

ELENA MARIA MARTY-NELSON
NSU Shepard Broad College of Law
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ACADEMIC EXPERIENCE

NSU SHEPARD BROAD COLLEGE OF LAW, Fort Lauderdale, FL

Professor of Law (tenured) 1997-Present; Associate Professor of Law 1994-1997; Assistant Professor of Law 1992-1994

Courses: Federal Securities Regulations; Income Tax; International Tax; Securities Regulations Policy Seminar; Wills; Trusts; and Property

Teaching and Service Awards:

Professor of the Year: 2012-2013; 2010-2011; 2009-2010; 2008-2009; 1996-1997; and 1995-1996

2011–2012 NSU Shepard Broad College of Law Professor of the Year (for Distinction in Scholarly Productivity and Excellence in Teaching—conferred by the NSU President)

Professor of the Year finalist for University STUEY Award 2007

Advisor of the Year finalist for University STUEY Award (faculty advisor to the Hispanic Law Students Association) 2015

Advisor of the Year finalist for University STUEY Award (faculty advisor to the *Nova Law Review*) 2008

Goodwin Professor, Federal Securities Law Seminar 2003

NSU H. WAYNE HUIZENGA COLLEGE OF BUSINESS AND ENTREPRENEURSHIP, Fort Lauderdale, FL

Adjunct Professor 2000-2013

Topics: Financing Entrepreneurial Ventures; Tax Responsibilities of the Multinational Corporation

GEORGETOWN UNIVERSITY LAW CENTER, Harrison Institute for Public Law, Washington, D.C.

Harrison Institute Fellow & Adjunct Professor 1990-1992

Supervisor: Supervised law students in the Georgetown University Law Center Harrison Institute Legal Clinic in pro bono representation of clients on significant transactional real estate cases and housing litigation.

Clinical Teaching: Tax Planning for Nonprofit Organizations; Tax Rules of Real Property Ownership; Multi-family Housing Finance; Cooperative Conversions; State and Local Housing Policy; Rent Control; and Litigation Skills Training

National Leadership Roles and Administrative Experience:

Chair-elect, Association of American Law Schools (AALS), Minority Groups Section 2016-Present

General Responsibilities: Work with Chair in directing and organizing the Minority Group Section's activities, including its conferences, workshops and symposia. Provide guidance on upcoming programs. Coordinating the Minority Groups Section's contributions to the AALS Oral History Project.

Executive Committee Member, Association of American Law Schools (AALS), Minority Groups Section 2014-Present

General Responsibilities: Organize and provide guidance on AALS Minority Groups Section programs. Served on selecting committee for the Section's annual awards. Served on selection committee for Call for Papers on Joint Panel (Sections on Minority Groups, Employment Discrimination Law, and Women in Legal Education) for the 2016 AALS Annual Meeting. Organized panel for 2016 annual meeting entitled: *The Dodd-Frank Act's Fifth Anniversary: Diversity and Inclusion in the Leadership of the Financial Services Sector.*

Member, Catholic University Sabbatical Review Team, American Bar Association (ABA) Spring 2016

General Responsibilities: Member of site inspection team. Primarily responsible for sections on law school governance, institutional planning and self study, and program of legal education.

Member, Investment Committee, Law School Admission Council (LSAC) 2011-Present

Responsibilities: Serve with advisors and Investment Committee board members in appraising and analyzing the Quarterly and Annual Reports prepared by the Financial Advisors for LSAC's Long-term and Short-term Investment Portfolios. The Committee is also responsible for oversight of the Financial Advisors, reviewing target and benchmark performance, and setting the investment policy.

Achievements: During my tenure on the Investment Committee, the Committee undertook a significant and comprehensive study of the investment portfolio; recommended asset categories; reviewed proposed asset allocation strategies; and analyzed quarterly and annual performance.

