

# Amber R. Maltbie

Partner | Los Angeles

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Amber Maltbie is a campaign finance and election law attorney, providing strategic counsel to individuals, nonprofits, agencies, and organizations engaged in political and lobbying activity. She has advised clients at the federal, state, and local levels and across all 50 states. Amber's practice includes advising on campaign rules, government ethics, lobbying compliance, and all aspects of nonprofit entity formation. Additionally, she leverages the resources of Nossaman's other practice groups to provide campaign organizations and nonprofit entities with assistance for their related employment law, tax law, and insurance needs. Amber has been recognized as an expert witness on campaign finance in both civil and administrative proceedings. She also is a frequent speaker and panelist on trending issues nationally.

In addition to her legal practice, Amber serves the community in a variety of capacities. In 2016, she was elected to the Downtown Los Angeles Neighborhood Council (DLANC), which helps shape the Los Angeles City Council's agenda to reflect the priorities of the City's neighborhoods. In 2019, Amber chaired the DLANC Election Committee, exercising oversight on such decisions as polling location, preparation of voter information guides, and voter outreach to ensure a high turnout election. For the past six years, Amber has served on the board of Emerge California, an organization that has trained over 500 women to run for office in California. She chaired the board during the 2018 election, which saw a record number of women run and win in California and across the country. Amber is currently on the board of APIs Mobilize, a 501c.3 nonprofit that encourage young Asian and Pacific Islander leaders to step into civic roles at all levels of government. Finally, Amber teaches Election Law at McGeorge School of Law in Sacramento.

Prior to her legal career, Amber spent more than a decade working in politics. She served as Communications Director to a member of the California State Legislature and Campaign Manager and Political Director for a Member of Congress. For two election cycles, Amber worked in targeted congressional districts developing and implementing voter engagement programs around the country.

Amber's background as a seasoned political and communications professional, combined with her leadership positions within nonprofit organizations, positions her to truly partner with clients to achieve their advocacy goals.

Amber also excels in matters at the intersection between U.S. and international election law, gender issues, and women's political participation. She has been widely recognized as a leading expert in gender and elections. Her work on women's voting rights in emerging democracies has been cited in United Nations Development Programme reports and published by international NGOs. In addition to her scholarly work on women's voting rights, Amber has worked with the International Foundation for Electoral Systems in North

Mitrovica, Kosovo during Kosovo's first Parliamentary elections in 2010.

## EXPERIENCE

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**Major Donor and Political Giving.** Provides strategic counsel and legal advice to nonprofits, for profits, and individuals seeking to support candidates and ballot measures in all 50 states. Political giving goals are vetted for permissibility, limits, registration requirements, reporting and disclosure.

**Candidates & Campaign General Counsel.** Worked with dozens of Federal and state candidates from the inception of their campaigns. Amber has advised candidate clients through contentious political battles, including fending off recall efforts and successfully pursuing enforcement actions against political opponents who were violating ethics laws.

**Nonprofits.** Advises 501c.3 and 501c.4 nonprofit entities on lobbying and political activities, including reporting and disclosure. Also provides advice on all aspects of entity formation, including preparing forms that must be filed with the Internal Revenue Service, Attorney General's office, and Secretary of State's office forms; draft bylaws, internal policies and related corporate governance materials; and navigate charitable registration requirements.

**Ballot Measures.** Advises on all aspects of state and local ballot measures, including drafting language, qualification and petition gathering, campaign finance obligations, and pre-election litigation challenges. Advises major donors support ballot measures on their compliance requirements.

**Election Litigation.** Successfully defended defamation claims against clients for allegedly libelous campaign mail. Successfully challenged opponents' preferred candidate ballot designations, as well as defended the same.

**Expert Witness.** Amber was an expert witness on behalf of Redondo Beach Mayor Bill Brand and other defendants in the case *Arnette Travis and Chris Voisey v. Bill Brand, Nils Nehrenheim, et al.* (Los Angeles Superior Court / BC665330). The judge in the case cited to Amber's testimony when ruling in favor of the defendants.

**State and Federal "Super PACS."** Advises PACS from formation, including creation of PAC bylaws, ethics and compliance training of principal officers and PAC board members, review political advertisements, and fundraising solicitations.

**Government Ethics and Open Government Laws.** Advises on Political Reform Act and Government Code Section 1090 conflicts of interest; sunshine laws such as the Brown Act, Bagley-Keene, and the California Public Records Act; advise government agencies and public employees on the misuse of public resources, particularly with regard to supporting or opposing ballot measures; and advice former government employees on "revolving door" restrictions when leaving state service for private employment.

**Training and Manuals.** Provides tailored trainings, manuals and guidebooks for clients on government ethics, campaign finance rules, gift issues for public employees, and nonprofit political activity.

**Enforcement and Audits.** Represents clients undergoing audit or investigations by the California Fair Political Practices Commission, Los Angeles Ethics Commission, San Francisco Ethics Commission and other local agencies.

