

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law in its Capital Lawyering program. Today's podcast is on stages of the lobbying process.

These four stages were put together by my colleague Ray LeBov. He basically describes that there are multiple stages of the lobbying process. As part of a lobbyist's strategic and tactical consulting work for his or her client's the lobbyist needs to be aware of the work to be done in each of the four stages of the lobbying process.

Here we look at an overview of these four stages and the work that lobbyists must do in each stage. The first is diagnosis. The second is analysis. The third is strategy. And the fourth is tactics.

Starting with the first stage, diagnosis, not only is the issue to be lobbied understood early in the process, but also it is important to understand its role in the overall process. In this stage, an aspect of an effective lobbyist's approach to any effort is to diagnose all the factors and forces at play. For example, he or she must ask these, and similar questions: Who has a stake in the outcome of the bill? Why would they care about this particular issue? What can you present to them that they'll respond to, and why will they respond? How does the issue interplay with other issues being faced by legislators or regulators?

The second stage is analysis. Taking into account and building on the diagnosis that has been prepared, your next step is to analyze the situation. For example, if you're sponsoring a bill, you have to find a legislator to be the author of the bill. To determine whom you should ask to carry your bill, an experienced lobbyist will want to consider a wide range of factors, such as: the potential author's subject matter expertise; his or her relationship with the four legislative caucuses, the Governor; his or her committee role or leadership role; among many other factors.

Other considerations in the analysis stage include determining which legislative staff member, or members, is likely to be assigned responsibility for your bill and the potential that the author might present for building a beneficial future relationship with that particular elected official and his or her staff.

The third stage is strategy. A key knowledge of the California legislative process, procedures, and rules is necessary for being a lobbyist. But they are not alone sufficient for your success. Looking at the totality of the forces potentially at play in your issue or your bill and how they may interrelate, you must create a game plan for your ultimate success.

In the case of a sponsored bill for example, the game plan is essentially your roadmap that will guide you from bill introduction to gubernatorial signature of your bill. This stage in the lobbying process includes such things as strategies for dealing with allies, as well as opponents; developing your best arguments in favor of your proposal; rebuttals to arguments against your measure; identifying your best witnesses for the various hearings; and how, when and where to get positive media coverage of your issue or your bill.

Even with the best game plan in place, including your planning for foreseeable contingencies that might occur, an experienced lobbyist is still likely to encounter twists and turns in his or her path towards success. Occasioned by unforeseeable factors, and forces, and events that may not even be in your control, you must have the flexibility and nimbleness to reassess and redraw as often as may be warranted as your measure travels through the legislative process.

And finally, the fourth stage is tactics. A strategist is someone who sees the whole picture and can visualize the endgame. A tactician is the one who gets you there. As an old Chinese general once said, "Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat."

The last part of being an effective advocate is your ability to implement your game plan that you drew up in your role as a strategist. This can involve a wide range of skills as you perform the day-to-day activities that are necessary and appropriate for attaining your legislative goal.

Thanks for joining this podcast to look at the stages of the lobbying process.