

Mental Health America Mission Kit Series



Advocacy 101: Getting Started



Advocacy 101: Getting Started

“Nobody can do it alone. Having consumers, parents and other advocates working together with a key legislator or two is the only way to pass a bill. Legislators help with the process, and the stakeholders provide the passion.

— *The Honorable State Representative Judy Ann Buffmire from Salt Lake City Utah State Legislature since 1992*



What is Advocacy?

Advocacy (n.) The act of arguing in favor of something, such as a cause, idea, or policy; active support.

— *The American Heritage® Dictionary of the English Language, Fourth Edition*

There are many different approaches to advocacy. New advocates may at times feel overwhelmed by the breadth of information and never-ending scope of work related to advocacy. It is important to remember that learning about advocacy is an incremental process—getting back to basics is a good start. The goal of the following section is to present basic strategies to help Mental Health America affiliate staff, volunteers, and interested citizens play a meaningful role as coalition members, grassroots organizers and leaders. Our goal and hope is to offer ideas and strategies that support mental health advocates in brokering and providing expertise and experience to policymakers.

Overview

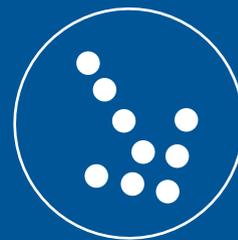
Mental Health America has historically described itself as a grassroots-based citizen's advocacy movement. The advocacy you carry out may be case-based, on behalf of an individual, or have a policy- or systems-change focus. But this standard is specifically directed toward work in public policy, although case-based advocacy can influence public policy as affiliates come into contact with injustice in systems of care, inadequate provision of care, and even abuse that may require a legislative or judicial remedy.

If you are a state chapter, your role is to provide leadership in state-level policy work, with the critical involvement of local affiliates.

If you are a local affiliate, your role is to provide evidence of formal, planned state-level activity in public policy.¹ Affiliates, both state and local, are encouraged to engage with Mental Health America's National Office in identifying methods by which statewide organizational and public policy needs can be met.

State and local affiliate chapters also have a role in influencing federal policy. Affiliate participation in efforts to influence federal policy will vary greatly depending on the individual affiliate. It could involve as little as participating in a letter-writing campaign or a specific issue, making visits to specific legislators in Washington during Mental Health America's Annual Meeting, or testifying before Congress.

¹ "Criteria of Direct Affiliation of Chapters on Unorganized States", NMHA Operating Policy O-15.



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Mental Health America's Role

The National Office carries out a vigorous campaign to promote mental health systems change with Congress and the federal executive branch. It creates a public policy agenda, identifies major federal government public policy issues and promotes the passage of required legislation to address those issues. As part of this effort, National Office staff also provide assistance to state and local affiliates through policy updates, legislative alerts, and policy trainings to assist them in establishing local and statewide public policy and advocacy programs.

Advocacy vs. Lobbying

—from Mental Health America's *Standards and Guidelines*

It is easy to confuse “advocacy” and “lobbying.” The legal definition of lobbying involves attempting to persuade members of a legislature—whether Congress, a state legislature, county commission or city council—to take action on a specific piece of legislation. Advocacy, on the other hand, covers a much broader range of activities that might or might not include lobbying.

“Grassroots lobbying” is when your MHA or another nonprofit organization states its position on a specific piece of legislation to the general public and asks the general public to contact their legislators.² It is perfectly legal for nonprofit organizations such as MHAs to lobby as part of their advocacy responsibility. It will not jeopardize your ability to receive tax deductible contributions from the public. There are, however, limitations on how much lobbying a nonprofit can do and you should be aware of and observe these limits.

Maintaining your 501 (c)(3) status

There are two sets of Internal Revenue Service (IRS) rules from which nonprofits can choose. One rule, the older one, is that no “substantial” part of a section 501(c)(3) nonprofit organization's activities can be lobbying. While there are no specific definitions of what constitutes “substantial,” it is generally considered to be no more than 5 percent to 15 percent of an organization's expenses. But there is little clarity under this rule as to what activities constitute lobbying.³ The second set of rules was passed by Congress in 1976. Nonprofit organizations have to formally elect to operate under the 1976 provisions by filing IRS Form 5768. The more recent rules provide a clearer definition of what does—and does not—constitute lobbying and is specific about how much a nonprofit can spend on lobbying, according to a sliding scale based on the size of an organization's budget. There are some activities that Congress says do not represent lobbying. You can do as many of those activities as you want without exceeding lobbying limits. Those activities are:

- Executive Branch Contacts—Contacts with executive branch employees (federal, state or local government employees, for example) or legislators in support of or in opposition to proposed regulations are not considered lobbying.

