Clearinghouse REVIEW

November–December 2012
Volume 46, Numbers 7–8

Journal of Poverty Law and Policy

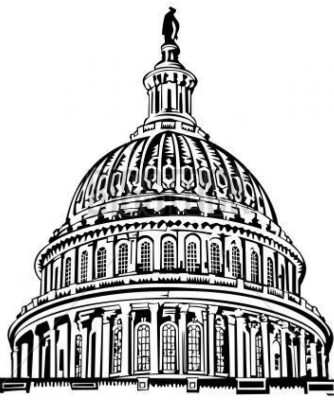
Every Advocate CAN and SHOULD Help Realize

HEALTH CARE REFORM

Here's HOW

SHRIVER CENTER

Sargent Shriver National Center on Poverty Law



Strategic Communications and Relationships with Your Congressional Delegation

By Melanie A. Shakarian

Melanie A. Shakarian
Director of Development and Communications

The Legal Aid Society of Cleveland
1223 W. Sixth St.
Cleveland, OH 44113
216.861.5217
melanie.shakarian@lasclev.org

Leaders in civil legal services know well the stakeholders interested in the health and vitality of a legal services program's success: clients, nonprofit partners, and the legal community. Legal services programs often overlook other stakeholders—especially local, state, and federal officials. A strategic communications plan focused on all key stakeholders—including elected officials—is necessary: "No matter how important your cause is, you should not expect that everybody will know about it or even about your organization. Proactive communications is essential to success."[1]

Competition for recognition as a thought leader in any field is tight. Ongoing strategic communications are necessary for an organization to be seen as the "go-to" group for whatever current event or news item catches the public's fancy. Being the expert in a field yields advantages for public relations and increases the brand quality for a nonprofit organization. Strategic communications create happier clients, staff satisfaction, more supporters, and a higher public profile.

Such strategic communications can be difficult for legal services organization leaders who need to balance service delivery needs with the administrative tasks to make service delivery possible. Here I highlight why robust strategic communications are necessary for a legal services organization's long-term success. Based on our experience at the Legal Aid Society of Cleveland, I discuss specifically the whys of strategic communications related to federal government relations.

Defining Strategic Communications

The modern strategic communications movement is rooted in the U.S. military but can apply to civilian life. As defined by the military, strategic communications are focused "efforts to understand and engage key audiences to create, strengthen, or preserve conditions favorable for the advancement of … objectives through the use

[1]Daniel Selnick, PR Newswire, Promoting Your Not-for-Profit Through Public Relations (Sept. 2005), posted on GuideStar, http://bit.ly/U6VeRc.

of coordinated programs, plans, themes, and messages."[2] The military refined the definition after the lessons learned in the Vietnam War regarding both field communications within the war zone and public relations on the home front. Today each branch of the military has a strategic communications command and numerous public relations staff. Strategic communications are necessary in this era of social media, short news cycles, and varied audiences.

Strategic communications must be integral with an organization's mission and other institutional functions: "Being strategic is not simply reacting to events, but anticipating and creating them. When successfully integrated into other management functions, strategic communications are tools for organizational leaders to use in both day-to-day operations and long-range planning for growth and success of the entire operation."[3] When done correctly, strategic communications can be powerful: "All communication informs. All communication conducted with intent does more than merely inform. It educates, reveals, restricts and can elicit strong emotion."[4]

A Strategic Communications Plan

Strategic communications plan development should be integrated into the overall organizational strategic plan. The mission, vision, goals, and timeline of the strategic plan inform the goals and timeline for any related strategic communications. For a legal services program, this means each element of the overall strategic plan includes strategic communications; all work done for strategic communications should relate to client representation, community engagement, and general advocacy on low-income issues.

A day-to-day plan for strategic communications should be dynamic and viewed as a series of steps. Begin small, perhaps with the simple goal of "informing the public about legal services." Draft a one-page document to make yourself accountable to your goal. The document should be in outline form, be brief, and highlight

- the objective: "inform the public about legal services,"
- audiences you need to reach,
- fundamental messages (i.e., your talking points, some outcomes statistics for your program),
- the timeline for the plan, and
- measurements of success.

Use this one-page document to present the plan to the board of directors and leadership staff. Solicit their feedback to gain support; strategic communications are a team effort.