Member, Subcommittee on Investment Policy Statement, Law School Admission Council (LSAC) 2011-2012

Responsibilities: Led a team of board members and advisors from designated law schools in a comprehensive review of LSAC's Investment Policy Statement governing both LSAC's Long-term and Short-term Investment Portfolios.

Achievements: The Subcommittee completely revised and updated the Investment Policy Statement. The full Investment Committee of LSAC voted to adopt the revised Investment Policy Statement proposed by the Subcommittee. The new version was subsequently adopted by the Board of Trustees and serves as LSAC's current version.

Member, Real Estate Advisory Board of American Law Institute's ALI-CLE 2008-2014

Responsibilities: Serve as subject matter expert and provide input on proposed future programs. Provide guidance on platforms for optimal delivery of upcoming programs.

Achievements: Collaboratively proposed topics for successful programs. Drew on expertise to pose constructive questions and stimulate discussions on maximizing resources for future events.

Member, Editorial Board of American Law Institute—American Bar Association (ALI-ABA) Practical Real Estate Lawyer 2003-2008

Responsibilities: Provided editorial review and guidance for articles included in the *Practical Real Estate Lawyer*, a national publication.

Achievements: Analyzed complex real estate issues with real estate experts from various national law firms and selected topics for future articles.

Editor and Lecturer, THEMIS Bar Review 2011-Present

Responsibilities: Serve as Florida Property Law Expert Lecturer for Bar Preparation Program.

Member, Board of Directors, Broward County Hispanic Bar Association 1997-1998

Responsibilities: Served with other board members in developing and planning educational forums for our members in areas of critical importance to the Hispanic community. Provide input for topics and goals for the upcoming year.

Achievements: Organized educational forums with renowned legal experts and business leaders. Assisted in developing the criteria for the Broward County Hispanic Bar Association's annual scholarship award for law students.

Selected NSU Leadership Roles and Administrative Experience:

Chair, Faculty Development Committee, NSU Shepard Broad College of Law 2015-present

Responsibilities: Provide activities and opportunity for enhancing the faculty's abilities in teaching, scholarship, and service. Organize colloquia and workshops on teaching, scholarship, and skills.

Chair, Curriculum Committee, NSU Shepard Broad College of Law 2013-2014

Responsibilities: Leading a team of law school faculty members in reviewing curriculum issues. The Committee was tasked with reviewing the curriculum for the NSU Shepard Broad College of Law's Veterans' Clinic.

Achievements: The Committee successfully and efficiently served as a steward for the new curriculum program for the NSU Shepard Broad College of Law's Veterans' Clinic. The proposal for the Clinic's curriculum was adopted by the law school faculty. The committee also reviewed several new workshop proposals for inclusion in the ALSV curriculum.

Chair, Curriculum Committee, NSU Shepard Broad College of Law 2012-2013

Responsibilities: Chair a group of law school faculty members in reviewing curriculum issues and in developing a joint degree program between the law school and the medical school.

Achievements: The Committee developed a detailed program allowing joint law and medicine degree students to complete both degrees within six (6) years. The joint degree program proposed by the Committee was approved by the entire law school faculty.

Chair, Curriculum Committee, NSU Shepard Broad College of Law 2011-2012

Responsibilities: Lead and coordinate a team of law school faculty members in reviewing curriculum issues and proposing changes to further the mission of the NSU Shepard Broad College of Law. The Committee was tasked with undertaking a significant study of interdisciplinary programs with other University centers.

Achievements: The Committee designed a template for two interdisciplinary focus programs: (1) Environmental Studies (NSU Shepard Broad College of Law and Oceanographic Center) and (2) Real Estate Development and Finance (NSU Shepard Broad College of Law and the H. Wayne Huizenga School of Business Master of Science in Real Estate Development). Both programs were approved by the full law school faculty.

Chair, Admissions Committee, NSU Shepard Broad College of Law 2009-2010

Responsibilities: Chair a team of law school faculty members in determining admissions policies and reviewing guidelines and goals. During academic year 2009–2010, the Admissions Committee was tasked with undertaking a study of scholarship criteria and guidelines.

