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Ian Clark Devine, Board Member, Bellosguardo Foundation

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In the last years of her long life, heiress Huguette Clark became one of New York society's most-whispered-about curiosities. Born in Paris in 1906 to 67-year-old William Andrews Clark, a wealthy Gilded Age businessman, and Anna Eugenia La Chapelle, Clark's second wife, young Huguette grew up in splendid luxury in Manhattan and counted among her friends and contemporaries some of her father's grandchildren, including Devine's grandmother. After her father died in 1925,

the young heiress and her mother moved from his Upper East Side mansion to a nearby apartment on Fifth Avenue, where Huguette lived for much of the rest of her life. After a short-lived marriage ended in 1930, she turned to art and art collecting, kept up her French and Spanish, and developed a passion for dolls, dollhouses, and Japanese culture. As she grew older, she also became increasingly withdrawn and reclusive — so much so, that when she passed away in 2011 just two weeks shy of her 105th birthday, only a handful of people could say they had seen her in the last twenty years.

*Clark's death sparked a flurry of interest in her long, mysterious life — and in the disposition of her will, which almost immediately was challenged in court by members of her extended family. After two years, the case was settled in the family's favor, with the bulk of her fortune, including Bellosguardo, her coastal estate in Santa Barbara, California, going to charity. Earlier this month, PND exchanged emails with Ian Devine about the case and the creation of the **Bellosguardo Foundation**, which will oversee the Santa Barbara property, including its furnishings, artwork, and Clark's extensive doll collection.*

Philanthropy News Digest: At the time of her death, your great-grand-aunt's estate was estimated to be worth around \$400 million and included expensive real estate in Manhattan, Connecticut, and California; paintings by the likes of Cezanne, Renoir, and Sargent; and, famously, her antique doll collection. The disposition of her estate was challenged soon after her death by twenty of her grandnephews, grandnieces, great-grandnephews, and great-grandnieces, including you. Why did the family feel it necessary to challenge the will, and what, in your view, were the issues at stake?

Ian Clarke Devine: The Clark family worried that Huguette's advisors were taking advantage of her. There were signs of financial exploitation, family access was denied, one of her advisors was a convicted sex offender. The plight of Brooke Astor was very much in our minds. Family members filed a guardianship petition in 2009 seeking an independent firm to manage her finances and an independent evaluator to investigate her care. Despite indications of improper fiduciary management, the petition was denied.

When Huguette died in 2011, two radically different wills emerged, written only six weeks apart — after she had refused to create a will for more than fifty years! There were irregularities with both wills and several ethically dubious provisions. Taxes hadn't been paid in years. Challenging the will was the only way to uncover the truth. In fact, subsequent depositions under oath produced evidence of actions and behavior even more shocking than we had imagined. To boil it all down, the professionals closest to our aunt took advantage of her emotional vulnerabilities for personal and institutional gain. The doctors failed to assess her mental health. The Clark family believed that the professionals involved had to be held accountable.

PND: The dispute recently was brought to a close with the help of the New York Attorney General's office and the New York Public Administrator's office. In broad outline, tell us about the terms of the settlement.

ICD: The probate litigation and the settlement confirmed the family's belief that Huguette was the victim of emotional and financial abuse at the hands of her advisors and caregivers. It vindicated our decision to challenge the will. Though it took an excruciatingly long time, the settlement was quite sophisticated and honored Huguette's wishes as best as they could be discerned. The family was strongly in favor of the outcome.

The most welcome result was that the Bellosguardo Foundation, which otherwise might have become a vehicle for the enrichment of certain advisors, now holds tremendous potential to benefit the Santa Barbara community and the art world at large. Bellosguardo will be a place of pride. Credit is due to the New York State Attorney General's office and its Charities Bureau for outlining the steps to make Bellosguardo a viable foundation and a vital new force in the arts. And the settlement's structure will allow other charitable organizations to benefit in the future. All good outcomes!

PND: As part of the settlement agreement, nineteen individuals, including yourself, were named to the foundation's board. That seems like a large number — and it's an unusual group. Why so many? And how were they selected?

ICD: The Bellosguardo Foundation board was chosen for their civic and philanthropic backgrounds and their commitment to making the foundation a success. Board members have a range of credentials and experiences that should be enormously helpful in getting the foundation off the ground. I know that [Santa Barbara] Mayor Helene Schneider, who hand-picked sixteen of the board members, devoted a significant amount of time and thought to the process. In my experience, the average size of a nonprofit board is about sixteen members. Some have more. Of course, the ultimate measure of success won't have to do with the size of the board but the impact the group can have, not only for Santa Barbara but potentially beyond that.

PND: What can we expect from the Bellosguardo Foundation? Will it be an operating foundation or more of a general purpose foundation? What areas is it likely to fund? Will it work nationally, or only in California and New York? And do you expect the board to be actively involved in the development of its programs and grantmaking activities?

ICD: The board of the foundation has only recently been named and has not yet formally met. One of our first priorities will be to focus the mission and develop a plan for the foundation's operations. The roles and responsibilities of board committees and individual members will evolve over the coming months. I would caution people to be patient. To do things right takes time.

PND: What lessons, if any, should other high-net-worth individuals and their families take away from the story of Huguette Clark?

ICD: Huguette's situation was unique. But a couple of precepts suggest themselves. In an extended family, stay in touch with each other. Asking questions and sharing knowledge helped the Clark family coalesce quickly to discover the truth after we realized there was a problem. Our periodic conference calls, with twenty people spread across nine time zones, were incredibly helpful to keep us current and to air different points of view. In earlier years, we were too respectful of Huguette, her privacy, and her advisors. We should have started much earlier to ask tough questions and not taken "no" for an answer. It's important to identify a family's shared values, and being in the midst of a tragic situation can actually bring clarity to that process. From shared values comes a longer-term vision, which in turn leads to a plan with defined outcomes. For the Clark family, this process led to an awareness of the problem of the financial exploitation of elders. We started the Huguette Clark Family Fund for Protection of Elders, a donor-advised fund at the New York Community Trust. We've made two grants that should have a national impact on the huge problem of elder abuse in this country. One is for online training of Adult Protective Service workers, who are on the front lines of the fight against elder abuse. Being online makes it easier to take national. Another will be to develop guidelines for banks to work with authorities on recognizing and stopping financial abuse of elders.

The story of Huguette Clark is also a lesson in family legacy. While it's important to know your family's history, you are not defined by preceding generations or their actions. Younger members of wealthy families should know that they determine what the family legacy will be in the future. This can be an enduring gift not only to them but to society as a whole.

— *Mitch Nauffts*

SUBJECTS: **ARTS / CULTURE; PHILANTHROPY / VOLUNTARISM**

PEOPLE: **HUGUETTE CLARK; IAN CLARK DEVINE; MITCH NAUFFTS**

ORGANIZATION: **BELLOSGUARDO FOUNDATION**

LOCATION: CALIFORNIA; CONNECTICUT; NEW YORK CITY; SANTA BARBARA

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