

2023 ANNUAL CONFERENCE

IMPACT

DELAWARE

**Unleashing Our Imagination and Power to
Solve Big Problems**

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WSFS | CARES
Foundation

Radical Results through Advocacy

Rebecca Byrd

Partner and General Counsel, ByrdGomes



Howdy! I'm Rebecca!

- Partner, General Counsel at ByrdGomes*
- Previous Experience
- Grew up around Non-profits and Learning the importance of community service and involvement

* See Next Slide for Legal Disclaimers



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Here are the Questions We'll Tackle During our Conversation...

What is Advocacy?

What is Lobbying?

Can Non-profits Advocate? Can
they Lobby?

Should You Be Doing These
Things?

How Do You Do These Things?

...And whatever else you want
to talk about

Please Feel Free to Ask
Questions Throughout our
Conversation



Audience Participation...

Why Shouldn't Non-profits (specifically 501(c)(3)s) advocate or lobby?



Because the IRS says so...

MYTH!

501(c)(3)s can lobby as long as they:

- Spend within the limits set by the IRS (they are fairly generous)
- Some things which might fall under the category of “lobbying” do not count for the IRS.
 - Communications on an issue that will affect the organization
 - Communications with non-profit members on issues
- DO NOT get involved with Electoral campaigns (this is quite clear throughout the law)



Because its "unseemly"...

MYTH!

Organizations are in Dover (or Washington) lobbying and advocating EVERY DAY, for example...

- ACLU
- Everytown for Gun Safety/Moms Demand Action
- Autism Delaware
- YMCA
- DANA
- Save the Children
- League of Women Voters
- Nature Conservancy
- Community Legal Aid Society
- NAMI
- BVSPCA

Because it's hard....

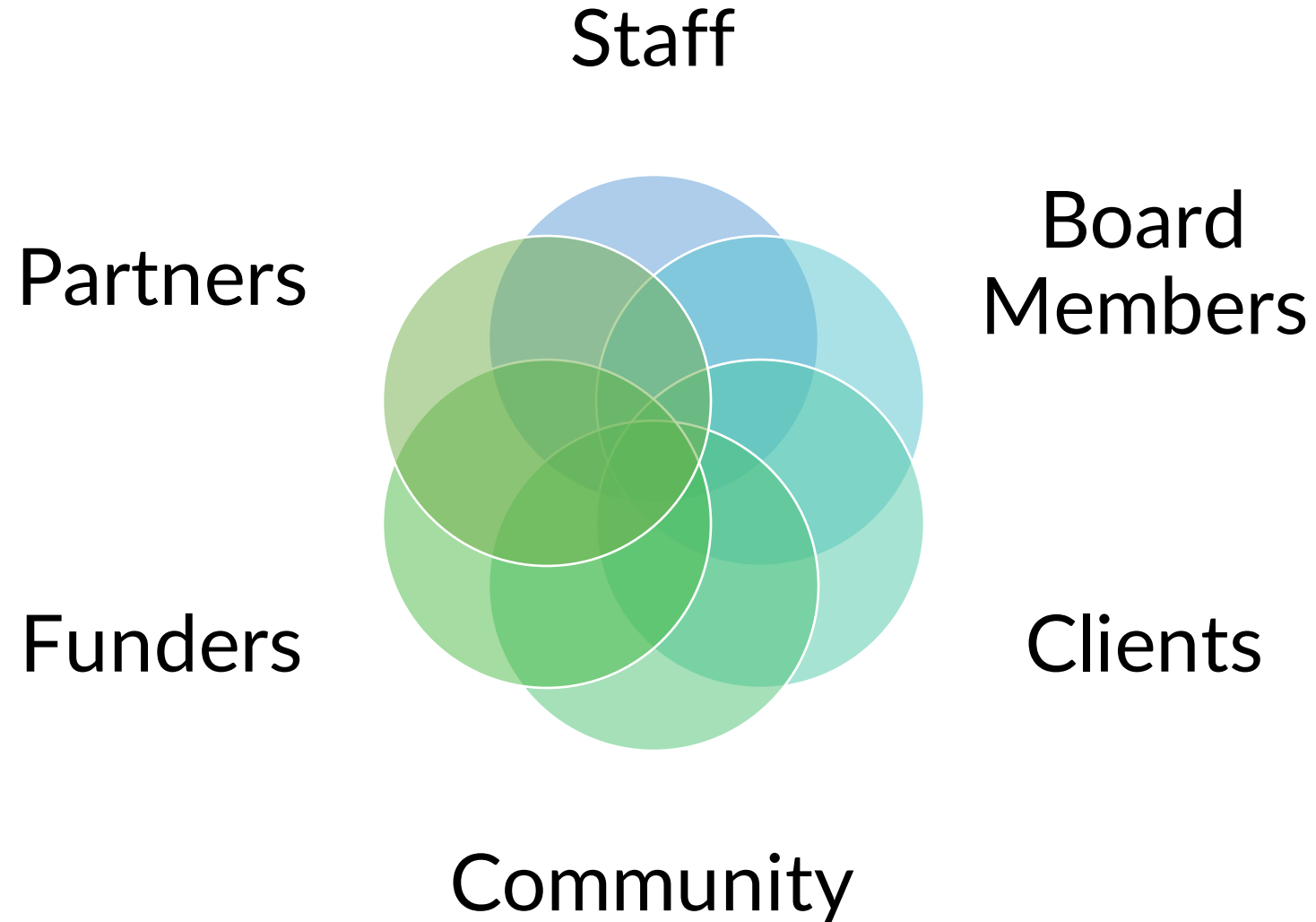
MYTH!

