

**Jon Wainwright:** Hello, and welcome to another edition of Advocacy in Practice. I am Jon Wainwright. Today we are going to be talking with Ray LeBov who is a long time lobbyist here in Sacramento and also the founder and instructor of Capitol Seminars. Ray, thanks for joining us today.

**Ray LeBov:** My pleasure.

**JW:** Let's start with this, what is a typical day like for you?

**RL:** Well I'm going to hedge a little bit on that answer only because I'm now in semi-retirement, as you may know.

**JW:** Okay.

**RL:** I'm going to think back to the days when I spent most of my years full-time lobbying, and that was for the state judicial council, the Judicial Council of California. So, I thought about what would be a typical day during that era of my life and my professional life, and the answer is there's no such thing as a typical day. There really wasn't a typical day and that's because there's so many variables involved.

The variables could be where we are in the cycle of the legislative year, what is it that we were trying to accomplish, what's the status of the various things that we're working on, what is my role on it - was I assigned to a specific piece of legislation, or was I sort of overseeing what the office was doing and managing the work of other lobbyists.

There really was no such thing as a typical day, but let me list some of things that from day to day I might be very deeply involved with.

**JW:** Alright.

**RL:** Researching. That's a key component of, for example, if we were going to be sponsoring legislation, anybody that was going to be carrying the bill for us, to start with, would want to know everything about it - the history, who the potential opponents and allies are...

**JW:** And then I'm sure part of the research too is then you're also researching who are the good people to carry the bill.

**RL:** Absolutely. And we've talked about that on previous podcasts about how to figure out who's the best situated person to do that.

**JW:** Yeah.

**RL:** But there's an extraordinary amount of research that you need to do in order to make multiple decisions relative to, even whether to try to do something, much less who to ask to carry. So research is certainly one.

Once you have a bill, for example, that you're sponsoring, there's negotiating. And it could even be pre-introduction, getting the lay of the land with opponents and potential allies. What's their perspective, and to what extent does it have to be taken seriously, and to what extent is what you're doing subject to negotiation, what's a line you can't cross, etc. etc.?

So, in addition to the research on that, the actual negotiating. Then there's testifying at hearings. For example, maybe I'm getting a little bit ahead of myself here; I'm not going in chronological order. But, testifying at hearings.

You know, one of the things we've talked about earlier is how much of the work that relates to a bill in committee is done prior to the committee hearing. So even though I mentioned testifying, you know, testifying at hearing is important. But it typically doesn't really change any votes, which in almost every instance, almost every committee member has decided in advance, so your typical day might be spent lobbying committee members, committee staff, personal staff of members, etc. etc. Those sorts of things.

You know, internal client things are really important. I would put them up there as important as anything. We've talked in the past about managing clients, managing clients' expectations, dealing with client relations. On many days, that's what you're doing. And it was kind of unusual for us because ... who did we represent, you know? We represented the people of California, but we also were advocating on behalf of the court system and that's judges, it's court employees, it's a lot of other people and they all have their views, and each judge is independently elected and many of them have different views as to exactly what that means in terms of their status within the system, and, "Why aren't you doing x, y, or z?"

"Well, we don't ... You know, you have the California Judges Association. They represent you as a trade organization. We represent something somewhat different. We're not representing you as judges. We're representing, yes, the judicial branch. But also the people of California, and judicial administration as well as access to justice, etc. etc."

So, internal call it client relations or client management was huge. Other internal issues, you know, I was the Director of the Office of Governmental Affairs for the Judicial Council, so it meant managing an office of not just half a dozen advocates but also other employees and those sorts of issues - whether they're HR or other related.

You know, dealing with the media, when you're representing a branch of government there's a lot of media inquiries and a lot of media things that you need to respond to.

Planning is huge. While it's true that the things we just talked about in terms of specific pieces of legislation, we really needed to take the long-term view on a lot of things. Many, many things that we were involved with were not one-year issues. They were

multi, long-term planning issues, that, how do we get from where we are, Point A, to be in a position to try to do something at Point B several years from now took a lot of planning in a lot of instances.

So, believe it or not, I've just scratched the surface of what a typical day might look like because there really is no typical day.

**JW:** So, to get a sense of what goes on in a day, what would you say was the balance of time between client management, office management, and advocacy work?

**RL:** Well, in the ideal world...

**JW:** It'd be about 33/33/33?

**RL:** No, I think in the ideal world I'd like it to be 100% in terms of advocacy. But, yeah, I think breaking it into thirds might be a fairer and more realistic sense of the things that I was required to do if I was going to be successful in what I was doing.

**JW:** Okay.

**RL:** My prime interest and my prime skills were in the interest of advocacy, but as they say, it's a dirty thankless job and somebody had to do it.

I don't want to paint an unrealistic picture, of course, when you're in a management position. But you also have day-to-day responsibilities relative to ensuring that legislation gets passed or defeated, or amended for that matter.

All those things are important, and they're all responsibilities, and I took each of them quite seriously, and devoted as much time and energy as each aspect of the job required.

**JW:** Alright. So, I guess going back then, obviously being informed and knowing the issues, knowing the players, that's all very important to being successful. What was in your news diet when you were at the Judicial Council? What were you constantly reading to make sure you were up on the players, and the issues, and what was going on?

**RL:** You know, I think we were fortunate that doing that time was kind of the genesis of, the creation of; well I guess we would call them aggregating news sites - starting with Rough & Tumble being the premier one at the time...