² “The 1976 Law Governing Charity Lobbying,” *Charity Lobbying in the Public Interest, Fact Sheet*.

³ Letter from Thomas J. Miller, Manager, *Exempt Organizations Technical, Internal Revenue Service to Charity Lobbying in the Public Interest, Independent Sector, June 26, 2000*.

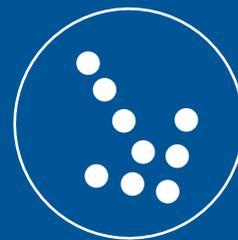


- Volunteer Lobbying—Lobbying by volunteers is considered a lobbying expenditure only to the extent that you incur expenses associated with the volunteers’ lobbying. So you could organize a rally at the state capitol to lobby on mental health parity and only the expenses related to the rally paid by your MHA, such as buses for the volunteers, would count as a lobbying expense.
- Member Communication—Your communications to your members on legislation is not lobbying as long as you do not encourage your members or others to lobby. For example your newsletter can take a position on a piece of legislation and it would not be lobbying unless you ask your members in the newsletter to contact members of the legislature.
- Technical Advice to a Legislative Body—Your response to written requests from a legislative body—federal, state or local—for technical advice on pending legislation is not considered lobbying. So if you are asked to testify before a state legislative committee on a bill pending before that committee, or to develop materials requested by your congressional representative, you can do so without it being considered lobbying.⁴

Examples of implementation—

- Participating in or leading advocacy coalitions
- Responding to legislative alerts from Mental Health America’s National Office
- Attending legislative hearings
- Participating in health care reform coalitions
- Serving on special committees
- Forming a “Depression Coalition”
- Participating in local or state mental health
- Partnership meetings
- Participating in mental health parity coalitions
- Organizing a telephone tree or other legislative network of interested citizens who can be contacted quickly when action is needed
- Conducting or participating in public forums or town hall meetings on mental health policy issues
- Holding a legislative breakfast, dinner or other event for local policymakers to educate them about specific mental health issues
- Developing position papers
- Visiting decision-makers
- Telephoning decision-makers
- Writing letters to decision-makers

⁴ “Important Lobbying Exclusion Under the 1976 Law,” *Charity Lobbying in the Public Interest, Fact Sheet*.



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Strategies and Tools for Advocacy

“A unified statement across diverse constituencies is a very powerful tool. This is especially true when supporting your argument by statistics and cost information. If you all use the same data, it gives them greater credibility. It’s also important to stress the outcomes expected by the proposed legislation.” —*The Honorable State Representative Judy Ann Buffmire from Utah*

Coalition Building

Any citizen has the right to ask his or her elected representatives to do something, and most legislators will at least listen, even if no action comes of it. This is individual advocacy. To affect large-scale change, however, it’s best to work within your organization and with other organizations that share similar interests in voicing your concerns and views. This is coalition advocacy and is the foundation of advocacy movements. Most successful nonprofit policy campaigns are conducted through coalitions of organizations with shared goals. In each state or local area, advocacy organizations often join together to address issues of mental health, children’s healthcare, housing, juvenile justice, social services or consumer empowerment. There may well be existing coalitions that you can join to support your advocacy efforts. You should create a new coalition only when necessary, because they require considerable time and maintenance.

Working within an advocacy coalition has several advantages, including:

- **Developing the ability to take on larger issues that require more power to win.** A coalition of organizations, especially groups with diverse backgrounds, indicates broad support for a position. One organization may be able to garner only a handful of constituents to make a call or write a letter. However, a dozen organizations working in tandem can mobilize significant support from any district.
- **Spreading the work and expenses across groups.** This is especially important if the individuals within the coalition can bring different specialties to the effort. For example, one member may have extensive resources to develop media campaigns, while another organization may have a large, dedicated grassroots network that can be easily mobilized.
- **Helping to establish credibility in other areas of the community.** Coalition members may represent different perspectives in the community, such as faith institutions, community organizations, the elderly, and most important, people with mental health conditions. Prior to forming the coalition, these groups may have been difficult to involve in advocacy efforts. However, by forming alliances with representatives of these communities, credibility can be established with groups outside of the mental health field.
- **Acquiring different perspectives on policy issues.** Open communication with all members of your coalition will enable you to attain a more objective assessment of your positions on issues. Different perspectives will also help when trying to anticipate and address the arguments of your opposition.



