

# **You Say It's Politics, I Say It's Public Interest**

navigating the **quicksand** of taking public positions

National Association of Bar Executives 2017 Annual Meeting - New York City

# Introducing ... Your Brave Panelists

**D'Arcy Kemnitz**  
Executive Director

National LGBT Bar  
Association  
@LGBTBar



**Tina Matsuoka**  
Executive Director

National Asian  
Pacific American Bar  
Association  
@tinamatsuoka  
@NAPABA



**Leah G. Johnson**  
Assistant Executive  
Director

South Carolina Bar  
@SCBAR



**Allan Ramsaur**  
Executive Director  
Emeritus

Tennessee Bar  
Association  
@TennesseeBar

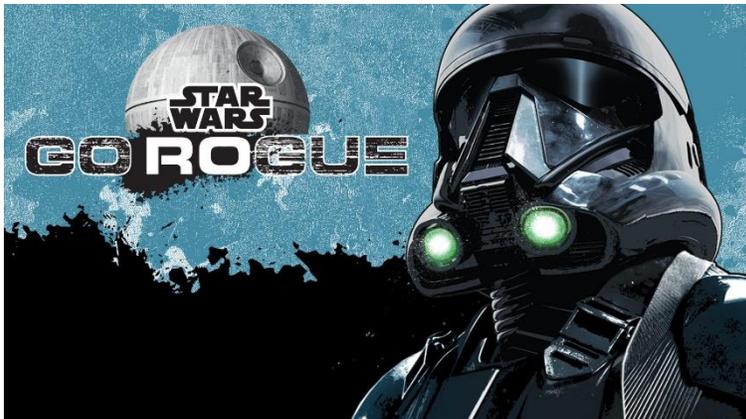


**STAR  
WARS**  
**GO ROGUE**



Is it appropriate to restrict your members' (Section) speech for strategic reasons ...

... even on a topic that is typically fair game for your bar?





When Sections disagree, and  
your association must take a  
side ...

... how do you do that  
without worsening a bad  
situation?





**VOTE  
FOR  
PEDRO**

When your parent organization  
*and* key members disagree ...

... can your association  
take a position on judicial  
elections?





A prominent elected official  
misstates your association's  
support, meaning you confront  
him ...



... or ignore his behavior.



When the budget dialogue is  
toxic ...

... how and when do you  
speak for access to  
justice, or any  
controversial subject?





Your association agrees with  
the law of the land, but then  
state lawmakers stonewall ...

... so you must advocate  
on a controversial topic.  
Do you, and how?





A portion of membership (who represent your future) demand you advocate ...

... but another powerful portion ... yawns. Do you advocate, or not?





Public-lawyer caseloads affect  
the quality of justice ...

... so does your  
association anger  
powerful interests by  
speaking out?