If you can have a cup of coffee with someone you can lobby or advocate...

- Be Sociable
- Listen
- Think Strategically
- Use your Resources



Partners in Advocacy



There isn't any
value in it...

MYTH!



Mission



Profile

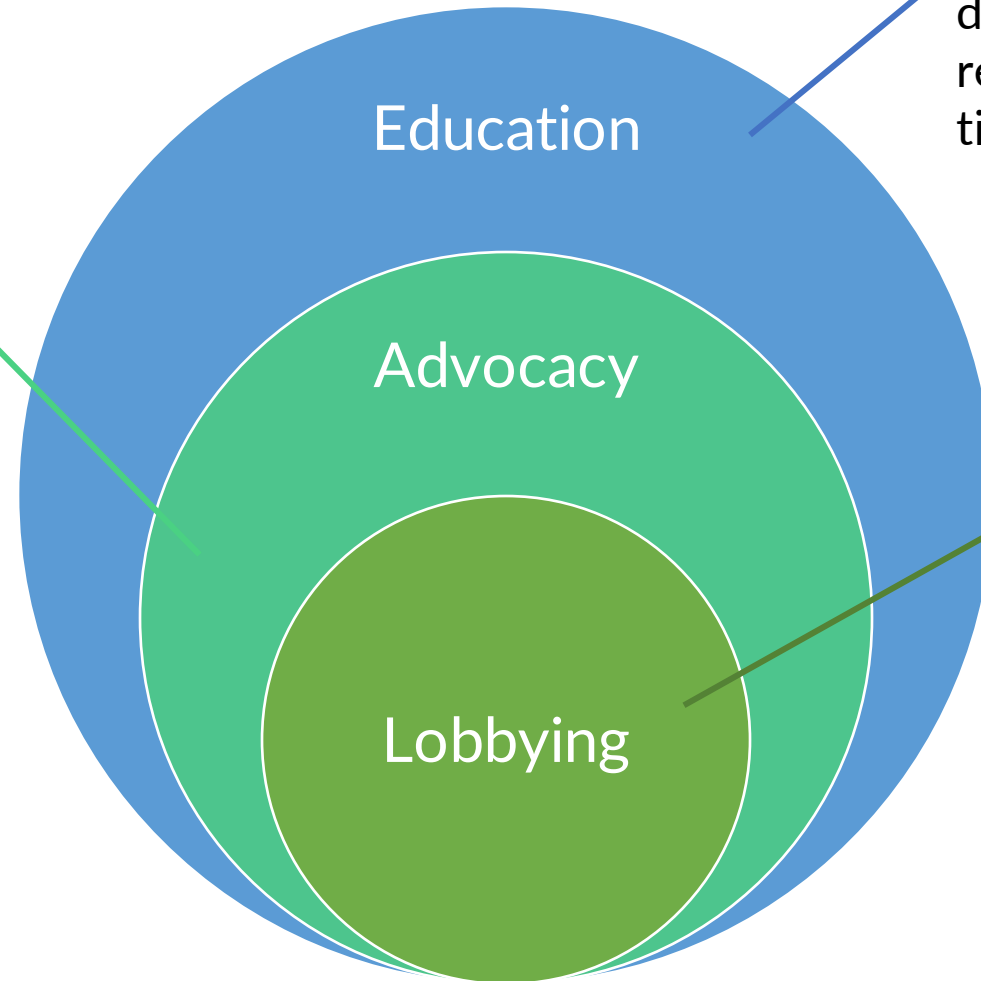


Finances

Advocacy vs. Lobbying

(From the National Assembly of State Arts Agencies)

Supporting our Arts Council supports education outcomes and economic development in our state. They are worthy of public funds because they support our kids' education and future careers



According to national studies, economically disadvantaged kids who receive arts education are 5 times less likely to drop out.

Please Support SB 123 to increase arts funding in our state.



How do I lobby or advocate?

