Scenario 1

The Voting Rights Center, a c3 organization, is dedicated to encouraging participation in the electoral process and removing obstacles that hinder qualified voters from exercising their franchise. VRC is making plans for the 2020 election cycle, and estimates that it has funds to carry out voter registration campaigns in 4 states and to litigate problematic behavior by state election officials in another 5.

VRC recognizes that it cannot determine in advance where to target its resources challenging conduct (such as last-minute voter file purges) that disenfranchises voters, but it wants to select the states where it can most effectively deploy resources for the voter registration efforts. Criteria under consideration are:

- States with a recent history of actively trying to disenfranchise specific populations
- States where the Presidential race is likely to be closely contended, because it is easier to motivate people to register and vote in these battleground states
- States where VRC has strong in-state allies who can help plan and carry out the efforts
- States or regions with significant populations of one or more of the following
  - New citizens
  - African-Americans
  - Young people (18-25)
  - Native Americans


Scenario 2

The Research Institute, a public policy think tank, organizes a series of rallies to educate its constituents about its policy recommendations and encourage them to seek to have these policies enacted by Congress and state legislatures. Invited speakers at the rallies include officeholders of whom some are also candidates for re-election in an election to be held within three months of the rally; incumbents who are candidates for re-election in elections to be held more than two years later; candidates who are challenging incumbents, and non-candidates. In all cases, within the official presentation at the rally, there is no mention of elections or candidacy.

All of the speakers have recognized education, experience, and expertise in the topics they address.

Some of the non-incumbent candidates are successful business owners who support the Institute’s policy recommendations because they promote economic growth. One of the challengers is a former president of the Institute.
Scenario 3

Kids Protection Foundation, a 501(c)(3) organization, and Kids Protection Action, a 501(c)(4), work in tandem to create uniform rules to protect children from abuse. The two organizations have a cost-sharing agreement and share staff and offices.

KPF conducts research on child abuse and its risk factors, publishes reports and articles, tracks state legislation relevant to child abuse, and grades states based on the strength of their policies to prevent abuse. None of KPF’s communications constitute under applicable tax rules, but it does grant funds to KPA to support its non-political work, including lobbying.

KPA uses the research and findings of KPF to craft model policies implementing the most promising prevention practices and promotes their adoption in state legislatures. KPA also works to ensure that both state and Federal elected officials are aware of and responsive to their legislative and policy efforts. It grades elected officials and candidates for upcoming races on their strength as anti-abuse champions and encourage candidates to take the “child protection pledge” as part of their campaign.

The two entities maintain separate websites and each has its own social media presence across multiple platforms, but both routinely link to one another's websites, post on and link to one another’s social media accounts, and swap names from their list of supporters.
**Scenario 4**

A coalition of nonprofits in the state of New Columbia is working get a measure on the ballot that would strengthen the state’s child protection laws. Kids Protection (Foundation and Action, from Scenario 3) decide to support this effort. Activities may include public education, signature collection, advocacy for the measure once it’s qualified, voter registration, and get-out-the-vote efforts. They may also make grants to the in-state coalition. The organizations recognize that the ballot measure work will also help turn out the vote for a key ally in the state legislature who is in what is likely to be a hard-fought re-election campaign. Very excited about this upcoming work, Kids Protection (jointly) briefs some key funders seeking expanded funding to support work in New Columbia.

KPF plans to engage in advocacy around the measure’s policies in the pre-petition phase of the effort. It also hopes to disseminate public education messages about the issues involved without identifying the specific ballot measure. To the extent it has room under the applicable lobbying expenditure cap, it would like to fund the ballot measure advocacy, either via a grant to KPA or to the in-state coalition (or a ballot committee yet to be formed).
Scenario 5

A public interest law firm (PILF) represents an individual client attempting to vindicate rights under environmental protection laws. The defendant is a government agency. After the litigation is initiated, the client becomes a candidate for a statewide public office, and makes the litigation issue her principal campaign issue. Her opponent (who is not a party to the litigation) opposes her position in the litigation and denounces her for it in campaign speeches. During the campaign, the court grants the plaintiff’s motion for summary judgment, and the defendant immediately announces it will appeal.

During the campaign, the PILF issues press releases about its motion and the ruling (which was handed down on October 15th), trumpeting its client’s victory, and vowing to vigorously contest the appeal. The press releases don’t mention the election or the client’s opponent, but do state that the client's position should be sustained by the appellate court, and that the defendant should withdraw its appeal because it is meritless and its position, if adopted by the appellate court, would be harmful to the state’s economic growth.

The press releases are posted on the PILF’s website, and sent to newspapers and radio and TV stations throughout the state.