Do not overthink the "plan" or spend hours of time writing a missive. Keep it basic, and keep your goals achievable. Once the plan is conceptualized, you can begin developing relationships to reach your goals.

Relationship Building and Strategic Communications

All nonprofit entities—especially legal services organizations—are rooted in relationships: between clients and attorneys, between the organization and donors, between the staff and organization. The list is numerous.

Strategic communications connect all these relationships seamlessly. How we use language, communicate who we are, and share stories creates an intangible brand for the organization. Strategic communications so ripple that more people than one can imagine are touched.

In fund-raising, cultivation of relationships is central to success. Strategic communications should mimic fund-raisers' relationship-building tactics: "Mean-

[2]U.S. Department of Defense, Joint Publication 1-02, Dictionary of Military and Associated Terms (Nov. 8, 2010, as amended through Aug. 15, 2012), http://1.usa.gov/VbG3FD.

[3]Kathy Bonk et al., Strategic Communications for Nonprofits 1–2 (2d ed. 2008).

[4]Mari K. Eder, Leading the Narrative: The Case for Strategic Communication, at xi (2011).

ingful information is, in itself, a form of [donor] acknowledgement. As a matter of fact, it is the ultimate acknowledgement for donors."[5] For strategic communications, you need to contact people through mail, e-mail, phone calls, and in-person visits and to contact them regularly, not intermittently. You need to share substantive information about your charity. You must say "thank you"—not once, but numerous times.

Your organization's investment in time does not need to be great. For Cleveland Legal Aid, the full-time development/communications director is the point person for government relations and strategic communications, equaling 10–15 percent of a full-time employee. Small consulting firms can be engaged to help create strategic communications. Ultimately, however, the responsibility of maintaining strategic communications should rest with full-time staff.

Strategic Communications with Your U.S. Congressional Delegation

Legal services programs' varied relationships (clients, staff, donors, etc.) form a foundation upon which to build strategic communications. The civil legal aid community has largely ignored strategic communications with government, specifically with local congressional delegations. Whatever the reasons for this neglect, they are dwarfed by the need for strategic communications today. Members of Congress and their staff want to be educated about their constituents' problems.

Programs funded by the Legal Services Corporation (LSC) are permitted to educate and update their congressional delegation about their local legal services program. In fact, legal services programs have an implicit regular duty to update and keep lines of communication open with their congressional representatives. Members of Congress hold a position similar to your organization's philanthropic donors and deserve a report on how their investment of LSC dollars is leveraged back in the home district. Such a report is a retrospective on the LSC investment and is quite different from advocating LSC dollars, advocating which Congress does prohibit.[6]

Do not allow any past negative experiences with congressional offices to influence how you move forward. Expect to get from a congressional district office staffer a complaint similar to "You don't handle enough cases," or "Every time I send someone to your office, they don't get help." Such comments prompt you to explain your organization's intake process so that the staffer knows what constituents can expect when they call. You want to explain case-acceptance guidelines so that the staffer learns which matters your organization handles. You want the opportunity to explain the "justice gap" for civil legal aid so that the staffer understands why not all cases are handled.

Do not rest on false assumptions that a member of Congress does not appreciate your organization or care about what your legal aid program does for the community. Keep in mind that the other side may hold an assumption about you as well. Strategic communications help break down such assumptions and build mutual respect.

Matthew Cox, an attorney and president of Cox Consulting Group LLP, works with Ohio organizations to raise brand awareness with elected officials. He believes that "[u]pdates from Legal Aid are helpful to elected officials because they show hard evidence and real data that supports the [Legal Aid] Society's efforts and mission in Northeastern Ohio."[7] Updates let elected officials know that an organization is active and may be a resource for their constituents.[8]

[5]Penelope Burk, Donor Centered Fundraising: How to Hold on to Your Donors and Raise Much More Money 98 (2003).

[6]45 C.F.R. § 1612.3 (2012).

[7]E-mail from Matthew Cox, President, Cox Consulting Group LLP (Aug. 1, 2012) (in my files).

[8]*Id.* ("For an elected official to have this information is very important because it will allow him or her to know that the organization is active and that it is a place where the policymaker can potentially refer constituents in need of legal assistance who otherwise might not be able to afford an attorney.").