Lobby Days at Legislative Hall

Watch or Attend Committee Hearings

Attend Community Meetings

Hold Site Visits

Attend Campaign Events (as an individual)

Create Coalitions

Grassroots



Grass tops vs. Grass roots

“Grass tops” means a CEO, ED or lobbyist is advocating to a Governor, Legislator, or High-level staff person. This is easier and less expensive than grassroots.

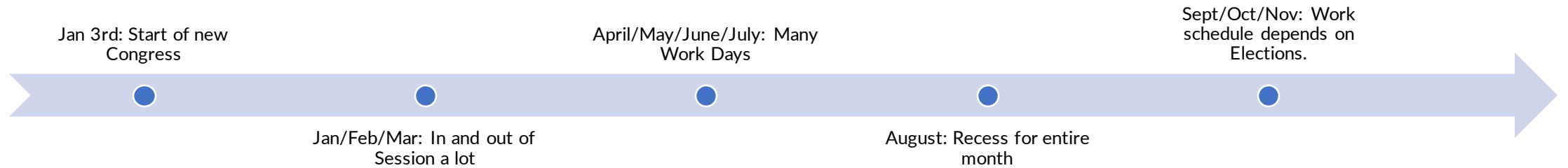
Board Members can fit in both categories

“Grass Roots” means getting individual, everyday citizens to contact their legislator or Governor or other elected or appointed policy maker. This is very time intensive and can be expensive. But when done correctly the impact can be massive.

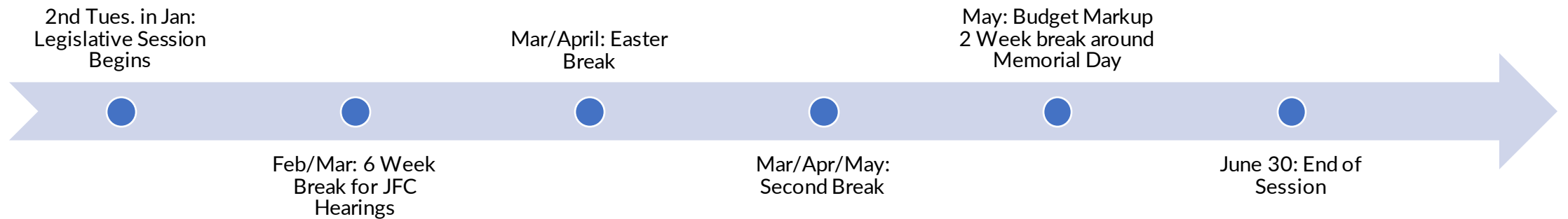


Legislative Timelines

Federal Legislative Timeline



State Legislative Timeline



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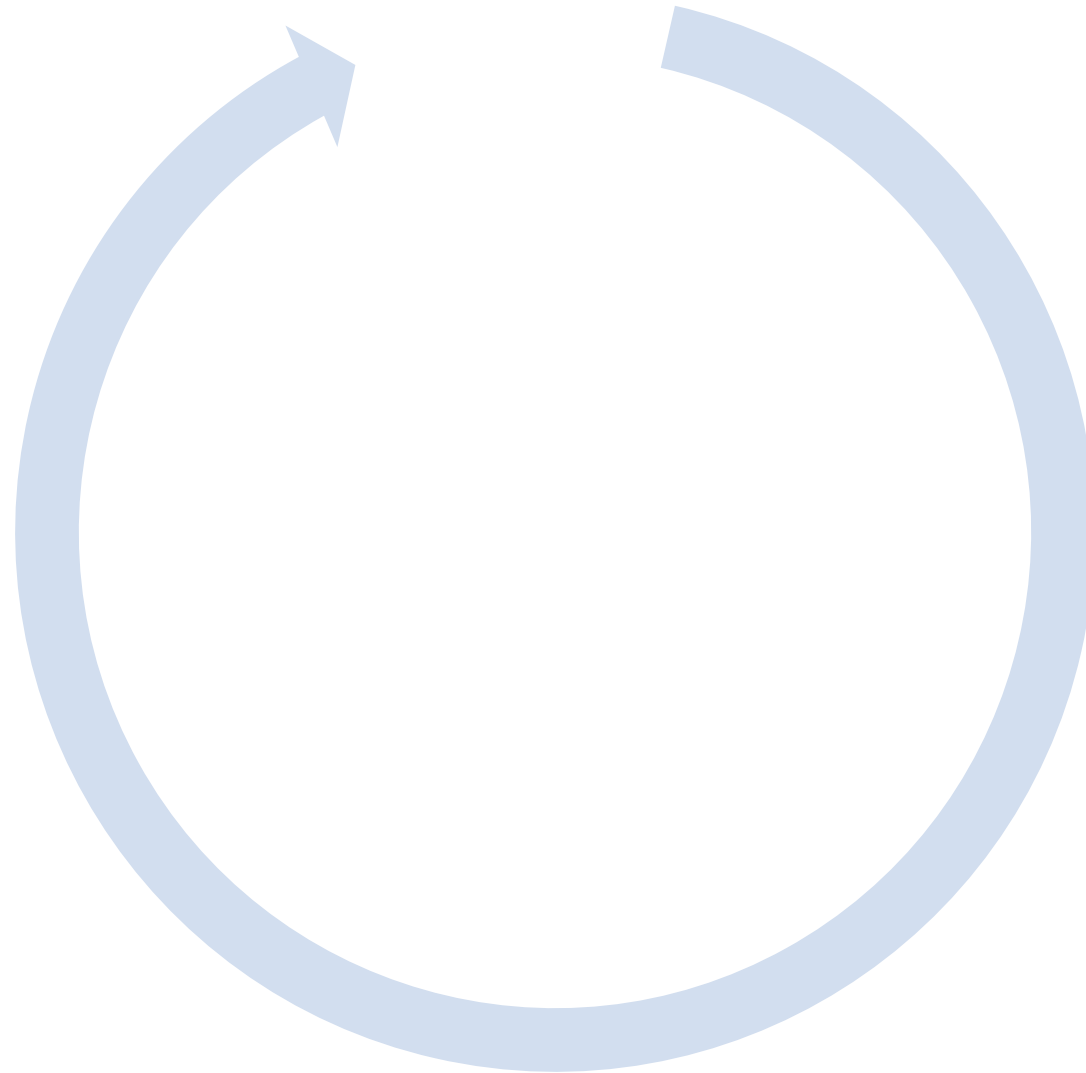
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Delaware Election Cycle