## INSIGHTS

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### SPEAKING ENGAGEMENTS

Speaker, "Gender Parity in the Electoral Process," American Bar Association CLE Webinar, 08.24.2020

Speaker, "Campaigning in California: The Not So Wild West - Understanding the Legal Considerations for Running a Campaign," Emerge California Training Course, 05.20.2020

Speaker, "Campaign Finance Enforcement Trends: The Use of Public Resources and other Hot Topics," American Bar Association Webinar, 01.27.2020

Speaker, "Reinventing Motherhood in Politics," The Riveter x Moms in Office Program, Marina del Rey, CA, 01.16.2020

Panelist, "Babysitting? 'Hush' Payments? Legal Expenses? The Appropriate (and Inappropriate) Uses of Campaign Funds," 41st Annual Council for Governmental Ethics Laws Conference, Chicago, IL, 12.16.2019

Speaker, "Nonprofit Rules of the Road for 2020 Election Activity," Nossaman Government Relations & Regulation Live Webcast, Los Angeles, CA & Washington, DC or via Webinar, 11.05.2019

Panelist, "Campaign Finance Enforcement Trends: The Use of Public Resources & Other Hot Topics," American Bar Association's 2019 Fall CLE & Networking Conference, St. Paul, MN, 10.11.2019

Speaker, "Ethical Pitfalls for Counsel on the Campaign Trail," 2018 Annual California Political Attorneys Association Retreat, Olympic Valley, CA, 09.15.2018

Panelist, "I Got My Toes in the Water & My PAC in the Sand: Addressing Disclosure & Enforcement Issues When Federal PACs Splash into State & Local Elections," 39th Annual Council on Governmental Ethics Laws Conference, Toronto, ON, 12.06.2017

Trainer, "Principals of Ethics," San Francisco County Transportation Authority Citizens Advisory Council, San Francisco, CA, 2015

Presenter, "Informational Interviews: Why, Where, When, How," California Center for Research on Women and Children's "Pathways to Policy" Summit, Sacramento, CA, 2014, 2015

Trainer, "Campaign Finance Training," Emerge California Trainings, 2013, 2014, 2015

Speaker, "Government Ethics Training," Nossaman State and Local Ethics Rules Seminar, Sacramento, CA, 12.12.2012

Speaker, "Gifts, Influence, and Public Policy - Navigating the Complex and Strict California Gift Rules for Elected Officials and Form 700 Filers," Tri-County Lawyers Association, Simi Valley, CA, 09.20.2012

Speaker, "Do's & Don'ts for Elected Officials," Tri-County Association of Latino Elected Officials Summit, Watsonville, CA, 05.05.2012

## **PUBLICATIONS**

Co-Author, "Individuals Behind LLC Political Contributions to be Disclosed in California Elections," *Nossaman eAlert*, 07.07.2020

Co-Author, "New IRS Rule Allows Many Nonprofits to Withhold Donor Information From the IRS," *Nossaman eAlert*, 05.28.2020

Co-Author, "California's April 1 Deadline to File Statements of Economic Interests Retroactively Extended to June 1, 2020," *Nossaman eAlert*, 04.03.2020

Co-Author, "Supreme Court Decision Foretells Increased Donor Scrutiny in 2020 Federal Elections," *Nossaman eAlert*, 03.27.2020

Author, "California's Campaign Watchdog Announces Guidelines for Campaign and Lobby Reporting During Stay-at-Home Orders," *Nossaman eAlert*, 03.25.2020

Co-Author, "Primary Election Postponements: Where Things Stand and What to Expect," *Nossaman eAlert*, 03.24.2020

Co-Author, "Happy New Year: Tips for Federal PAC & Lobbying Compliance in the 2020 Election Year," *Nossaman eAlert*, 01.14.2020

Co-Author, "Trump's Tweets: A Warning to Public Officials," *Daily Journal*, 08.08.2019

Co-Author, "How State Ethics Reforms Won Big in 2018," *Law360*, 12.20.2018

Co-Author, "As IRS Eases Reporting, States Target Dark Money Reforms," *Law360*, 08.17.2018

Author, "Women's Electoral Rights Must be a Priority in the Middle East," *ElectionGuide Digest*, 08.01.2011

Author, "Campaign Finance Laws and Gender Disparity in Elections," *IMPOWR Imprints*, 06.02.2011

Author, "When the Veil and the Vote Collide, Enhancing Muslim Women's Rights through Electoral Reform," *McGeorge Law Review (Vol. 41)*, 11.01.2010

Author, "Proposition 7: Renewable Energy Generation," *California Initiative Review*, 11.03.2008

## HONORS & RECOGNITIONS

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Selected to the Rising Stars list for 2014-2015 and 2017.

Four Witkin Awards for academic excellence, including California Initiative Seminar Traynor Honor Society.

## COMMUNITY & PROFESSIONAL

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Fair Political Practices Commission, Digital Transparency Task Force

American Bar Association, Election Law Advisory Committee

Emerge California, Board of Directors

APIs Mobilize, Board of Directors

Downtown Los Angeles Neighborhood Council, 2016-2019

California Political Attorneys Association, Member

Fem Dems of Sacramento, Founder, Former President, General Counsel

McGeorge Capital Center Advisory Board

## PRACTICES

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Government Relations & Regulation

California Advocacy

Campaign Finance, Election Law & Ethics

Lobbyist Registration & Reporting

## INDUSTRIES

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Government & Public Sector

## EDUCATION

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University of the Pacific, McGeorge School of Law, J.D., 2009, *with distinction*

Mills College, B.A., 2002, *with honors*

OSCE Office for Democratic Institutions and Human Rights, Election Observation Certificate

## ADMISSIONS

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California