

ADVOCACY CHECKLIST

Organizations Looking to Assess their Infrastructure to Support Compliant Policy Advocacy

This checklist is designed for public charities to examine organizational policies and procedures that support their ability to conduct policy advocacy and lobbying activities in compliance with rules from funders, as well as local, state, and federal governments. This self assessment tool is complimentary of Alliance for Justice's Advocacy Capacity Tool (ACT!) which can be used by nonprofits to benchmark skills, identify gaps and opportunities, and determine where capacity needs to be built to achieve their policy advocacy goals.

Leadership

- Does the organizational leadership send a message on the importance of compliance?
- Does the leadership offer training to support staff understanding of the ability to engage in and support advocacy and ensure compliance?
- Does the leadership look over the entire body of work to ensure that lobbying is an "insubstantial part" of the organization's work and there are sufficient products/actions that are non-lobbying public education?
- Is there a regular process to educate the board of directors on the organization's advocacy activities and compliance with rules, and build their support?
- Is there a process to handle problems involving rule compliance, including a clear chain of decision-making for action and/or communications?
- Does the organization send out a reminder in the months before elections, reminding staff of the prohibition on using organizational resources (phones, copy machines, computers) for electoral activities? This includes a prohibition of wearing any campaign paraphernalia at professional events.

Program & Communications

- Is there at least one staff person who is familiar with the local, state, and federal rules on lobbying and electioneering?
- Does that person ensure compliance with those rules on a regular basis as needed? Does the person help shape activities so that they maximize the ability to advocate, according to funding and legal guidelines?
- Is anyone on staff registered as a lobbyist if appropriate? Are they completing reports as required?

- Are staff familiar with state and federal rules regarding gifts to policymakers and have a mechanism to ensure compliance (such as when inviting policymakers to meetings, site visits, or conferences?)
- Do communications staff understand the distinction among advocacy, lobbying and electioneering, in order to craft messages using appropriate language and to help review text? Does standard organizational text (vision, mission, description for the media, website homepage) reflect that language?
- Are there dissemination vehicles (website, listservs, email distribution lists) that enable broad dissemination of materials?
- Do you have access to legal counsel (inside or outside) who can provide guidance? Do you have a process to secure advice and make decisions on content to be in compliance?

Development & Finance

- Do development staff understand the distinction among advocacy, lobbying, and electioneering? Do they use language in funder communications consistent with requirements? Do they understand the rules that apply to funders? Do they understand what the provisions in their grant agreements mean?
- Are staff familiar with, and do they attempt to educate funders on, the funding vehicles that allow the use of funds for lobbying?
- Do the fiscal staff (including fiscal sponsors) understand the distinction? Are there mechanisms to track and report time and expenses on local, state, and federal lobbying as needed?
- Do budgeting processes prioritize the use of any unrestricted funds for lobbying?
- Has the organization taken the 501(h) election per IRS rules (not required but recommended)?

Outside the Organization

- Are peer coalition members familiar with the rules, as needed?
- Is there a mechanism to allocate lobbying roles, according to which partner organizations have the financial flexibility to lobby?
- Is there a consistent effort to build relationships with and support from policymakers of different parties, including using bipartisan or neutral language as appropriate?



In a coalition, have the members signed an operating agreement or similar agreement to determine organizational structure, decision-making for the coalition, goals and missions, cost-sharing, how lobbying will be allocated, how disagreements will be settled, if there will be a host for a coalition website, membership composition, etc.

This co-branded checklist was written with Bolder Advocacy guest contributor, Dr. Sara Watson, founder of Watson Strategies LLC.

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