Achievements: The Admissions Committee drafted a white paper analyzing scholarship grants and proposed systems for attracting and retaining students. The guidelines served as the blueprint for the current scholarship program.

Chair, Admissions Committee, NSU Shepard Broad College of Law 2006-2008

Responsibilities: Direct differently constituted committees over the multi-year period in setting admission policies and reviewing guidelines and goals.

Achievements: Created a strong sense of collaboration among the varying members of the Committee. Set admissions policies that furthered the NSU Shepard Broad College of Law's mission. Provided continuity and guidance to the members of the Committee, especially during the transition to electronic review of applications.

Faculty Advisor, Nova Law Review 1999-Present

Responsibilities: Serve as one of two advisors to the student-run law review organization. Periodically review the organization's budget and ensure the pedagogical goals of service on the

law review are met. Mentor board members in management and supervision of multi-level operation.

Achievements: The *Nova Law Review* has consistently attracted dedicated students and the organization has published significant scholarly work. Successfully advised and mentored successive board members in managing internal personnel issues, budget questions, and external constituency issues.

Faculty Advisor, NSU Hispanic Law Students Association (HLSA) 1994-Present

Responsibilities: Serve as a co-advisor to the board of HLSA. Provide input and guidance regarding academic issues and community events sponsored by HLSA.

Achievements: HLSA members have distinguished themselves in the South Florida community and have been acknowledged for the outreach and pro bono activities.

Faculty Advisor, NSU National Security and Law Society (NSLS) 2012-Present

Serve as a co-advisor to the board of NSLS. Advise the executive committee regarding programs relating to and speakers from the United States Intelligence, Military and Law Enforcement Communities.

Member, University School/NSU Collaboration Committee 1999-2010

Provide input on collaboration projects with the University School and the NSU Shepard Broad College of Law.

Co-creator and Co-director, Annual NSU Shepard Broad College of Law/University School Lower School Mock Trial 1998-Present

Initiated and co-created a mock trial program for the University School's Lower School's students. Co-direct annual mock trial program and co-teach the pre-trial program at the University School.

Member, NSU Hispanic Heritage Month Committee 2010-Present

Serve as the NSU Shepard Broad College of Law's representative on the Hispanic Heritage Month Committee, the University committee charged with brainstorming and implementing initiatives for honoring Hispanic Heritage Month at NSU.

Member, NSU Veterans' Committee 2012-2013

Participated as the NSU Shepard Broad College of Law's representative on the planning committee for the NSU Veterans' Week commemoration.

EDUCATION

Georgetown University Law Center, LL.M (Tax) 1986

Georgetown University Law Center, J.D. 1983

University of Miami, B.A. 1980

LEGAL PRACTICE EXPERIENCE

PIPER & MARBURY, Washington, D.C.

Associate 1985-1990

Counseled state and local governmental issuers on tax-exempt financing of general obligation, revenue, and private activity bonds. Advised corporate clients on tax matters relating to a broad range of business transactions including reorganizations, domestic and foreign acquisitions, public and private offerings of convertible securities, foreign currency denominated debt, adjustable rate preferred stock, and other financial products.

OBERMAYER, REBMANN, MAXWELL & HIPPEL, Philadelphia, PA

Associate 1983-1984

Provided counsel on federal income tax issues in corporate and real estate transactions.

