricane Katrina. He explained that it took two years after the Hurricane to rehabilitate the buildings and


collections damaged in the storm. They were fortunate since they already had a year's worth of operating budget in the bank; not all nonprofits did and many had to shut down. Nonprofits with connections with federal government or branches in other cities fared better than those that did not.


Jennifer McCormack, Associate Director of Advancement Analytics at University of Washington, talked about innovation and analytics. She explained that the greatest challenge to change was experience. Moreover, people make the mistake of forgetting that change is emotional. Will this hurt or help me? She explained that communication was key. Speaking their language is a must to get people onboard. She also explained that better storytelling of successes will help to get other onboard and eager to participate.

The final speaker was David Robertson, Director of Operations Research at Syracuse University, who sang us two songs! Here is "Prospect Gold" for your viewing pleasure: <https://www.youtube.com/watch?feature=youtu.be&v=5urx104-PkA&app=desktop>

He talked about how we have to be creative experts and look beyond our industry. He suggested looking at how the for-profit sector is doing in terms of forecasting, etc. Great advice!

We had a lovely time at the APRA IL breakfast at the Ruby Slipper. Grits, hash, and gravy were had by all! That's just a taste of APRA International 2015. I can't wait for APRA International 2016 in Nashville!

 Photo by K. Ingrao

 Photo by K. Ingrao

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Corporate and Foundation Relations Survey

Posted by: Anonymous member (Administrator)

🕒 Tue, August 18, 2015 3:28 PM

By Elisa Shoenberger, Senior Prospect Management and Research Analyst, Loyola University Chicago

Several months ago, I was trying to figure out how to structure prospect management with our Corporate and Foundation Relations (CFR) team. There was not a whole lot of literature out there so I reached out to two local institutions to find out how they handle CFR. It turned out that both institutions handled their CFR research and prospect management in completely different ways.

Then I decided to broaden my sample pool and conduct a survey of organizations across the US so I could gain a better picture of C&F teams nationally. My new survey contained a 10 question survey about research and prospect management in regards to C&F activity. I posted it on Prospect_L, a great resource for researchers and prospect managers, and got about 92 responses. It's not a scientific survey but I think it gave me a little bit more insight into the topic. Most questions had several answers marked "Other" where the responses didn't fit the question. They were excluded at this time. Click the links to see charts of the data.

1. Do you have gift officers who manage only corporations and other officers who manage foundations only? Or do they manage both corporations and foundations together?

Over 65% of organizations have their gift officers manage both corporations and foundations together. Almost 30% have separate teams to handle corporations and another to handle foundations.

[q1.GIF](#)

2. Do gift officers manage organizations and individuals at your organization?

Over 45% respondents reported that their gift officers manage both individual and organization prospects. About 42% reported that some gift officers managed individuals and others supported individuals only.

[Q2.GIF](#)

3. What is the average portfolio size for CFR officers?

About 33% of respondents reported that the average portfolio size was between 50 to 100. About 27% said they had between 25 and 49 prospects. Over 15% reported that their gift officers had over 100 prospects while over 5% reported less than 25. Over 15% had more complicated situations such as gift officers who see both organizations and individuals or no dedicated gift officers.

[Q3.GIF](#)

4. Does your institution use ratings for its Foundations and Corporations?

This was the most surprising of them all. The vast majority (over 70%) do not have ratings. We use ratings at Loyola so i was not expecting this result!

[q4.GIF](#)

5. Of the 20 who responded yes, we asked: If you have ratings, how do you determine a rating?

People explained that they used market value, past gift amounts, and had a formula. Other organizations look at the linkage, ability, and interest. Others use one rating for maximum grant and some rely on gift officer rating. Others use past gifts or a four point ranking system.

6. Are there stages for organizations? Common terms for stages are: suspect, cultivation, stewardship.

This question also surprised me especially after the rating question. Over 80% reported that they had stages for their corporations. Only about 15% did not!

[q6.GIF](#)

7. Does your CFR office have a dedicated researcher?

Almost 60% of respondents reported that they did not while over 30% said that they did.

[Q7.GIF](#)

8. How many researchers exist at your organization?

Almost 60% have only 0-2 researchers while about 30% have only 2-5 researchers. Less than 5% had over 10.

[q8.GIF](#)

9. How many gift officers exist at your organization?

Over 50% reported that they had 3 to 10 gift officers while over 20% reported 31 to 50!

