



How to Work Successfully with a Lobbyist

CPMs and their advocates generally find it necessary to contract with a lobbyist for assistance when working on state legislation to enable legal practice, to safeguard existing practice and/or to amend existing practice acts and rules. This document is intended to provide guidance and recommendations for a productive and successful lobbying relationship.

Getting off to a good start. The first rule in selecting a lobbyist is to choose an individual with integrity, who is respected—even if not always loved—by legislators, with a reputation for being truthful and knowledgeable. Legislators rely more than you might think on the information and explanation of issues that good lobbyists provide. The lobbyist needs to be engaged on a continuous basis with many legislators, particularly those who are influential concerning the issues that concern you. And while a lobbyist may have a partisan leaning, he or she needs to be able to work well with members of both parties. The lobbyist needs to understand the fine points of legislative process in your state, the kind of real-life understanding that comes from experience, not reading legislative manuals.

Consider what causes, organizations, and political ideologies are associated with the lobbyist and the reputation and credibility the lobbyist has with the legislators. Does the lobbyist have a history or is this person a relative newcomer? Does the lobbyist have connections that are valuable and helpful to your issue? How does this person speak, what first impressions do people have? How versed is this lobbyist with your issue, and how willing to learn about midwifery as well as teach you how to present your issue, craft position papers, mobilize the grassroots, organize lobby day at the capitol?

Remember that you are in charge. On the other side of the equation, no lobbyist in the world can pursue your goals if you don't have a consensus on what they are, or you are not able to clearly communicate them to him or her. Sometimes the hardest challenge for an association is to exercise appropriate control over its legislative efforts and strategy. For example, is the lobbyist transmitting the association message accurately? Are opportunities to move forward missed? Is the association allowing the lobbyist instead of the association to decide what direction it should take? Is the lobbyist being accountable to you, reporting in regularly on phone conference calls, by email or texting, keeping you updated each step of the way, letting you know what you need to do?

You are purchasing counsel and services, but not giving away your responsibilities. Take the time necessary to clearly define your expectations for the consultant. Be explicit in the description of your expectations and duties in a written contract. Be sure you understand what the actual costs will be to use this consultant, and that the expenditure you are making is within the association's comfort zone, by being very conservative on income projections while allowing for unexpected cost overruns. In particular, be mindful that "expenses" can add up quickly, so be sure you understand exactly what expenses will be reimbursed and consider capping the total expense allowance. Typically the most effective strategies include an active grassroots involvement by midwives and clients who visit legislators in their home offices, and make their voices heard through phone calls and emails. Midwives can maximize the effectiveness of their lobbyist and reduce costs by taking on some of the work load such as writing position papers, finding research that substantiates the value of your services to share with legislators and legislative staff, and making sure your lobbyist is fully aware of all the state laws and rules that might impact your practice that need to be watched.

Your lobbyist can help teach you about all the steps involved in rule making and passing or stopping legislation, and how to present your issue most favorably.

Take a careful look at the association/lobbyist working relationship on a regular basis. Have a plan to evaluate your association/lobbyist partnership on a regular basis. These are questions you want to discuss.

- What legislative successes have we had? What legislative failures? What were the reasons for the success or the failure?
- How well is the consultant performing the services?
- How well is the association managing the consultant relationship?
- Reevaluate the services – do you need to add, subtract or change items?
- Is the association known to legislators?
- Do legislators understand who midwives are?
- Do we have cooperative or coalition relationships with other groups active in the legislature?
- Who is our opposition and what relationship does our lobbyist have with theirs?
- Are grassroots midwives aware of and supportive of association legislative positions?
- Does the association set the legislative goals, rather than allow the lobbyist to set them? (Goals are the outcomes you want, as opposed to the strategies to reach them.)
- Has the association provided information on midwifery and other issues the lobbyist needs to understand?
- Has the association clearly established who the primary contacts are between the lobbyist and association? The lobbyist should have one primary contact to communicate with who is responsive and can speak for the association.
- Is the association prepared to act on very short notice to advocate for or against a bill?
- Has the association provided the lobbyist with the assets he/she needs to work effectively for you? If the lobbyist has asked you to contact certain legislators, provide written materials for testimony, come to a meeting with a legislator, have you done it?

Specific Evaluation Questions to Ask your Lobbyist

- Have we clearly expressed our legislative agenda to you?
- Have we provided you with enough background information on our issues?
- Have we been easy to communicate with if you needed information or a decision?
- Have we been responsive when you needed us to take some action?
- Is there any way to change our relationship that would help you represent us more effectively?

Specific Evaluation Questions Association Leaders Need to Answer

- Has the lobbyist performed the services listed in the contract?
- Were they performed in a timely and effective manner?
- Does the legislative committee leadership have good communications with the lobbyist?
- Is the lobbyist accessible, returning contact in a reasonable amount of time?
- Has the lobbyist provided useful guidance and assistance in framing our issue and developing a legislative strategy?
- Is the lobbyist well respected by legislators and work well with policy makers and regulators?
- Does our lobbyist work well with our coalition partners?
- Does our lobbyist understand midwifery issues and correctly present our positions?
- Is the lobbyist able and willing to help us:
 - Get a bill sponsor?
 - Become part of a coalition?
 - Negotiate with other groups?
 - Watchdog other bills and proposed rules that could impact us?
- Does the lobbyist keep us informed about pending bills of interest when they are introduced (or prior to introduction)?

For CPM Fact Sheets and other useful resources, see the State Legislative and Advocacy Toolkit on the NACPM website <http://nacpm.org/state-legislative-and-advocacy-toolkit/>.

For additional assistance, contact NACPM at info@nacpm.org or 603-358-3322.

Thank you to the American Dental Hygienists Association for sharing their excellent document "How to Work Successfully with a Lobbyist, April 2013" which was adapted here for use by NACPM.