If you decide that it is best for your organization to work with other organizations within a coalition, here are the initial steps that you need to take to make the coalition a reality.

1. Establish an organizational structure for the coalition. You and your new coalition partners need to establish structure and direction for the coalition that is customized to maximize advocates' strengths and support your policy objectives. Coalitions should have clearly established rules for taking positions, approaching compromises and electing leaders internally. Although coalitions have the potential to garner enormous strength, they remain fragile. There is always the chance that some members will become displeased with the direction being taken and will unilaterally attempt to arrange a compromise on their own.

2. Develop a "written platform" centered on your policy position and create a corresponding action plan. This platform can help minimize internal conflict and keep your advocacy efforts on track. The platform should be broad enough to appeal to all of your coalition partners, but contain enough detail to avoid confrontations and misunderstandings. Also, create action steps with clearly defined responsibilities for each organizational member.

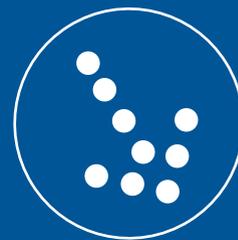
3. Select leaders. Every coalition needs a leader who possesses an in-depth knowledge of the state legislative process. Although the leader can be a paid lobbyist, more often than not that person is also a leader within one of coalition's founding member organizations or a dedicated volunteer. Regardless of who the leader is, it is extremely important that he or she has excellent interpersonal skills, including the ability to develop positive relationships with legislators and their staff.

4. Ensure sufficient coalition support. A key factor in the success of any coalition is the amount of time and energy invested by its members. You'll find that the amount of time and energy your coalition's member organizations are willing to invest in advocating for an issue is often directly related to the level of public support they have for the issue.

5. Be prepared to compromise. The nature of a coalition requires that the membership arrive at some sort of consensus. Therefore, compromise is often necessary. What your organization must determine is what it can live with and what it cannot. It is important to decide when and how the group will make decisions before it is necessary to make them. This is often a key issue that can potentially fracture coalitions because some organizations may have interests that are satisfied by a legislative compromise that ignores the needs of the others.

6. Design a system for regular meetings and communications. If your coalition is statewide, consider strategies that will keep the coalition together, despite the distance that separates the members. If your coalition meets regularly, consider varying the location. It is also important to develop a system of communication, such as an e-mail list, between meetings so that action can be taken immediately when it is necessary.

7. Set a timeline for the coalition's activities. When doing so, be aware of the legislative calendar. It is important to pre-file and pursue contacts with legislators before the session begins.



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Communicating With Legislators

Once your coalition is formed and the infrastructure is set, your coalition should be set to start advocating. No matter how you are communicating with legislators, there are some general points to remember:

- *Keeping it local.* The local constituency is, obviously, most important to the state legislator. State legislative offices pay more attention to personal communications from constituents than any other source (see the next section).
- *Keeping it personal.* Personal forms of communication, such as letters, telephone calls or office visits, indicate a greater amount of effort. The more obvious the effort, the more seriously the communication is taken.
- *Keeping it concise.* Given the busy nature of legislative offices, the more concise the communication, the more likely it is to receive attention.
- *Putting it in writing.* A written communication provides a readily available record in the office that can be used whenever a staff member or legislator addresses the issue. When you have a meeting or speak with a legislator or staff on the phone, follow up with a letter briefly summarizing your discussion and reiterating your position.

Meeting a Legislator in Person

Meeting with your member of Congress, your state legislator or their staff and developing a personal relationship are the most effective ways to influence the legislators' positions on an issue. Phone calls, faxes, e-mails and letters are all important but are not as effective as face-to-face meetings on the Hill or in your local district offices.