[q9.GIF](#)

10. What type of organization are you?

Almost 70% of participants came from higher education. The next largest group at about 8% came from Health- Focused organizations. It would be interesting to see how the information would differ if we excluded higher education!

[q10.GIF](#)

I'm hoping that this serves to instigate more discussion about prospect management and research for Corporate and Foundations teams. This survey is a start. Please share your ideas! Share your techniques! I think there's a lot of room for discussion. I can't wait to hear from you all.

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APRA IL Fall Conference Datapalooza!

Posted by: Anonymous member (Administrator)

Tue, October 07, 2014 9:51 AM

Written by Elisa Shoenberger

What a datapalooza! The APRA IL Fall Conference was a blast. We had the three rock star data analytics gurus, Josh Birkholz, Peter Wylie, and Kevin McDonnell instruct and inspire us in the wonderful world of data analytics. We had attendees from all over the US and even a few from Canada! We here at APRA IL are so pleased at the quality of attendees and speeches of the event.

To give a brief recap, we began with networking roundtables over breakfast. I hosted one table roundtable where we brainstormed about new ways to find prospects and how to implement data analytics into our everyday jobs. This gave us a chance to learn from our peers about their challenges and successes. Upstairs, we had a photographer taking professional headshots so we could spruce up our profiles.

 Josh Birkholz and attendees

Our first speaker, Josh Birkholz, a principal at Bentz Whaley Flessner (BWF), gave a wonderful talk on the state of data analytics in the business and the nonprofit worlds. Big companies like Target and UPS have made extensive use of analytics to segment their customers or to predict future engine failures. Target has even put microchips in some shopping carts to see how people move them around the store! Fundraising shops can benefit significantly from employing data analytics in their operations. Josh Birkholz outlined five ways that analytics can be used to gain business insight. First, you can profile your constituents to get a descriptive analysis of your constituents. This would be traditional market research. Second, you can conduct a descriptive analysis at the program level. Third, you can make your data accessible through data visualizations. After all, we have to sell the data. Fourth, you can conduct predictive modeling to predict constituents and process outcomes. Fifth, you can forecast or simulate future business outcomes like future cash in or campaigns. That's powerful for any organization. From BWF research of organizations that have implemented analytics, 91% of established programs have observed positive results while the rest have not had enough time to see the benefits. Very compelling argument for the power of analytics! Josh Birkholz ended with the apt quotation from Hal Varian: "I keep saying that the sexy job in the next 10 years will be statisticians. And I'm not kidding."

In the afternoon, Peter Wylie and Kevin McDonnell, coauthors of *Score!*, walked us through a model that they created. They worked with Rush University Medical Center to model patients and alumni for this presentation. In order to create a predictive model, three things are needed: a data file, statistics software, and something to predict. It's important to have a solid question before you go into the data. They began by walking us through a simple scoring model to predict lifetime giving on the data set from Rush University Medical Center. They walked us through some easy data transformations where we changed data to 1s and 0s to indicate if we had data or not. We then looked the various variables in statistical software and created a score based on our findings. It was a great opportunity to see "behind the curtain" of modeling. Too often we get caught up on how complex things can be, so it was nice to see how a model was done.

 Peter Wylie

The dynamic data duo pointed out some useful tips for individuals who want to start implementing data analytics. First, do not let messy data get in the way of modeling. Clean data is obviously better but you do not want to wait for the perfect conditions to learn

how to make your own models. No time like the present to start. Second, never get rid of data; old data is useful! Third, it may be useful to look back at old models. Kevin McDonnell talked about how he'll revisit past models in six months to a year to see how effective it was and build on that knowledge. The more you do it, the better (hopefully) you get. Fourth, no matter what you do, research should look at the individuals before they get rolled out to gift officers. We've all learned hard lessons about sending spreadsheets to gift officers. We have look at the individuals that score well and determine the next steps with them. Do not blindly push people out, at least at the Major Gift Level.

 Kevin McDonnell

That's just a taste of the magic at the conference! I can't wait for our next conference! Hope to see you there!

