American Bar Association Young Lawyers Division The Affiliate

Do Your Own Local Lobby Day: Young Lawyers Influencing State and Local Officials

By Jill M. Kastner

As the ABA works toward its national Lobby Day in Washington, D.C., many young lawyer groups are working on the state or local level to give their members an opportunity to meet and lobby local elected officials.

"It is extremely important to get involved in politics because elected officials shape the policy and laws that affect our personal and professional lives," said Joseph Hall, a member of the ABA YLD Affiliate Assistance Team. "By setting up meetings and working with legislators and policymakers, there is an opportunity for young lawyers to shape the future."

Affiliates can help young lawyers make a difference by organizing a local Lobby Day with state officials or by doing something less formal, such as setting up networking events with local elected officials.

Why Young Lawyers Need to Be Involved in Lobbying

What profession is the butt of more jokes and more disdain than lawyers? Lobbyists. So why would a young attorney, working hard to gain respect in the profession and in the community, want to become involved in lobbying? Well, I hate to break it to you, but laws are kinda what we do as lawyers.

Whether you do transactional work, litigation, bankruptcy, family law, and so on, your job and your clients' lives and businesses are directly impacted by the laws on the books and the new laws and rules being made. Although some of us live and breathe politics, many would prefer not to touch it with a ten-foot pole. But the truth is, politics is where our laws are written.

"It is very important to have our voices heard before a law is passed," said Joe Hall, who is also an active member of the New Attorney Advancement Task Force in Rhode Island and on the Board of Directors of the Massachusetts Bar Association Young Lawyers Division. "Lawyers are held to a higher standard in ways other professions are not," because lawyers help to shape the laws that govern everyone.

Although written with the best of intentions, many laws have unintended consequences on the legal profession and our clients. "A lobbyist recently told me a story in which a law was passed with good intentions and bad results," said Joe. The lobbyist explained to Joe that "it has taken several years to undo the damage and their work still isn't complete." This result could have been avoided if lawyers had taken a more active role.

Joe, a young lawyer in private practice, knows firsthand how his involvement in lobbying efforts has directly impacted him personally, professionally, and impacted the community. Joe has been directly involved in setting up meetings and teleconferences with elected officials to further his practice area (debt collection) and to have a voice on upcoming legislation. "This has generally taken place with my own legislators or those representing the towns within my school district."

"You can educate [officials] on an area of practice or on existing law that may impact legislation to enhance the legislative process so laws are more meaningful," Joe recommended. "Also, it allows you to provide insight on the activities in other jurisdictions in a relative area and the subsequent results."

Why Your Affiliate Should Get Involved

Lobbying "is a way to give back to our communities and work for the greater good," said Joe. "Young lawyers are the future leaders of the country, not just our profession. We will need to address the issues affecting the long-term future."

Young lawyer groups can do a great service for their members, the profession, and the public by providing young lawyers with the skills, knowledge, and access to elected officials.

American Bar Association Young Lawyers Division The Affiliate

Serve the Community by hosting events, such as the Massachusetts "Walk to the Hill" (see page 5), in which lawyers promote access to justice and funding for legal services corporations that serve the poor. Young lawyer groups can also take on other important local issues, such as the unauthorized practice of law and outlawing scams in which non-attorneys are taking people's money for providing inadequate "legal advice."

Serve the Profession by taking on such issues as full funding for the courts and full hours so that services are not cut.

Serve Your Members by providing opportunities for young lawyers to meet and network with local elected officials and administrators. YLDs also can provide training to members on the "Do's and Don'ts of Lobbying" or ethics CLEs on the rules and ethical considerations of lobbying.

How Your Affiliate Can Get Started

The amount of time and work needed to put together a lobbying event varies greatly depending on what type of event you want to do. There are three basic types of programs: (1) training, (2) networking/lobbying opportunity, and (3) lobbying activity. For the last two, the big difference is whether your affiliate wants to take a formal position on an issue or simply to provide young lawyers with an opportunity to meet their elected officials, ask questions, and express their personal opinions on an issue.

