

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an Adjunct Professor at McGeorge School of Law. My colleague, Ray LeBov, and I wrote a short piece entitled Common Mistakes Made By Lobbyists and wanted to share some of those thoughts. Particularly with new lobbyists, but even with some more experienced ones, there are definitely some common mistakes that are often made so Ray and I offer some observations and perhaps suggestions for addressing some of these common mistakes that we see.

Not reading the bill. Don't rely on another person's descriptions or understanding of a bill that you're working on. Instead, you must actually read the bill as well as any committee and floor analyses. Understand the bill yourself, and be able to articulate what the bill does and does not do in your own words.

Not having paper. Every legislator and staffer, they want a piece of paper, whether you deliver it personally, by hand or electronically. So it's important that you have a one-pager, maybe two pages for more complicated or detailed bills, that you can give to those that you're lobbying. This leave-behind, it's often called, helps jog the memory of those you lobbied, and they'll have something in writing on paper to reference after you've talked with them.

Taking votes for granted. You know, even if you think a legislator is likely to vote with your position, at least pay them a courtesy visit to confirm that belief or hunch. Make sure that the legislator will, in fact, be voting with your position. And even if you think a legislator will vote against your position, check. Sometimes you might be pleasantly surprised on occasion that the legislator might actually vote with your stated position.

Failing to meet with both committee consultants. As you may be aware, there are both majority party, the committee consultants, as well as the Republican caucus or minority party committee consultants. Be sure to communicate with both of them and supply them with the same paperwork so that all elected officials have the same information and these consultants have all the relevant details to complete their bill analysis.

Not finding the right bill author. You know, it takes time and effort to determine and secure the best possible author for your bill. Ray and I could probably write an entire article or more about guidance regarding how to select the right author for your bill. So we just want to mention that there's a myriad of factors that go into selecting the best bill author for your sponsored bill and a good lobbyist will take the time to determine a few of the top candidates to carry their client's bill and then work diligently to secure one of those candidate legislators to carry their bill.

Not properly reading the situation. Whether you're sitting in a legislator's office lobbying for or against a bill, or whether you're sitting before a legislative committee preparing to testify in support of, or in opposition to a bill, read your audience. For example, when the committee chair says, "There's no opposition to this bill, so please keep your remarks short," that means limit your testimony to one or two sentences. We can't count how many times we've been witnesses ourselves to seeing those at the podium or at the table read their entire testimony for several minutes, right after the committee just admonished them to keep it brief.

Not understanding or appreciating the lobbyist/client relationship. Many lobbyists fail to reach an understanding with their clients about the client's expectation. For example, how is information provided? What information is to be provided? And when is it expected? How are substantive decisions like amendments to be accepted or rejected made? Who determines strategy and tactics? Make sure that these questions are addressed before you get going on your relationship with your client.

Not telling the entire story. Well, few individuals outwardly lie in the legislative process. Not telling the entire truth or situation isn't the right approach either. It's better that your bill author, or your client, or

a lobbyist colleague, hear bad news from you directly rather than someone else. And eventually everything becomes public in the legislative process so it is better to let everyone know in advance rather than having them learn about a development, particularly an adverse one, on their own or from someone else. Also, when the information comes directly from you, then the recipient can trust that you're an honest broker, and a team player.

Forgetting to be careful with what you put in writing. In today's electronic age and the prevalence of social media, word travels quickly, especially in small legislative circles so if you don't want information widely known, then it's better not to put anything in writing. In addition, because it's so easy for messages to be forwarded to other recipients, if you don't want sensitive information or comments to reach unintended audiences, then don't put it in writing.

Now, of course, there are many other mistakes that are commonly made by lobbyists, but these ones are some of the ones that we most often encounter. Thanks for joining today's podcast on Common Mistakes Made By Lobbyists. I hope you enjoyed it.