Hypotheticals



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Fundraising Legislation



The Delaware AG's office has decided to pursue legislation that would require every organization and professional fundraiser raising money in the state to register with the AG's office and pay a fee based on their operating budget. Fees range from \$500 to \$10,000. A non-profit nursing home is looking at a fee of \$5,000, what should they do?

Housing Project

A housing nonprofit wants to build a tiny home village in western Kent County. But this will require:

- A Delaware Code Change
- Help from the Delaware Housing Administration
- A variance from the County
- Planning resources and Legal help.
- They have raised \$500,000 specifically for the things above, and their total budget is \$1 Million. They estimate legal and planning fees at \$200,000.



How to get it done...

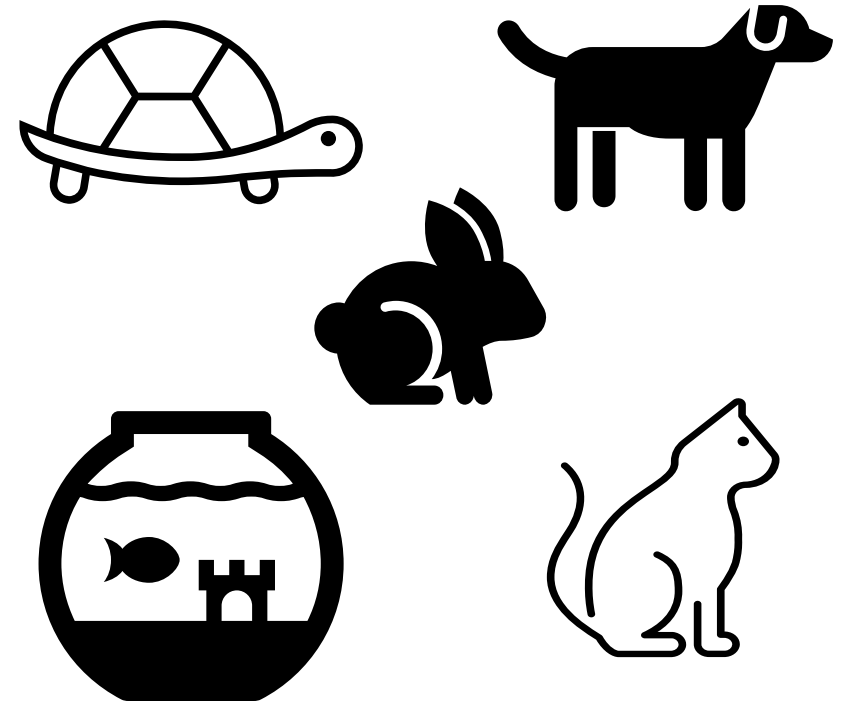
- Contract Lobbyist?
- Networking
- Develop Champions
- Work with other Non-profits
- Bond Bill

Animals and Domestic Violence

If a pet is involved in a domestic violence case, then it is considered (under DE Law) to be evidence. This means that it is held and cared for by the state's designated animal care organization. These cases can take months to be adjudicated by the Family Court. In the meantime, the pet is separated from its person/people and the animal organization is responsible for the care of that animal.

Not an idea situation...

How should the animal care organization advocate to solve this?



Questions/Discussion

That's All Folks...Thanks!

