The Membership Management Report

THE MONTHLY IDEA SOURCE FOR THOSE WHO RECRUIT, MANAGE AND SERVE MEMBERS

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Inside

TESTED BEST PRACTICES

Avoid Bylaws Pitfalls

By Kim Pawlak

The two most common bylaws pitfalls are 1. being overly detailed and prescriptive and 2. not being consistent with state statutes, says Nisha Thakker, a partner with the Tenenbaum Law Group PLLC (Washington, DC).

"Bylaws are intended to be flexible and fluid so that the governing body of the organization can act effectively and efficiently," she says. "Bylaws don't need to lay out every possible scenario and address every possible issue in order to be legally compliant. It's actually the direct opposite."

For instance, rather than saying an association's board of directors has to have 15 members and then deciding exactly who those individual members have to be, she says, include a range: "For example, 'The board shall be comprised of no fewer than 6 and no more than 12.'" Also, don't list in your bylaws every single committee you have currently, she says. Instead think about what you really need, authorize the board to create committees when it's practical and leave the remaining details to the committee charter and policies and procedures of the organization.

Bylaws also need to be consistent with your state statutes, which are the overseers of everything governance related, she says: "If anything is in conflict with the state statute in the bylaws, the statute will govern it. Be sure you aren't just copying and pasting from the state statute or referencing it too much or with too much detail."

She recommends associations review their bylaws regularly and identify what is working well and what is causing them to be hamstrung: "If the bylaws are saying something that is directly opposite to how you're actually running the organization and governing, see where that divergence is and how you're going to bring it back together to make sure that they are in line with one another."

Many associations look at their bylaws and governance as something that is holding them back from doing what they need to do, when actually the opposite is true, she says: "If you're doing it right and engaging the right stakeholders through the process, you're actually creating an organization that has more longevity than it would have otherwise. You'll have the tools to govern so effectively that you can focus on other matters more, such as non-dues revenue, membership engagement and creating new programs and initiatives. That underlying governance structure is what everything else is built upon and what leads to very successful organizations in the long run." ◆

Source: Nisha Thakker, Esq., Partner, Tenenbaum Law Group PLLC, Washington, DC. Phone (202) 221-8004. Email: nthakker@TenenbaumLegal.com. Website: https://www.TenenbaumLegal.com/

MEMBERSHIP EVENTS

Make an Impression Coming And Going

No impression is more important than the first ... and the last. At your next member event, assign volunteers to greet guests as they arrive and bid them farewell as they leave.

This special volunteer team can also answer guests' questions and, most importantly, reinforce information that was imparted during the event.

Ask these hand-selected volunteers to:

- Remind departing guests of upcoming events.
- Share one new detail about your organization.
- Ask guests if they have any outstanding questions about your organization.
- Offer additional brochures, flyers or other materials.
- Warmly thank guests for coming! ◆

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RECORDS MANAGEMENT PROCEDURES

Digitize Your Member Files

By Erin Sandage

Take advantage of the many uses of Adobe Acrobat Pro, software many organizations already have, to digitize your digital and paper member files quickly and easily.

Stephen Brock, assistant director of membership for the Alliance for Academic Internal Medicine (Alexandria, VA), has used Adobe Professional to transform member files into searchable and legible documents, saving both time and effort.

For example, Brock says meeting minutes that are saved as PDFs allow users to quickly search for a keyword in less than a minute compared to flipping through hard copies. PDF forms also don't require membership staff to waste time deciphering bad handwriting, which also helps determine a baseline for processing time per application.

Brock adds that saving documents as PDFs saves time and effort for members as well via verified fields and electronic submissions. "And that is where I think the real benefits come. The member or customer interacting with the organization has a much easier time and a better user experience."

Adobe Acrobat Pro can be used to digitize all types of member files from old meeting minutes, reports submitted for competitions, applications for scholarships and order forms in a variety of ways, explains Brock.