PUBLICATIONS

ARTICLES AND ESSAYS:

We Gotta Get Out of This Place: When Residential Tenants Leave Due to Exigent Circumstances, 35 U. ARK. LITTLE ROCK L. REV. 871 (2013)

Non-Managing Underwriter's Role in Securities Offerings: Just Eye Candy?, 16 FORDHAM J. CORP. & FIN. LAW 232 (2011)

Securities Laws in Soap Operas and Telenovelas: Are All My Children Engaged in Securities Fraud?, 18 S. CAL. INTERDISC. L.J. 339 (2009)

Future of Asset Protection Trusts Unclear, published Vol. 46, No. 77, Daily Business Review (March 2005)

Introduction to the Goodwin Seminar: Securities Regulations, 28 NOVA L. REV. 219 (2004)

When is a Real Estate Interest a Security?, 17 No. 3 PRAC. REAL EST. LAW. 7 (May 2001)

Taxing Tourism: Unanticipated United States Income Tax Jurisdiction of Visitors, 623, PLI Commercial Law and Practice Course Handbook Series No. 790 (1999)

Taxing Reciprocal Trusts: Charting a Doctrine's Fall From Grace, 75 N.C. L. REV. 1781 (1997)

Taxing Offshore Asset Protection Trusts: Icing on the Cake?, 15 VA. TAX REV. 399 (1996)

Offshore Asset Protection Trusts: Are They Tax Neutral?, 7 J. INT'L TAX'N 107 (March 1996)

Book Review: Domestic and International Asset Protection Planning, 45 CATH. L. REV. 1269 (1996)

Offshore Asset Protection Trusts: Having Your Cake and Eating it Too, 47 RUTGERS L. REV. 11 (1994)

Tax-Exempt Financing in the Aftermath of the Technical and Miscellaneous Revenue Act of 1988, TAX NOTES, October 31, 1988, p. 577 (co-authored)

An Overview of the Low Income Housing Tax Credit, 17 U. BALT. L. REV. 253 (1988) (co-authored)

BOOKS, BOOK CHAPTERS, AND MONOGRAPHS:

The Intersection of Law, Religion, and Infectious Disease on the Handling and Disposition of Human Remains in LAW, RELIGION AND HEALTH IN THE UNITED STATES (Holly Fernandez Lynch et al. eds., Cambridge University Press forthcoming 2017) (with Aileen Marty, M.D., and Eloisa Rodriguez-Dod)

The Olivas Guide: Navigating Through the Morass of In-State Residency Requirements for Higher Education in LAW PROFESSOR AND ACCIDENTAL HISTORIAN: THE SCHOLARSHIP OF MICHAEL OLIVAS (Ediberto Roman, ed., Carolina Academic Press forthcoming 2016)

FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 3d ed. forthcoming 2016) (with Rodriguez-Dod, Richmond, Litman & Maurer)

FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS TEACHERS' MANUAL (Carolina Academic Press 3d ed. forthcoming 2016) (with Rodriguez-Dod, Richmond, Litman, & Maurer)

TESTAMENTARY CAPACITY AND VALIDITY OF WILLS, 824-3d T.M., Tax Management, Bureau of National Affairs (2014) (with Gilmore and Rodriguez-Dod)

FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2d ed. 2011) (ISBN 978-1-59460-601-4) (with Rodriguez-Dod, Richmond, Litman & Maurer)

FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS TEACHERS' MANUAL (Carolina Academic Press 2d ed. 2012) (with Rodriguez-Dod, Richmond, Litman, & Maurer)

TESTAMENTARY CAPACITY AND VALIDITY OF WILLS, 824-2d T.M., Tax Management, Bureau of National Affairs (2008) (with Gilmore and Rodriguez-Dod)

FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007) (ISBN 978-0-89089-627-3) (with Rodriguez-Dod, Richmond, Litman & Maurer)

Authored the following chapters:

Introduction to Trusts, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Substantive Trust Elements, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Trust Formalities, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Revocable Trusts and Properly Funding Trusts, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Wills-Trusts Crossover Issues, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Trusts Providing Protection from Creditors, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Additional Uses for Trusts—Elective Share Trusts; Marital Deduction Planning; Life Insurance Trusts; and Trusts for Animals, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Termination and Modification of Irrevocable Trusts, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Charitable Trusts, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Powers of Appointment, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Classifying Future Interests and the Rule Against Perpetuities, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Fiduciary Powers, Duties, and Liabilities, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