1. Make an appointment. Schedule the visit in advance; do not just show up. A broad-based delegation of constituents (five is ideal) increases the likelihood of getting a meeting with the legislator rather than a staff member. Fax the scheduler with your written meeting request (who, what, where, when and why) and follow up with a phone call. Use your company or organization's letterhead when faxing the request and mention that you will publish a picture of the legislator on your group's website/next newsletter. If your lobby visit is in Washington, D.C., you should ask to meet with at least the legislative assistant.

2. Prepare for the visit. Information on your legislator's co-sponsorship of bills and previous votes is available online. You can also find valuable personal information about your legislator on his or her home page. Have a face-to-face pre-meeting with your delegation to determine who will cover which points and who is going to "chair" the meeting to keep it on topic.

3. Be punctual and positive. Be on time, and thank the staff person or member for his or her time. Even if you disagree on most issues, compliment the member for a vote or action you appreciated. Building a rapport with staff is important in developing a long-term relationship.

4. Focus the meeting. Briefly introduce the individuals of the group, the organizations you represent and the topic you wish to discuss. It is important to talk about only one issue and to stay on this topic. Remember, you don't have to be an expert on an issue; members meet with you because you elect them.



5. Listen and gather information. Ask for your legislators' view on an issue. Be patient and passionate; don't react angrily if you don't get the response you want. Stay calm and be polite always.

6. Make a specific request. Rather than something generic like "I want you to support mental health," a more effective ask is to request support for a specific bill or legislative action. Give several brief points why your member should support this legislation. Avoid a long philosophical debate about the issue; be concrete.

7. Follow up. Tell the staff person or legislator you will get back to him or her if you cannot provide information about an issue on the spot. Conversely, if the staff person with whom you are meeting is unfamiliar with a bill or is unsure about the legislator's position, ask that he or she respond to your questions after the meeting in an e-mail or letter. Leave a page or two of relevant material.

8. Express your thanks. At the end of the meeting, thank the staff person or the member for his or her time. Send a thank you letter soon after your visit, repeating your "ask." This letter helps build a relationship over time with the legislator or the staff person.

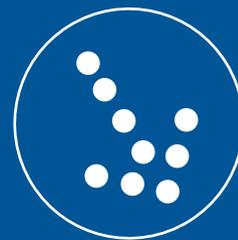
Writing to Legislators

The art of writing effective letters and e-mails to members of a state legislature may make the difference between success and failure in your coalition's advocacy campaign. Any written communication with legislators and their staff members should be as concise as possible to increase the chances that the communications will be read by extremely busy people. Members letters and e-mails should be as personal as possible and appear spontaneous, not scripted. Writers should be encouraged to include relevant personal anecdotes. Make sure that the anecdotes are relevant and concise so that the legislator will read it. It is also very important that the facts contained in letters are accurate.

Coalition coordinators should be able to provide local contacts throughout the state with legislators' contact information, including addresses, fax numbers and e-mail addresses.

Here are some key ingredients for effective writing:

- Make it clear in the opening of the letter or e-mail if you know the legislator. This will alert the mail opener that this is a letter that deserves special attention.
- Note if you live in a legislator's district. If you do not, note that you are part of a coalition that represents constituents who do live in his or her district.



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- Handwritten letters are perfectly acceptable, as long as they are readable. In fact, they often receive more attention than typed letters.
- Keep letters to one page and e-mails to a couple of paragraphs. It is important to write in your own words, avoid bold words or jargon. Use only those acronyms that you are certain your legislator will know.
- Cover only one issue per letter or e-mail. Letters and e-mails that address multiple issues are much less effective. In the first paragraph, ask for the action you want your legislator to take. Identify the legislation clearly, with the bill number of the legislation, if it is known.
- If you think more information is needed, send additional materials. For example, relevant editorials and news stories from local papers in the legislator's district will get his or her attention.
- Ask legislators to reply, and ask very directly whether he or she will support your position. Legislators sometimes are good at responding to communications without giving their positions on the issues.

Sign-On Letters

Encouraging advocates throughout the state to mail in their own letters or send their own e-mails can be daunting. As a result, not every advocate will necessarily follow through. To ensure maximum coverage to legislators, your coalition might try sending a “sign-on” letter in addition to individual communications. Copies of the letter can be sent by your coalition coordinator to all of the legislative offices. Some coalitions even reprint the letter with signatories in local or statewide newspapers.