- **Using plugins to save a digital file as a PDF.** Adobe was developed to easily integrate with Office applications, making saving and printing files as PDFs a snap. "If you make the files directly from Word, Excel or similar, it's great because the text is recognized immediately, making searching the PDF easy."
- **Scanning paper documents to create PDFs.** Legacy items, like old paper forms, can be scanned directly to a PDF with most scanning software. Brock recommends using as high a resolution as your scanner supports. "Then you can use the OCR function in Adobe Acrobat Pro or Adobe Professional to make it searchable. The higher the resolution, the better the OCR functions."
- **Creating forms from PDFs.** Adobe also allows you to create a form from scratch or from an existing PDF. "The form creator essentially turns every extended line and box into a fill-in field. You can then modify as needed. The form creator/editor allows for text fill-in boxes, dropdowns, radio buttons and multiselect options. This makes forms such as membership very convenient for the person filling out the form."

Once created or saved as a PDF, forms can be printed or submitted, even without an Internet connection, useful for volunteer fairs or other exhibitor events where Internet is expensive or unavailable. PDFs can be saved and printed back at the office. And PDFs can easily be kept for record keeping using a Submit button. Brock says selecting Submit opens the default application on a user's computer with a predefined email, allowing for redirecting or filing by the recipient.

"I find that Adobe can be a very useful and powerful tool. But, like any tool, you may need to take a little time to learn how to use it so that it can be of most use to you in your environment. But once you've learned how to use the tool, you will find that you can quickly and easily make things easier for your staff and for your constituents." ◆

Source: Stephen Brock, Assistant Director of Membership, Alliance for Academic Internal Medicine, Alexandria, VA. Phone (703) 341-4552. Email: sbrock@im.org. Website: www.im.org

EVENT PLANNING

When to Start Promoting Your Annual Conference

When it comes to promoting your annual conference, there's no such thing as a lockdown on programmatic content anymore, says Allegra Tasaki, communications director for the National Association of Bond Lawyers (Washington, DC).

"It's become a 365-day process," she says. "If you only market your event or your webinar three months out, you won't be on your target audience's radar in advance, and you're not setting yourself up for success."

If you're only marketing three months out, then you only have that small amount of time to try to get as many attendees, exhibitors and speakers, as you can, she says: "You're better off planning internally so that you start earlier, even without every piece of information completely vetted and ready to go. Providing information as you have it presents an opportunity to stay engaged with your potential market. Think drip campaign, not a novel detailing every part of the event."

Tasaki says optimal promotion begins a year in advance at the site of the current event, with scan codes that add a save the date to attendees' calendars and a brief overview of the conference theme. She then advises periodic social media posts to get the save the date out to a wider audience, with a message such as, "Hey, it was a great annual event this year. Next year we'll be at X location. Here are the dates. Stay tuned for more info."

Rather than putting everything in one communications piece, she recommends mapping it out so you have something to say at least once a month a year in advance: "As you then get closer, four months out, three months out, you can do it every other week. It's a drip campaign approach. You're giving a little bit of information at a time to create excitement and build anticipation."

It's all about the three P's of successful events: planning, planning and planning, says Tasaki. She uses a quarterly plan to map out everything that needs to be done from the start date backwards. "Each component needs to build off of the other, and cross-marketing is key," she says. "For example, if I have a LinkedIn post I always make sure to include a link to registration or exhibits. If I have an email, I'll make sure that all our socials are in there so that people can connect. If you can sit down and back plan from the event, that will provide you a template for years to come as well as something to focus on a quarter-by-quarter basis."