Training: A CLE or soft skills course to help train your young lawyer members about lobbying and the related rules can be put together like any CLE. If your bar association employs a lobbyist, that is a good person to invite. Also, it can be helpful to invite an elected official to give his or her insights on what works and what doesn't work in terms of persuasion.

Networking/Lobbying Opportunity: These events can be anything from a formal event in which one or more elected officials is invited to discuss a specific issue or issues to an informal networking event in which local officials are invited to a happy hour. These are particularly easy to set up with officials (and candidates) up for election.

The key element to these events is that your organization does NOT take any official position on an issue—and certainly does not endorse any political party or candidate. Instead, the purpose is to set up an event in which young lawyers are able to meet with elected officials and have a discussion. If you are part of a mandatory bar with dues that cannot be used for lobbying or political activities, this may be an ideal way to provide your members with an opportunity to network with local officials without running afoul of your funding rules.

When hosting these events, you will want to:

- Decide on a format—A formal lecture setting, a roundtable discussion, or an informal meet and greet.
- Ensure you're in compliance with local lobby laws—As they impact the elected official as well as your group and its
 funding. For example, some officials cannot accept a free sit-down meal, but can do drinks and appetizers at standup tables.
- Invite and confirm attendance by officials—This must be done in advance as elected representatives have busy schedules and many events to attend, particularly in an election year.
- Be upfront with officials about format and your group's purpose and expectations for his or her time and topics to be discussed.
- Set clear expectations for members based on the format and the officials' available time.
- Designate at least one person as the officials' "handler" during the event—To moderate questions/answers at a
 formal event and/or to keep officials moving during informal events to prevent one person or group from monopolizing
 all of the available time.

American Bar Association Young Lawyers Division The Affiliate

Lobbying Activity: For these types of events, your group is gathering young lawyers to advocate a specific position on an issue. You can organize a group to go to the official's offices or invite the official(s) to one of your meetings.

Some suggestions for setting up these activities include:

- Select Your Topics Carefully—Although young lawyers can typically agree to promote pro bono work and access to
 justice, other topics can be quite divisive. Highly political issues like abortion, health-care reform, and a statewide
 smoking ban in public buildings may be interesting, but they may be topics better suited for roundtable discussions. If
 someone wants your group to take an official position on a political issue, consider the consequences and fallout for
 your membership.
- Be Up Front—"Whether setting up meetings with your own legislators or as part of an organization, never hide your intentions," said Joe Hall. "Always remain up front with legislators. It is important to value their time. If they feel you set up the meeting under false pretenses or misrepresentations, the damage done may be irreparable, both to your reputation and the cause you represent."
- Do Your Research
 - Find out which legislators your group should meet with and on which committees they serve. Local legislators and state representatives tend to be more responsive.
 - Research the legislative calendar as officials are busier when the legislature is in session. Also, some
 legislators hold regular office hours or open times for constituents to randomly visit at a local business or
 district office.
 - Speak with staff to answer basic questions.
- The Personal Touch Always Helps—To set up a meeting with a particular representative, a constituent should make
 a visit to identify the areas of concern and interest and to broach the topic of a larger meeting or gathering. Then,
 follow up to organize that formal meeting.
- Be Persistent—It may take persistence and follow up, but it can pay big dividends in the end. You may not make much headway initially, but then the legislator knows you are active and involved and the next time it may pay off.
- There Is Nothing Wrong with Name Dropping or Asking for Help—"At every step in the process, draw on whatever common interest or acquaintances that can assist," Joe recommended. If you have a member who knows the official or a staffer or if you can use an "in" from a partner or other group, do so. "I used my school committee involvement (with permission of the superintendent) to get a legislator to have a telephone conversation with me. I am not in his constituency, but the school is very important and he quickly responded, quicker than my own state representative when I did not mention my school committee."

Jill M. Kastner is the Editor of The Affiliate and an attorney at Legal Action of Wisconsin in Milwaukee, Wisconsin.