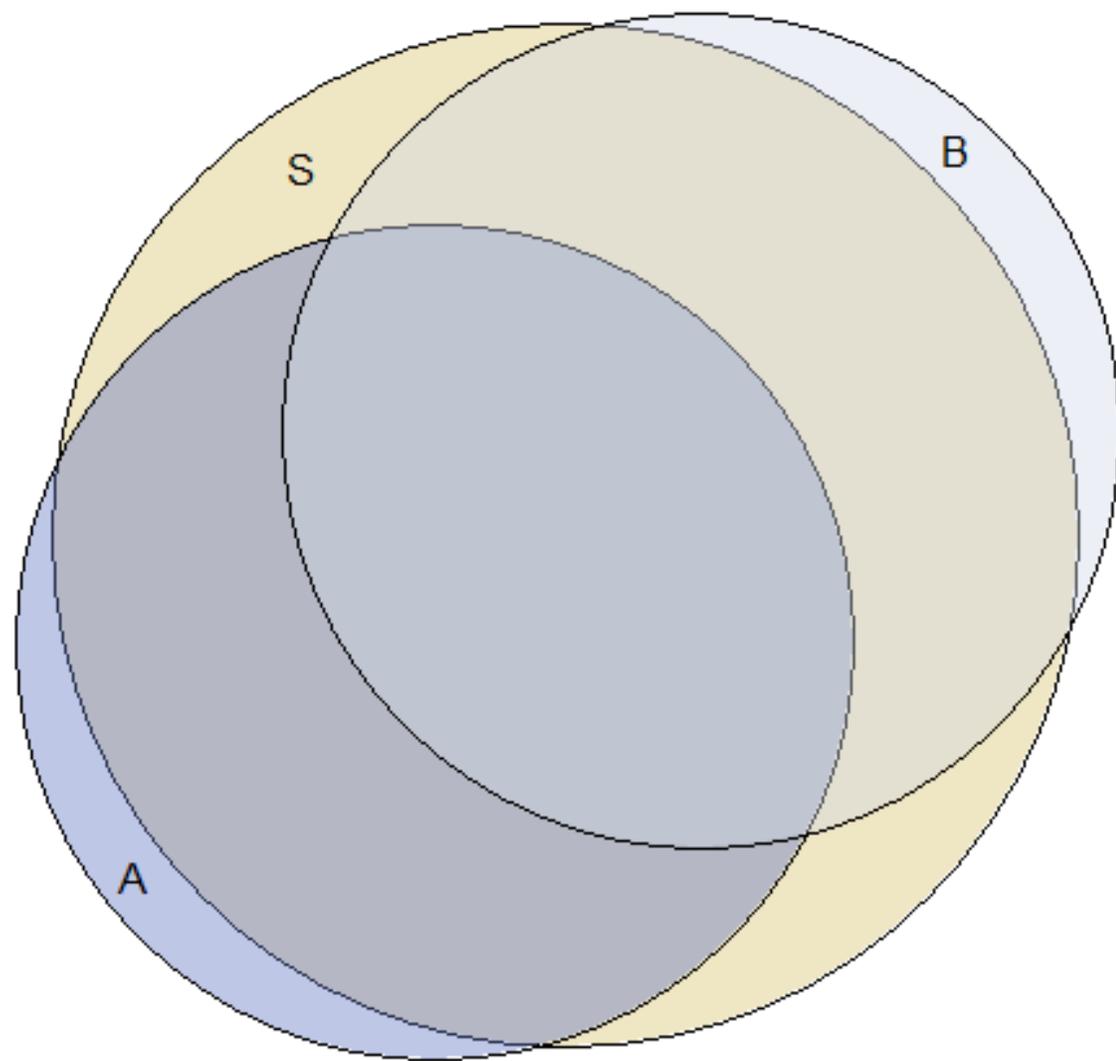




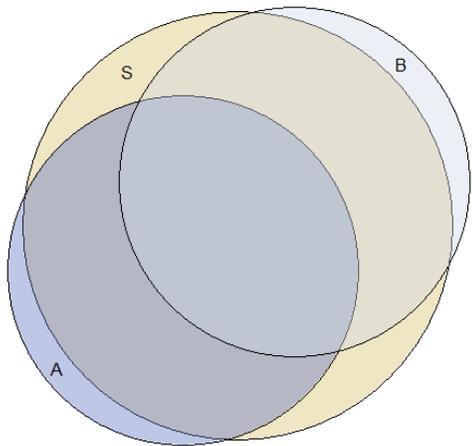
A prominent judge and friend  
of your association gets into  
hot water ...

... do you publicly speak  
to his character, or  
remain silent?





Your political-position policy  
was drafted many years ago ...



... but does it limit you  
too much? Not enough?



You once have taken a political position and now have decided not to speak on the same issue ...

... is that a reversal, and how do you explain it?



CONFLICT  
OF INTEREST

Does your policy help or hurt  
your association in giving the  
impression ...

**CONFLICT  
OF INTEREST**

... that you're not putting  
your finger on the scale?



Does your policy account for  
former staff who have moved to  
agencies ...

... that promulgate rules  
your association  
comments on?



Working ~~Working~~

What single part of your policy  
has proven to be the most  
valuable or effective? ...

... and which part has  
proven to be problematic  
or hard to enforce?

The logo for 'Working Working' is located in the bottom left corner. It consists of the words 'Working Working' written in a white, cursive script font on a solid black rectangular background.

*Working Working*



Which stakeholders in your process have shown themselves to be most agreeable? ...

... and which continue to be tough customers?