View her sample fourth quarter plan and a form created as a Save the Date and drip campaign/personal outreach to those who wanted to have early access to registration and content. ◆

Source: Allegra Tasaki, Communications Director, National Association of Bond Lawyers, Washington, DC. Email: atasaki@nabl.org. Website: https://www.nabl.org

FREQUENTLY ASKED QUESTIONS

Anticipate Prospective Members' Questions

There's no end to the number and type of questions prospective members may have. That's why it's important to anticipate as many questions as possible. When a potential new member is checking out your organization, be prepared to answer these and other frequently asked questions:

- What types of memberships are available?
- How do I join or renew membership?
- How long is my membership valid?
- Given the current economic situation, I'm not sure I can afford member fees. How do I cancel my membership, and what obligation do I have to pay the monthly dues?
- What is the time commitment of membership?
- I don't know my username and/or password. What should I do?
- Can I share my membership login information with other people?
- How do I update my mailing address and contact information?
- Can I save money with my membership?
- How will membership benefit me personally?
- Are there any free services available to me through my membership?
- What do I get out of membership here that I can't get elsewhere?
- My company paid my membership. What happens if I leave my job?
- Am I automatically a member if I joined my local chapter?
- Can you make membership more affordable? Do I get a discount for paying cash?
- What do I stand to gain from becoming a member today?
- How do I transfer my membership to another organization?
- How do I specify which emails I want to receive?
- I am receiving emails from your organization. How did I get on the list?
- Are there any offerings for retiring members?
- Where can I find information about my local chapter? ◆

RELATIONSHIP-BUILDING MEASURES

How to Cultivate Trust in the Short Term

Don't think you can only cultivate trust over an extended period of time, and not in the short term: Con artists and advertisers do it all the time, says KiKi L'Italien, creator and host of Association Chat and a senior consultant with Tecker International, LLC (Philadelphia, PA).

"Every time we get into an Uber, we're making a trust decision," she says. "If we're going to survive and thrive in this world, we have to make decisions quickly."

One way associations need to think about this, says L'Italien, is to consider how they can decrease barriers to someone building trust in them and demonstrate trustworthiness on purpose: "When we start to think about how we can demonstrate trustworthiness on purpose, and if that becomes the intention behind our communication, then it shifts into a situation where we are constantly looking for those signals and cues that will tell someone that they can believe in us."

When you do that, she says, you can get a lot further in cultivating trust than if you think that, in 10 years, they'll see you've stood the test of time: "You may not have 10 years. You need to cultivate trust today, on purpose, so that they'll be around in 10 years to know you've done what you said you would."

If you're trying to show that you're a good organization and you mean what you say, start thinking about things such as your brand colors, your communication and if the way you're communicating is in alignment with what people think about your association, she says: "Continually ask yourself, 'Is this cultivating trust? How could we do it better?' If you apply that over and over again to different areas, it's amazing what could change with that lens." ◆

MEETINGS MANAGEMENT

New Facilitation Methods for Today's Meetings

Aaron Wolowiec, founder and president of Event Garde (Dallas, TX), believes Robert's Rules of Order are an often-outdated facilitation method for today's meetings.

"Facilitators fill their toolbox with a variety of useful tools, methods and approaches to navigate conversations they need to have, and there will always likely be a place for Robert's Rules of Order within that toolbox, but it's important to recognize that it's not the one and only approach to meeting facilitation," he says.

Robert's Rules of Order pose several concerning challenges, says Wolowiec, including their:

- **Length.** At last print, they were 714 pages. "Who can read, navigate, understand and adopt all of that methodology and rules into their facilitation work?" he asks.
- **Infrequent updates.** They are updated approximately every 10 years. "As we think about areas like diversity, equity and inclusion, among other things, we take strides a lot faster than that in our organizations and our society at large," he says. "I don't think Robert's Rules keep up with those changes and account for them in real time."
- **Formal approach.** "They're formal, complicated, complex and obviously include a number of nuanced rules that result in making them difficult to read, understand, teach, implement and enforce," he says. "Much like any system that was put into place decades ago, they can be weaponized to favor those who've studied them extensively and oppressive to those who don't understand or can't navigate them as easily as others."