Constructive Trusts and Resulting Trusts, in FLORIDA WILLS, TRUSTS, AND ESTATES: CASES AND MATERIALS (Carolina Academic Press 2007)

FLORIDA WILLS, TRUSTS AND ESTATES: CASES AND MATERIALS TEACHERS' MANUAL (Carolina Academic Press 2007) (with Rodriguez-Dod, Richmond, Litman, and Maurer)

TESTAMENTARY CAPACITY AND VALIDITY OF WILLS, 824 T.M., Tax Management, Bureau of National Affairs (2001) (with Gilmore)

Miscellaneous:

Presenter, *The Intersection of Law, Religion, and Infectious Disease on the Handling and Disposition of Human Remains*, Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School Annual Conference (2015) (with Aileen Marty, M.D., and Eloisa Rodriguez-Dod)

Panelist, Southeast-Southwest People of Color Conference (SE/SW POC) *Developing a Curriculum for 21st Century Law Practice and Beyond: The Role of Assessments*, University of North Carolina Central (2015)

Panelist, *Early Lease Termination*, University of Arkansas at Little Rock Law Review Ben J. Altheimer Symposium—A Question of Balance: 40 Years of the Uniform Residential Landlord and Tenant Act (2013)

Commentator/Moderator, Northeastern People of Color Conference (NEPOC), Legal Scholarship Conference, Suffolk Law School in Boston (2012)

Moderator and Panelist, Faculty Development Committee 2012 Speaker Series, *Scholarship: Books and Articles Publishing*, NSU (2012)

Panelist, *How to Break In: The Role of Legal Organizations—American Association of Law Schools, Bar Associations, Alumni Networks, Pro Bono, and Fellowships*, for Society of American Law Teachers—SALT, in conjunction with the SE/SW & MW People of Color Conference (2011)

Panelist, *Concepts in the US Legal System*, for International Section of the Barcelona Bar Association (2009)

Panelist, *Ethics for Lawyers*, Professionalism Day, NSU (2008)

Outside Reviewer, Proposal and Sample Chapters for JENNIFER MONTANTE, WILLS, TRUSTS, AND ESTATE ADMINISTRATION (Reviewed in 2008 for Pearson Education)

Editor, Important Developments Concerning Foreign Activities of U.S. Taxpayers of the ABA Tax Section on Foreign Activities of U.S. Taxpayers (FAUST Report), 58 TAX LAW. 1123 (2005)

Editor, Important Developments Concerning Foreign Activities of U.S. Taxpayers of the ABA Tax Section on Foreign Activities of U.S. Taxpayers (FAUST Report), 57 TAX LAW. 1093 (2004)

Editor, Important Developments Concerning Foreign Activities of U.S. Taxpayers of the ABA Tax Section on Foreign Activities of U.S. Taxpayers (FAUST Report), 56 TAX LAW. 1087 (2003)

Editor, Federal Income Tax Reference Chart, Bar Charts (2013-2005) (with Richmond)

Author, *Limits on Auditors' Independence*, Letter Submitted to the United States Securities & Exchange Commission (signed by 27 tax law professors), published in Tax Notes Today, 2003 TNT 11-35 (2003) (with Johnson and Beale)

Interview, International Tax Expert on ABC News Show: World News Tonight with Peter Jennings. Topic: Advantages to Business at Sea (1999)

Panelist, *Securities Law Seminar: Aircraft Carrier Proposals to the Securities Act*, sponsored by Global Financial Press (1999)

Panelist, *Taxation of Tourism*, Discussion of U.S. International Tax Issues Affecting Tourists and Business Travelers, Practising Law Institute's (PLI's) Second Annual Conference on International Travel and Tourism (1999)

Bar Memberships:

District of Columbia (active) and the Commonwealth of Pennsylvania (inactive)

Languages:

Fluent in Spanish (native tongue)