Relationship Building with Local Congressional Staff

In late 2009 the Legal Aid Society of Cleveland began educating its congressional delegation about the organization's work in Northeast Ohio. We identified the congressional delegation (two senators and five House members) that served our entire service area. You can research online which districts encompass your area.[9] If you frequently apply for federal grants, you are often required to have a list of the congressional districts your program serves.

Then we scheduled a meeting with our local congressional district staff offices in the service area. When you schedule such a meeting, simply call the office and ask for a meeting with the "district director," the point person within the district for the member of Congress.

Once you get a meeting appointment, prepare rigorously. Create talking points or a brief (approximately fifteen-slide) "about us" PowerPoint or both so that you can stay on message. The goals of the meeting are to (1) educate the local congressional staff about your legal services program's current services and programs and (2) let the local congressional staff know that your organization is available to handle constituent concerns related to civil legal services.

One or two of your organization's staff leaders should attend the meeting. For Cleveland Legal Aid, the executive director, deputy director, and development director attended. If possible, bring a board member or volunteer leader who may know staffers in the congressional office. Salient points to cover:

- the history of your organization,
- an explanation of civil legal assistance,
- how your organization is funded,
- who is helped by your organization (demographics, poverty figures),
- how you prioritize cases and the case-acceptance guidelines,
- what happens at intake for a client,
- practice areas,
- community partnerships,
- outcomes data, and
- how the congressional district office can refer cases to legal services.

Upon completing your "about us" presentation, pause and ask the congressional staffer if anything you shared was a surprise. Inevitably the staffer will comment, "I had no idea you didn't do criminal work," or "I cannot believe the demand for your services is that high!" Continue the conversation with some additional interesting outcomes statistics or information about an innovative partnership. Take further questions from the congressional staffer. As the meeting comes to a close, you should feel a relationship developing. As you leave, give the staff some legal services brochures and the contact information for your intake attorney who can help troubleshoot constituent concerns and handle any questions about the viability of a case. This "line" into your organization is helpful, as the congressional district offices get hundreds of calls each week from constituents with questions about housing, public benefits, foreclosure, and myriad other civil legal issues.[10]

Susan Rowe, a district staffer for Rep. Marcy Kaptur (D-Ohio), says:

> It would not be an overstatement to say we hear daily from people needing legal aid services. We regularly refer people to legal aid, most frequently child support and noncustodial parent issues, eviction and foreclosure. To a lesser extent, we refer people to legal aid for divorce and consumer issues.[11]

---

[9]See U.S. House of Representatives, Find Your Representative (n.d.), http://1.usa.gov/Sg6Wp7.

[10]Matthew Cox notes that foreclosure and health law in particular "are on elected officials['] minds and it is important for them to have data from Legal Aid" (Cox, *supra* note 7).

[11]E-mail from Susan Rowe, Lead Case Specialist, District Office of U.S. Rep. Marcy Kaptur (Aug. 8, 2012) (in my files).

Marty Gelfand, counsel and local district office contact for Rep. Dennis Kucinich (D-Ohio), agrees that collaborating with Cleveland Legal Aid is important.[12]

After the meeting with the local congressional contacts, follow up with a thank-you note. Using e-mail for this is fine. Do not get bogged down in details of how to develop the relationship: just send the e-mail and keep the lines of communication open. Then regularly e-mail to the congressional district staffer a brief "hello" message with a recent success story or news-link about your legal services program. (Calendar this e-mail for monthly or quarterly—otherwise you will not do it!) Because you will have numerous congressional district staffers with whom you are communicating, send the same monthly or quarterly "hello" e-mail to each as a personalized e-mail. At Cleveland Legal Aid we include staffers for each local congressional district office on the regular newsletter mailing list, which is another great way to keep the message alive.

After some months, you will notice that a relationship will have developed with the congressional district staff. You or your intake department contact will be getting regular calls about constituents' legal questions. When you cannot handle a case, there will be understanding—not animosity—because the congressional staff now can appreciate the challenges your organization faces in turning people away.

Make an effort to visit in-person with the local congressional staff once a year for a standard legal services update. Follow the formula for a formal meeting to demonstrate respect for the congressional district staff, and highlight the professional nature of your organization.

Relationship Building in Washington, D.C.

