Effective Advocacy for Bar Leaders

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PROGRAM FORMAT – 2 parts

• Top 10 Advocacy Tips for Bar Leaders

• Handout for Reference Later
  ➢ Developing a Lobby Plan
  ➢ Executing the Plan
  ➢ Having a Plan B
Step 1: Develop a Lobbying Plan

• Clear objective (identify the issue & the “ask”).
  - NOT “more money for legal aid
  - ASK “$1.2 million more for state legal aid program”

• A clearly articulated plan for accomplishing the objective.

• Plan B.
Issues Are like Illusions

• The same issue could be a different issue in changed circumstances:
  ▪ Different bar leaders;
  ▪ Different members of the legislature and staff;
  ▪ Different governors/executive officials;
  ▪ Different conditions, environment;
  ▪ Possibly different public attitudes.

• Each lobbying plan should be revisited, reassessed, and updated as needed.
States May Move on Issues When Federal Momentum Has Stalled

Examples of federal gridlock and state lobbying success

*When the federal government can’t act...*

- The federal government may be split on an issue and unable to move in any direction, due to ideological differences or general lack of federal urgency.
- Immigration reform efforts, for instance, have become gridlocked at the federal level, with some members wanting a path to citizenship and more rights for undocumented immigrants, with others wanting additional border security and deportations.

*...states may be more willing or able to move*

- States with a strong interest in immigration felt a great need to act in the absence of federal action.
- States may move in different directions in addressing the issue:
  - In 2017, California, Illinois, Nebraska, and New Jersey adopted resolutions supporting refugees and/or opposing limits on travel from Muslim countries.
  - On the contrary, in 2017, Georgia, Indiana, Mississippi, and Texas enacted laws opposing sanctuary city policies.

Sources: National Journal Research, 2015; National Conference of State Legislatures, 2017 Mid-year Report
What You Need to Know When Developing Your Plan:

• What is the problem? What is a solution?
• Who wins, who loses if the bill/amendment passes or fails? Who are the major players?
• What is the public policy foundation behind your issue?
• What is the fiscal impact?
• What is the legislative landscape? Consider timing.
• Which types of lobbying (i.e., direct, grassroots, social media campaigns, or a combination) will be most effective?
Step 2: Time for **Action**

- Confer with your lobbyist, bar executive, executive committee, and close advisors.
- Organize your allies and assess the opposition.
- Anticipate and prepare to refute opposing arguments.
- Develop or activate a grassroots network.
- Deliver your message to legislators, both directly and indirectly.
- Utilize media and other forms of communication to reinforce the message.
Allies and Opponents

• Coalitions (or even informal joint lobbying) can enhance influence; “strange bedfellows” can make a strong message more compelling.

• Political strengths of allies and potential opponents should be assessed.

• Can the legislation be crafted to enhance more support and avoid powerful opponents?

• In politics, no permanent friends, no permanent enemies.
No Permanent Friends or Enemies, Only Interests

Donald Trump and the lobbyist enemy: “Jeb Bush or Hillary . . . all controlled by lobbyists and special interests . . . . Bing bing, bong bong bong, bing bing. You know what that is, right?” (as he simulates putting hands into the pockets of others).

Also Donald Trump: “I have lobbyists that can produce anything for me. They’re great.”
Communicating with Legislators

- In-person meetings.
- Letters, one-pagers, position papers.
  - Think about creative ways to show the impact an issue has on the state/district (such as an infographic).
- Create opportunities: events, conferences, luncheons, recognition, media, site visits.
- Telephone calls, email, websites, faxes, social media—these are inexpensive strategies for committed volunteers to deliver messages.
  - Remember, it’s not the delivery method, but the content that matters!
- Hearings, roundtables, town halls.
Before Meeting with Legislators, Do Your Homework

• **Know the Legislator:**
  - Which issues are of primary concern to the legislator?
  - Does the legislator support or oppose your issue(s)/related issues?
  - Any other information relevant to your advocacy issue(s) or which may bridge a personal connection.

• **Know the issue:**
  - Identify key points and anticipate likely questions or reactions.
    - Be sure to **localize** the issue to legislator’s district/interests.
  - Know and be able to respond to your opposition’s arguments.
  - Have a consistent message.