He suggests some alternative facilitation methods:

- Create participatory environments. "Participation doesn't have to look the same for every single person, but we do have to set up environments that allow everybody the opportunity to participate in some way, whether that is through self-reflection, or small or large group work."
- Establish group norms or expectations with ground rules, often called community agreements by facilitators. "In doing so, the group itself identifies how it wants to be together and how it will manage conflict within that group."
- Recognize the importance of different perspectives and proactively engage diversity as part of not only stakeholder selection, but also idea generation and sharing. "It's important as we facilitate groups to really honor that diversity. To create outlets for people from underrepresented populations to not only have a safe space, but to center their voices in a way that not only encourages their participation but honors their lived experiences and manages oppressive behaviors from other participants should they arise."

Ultimately, whether you choose to use Robert's Rules or a new and more modern facilitation tactic, what's most important, he says, is to recognize how applying these in the various situations you face can have varying degrees of outcome and impact. "The more we practice, the more confident and successful we will become at navigating situations that arise and recognizing which tool works best in which situation." ◆

Source: Aaron Wolowiec, MSA, CAE, CMP Fellow, Founder & President, Event Garde, Dallas, TX. Phone (616) 710-1891. Email: aaron@eventgarde.com Website: https://eventgarde.com/

POLICIES AND PROCEDURES

Review Your Membership Refund And Cancellation Policy

The Coin Laundry Association (Oakbrook Terrace, IL) has a refund and cancellation policy for membership that states membership is nonrefundable and nontransferable, says Danielle Bauer, director of membership and education.

"It's important that you're clear to the person making the purchase what the guidelines are if they are dissatisfied or change their mind and want to cancel their membership and get a refund," she says. "If you just tell them, 'I'm sorry; you can't get a refund,' it wouldn't go over as well as being able to refer to something that is in writing."

Members *can* cancel their membership, but they cannot receive a refund. Even though the policy is posted on its website and referenced in the membership application process, the organization does get a request for a refund every couple of months, says Bauer. One of the membership categories is a "12 pay," meaning the member can pay the annual payment in 12 installments. "That doesn't mean you can pay one month and cancel; you're required to pay the full year — we're just breaking it up in 12 payments," says Bauer. "No matter how clear we make the language around that offer, we have some members call their credit card company and try to cancel and then we receive a charge back."

This is another good reason to have it in writing, she says, because if that is to happen, you have to prove to the credit card company that you were clear about your policy: "Luckily ours is right on our website, so we can say, 'Here it is, and they're aware of it.'"

Her advice for others reviewing or creating a refund and cancellation policy: Keep it simple and clear and have a second person read it to make sure they understand it the way you intended. Also, if possible, have a lawyer review it. ◆

Source: Danielle Bauer, CAE, Director of Membership and Education, Coin Laundry Association, Oakbrook Terrace, IL. Phone (630) 359-8408. Email: danielle@coinlaundry.org. Website: https://www.coinlaundry.org/

ENGAGING MEMBERS IN ADVOCACY

Amplify Members' Voices Using Advocacy Technology

Advocacy tools, such as Quorum, One Click Politics, Voter Voice, Salsa or the one used by Michigan Farm Bureau (Lansing, MI), Capital Canary, give members not interested in or comfortable with meeting with elected officials in person a chance to share their story, says Communication Specialist Nicole Sevrey.

Capital Canary's text messaging feature allows the bureau's members to act quickly and in high volume to alert a legislator or other decision-maker that an issue is really important to them and to ask them to take action on it, she says: "When we launched the program in 2017, we made a commitment to our members that we would only use the text feature when an action was of utmost importance. We try to reserve it for issues that we know are impacting their daily lives and farms, which I feel has attributed to our effectiveness."

In any given year, the bureau conducts 8 to 12 campaigns, and while it depends on the advocacy issue, for more targeted campaigns to members, says Sevrey, they're seeing a 30 to 50 percent response rate; for broader campaigns to members and non-members, they're seeing a 20 to 30 percent response rate. See a sample advocacy campaign.