Once you are in a good routine with the local congressional district staff (after six to twelve months), plan a trip to Washington, D.C., to meet with the congressional staff on Capitol Hill. Tell your congressional district staff that you plan to do an in-person update in Washington, D.C., for the senator or representative. Mention that you would like to meet the representative and any other lead staffer who would appreciate an update from legal services. Ask for the name, phone number, and e-mail address of the office scheduler and lead staffer with whom you should meet. Your congressional district staff will be more than happy to share those details.[13]

Plan carefully your timing for the trip to Washington. Examine the congressional calendars and schedules so that you visit when both the Senate and House are in session.[14] Aim for a trip over a Monday-Tuesday-Wednesday (with all meetings on Tuesday and Wednesday), or a Tuesday-Wednesday-Thursday (with all meetings on Wednesday and Thursday). Many members of Congress now fly home even when Congress is in session. Fridays and Mondays tend to be quieter in Washington.

Determine who should go on your D.C. trip. Ideally the same type of group that would attend a meeting with your congressional district staff should be on the D.C. trip: one to three staff leaders and one community leader, volunteer, or board member. Do not have more than four people. Aim for diversity within your group: at Cleveland Legal Aid we take great care to ensure gender, racial, and other diversity. For community leader, take care to pick a strong supporter of your work so that your leader can be more comfortable being on-the-spot and talking about legal services: your board president, a longtime volunteer, a former Congress member who is an attorney and works with your program, or a high-profile attorney who may have connections with the congressional office.

[12]E-mail from Marty Gelfand, Staff Attorney, District Office of U.S. Rep. Dennis Kucinich (Aug. 8, 2012) (in my files).

[13]For helpful information for contacting congressional offices, see Contacting the Congress, Online Directory for the 112th Congress (Sept. 4, 2012), www.contactingthecongress.org.

[14]Schedules can be seen at Library of Congress, Congressional Schedules, Calendars (n.d.), http://1.usa.gov/SAh60D.

Keep your budget for the trip tight, but do not be too frugal. Fly in the night before so that you can be well rested and begin meetings by 8:00 a.m. the next day. Use a travel site such as Priceline or kayak.com to find good deals on airfare and hotels. Try to stay at a hotel near Capitol Hill (or at least in D.C.) for easy transportation. Take advantage of a free breakfast offered by the hotel, and plan to eat lunch on the run in one of the many Capitol office building cafeterias. Do not skimp on dinner—you will need to relax and debrief with your team after a long day of meetings. Do not rent a car. Hotels charge too much to park your car, and Washington, D.C., is accessible by public transportation and taxis.

Once you have your D.C. contacts in place, dates set, team ready, and travel logistics confirmed, work on scheduling your meetings with the various offices. If you are holding meetings over two days for about seven to nine congressional offices, plan on one day of meetings from 8:00 a.m. to 5:00 p.m. and another day of meetings from 8:00 a.m. to 1:30 p.m. (if you are traveling home that evening).

Just one point person in your office should schedule the meetings. Your request should be: "A group from ____ will be in Washington, D.C., on _____, and we would like to stop by your office to update the member of Congress on the programs and services we provide our mutual constituents." Plan on meetings that are thirty minutes long, with thirty minutes of travel time between meetings. Research the office locations where each of your members of Congress work, and try to schedule meetings that are in the same building for the same morning or afternoon.[15] This exercise feels messy and complicated at first, but the schedule eventually falls into place once meeting times are settled. If conflicts arise, do not be bashful about calling back a congressional office to adjust the time of a meeting. The office would understand that you are there for a limited time and are trying to arrange meetings with other offices.

Even if you have your calendar set early for a trip to Washington, do not call the congressional office there to schedule a meeting until three weeks in advance at the earliest. Schedules change frequently, and if you call much earlier than three weeks, you run the risk of working hard at a schedule that will only change. Plan on assembling the schedule within one to two weeks of your trip. You should have a finalized schedule one week before you leave.

Once the meeting schedule is final, create a master itinerary for everyone who will travel to Washington so that your team is familiar with the overall plan. If you are LSC-funded, fully brief your team about LSC restrictions and reiterate the educational nature of this trip: you are not there to request anything or discuss legislation. Such activity is prohibited.[16]

Cleveland Legal Aid has a small binder containing the master itinerary, biographies of each member of the congressional delegation, background information on the current contacts at the congressional district office, and any other facts about the representatives or senators that relate to legal services for the poor.[17] Include a map of the congressional districts in such a binder so that you have a quick reference to the particular areas and counties served by the various House members.