The following elements should be included in your “sign-on” letter to legislators

- A brief description of your organization or coalition and its objective
- A description of the issue
- The status of current law and/ or pending legislation
- How the legislation will affect the legislators' constituencies
- Your coalition's position with regard to the issue
- A request for specific action on the members part
- A reaffirmation of your coalition's interest in their positions on this issue



Phone Calls and E-Mail

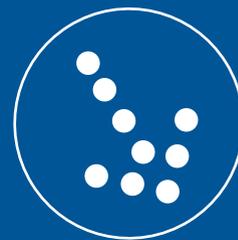
In almost every legislative campaign there are times when it is crucial to have immediate contact from your grassroots network. There is often less than 24-hour notice before a key vote comes up in committee, or even before a final vote in the legislature. In these situations, coalitions usually have a process by which coalition members can receive urgent updates and directions on how to contact legislators through e-mails and phone calls. The fact that a legislator receives many calls on your issue just before a vote can make a difference. When a vote is imminent, it may not be possible on short notice to talk with your legislator on the phone. If you cannot reach the legislator, ask for the legislative aide who is assigned to your issue. If you cannot reach the aide, leave a message with whoever answers the phone. In these cases, key relationships that have been nurtured between members and constituents may be helpful. A local constituent who has developed a trusting relationship with the member who they voted into office may be able to get a call returned when state-level advocates are ignored.

Testimony

During committee deliberations, legislative bodies often call for public hearings. They are usually called to inform the public about an issue, or to gather the information necessary for legislators to draft laws or to determine whether a law is needed. Providing testimony will require your coalition to formulate a comprehensive statement of its position on an issue. Even if a hearing is considered by the participants as “window dressing” for decisions already made, your testimony can help establish your coalitions’ members as reliable sources of mental health information. Therefore, testimony can be very valuable, even if some hearings really are “window dressings” for decisions that have already been made. A decision not to testify must be made carefully and for good reason.

Strategies for getting the most from your testimony:

- *Keep your statement brief and always provide a one-page summary as the initial page of your written testimony.* Providing a summary helps ensure that your main points will be noted, given that most legislators do not read testimony. Your oral statements should not be read word for word. It is important to maintain eye contact with committee members. Some advocates find it helpful to deliver their testimony from brief outlines or “cheat-sheets.”
- *If you cannot answer a question, it is perfectly acceptable to say so.* However, indicate to the committee members that you will get them the necessary information as soon as possible.
- *Testimony should be delivered by a high-ranking, well-informed volunteer or other senior member of your coalition.* You want the person who can make the best presentation and favorable impression to testify on your issue.
- *Know in advance which committee members will be present and whether or not they are in favor of your legislation.* This information can usually be obtained from the staff of the legislator who supports your issue.



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- *Plant questions with friendly legislators who you know will be present at the hearing.* This will ensure that you get supportive questions and your answers into the public record. If there will be witnesses that are hostile to your issue, anticipate the opposing arguments they will make, and provide responses to friendly legislators. You can also plant questions with friendly legislators which they can raise to hostile witnesses to make points for you. All of this can be coordinated with legislative staff or, in some cases, with the members themselves.
- *Get other groups to sign on to your testimony if they are not planning to testify on their own.* If you are not testifying on behalf of a coalition, having several other groups that are well known to legislators sign on to your testimony will certainly strengthen its impact.

Watering the Grassroots: Mobilizing Your Coalitions' Members

The most effective tool in an advocacy arsenal is the ability to mobilize the individuals who are passionate about your issues—the grassroots. Real power does not exist in state capitals but rather lies with individuals who hold the power to affect the way elected officials vote. As a result, the people who they are most willing to listen to, however, are their constituents, the people who elected them into office. Mobilizing support for your coalition's issue among constituents of key legislators can be very effective.

Every grassroots campaign has the same goal: to recruit constituents who will make their opinions known to targeted legislators or decision-makers. Legislators want to know how many people care about the issue and how strongly they care about it. Mobilizing your grassroots is the best way to demonstrate to lawmakers that many people care deeply about mental health.