While they have had strong participation through the texting program, they also utilize their publications to garner responses to action campaigns, as well as their social media and website. And just because someone responds to a campaign, she says, it doesn't mean they are required to commit to receiving future communications: "They can do the campaign once and be done with it, but you're still a lot of the time getting those return users, which is helpful to build your voice over time."

When elected officials receive a high volume of communication within a short period of time asking for them to do a specific thing, it's more likely to prompt them into action, even if it's a form letter, she says. While advocacy platforms do allow for the customization of messages, most users don't do it: "When we first launched, only 3 to 5 percent of people were customizing their messages, and, after five years of use, we're up to 7 to 10 percent."

What's most important is numbers matter, and these platforms allow you to show strength in numbers, she says: "That's what elected officials are often looking for. They want to know where their constituents are at on an issue, and these tools help to do that." ◆

Source: Nicole Sevrey, Public Policy Communications Specialist, Michigan Farm Bureau, Lansing, MI. Phone (517) 679-5344. Email: nsevrey@michfb.com. Website: https://new.michfb.com/

COMMUNICATING WITH MEMBERS, WOULD-BE MEMBERS

Create Your Own YouTube Channel

Today's mobile devices make it incredibly easy to capture member video content. And YouTube offers a place to quickly showcase that content without having to reconfigure your website.

The Anne Arundel County Chamber of Commerce (Annapolis, MD) started its YouTube Channel to showcase the numerous videos taken of members during the pandemic.

"We made short bio videos for our Hall of Fame dinner, and we also started to offer weekly webinars with Zoom during the height of the pandemic in 2020," explains President and CEO Mark Kleinschmidt. "We needed a place for both of them, and YouTube was the best option."

He says they primarily use the channel today as a place where members can access recorded webinars. He says it's ideal for storing longer videos compared to other social channels.

"It's also nice to share a link so folks can easily access our videos."

Kleinschmidt adds that setting up the channel was easy. It simply involves signing into your organization's YouTube account, going to your channel list and choosing to create a new channel. Once a channel is created, you can add channel managers. ◆

Source: Mark Kleinschmidt, President and CEO, Anne Arundel County Chamber of Commerce, Annapolis, MD. Phone (443) 603-0233. Email: mkleinschmidt@aaaccc.org. Website: https://annearundelchamber.org/

NURTURING NEW MEMBERS

Hold Regular Member Orientation Meetings

On the first Tuesday of every month between 8:30 a.m. and 9:30 a.m., the Chattanooga Chamber of Commerce (Chattanooga, TN) holds an in-person chamber membership orientation for new chamber members and new staff at existing chamber businesses.

The orientations, each of which attracts an average of 8 to 12 members, consists of a slideshow presentation followed by time for attendees to network. "It's a great way to get people to the chamber to see our building but also to be able to go over what the chamber has to offer," says Meredith Rivers, senior director of member services. "It also allows new members to put a name with a face and know who our staff are."

In addition to announcements in the chamber's events calendar, new members who joined the previous month are invited to upcoming orientations via email over the next three months (e.g., if they join in the month of November, they receive an email in December, January and February). If someone attends in one of those months, they are removed from the email list. "We try to keep it out there in front of someone for that first three or so months that they're a member, because we realize that if someone joins at the end of the month, they may not be able to make it next week but they might be able to make the next one." ◆

Source: Meredith Rivers, Senior Director of Member Services, Chattanooga Chamber of Commerce, Chattanooga, TN. Email: mrivers@chattanoogachamber.com. Website: https://www.chattanoogachamber.com/

SHARE THE EXCITEMENT WITH PROBABLE MEMBERS

Show Membership Value Through Dynamic Video

Give prospective members a behind-the-scenes look at all the excitement happening at your organization with a video spotlighting major benefits and events.