If you are visiting your representative for the first time, expect to have all your meetings with junior staffers at the congressional offices. You may have the opportunity for a photograph or brief conversation with your representative. The junior staffers tend to be recent college graduates who are interested in policy and legislation. They probably do

[15]The U.S. House of Representatives is in four office buildings known as Longworth, Cannon, Rayburn, and Ford. The U.S. Senate is in three office buildings known as Hart, Dirksen, and Russell.

[16]45 C.F.R. § 1612.3.

[17]Gather this information as if for a new supporter. E.g., is the Congress member a former legal services or public service attorney? Is this Congress member a lawyer or married to a lawyer? Did this Congress member attend any recent events at which the Congress member would have met your staff? Any tidbits collected can be a conversation icebreaker.

not know much about civil legal services for the poor and will be anxious to learn more about how your program serves the district. Most members of Congress tend to hire staffers who have a connection to the home district; begin the conversation with some small talk about everyone's hometown, where one went to school, etc.

After visiting the Capitol a few times, you will develop a relationship with staffers who value your annual update. After two or three years, you will begin meeting with a senior staffer in the office (i.e., a legislative director) or having more substantive meeting time with your representative.

As in meeting with the congressional district staff, you should prepare thoroughly for a meeting with the D.C. congressional offices. Plan on a ten-minute presentation, sharing a few client stories and answering some questions from the congressional staff. The main goal of this meeting is similar to that of your local congressional district staff meeting: to educate the staff about your current services and programs. You are there only to update and educate about legal services.

Take the presentation you created for the local congressional district staff and create a one-page "talking points" sheet that can serve as your team's script for all the meetings. PowerPoint is too cumbersome for visits to the Washington, D.C., offices; focus on creating a good script of talking points since the Washington office visits tend to be shorter. The talking-points script should be divided among your team so that everyone has a part of the ten-minute presentation.[18] This preparation is important. Cleveland Legal Aid does a pretrip meeting to review the talking points, and all are briefed about their roles.

Also, create a page or two of client vignettes. Pull recent stories from newsletters or thank-you cards from clients. These should be quick and easy-to-understand stories. The vignettes should complement the ten-minute "about us" presentation and highlight what your legal services organization does in the state and congressional district. Be sure to have a geographic variety of stories so that you can use a vignette from each House member's actual district in your presentation. Client stories help elected officials "better understand the value and services Legal Aid provides."[19]

No matter how much you prepare, the meetings will feel like they move too fast. This pace is common, and the same congressional staffer who is meeting with you probably has eight other similar meetings throughout the day. You need to keep your presentation punchy and memorable. Be straightforward about your purpose: "We are here to bring you up-to-date on Legal Aid's services and programs." You must emphasize that you are not there for any budgetary request or legislation (which, for LSC-funded organizations, is a prohibited activity anyway). You will see the congressional staffer physically relax if you begin the meeting by saying, "We are not here for any request; this is purely an update on how our legal services organization benefits the constituents of the ___ congressional district."

Your conversations, talking points, and client stories should be mission-focused and aimed at helping a novice understand the outcomes and impact of your legal services program's work. You are there to make sure that your representative is aware of and updated on your organization's services to the district's residents. Leave behind a packet with your recent newsletters, brochures, and business cards.

Have one person in your group take notes at each meeting so that you can record details back in the office about the contacts you make, staffers you meet, and biographical information for each. Enter this information into a relationship database. Cleveland Legal Aid uses Raiser's

[18]E-mail me for a copy of Cleveland Legal Aid's script.

[19]Cox, *supra* note 7 ("Client stories and experiences add a real face to the organization, which humanizes the organization, thus maximizing its effectiveness.").

Edge to track relationships for community engagement, government relations, and philanthropy.[20]

Follow up with a thank-you note to each person with whom you meet. The thank-you note should be mailed within the week. Cleveland Legal Aid brought thank-you notes to Washington, D.C., wrote them out after each meeting, and used interoffice mail on Capitol Hill to save on postage. Send an e-mail follow-up with an additional thank-you message once you are back home, and send copies to the local congressional district staffers so that they are kept apprised of your D.C. contacts.