(Photo Credits: Rodney Young)

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Review: Prospect Research Perspectives on Social Media

Posted by: Anonymous member (Administrator)

Fri, February 26, 2016 9:07 AM

By Elisa Shoenberger, Senior Prospect Management and Research Analyst, Loyola University Chicago

The issue of social media is paramount in our field. [Pew Research Studies](#) reported that 74% of online adults use social networking. People use social media for both professional and social purposes. Online people reveal so much about their lives, their preferences, and sometimes even their philanthropic inclination. Social media provides prospect researchers with new opportunities and new challenges! In 2013, I had the opportunity to attend a lecture on LinkedIn at APRA International in Baltimore, MD. The session was really critical in talking about the ethics of using LinkedIn in a professional capacity and also to understand how other shops were using the tool. The issue arose again back in May 2015 over the ethics of using LinkedIn for prospect research on PROSPECT_L – a listhost for prospect research, management and analytics--and resulted in APRA International issuing a formal statement on LinkedIn. Read about APRA's LinkedIn guidelines here: <http://www.aprahome.org/d/do/3217> Last summer, one of our vendors offered social media as a new option for research with our prospects.

Earlier this month I was asked to review Jennifer Filla and Sarah Bernstein's [Prospect Research Perspectives on Social Media](#) and I have found it be essential reading about social media and the prospect research/management field. The book explores how do prospect researchers and managers handle the wealth of information and deal with the ethics of using that information. Aimed at prospect researchers, prospect managers, and data analysts (and maybe even gift officers), this publication provides thoughtful and sometimes provocative analysis about social media in our field. It tackles social media from a lot of diverse angles from an effective Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis for using social media in fundraising and research to analyzing the ALS Ice Bucket challenge.

The publication helped me think about social media in a broad sense from the ethics of using social media to how to use the information as a researcher. The publication includes a series of articles by Filla and Bernstein who have interviewed several people throughout the field. Their articles contain information from people at three Milwaukee based charities and Justin Ware, Vice President of Digital Fundraising Strategy at ScaleFunder. I really appreciated the article of the three Wisconsin based charities that explored how these three charities with different structures and missions each used social media to aid in their fundraising. For instance, Lawrence University "Lawrence has been tracking every social media comment for several years now, tallying the comments by fiscal year in their database (Banner). As Ziegler describes it, Lawrence was then able to "use this existing data to identify volunteers, and send them a private Facebook message with a link to the social media toolkit for Giving Day" (p18). Justin Ware of ScaleFunder pointed out, "enthusiastic online advocates often include at least a few of your major donors" (p11).

One of the surprising suggestions was for prospect researchers to look for social media influencers. In our field, the focus has long been major gift prospects. And there's definitely potential with social media to aid in that mission. Jen Filla and Sarah Bernstein talk about how social media can help researchers understand the interests and affinity of major gift prospects...or even find new major gift donors, like young tech millionaires, that traditional wealth screenings don't find. But they added this idea of identifying folks who are influencers. They can help champion your organization's message, maybe even with a gift attached! They write: "Social media influencers offer us this same opportunity. If we can identify who among our large group of annual appeal donors has influence, we can ask them to give more of their influence to our organization and its mission" (p33). This is something I've never thought about doing. I'm already dreaming up schemes to capture that information! But in addition to this incredible insight, there's some really important suggestions to how to make use of it, like the data collection and other partnerships needed to be able to affectively accomplish this. I also valued their comments about the importance of data tracking and possibilities with analytics.

I also appreciated that their publication talked about how we can use social media in the advancement of our careers as well. One provocative thought was the idea of mastering one or two social networks. How many social networks have you looked at today? How many do you actively use? Filla also states the importance of being active and not overexerting yourself. Work it into your daily routine.

So I highly recommend this publication for those of you who contemplate the ramifications of this plethora of social media in the prospect research and prospect management field.

 Picture credit- Jason Howe

Photo link: Jason Howe. <http://tinyurl.com/jaa3n2z>

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Research Pride

Posted by: Anonymous member (Administrator)

Fri, March 04, 2016 9:43 AM

By Elisa Shoenberger, Senior Prospect Management and Research Analyst, Loyola University Chicago

When I first started as a prospect researcher and attended my first APRA conference, a few people I met described their work as “professional stalker.” That description felt very wrong to me from the beginning. I like to avoid using the word “stalker” in any context, especially professional one. I was determined to come up with a better short description of the field that had a more positive ring to it. Or make people laugh without all the self-deprecation. I settled on “Treasure Hunter” since everyone loves pirates, right? It felt a lot better to say.

