

Hello and welcome to Rules for Effective Lobbying, a ten-part Advocacy in Practice mini-series. I'm Ray LeBov. I've worked in and around California's capitol for more than 40 years, first in the Legislature as committee counsel for 17 years, and then as a lobbyist for the past 25 years. I also created and run the Capitol Seminars legislative advocacy training program which is hosted at the McGeorge School of Law in Sacramento, California.

Today we will be discussing client relations. If you ask a cross section of lobbyists about their profession, you'll almost always get a wide range of answers: What do you like or dislike about your job? What's the best way to prepare for a career in lobbying? What's the most important skill a lobbyist must possess?

The question doesn't matter. There's virtually never a consensus answer. I say virtually because there is a single exception. There's one question that always elicits the same answer. What is your biggest challenge as a lobbyist? Answer: client relations.

Client acquisition, let's look at that one first. You're likely to be tempted to promise potential clients that you can deliver whatever they want or even more. In my columns, if you've read them, you know that one of my rules for effective lobbying is to under-promise and over-deliver. This is difficult when it results in losing prospective clients to lobbyists who make promises of success that they know they can't deliver. But it's the right and ethical approach and serves you and your reputation best in the long run.

For one thing, your initial promise regarding results plays a significant role in shaping your client's expectation. Unrealistic expectations will result in untenable pressure to do the wrong thing, or even the right thing at the wrong time.

Let's look at the lobbyist/client working relationship. You know that can be tricky since the client's the boss. It's their money and their interest that's at stake. But you as the lobbyist are the expert in navigating the legislative terrain. The Capitol is a unique arena and to succeed there you have to be immersed in it so you're in sync with its rhythms, cycles, subtleties, codes and ethos, both formal and informal.

For one example, the importance of patience can't be over-stressed. Every advocate can probably related a painful but valuable learning experience learning example of how they impatiently snatched defeat from the jaws of victory. The requisite patience can be particularly difficult when you have an antsy client who's unfamiliar with the rhythms and cycles of the Legislature. In such a situation, you have to resist not only whatever natural tendency you have favoring activity for its own sake, but also pressure from your client to, "Do something! Anything!"

Remember, your mission is to devise and execute the right game plan - reformulating it as appropriate to respond to events. It's not to act on every impulse. So, to avoid problems in that area, you have to establish the ground rules for your working relationship with the client at the very start.

The specific ground rules might even be less important than the existence of a solid mutual understanding regarding all aspects of the relationship, including: how and by whom decisions are to be made, the respective roles of the client and the advocate, timeliness and frequency of reports and updates, what defines and constitutes success, and much more.

It's also in the lobbyist's interest to have an informed and educated client. Generally, the more the client "gets" about how the Capitol functions, the better. However, remember, that a little knowledge is a dangerous thing. I know of one instance where a lobbyist told a client, "Good news! The deal between the Governor and the Pro Tem has been struck and our bill will be signed tomorrow."

The client, who had represented a statewide association in Sacramento 25 years earlier insisted, "That's not possible. Our bill's in its first house fiscal committee. And with all the requisite committee and floor votes that still have to take place, the earliest it can possibly be enacted is 3-4 weeks from now. I'm surprised you didn't know that."

Well, needless to say, all the necessary rules were waived, pursuant to the deal, and the bill was indeed signed the next day.

Let's look now at how the client can help or hurt its own cause. There are many contributions that a client can make to the lobbying effort. A few examples: well-coordinated contacts and visits with legislators and their staffs as well as with representatives of interest groups, expert witness testimony at committee hearings, media contacts. To maximize the benefits, the client must be able to trust the lobbyist to advise as to the who, what, where, when, and why at each of those activities.

One notable example is the client day in Sacramento, where association members descend on the Capitol for visits with legislators and other key people. That day can pay great dividends, or it can be a disaster after which even the best, most experienced lobbyist may have difficulty picking up the pieces. To a significant extent, success depends on how well the advocate pre-briefs the clients. Your goals include: making sure the client stays on message, is familiar with the interests and positive and negative hot buttons of everyone with whom they'll be meeting, and is sure to thank everyone for their consideration - whether they agree with them or not.

That's all for this episode of Rules of Effective Lobbying. Tune in next time. Until then, I'm Ray LeBov, and thanks for tuning in.