The process of mobilizing constituents on an issue should begin before their advocacy is needed on particular issues. The advocates identified by your coalition should agree to meet regularly with their legislators and to serve as local spokespeople to the media and other public venues on specific issues. Through regular meetings with their legislators, they can establish a trusting relationship with legislators or their staffs. As a result, key contacts are more likely to have direct contact with legislators and be in a better position to influence their decisions during times of legislative crisis. These key contacts can also act as grassroots coordinators, maintaining contacts with other stakeholders in the district who can be mobilized with phone calls or e-mails.

The job of the state-level coordinator for the coalition is to keep local contacts informed and motivated through the legislative session and beyond. The system of local contacts becomes even stronger when each organization in the coalition develops an extensive system of key contacts at the grassroots level. In this way, coalitions are able to share information learned at the local level and can leverage tremendous political strength when particular legislators need to be persuaded.



The greatest obstacle to mobilizing your constituents is overcoming their apprehension about communicating with their legislators. Many constituents believe that they do not know enough about the issue or think that they are not capable of influencing the decision-making process. In order to motivate your supporters to communicate, educate them about the issues and give them the tools necessary to become effective advocates in their own right. Here are some general tips for educating your advocates and motivating them to speak out for those with mental illness.

Educating and Motivating Advocates

- **Develop a personalized message:** Before people can be mobilized, they must first be energized. Supporters will not respond to alarm bells without first understanding how an issue affects them or their loved ones. Members want to know and need to know why they should be involved in making a change. What is at stake for them and their loved ones? Identify the one or two critical points that will motivate your constituents. The most effective messages are straightforward and to the point.
- **Educate through regular communications:** Regular communications with the grassroots, such as print or online newsletters or weekly updates, is the best way to build momentum and educate your activists on current mental health policies. It's important that your advocates have enough information to understand an issue's dynamics and to express their positions in layperson's terms.
- **Provide a call to action:** A "call to action" or "action alert" can activate your grassroots at precisely the right time to affect a legislator's decision. Alerts combine a sense of urgency ("act now") with a description of what is at stake ("to keep mental health benefits in Medicaid"). The best "call to action" reiterates the issue, offers a compelling description of the issue's potential consequences, and details exactly what the advocate should do to help. (Please see the *Graphic Standards Manual* at <http://affiliate.mentalhealthamerica.net> for samples.)
- **Provide tools and resources:** Grassroots advocates need to know they are advocates. Give them tools and resources necessary to feel empowered and confident that they can and do play a role in the legislative process. Good tools and resources include: a guide to understanding the legislative process, tips for visiting Capitol Hill, talking points, and sample letters to legislators or letters-to-the-editor.
- **Appreciate them and keep them active:** Always be sure to thank your grassroots members for their participation and help. This is critical to keeping them active, keeping them interested, and keeping them poised and ready to help again at the next critical juncture. Enable your grassroots activists to feel they are making a difference by providing feedback about how their actions affect policy decisions.



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Mental Health America's Advocacy Network

Visit www.mentalhealthamerica.net and click on TAKE ACTION

In November 2006, Mental Health America launched its first national online advocacy network at www.mentalhealthamerica.net (click on TAKE ACTION). Mental Health America's advocacy network allows people from all over the country to promote awareness of mental health issues and increase constituent participation in federal and state advocacy campaigns. It's about more than sending an e-mail; it's building an ongoing relationship with a loyal network of constituents ready to support the issues most important to our community.

State and Local Advocacy

Mental Health America affiliates can also host individual campaign sites to conduct state advocacy with the same capabilities as national's. Four states—Colorado, Indiana, Montana, and Pennsylvania—were selected as the first group of state advocacy sites and deployed their networks in early 2007. In 2008, 20 additional state sites will be brought online, leading to states sites in all 50 states by the end of 2009. Access the Mental Health America advocacy network can be accessed by visiting www.mentalhealthamerica.net and click on TAKE ACTION.



Resources

Mental Health America

800-969-6642, option #6

shcrinfo@mentalhealthamerica.net

National Consumer Supporter Technical Assistance Center

800-969-6642, option #6

www.ncstac.org

Advocacy Primer: Influencing Your State Legislature

published by Mental Health America

Advocacy Primer: A Tool-Kit for Promoting Positive Health Care Reform Through Education and Advocacy

published by Mental Health America

Charity Lobbying in the Public Interest

www.clpi.org



 **What is** Advocacy?



bringing wellness home