You could structure the video as "A Day in the Life of XYZ Organization" and ask a couple members to allow a staff member armed with a video camera to follow them through committee meetings, networking events or a member field trip.

Have members speak directly to the camera and share their thoughts on the event as well as some lighthearted stories or fun memories relating to their membership.

Get some video and input from staff as well as they interact with members or prepare for the meeting or event.

Be sure to get written permission from each person you film, whether they are one of your members or one of your staff members.

Post the video on your website and direct persons to the link in recruitment letters and emails to prospective members.

More detailed than a simple testimonial video, a video of this kind will provide prospective members with insight into how your organization treats members, what members experience and how your services and programs may benefit them. ◆

MEMBER BENEFIT IDEAS

Provide Your Members With a Crisis Communications Service

The Pennsylvania School Boards Association (Mechanicsburg, PA) launched a crisis communications service for its members in August 2019 that provides expert-level communications consulting, writing services and a clear plan forward out of a sensitive situation at no additional cost.

The PSBA Crisis Communications Service is supported by the Donovan Group, a consulting firm that provides public relations, communications and marketing services to school districts. As a result, staff time to support the service is minimal.

"During a crisis or sensitive situation, these experts offer various forms of support, including public relations strategy discussions and guidance, custom press releases and social media content and messaging," says Mackenzie Arcuri, a spokesperson for the association. "Between the responsibility of governing a district and the day-to-day operations of running a school, we often look for areas where we can assist districts through resources or services. The crisis communications service allowed us to support districts with public relations expertise during challenging situations."

Applicable crisis communications situations may include a sensitive announcement, such as a district leadership change, or a potential public relations crisis, such as a damaging story running in the media or a dramatic topic that is likely to hit the headlines. The service's FAQ states: "A crisis is subjective, and the circumstances will range from potentially negative to moderately serious to critical in nature. Don't hesitate to contact the hotline to determine if your situation warrants these services."

PSBA school district members can contact crisis communications experts via a dedicated phone number and hotline email 24/7. The FAQ also recommends that the primary points-of-contact when utilizing the service should be the district's superintendent, school board president and/or vice president "to ensure efficiency, and the ability to act and react quickly. It will also ensure a unified and cohesive approach to problem-solving with the superintendent, board president and vice president acting as the conduit to the full school board."

Says Arcuri: "How the service is used and by whom is confidential to ensure confidence in support of sensitive matters," she says. "It was added as a no-cost benefit to members to ensure that there was no hinderance to districts that needed this service."

Over the past several decades, voluntary membership retention among the PSBA's local school districts has been at nearly 100 percent. While they can't tie the service directly to membership retention, she says, three years in, she believes it remains a valuable resource to members. ◆

Source: Mackenzie Arcuri, Senior Manager of Media Relations and Strategy, Pennsylvania School Boards Association, Mechanicsburg, PA. Phone (717) 506-2450. Email: mackenzie.arcuri@psba.org. Website: https://www.psba.org/

BRIEFS

Team-Building Exercise

Here's a team-building exercise that's ideal for groups of around 20 to 30:

Tell Me a Story — Participants create a collective story from a set of sequential pictures. The pictures are randomly ordered and distributed to participants, who can look at their own picture but not show it to others. Participants are encouraged to study their pictures, as they contain key information to help solve the problem and talk to one another about their pictures (without showing them to each other).

The challenge is to assemble the pictures in the right order without looking at one another's picture. This encourages interaction while strengthening members' ability to work patiently together, communicate and consider other perspectives. ◆

MEMBER RETENTION EFFORTS

Help Current Members to Stay On Board

Some research indicates it's seven times more costly to recruit a new member than to retain an existing one. That's why, during these turbulent economic times, it makes sense to do whatever is possible to retain current members.

Evaluate your renewal procedures to determine how you can retain a higher percentage of current members. Explore renewal strategies such as:

- Offering a two-year membership for the price of one.
- Allowing memberships to be paid over a 12-month period through electronic funds transfer (EFT) or automatic credit card deductions.
- Creating a tiered membership that offers basic membership at a lower price and higher-level memberships that include more perks.

