

Kaufman Legal Group helps clients navigate California's tangled election and campaign finance laws

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California's Democratic candidates, politicians and state officials are in constant need of guidance when it comes to the state's myriad laws governing elections and campaign finance. It's a powerful niche market for the small group of firms that specialize in political law, and few have cornered the market more efficiently than the Kaufman Legal Group.

According to political law attorneys and Democratic Party officials, the 20-year old firm is a go-to institution for many of the top politicians, unions and corporations in California. Just this month, state Attorney General Xavier Becerra tapped the firm to assist him with his political campaign leading up to the 2018 election.

"The campaigns we're running in California are larger than campaigns in other states," said Stephen J. Kaufman, principal and founder of the firm. "We run Assembly campaigns here that I'm sure cost more than gubernatorial campaigns in other states."

Founded in 1996, Kaufman's firm boasts a client list that includes U.S. Sen. Kamala Harris, former U.S. Sen. Barbara Boxer, Los Angeles Mayor Eric Garcetti and California Secretary of State Alex Padilla.

The firm has also handled campaigns for and against state measures, including Propositions 30 and 32 in 2012, Proposition 62 in 2016, as well as numerous local measures in Los Angeles, including the recent campaign against Measure S.

Kaufman cut his teeth in the national arena assisting in election recounts, starting with the 1998 recount involving Richard Katz and Richard Alarcon for a state Senate seat in California, followed by the 2000 Florida recount demanded by Democratic presidential candidate Al Gore.

Stuart Liner, managing partner of Liner LLP, has worked alongside Kaufman in political campaigns where he's seen first-hand the advice he provides to clients.

"He's the belt and suspenders of these people," Liner quipped, noting that attorneys with expertise in campaign finance law are indispensable in an age of digitalized records and near-constant media scrutiny. "Stephen is definitely among a very elite group of people who have been doing this for a great deal of time."

California election laws are as numerous as they are complex, which means attorneys at the Kaufman Law Group have to be vigilant about bills and regulatory changes that could affect their clients.

"We have a lot of clients who we advise on an almost daily basis regarding what they can and can't do with their campaign funds," said Gary Winuk, a former chief of enforcement at the California Fair Political Practices Commission who was hired last year to manage the firm's Sacramento office.

Winuk cited the example of the Citizens United ruling by the U.S. Supreme Court, which compelled the commission to introduce a slew of new rules regulating the types of communications allowed between campaigns and groups that make independent expenditures.

In addition to counseling clients on the minutiae of day-to-day campaign operations, the firm occasionally acts as a de facto crisis management team for political scandals linked to campaign financing.

An example of this occurred in 2012 following the discovery that Democratic campaign treasurer Kinde Durkee had embezzled millions of dollars from campaign committees for dozens of elected state and federal officials. One of the biggest victims of Durkee's scheme was the Los Angeles County Democratic Party, which is the largest local Democratic Party entity in the U.S., according to its website.

The LA County party's chair, Eric Bauman, said Kaufman's firm played a key role in defending the group against charges by the Federal Election Commission that it had abetted Durkee's scheme by unknowingly filing false campaign finance statements.

The firm also successfully recouped some of the money stolen from the local party and other clients. Bauman said the firm continues to counsel the organization in its interactions with myriad federal and state election laws, in addition to the unique rules found in dozens of local jurisdictions.

"They are our constant partners in trying to make sure we keep ourselves out of jail and from getting fired," Bauman said.

Ann Ravel, a former member of the Federal Election Commission and former chair of the California Fair Political Practices Commission, oversaw numerous cases involving Kaufman's clients.

According to Ravel, it requires a unique knowledge of the complex interrelationships governing election and campaign finance laws on the local, state and federal levels to effectively present cases before the state commission. Kaufman has that ability, she said.

"He is incredibly balanced and thoughtful. He never takes extreme positions. ... He's willing to concede things that may be problematic, but as a result, he's an extremely effective advocate for his clients," Ravel commented.

This sentiment even extends to rivals. Thomas W. Hiltachk, the managing partner for the political law firm Bell, McAndrews & Hiltachk LLP, noted that Kaufman's firm is regarded as one of the top political and election law firms representing Democrats.

"I would say that those of us in this field have great regard and respect for Stephen and the other lawyers in that firm," Hiltachk said.

The community of political attorneys is defined by a great deal of collegiality, according to Hiltachk. Unlike in other professions, though, friendliness between rivals is a matter of necessity given the small pool of lawyers who practice in this field of law. According to the

California Political Attorneys Association, there are just 160 members who practice political law in the state.

Kaufman has no plans to expand his firm beyond its six attorneys plus support staff. But as campaigning starts earlier and earlier each year, it's forced political law firms to ramp up their efforts to meet client demand.

"When I first started, it used to be that odd-numbered years were sort of sleepy," said attorney Joe Guardarrama, who joined the firm in 2011. "That doesn't happen anymore."