• **Follow-up is important:** Ask if more information is needed and offer the assistance of your bar. Follow through in a timely manner.
Other Modes of Communication

• Advancing an issue in the legislature often involves some combination of direct lobbying, grassroots, and media-related efforts, as well as coordinated efforts by allies.

• Keep in mind restrictions on direct lobbying under the state code as well as reporting requirements. Grassroots advocacy may circumvent most of the concerns and reporting.
“All Politics is Local”: Grassroots and Grass-tops

• Constituent support counts; stronger/broader constituent support counts even more.

• Relationships matter, often for reaching the legislator, if not for making the sale.

• Lawyers are influential and connected, but so are clients, friends, family, and business associates.

• Be systematic in developing and maintaining a grassroots database; communicate with your base regularly.
Using Media for Advocacy

• Challenge: harsh rhetoric, cacophony, and uncontrollability.

• Develop a modest earned-media plan (“modest” corresponds with “achievable”).

• Expertise counts—both subject-matter and media-savvy.

• Be very clear: What is your message, who is your audience?
Using Social Media

• Take advantage of social media to enhance your presence. Interacting with a legislator’s office through social media will reinforce your message. Asking constituents to do the same will draw increased attention to your advocacy.

• Decide which social media platforms work best for your advocacy (Facebook, Twitter, etc.).

➢ Know what your legislators and their staff read & use!

• Provide constituents with directions on how to participate in the social media campaign (what platform to use, provide a sample Tweet with a clear ask, and provide hashtags).
3 WAYS TO SAVE #LOAN4GIVENESS

1. RECORD A VIDEO
Record a short video on your phone, tablet, or webcam, and tell your Senators why loan forgiveness is so important to you.

- Step 1: Prepare to tell your loan forgiveness story. Find sample questions at: ambar.org/loan4giveness
- Step 2: Record your video. Be sure to say your full name and city/state of residence. No special editing is necessary.
- Step 3: Post your video to YouTube, Twitter, Facebook or Instagram with the hashtag: #loan4giveness
- Step 4: Tag your Senators! A list of every Senator's social media accounts can be found at: ambar.org/loan4giveness

2. SNAP A SELFIE
Make your Senators say "no" to your face! Post a selfie on social media and tell your Senators why they should save #loan4giveness

3. MENTION A SENATOR
Mention your Senators in a post using the #loan4giveness hashtag. Social media handles for every Senator can be found at: ambar.org/loan4giveness

What is Public Service Loan Forgiveness?
Congress created the Public Service Loan Forgiveness (PSLF) program in 2007. Under PSLF, those who make 120 monthly payments (10 years) on their federal graduate student loans while employed full-time in qualified public service jobs are eligible to have their remaining balance forgiven. Congress is on the verge of eliminating the program.

Number of individuals & their families receiving support from LSC every year:
1.9 MILLION

Learn More About LSC
- TOTAL FEDERAL BUDGET: $3.5 TRILLION
- TOTAL LSC BUDGET: $10.8 BILLION

Using Infographics
Using Infographics

WHY DO WE NEED A DISABILITY TREATY?

BECAUSE...

10% of the global population live with disabilities

5.5 million American veterans have a disability

4 out of 10 American travelers have a disability

1 billion people around the world live with a disability

80% live in developing countries

ASK YOUR SENATOR TO RATIFY THE CRPD NOW!
What About “Plan B”?  

• “You can’t always get what you want,” but sometimes you can get what you need!  
• Diverting or emasculating legislation may be easier than blocking it completely.  
• Politics means compromise.
Maintain Relationships Year-Round

- Develop and maintain working relationships with legislators year-round:
  - Offer to serve as an information resource;
  - Invite legislators and staff to bar/pro bono/legal aid events/community activities.
- Keep your grassroots network up-to-date to keep them engaged.
Potential Resources

- Experienced bar staff;
- Outside contract lobbyists;
- Other bar leadership and members with lobbying or legislative experience;
- Bar members with relationships with legislators;
- National Conference of Bar Executives Government Relations Group;
- ABA Governmental Affairs Office.

➢ Download free ebook: ambar.org/allpolitics
Questions?

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