Part of your meeting or the follow-up should be an invitation to your representative to visit one of your legal services offices in the region. During congressional recess, members of Congress make an effort to visit nonprofit entities and businesses in the district. You similarly need to invite your representative to visit one of your offices and connect with the congressional office scheduler. Such a visit helps your organization develop further rapport with your representative.

Results

What comes of this strategic communications work? With an ongoing relationship, you will see

- a better relationship with local congressional district staff,
- more informed (and better) referrals of clients from local congressional district staff,
- congressional district staff informing other community agencies about your program's services,
- written invitations from Washington, D.C., office staff, asking your attorneys for feedback and expert advice,
- written invitations from either district or D.C. office staff requesting client stories that can be shared to highlight issues of shelter, safety, or economic insecurity for constituents in the district, and
- your representative visiting your local legal services office.

Strategic communications with congressional staff, or any government entity, through a regular update about legal services are welcomed and needed.[21] As noted by one former congressional staffer, who wants to remain anonymous, "the squeaky wheel gets the grease."[22] Your visits are the best way to ensure "that your senators and representatives will know about your work."[23]

Yonatan Zamir, an attorney in Representative Kucinich's office, was a legal services attorney before working on Capitol Hill. Even he acknowledges that being in Washington can distance decision makers from the day-to-day struggles of their constituents, but "[t]he client stories that Legal Aid shares are a healthy reminder."[24]

Strategic communications are essential to the long-term success of a legal services organization. The competition for attention among nonprofit entities is great, and an organization can stand out only with a mission-focused strategic communications plan that helps strengthen the organization's brand. Once you find success with your congressional delegation, you can move to other community leader groups with a similar approach.

---

[20]Suggested low-cost databases are Donor Perfect, Common Ground, DonorPro, eTapestry, or MIP's Sage. For guidance, see Idealware, A Consumers Guide to Low Cost Donor Management Systems (June 2011), http://bit.ly/Vc997F.

[21]Cox, *supra* note 7 ("Promoting your organization's mission and successes are two of the most important ways to generate credibility with any elected official, which at the end of the day might allow you to be the right person with the right answer.").

[22]E-mail from a former congressional staffer (Aug. 8, 2012) (in my files).

[23]*Id.* ("[W]hen people came to the office and educated me, I sat up and took notice.").

[24]E-mail from Yonatan Zamir, Counsel, D.C. Office of U.S. Rep. Dennis Kucinich (Aug. 8, 2012) (in my files).

Subscribe to Clearinghouse Review!

Clearinghouse Review: Journal of Poverty Law and Policy is the advocate's premier resource for analysis of legal developments, innovative strategies, and best practices in representing low-income clients. Each issue of the Review features in-depth, analytical articles, written by experts in their fields, on topics of interest to lawyers who represent low-income people. The Review covers such substantive areas as civil rights, family law, disability, domestic violence, housing, elder law, health, and welfare reform.

Get Your Online Subscription Today!

- Clearinghouse Review: Journal of Poverty Law and Policy is published online six times per year.
- Your subscription includes online access to the current issue and the archive of articles published since 1967. With this online access—your "site license"—your organization's entire staff will enjoy fully searchable access to a wealth of poverty law resources, accessible from any computer or mobile device.
- Newly subscribing nonprofit programs are entitled to special discounts on our Training Programs.
- Each subscriber receives *Clearinghouse Review News*, a monthly e-newsletter that covers matters of interest to poverty and public interest law practitioners.

Please fill out the following form to receive more information about subscribing to Clearinghouse Review.

Name ______________________________

Organization ______________________________

Street address ______________________________ Floor, suite, or unit ______________

City ______________________________ State __________ Zip ______________

E-mail ______________________________

Subscriber	Annual Price
☐ Nonprofit organization	$300–$1,800 (varies with size of operating budget)
☐ Law school library	$500
☐ Individual	$400

Please e-mail this form to subscriptions@povertylaw.org.
Or fax this form to Subscriptions at 312.263.3846.

Sargent Shriver National Center on Poverty Law
50 E. Washington St. Suite 500
Chicago, IL 60602

CUT HERE