Your goal should be to make membership renewal more palatable in light of financial constraints facing today's members. ◆

MEMBER ENGAGEMENT KNOW-HOW

Active Member Participation Isn't About Selling — It's About Giving

When you have active participation from your members — they are signing up for events on the first day or they're reaching out to you to renew their membership — you don't have to sell anything to them, says Daryn Lawson, associate sales coach at Sandler Training (Troy, MI).

Selling is about giving back to the membership, and that takes truthful communication to members, he says: "There shouldn't be a time when members aren't clear on why you're communicating. If they feel you're being truthful, the member feels a part of the association and that they're not being sold. When that happens, members discover they want to be a part of it and will continue being part of it by volunteering their time, signing up for events and referring people."

Other ways to garner active participation from members, says Lawson:

- **Pay attention to them**. If you're paying attention to your members, you're listening to them and asking them what they want. Do they need more phone calls? Do they want event recaps? Do they want more events? "It's always better to overcommunicate," he says.
- **Link to their why.** Why do they want to be a member? If you're losing that link to their why, they aren't going to have a good experience, and they're not going to renew or refer people.
- **Always keep their experience in front of them.** Bring up the events they have been a part of, such as pictures in newsletters, or mention of their event attendance. It also involves classifying each client/prospect with the KARE model: Keep, Attain, Recapture and Expand. "Depending on how you classify, you would develop a different way to communicate with them to show you care, again giving without selling," he says. "This allows the members to be heard."

"When you do those things, there should be natural communication," says Lawson. "There's no trickery, there's no pressure, it's just, 'Here's what we're doing, here's why you're a member, here's what you say you want to do, here's what we're providing,' and hopefully we're matching all that up as an association." ◆

Source: Daryn Lawson, Associate Sales Coach, Sandler Training, Troy, MI. Phone (248) 971-0760. Email: daryn.lawson@sandler.com. Website: https://www.eam.sandler.com/

RISK MANAGEMENT PRACTICES

Common Legal Issues for Associations

When faced with a legal issue, it's important for associations to know when to reach out to an attorney to get good guidance as opposed to trying to handle all issues themselves, says Jonathan Blum, an attorney with Holland & Knight (Dallas, TX).

"A trade association is a business just like every other; the only differences are their purpose and tax status," he says. "All the things that an ordinary business has to deal with from a legal perspective — contracts, HR issues, trademarks — associations have to deal with as well."

Blum recommends creating a relationship with an attorney before you need one. Establishing a long-term relationship is a better way to serve a broader risk management focus as opposed to single, one-off issues.

He shares common legal issues associations may want to consult an attorney about:

1. **Employment law issues.** "You want to have good advice from an attorney before you take action so that you understand the potential ramifications of the actions that you're taking and so you get good advice on the front end in terms of how to deal with the particular situation."
2. **Governance issues.** "You'll often want to talk with an attorney before you start making significant changes to your bylaws, because there may be state statutes that have implications for the changes as well as ensuring that you maintain your tax-exempt status."
3. **Antitrust issues.** "When you get a bunch of competitors in a room together to talk about furthering the industry as a whole, you run the risk of antitrust issues, and it's always good to have advice on the front end in terms of how to potentially address some of those issues."
4. **Tax exemption issues.** "If you're planning a significant transaction, or you're looking to create a subsidiary, for example, you should definitely consult an attorney before you get too far down the road on it."

When seeking to establish a relationship with an attorney, look for those with experience in trade associations and an understanding of the exemption issues and the other common issues that affect them, he says. They will refer you to a specialized attorney if the issue goes beyond a general one. ◆

Source: Jonathan Blum, Attorney, Holland & Knight, Dallas, TX. Email: Jonathan.blum@hklaw.com Website: https://www.hklaw.com/