**RULES? WHERE WE'RE GOING**

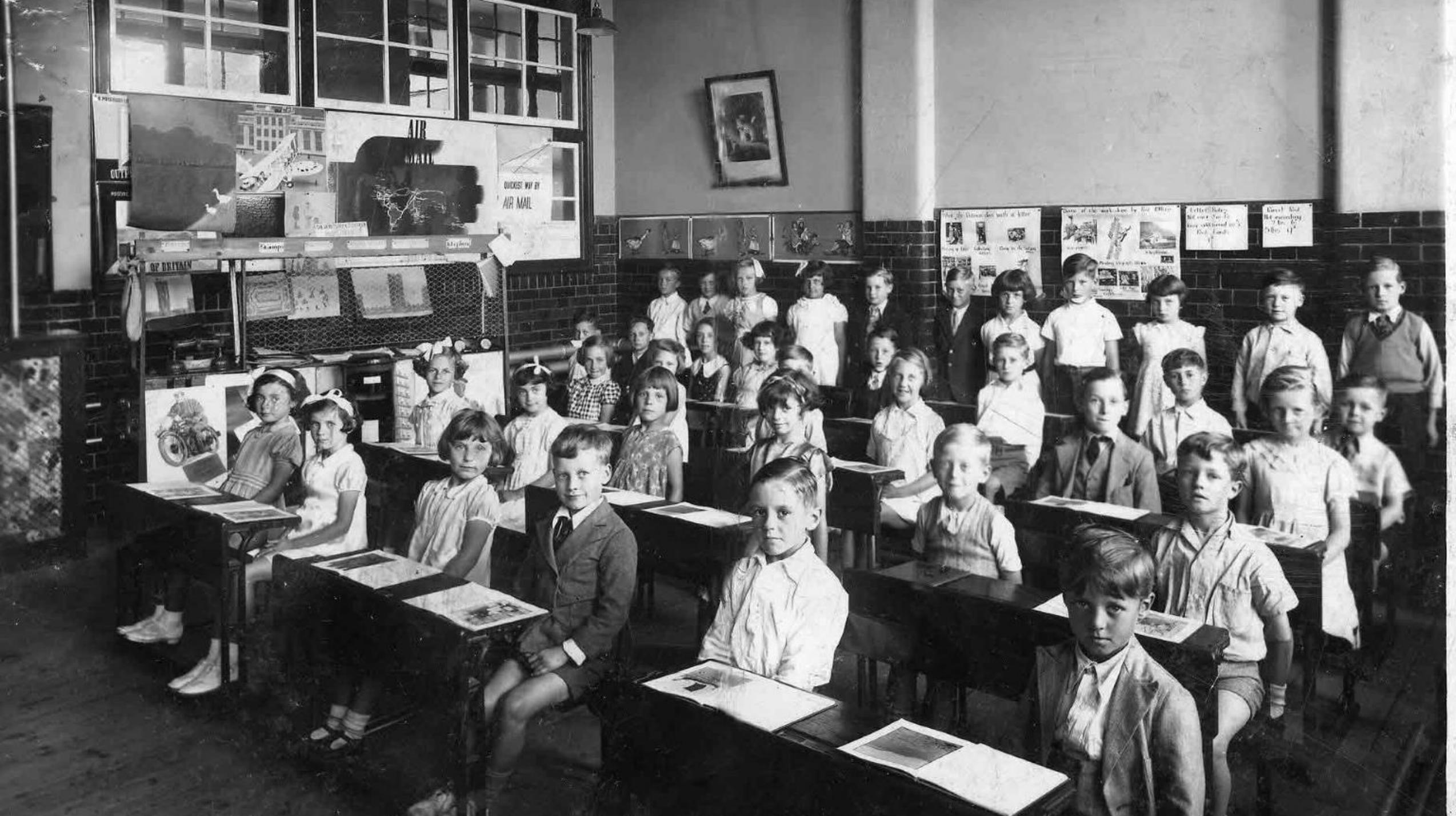


**WE DON'T NEED RULES**

If you once did not have a  
political-statements policy and  
now do ...

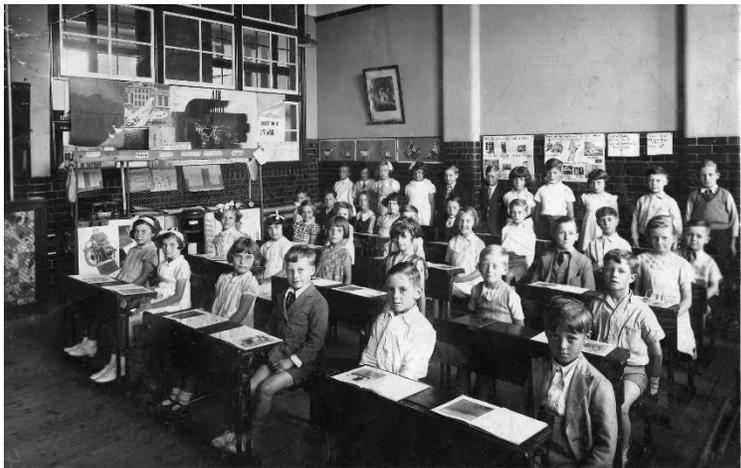
... what event changed  
your mind? (Be graphic  
and detailed!)





How do you re-educate new and returning board members on your policy ...

... or do you assume  
'They got this!'



*The  
End...?*



BUH BYE

LAMAR

ULTIM  
LIFE  
Orlando  
Hardw  
dsons