When I talk to people who don't know about fundraising, I have to explain that prospect research and management is its own niche field. I try to explain that fundraising is its own industry as well with its big competitors and startups. I try to emphasize how much prospect research and management is a field. An impressive one at that. I've been fortunate to have gone to several local and international APRA conferences and seen the beauty and organization of our industry. I think it is incredible that researchers present their work to us all, write articles about the profession on many blogs, and even advise newcomers and fellow researchers in the field. At my first APRA conference, so many people were willing to lend a hand to one another. Even as a newcomer, I was able to help other people I've met who were even newer to the field. That commitment to sharing and helping each other succeed is amazing. What a passionate, thoughtful industry we are in!

And in the past few years, it's been incredible to see the rise of analytics within our field. We've been attending lectures and workshops about how we could use Big Data for several years. And then it seems that everyone (outside of research) was talking about it! It's been incredible to see how our field continues to grow and keeps up with the changes in the world.

But the biggest point of pride for me has been the work itself. We help drive the strategy of fundraising at our institutions. I love that my research takes me to new and interesting places each day. One day, I'll be working on evaluating the value of an art collection and the next day, I'll be researching a foundation's work in fostering democracy. I get to be a mini-expert on lots of little areas. Moreover, I'm extremely proud that research I've done has helped align donors with a particular field of interest for them! And even better, I've been able to help to increase the size of the gifts. Those moments are precious to me. Helping my organization grow is what it is all about. So I've come to the conclusion that I'm more than a treasure hunter. I don't just find the treasure, I help give gift officers with the shovel? Okay, that metaphor is getting a bit tortured.

So what am I? I'm a researcher. #researchpride

Now it's your turn! Tell us why you are proud to be a researcher! Email us at apraillinois@gmail.com or tweet at us at [@APRAIllinois](https://twitter.com/APRAIllinois)

 Photo Credit Erin Gernon

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Post-APRA International Wrap-Up

Posted by: Anonymous member (Administrator)

🕒 Mon, August 07, 2017 10:12 AM

By Elisa Shoenberger, Benchmarking Analyst, Grenzebach Glier and Associates

This is the saddest week of the year. It's a little over a week since APRA International ended. It's the longest period until the next one!

As you may tell, APRA International remains one of my favorite times of the year. There's nothing like a few days to talk and learn from your colleagues from all over the world and different institutions. Plus, this was the 30th annual APRA International.

One of the sessions that I attended "Organizational Capacity Ratings: Don't Leave Them out of Your Campaign Mix Tape". Four institutions presented their different methods for handling organizational data including University of British Columbia, University of Alberta, University of Washington, and University of California – San Diego. Each institution reviewed how they rated organizations. I thought that University of Alberta's system was the most impressive. Instead of developing one system to rate both corporations and foundations, they have developed two different systems for each. In their system, they use three criteria for rating corporations, creating a matrix to rate corporations on operating revenue, affinity, and fit. The system for rating foundations has four criteria including capacity, assets, affinity and fit. This is such a great idea! It never occurred to me to have different systems but it does make a lot of sense.

I also attended a very useful presentation, "Grateful Patient 2.0: Integrating Patient data into Distinct Prospect Pools" from the University of California San Diego. They talked about how they turned their direct mail grateful patient system into physician based fundraising with a major gift focus in two years. That's pretty incredible! The majority of their presentation dealt with how they got a daily patient feed of in-patient and out-patient data from the hospital each night and the administrative work that went in to it. That feed needed to be HIPAA compliant so it was critical to have good relationships with Compliance Officers to earn their trust and get the right data consistently. Their end result was a problem that every shop hopes for- a huge number of new constituents.

My last session was "You Spin Me Right Round: Fundraising Regulation & GDPR Changes in the UK." This session talked about the current and future privacy laws and their impact on fundraising. The General Data Protection Regulation (GDPR) will make the privacy laws stricter and will be implemented on May 25, 2018. It is critical to note that organizations need to be compliant when the law goes into effect so the time to plan is now. This law will "enhance data subject rights, increase fines, international reach, and stricter consent requirements." People need to be informed of their rights about their data in a clear way. People must opt-in, instead of opting-out like here in the States. Further clarification will be released in the upcoming months and even at the beginning of 2018.

The above are just a few nuggets that I learned at this year's APRA International. I met wonderful people, learned a lot of great things. I can't wait for next year's conference!

 Photo credit Elisa Shoenberger

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