**JW:** Still pretty highly regarded.

**RL:** Still very highly regarded, but was kind of setting the tone and setting the table for ones that followed. As the years went on, there were more and more of those. I can

come a few - Capitol Weekly, The Roundup, Total Capitol, Capitol Daybook, Morning Report, etc. etc. Around the Capitol.

Those were really important because it meant that you didn't have to look at each individual news organ, of which there are so many in this state because among them ... Sure, some are going to slip through the cracks of aggregation site x or aggregation site y. But if you take them as a whole, it's highly unlikely that anything that's newsworthy enough to matter is going to slip through every single one of them. It relieved us of the need - and it's even more true today - of having to look at every single major, or even minor, news organ.

Now, in some instances, if there was an issue involving a particular legislator that we wanted to know more about because their vote was critical or crucial to a vote coming up and they were not working on something that necessarily rose to the level that one of those would pick up; sure, we would look at local media.

But remember, also, that we represented the court system. So, legal issues rose to the fore of...

**JW:** Pretty frequently, I'd imagine.

**RL:** Yeah, as they affected judicial administration, as they affected access to the courts. So, reading the legal press was really important to, like The Daily Journal, Met News from LA, The Recorder, etc. etc. was very important to keep abreast of what they were reporting that might not interest a general audience and therefore might not make it into the general news aggregation sites.

**JW:** Gotcha. And we've kind of touched on this a little bit in terms of how you roughly balanced out dividing your time between advocacy, client management, office management, but how did you stay on top of all of that? I mean, any one of those I can imagine is like having a dozen balls in the air you're just juggling and trying not to drop anything. And then, you know, multiply that by 3.

**RL:** I have to admit that organization is one of the most difficult things for me. I'm not a very organized person. I will say I do believe that intellectually I'm very organized.

**JW:** The desk might not reflect that.

**RL:** The desk certainly doesn't reflect that. So, on the one hand, being an analytical person - I'm very proud of my ability to be analytical and to be organized and be an organized thinker. But as far as the rest of my life is concerned, organization - ever since my childhood - been a very difficult thing for me.

Fortunately, I used wisdom in the hiring process and one of the qualities in the people in key positions that I worked with was that they were able to significantly assist me in that

regard. You know, it's kind of a regret on my part that I'm not better at it, and I'm okay with admitting it. I wish that I was more organized.

So, working with people on a complimentary basis - that I might have some complimentary skills that mesh with theirs and one of theirs might be organization and making sure that things that needed to get done, got done.

I took my responsibility very, very seriously. When you're representing an entire branch of government, you'd better take it seriously and you'd better make sure that you put a system in place that's going to virtually guarantee that everything that needs to get done, gets done, and gets done timely, despite my organizational failings.

**JW:** Yeah, but that's also something, like you said, you were able to address in the hiring process. You can build a complimentary team and you can put, you know...

**RL:** absolutely necessary in my case.

**JW:** So, what is something that you know now, after all your years of experience in the Building, that you wish you would've known when you were starting out?

**RL:** Yeah, and let me speak a little bit to when you talk about my years in the Building. They total 43 years now of working in and around the Capitol, the first 17 of which were working as staff in the Capitol, as Committee Counsel. The last 12 of those were as Counsel to the Assembly Judiciary Committee, and then 13 years as the Director of the Office of Governmental Affairs for the Judicial Council, and then started my own lobbying and consulting firm, and then in addition started the Capitol Seminars that you referred to earlier.

So, going back all the way, not just to the beginning of my lobbying experience, you know, this is going to sound a little bit funny. Somebody told me this early on. They said, "One thing that's really important for you to know, there's no requirement that things make sense here."

\*both chuckle\*

**JW:** But when you hear that, a lot of things start to make sense.

**RL:** In its own way, yeah. But, you know, I know when I was working for the Assembly Judiciary Committee and we would be at a hearing and in order for a bill to pass out of committee certain amendments had to be taken that made the bill almost on the verge of unworkable, or at least significantly more troublesome or difficult. But, in the absence of the author taking that amendment the bill would've died in committee.

We always had a Leg Counsel Deputy come to our hearings, and it was the same one, and he'd go, I remember after one hearing saying to him, "You know this amendment doesn't make any sense."

And he says, "Ray, there's no requirement that it makes sense."

So I think that's one. The other one I think, and we in a way touched on this earlier, and I would like to generalize beyond my experience is that client relations can be the hardest part of a lobbyist's job, but that if you're smart about it and deal with it in an intelligent, analytical-comprehensive way, you can handle that.

Maybe the hardest part of your job is client management/client relations. No part of the job is undoable. I would say most lobbyists would rank that as the most difficult and most challenging part of your work, but I guess that would've maybe been something that I would not have known starting out - that client relations and client management really is the hardest and most challenging part of the job.

**JW:** Yeah, I can see thinking, well you know, there's always this one committee, or this one person that I'm just never going to be able to get through to, and you could expect that to be the hard part, and not even realizing, "Oh, I need to figure out how to have business to keep the doors open."

**RL:** Yeah. Yeah. I mean, it's different obviously for contract lobbyists, or in house lobbyists, or lobbyists for x, y, or z type of interest. But I would say, generally across the board, yeah, it's really important that you succeed in the Legislature but, you know, making the most of the things that your client has to offer while at the same time making sure that they're not doing anything that puts you in a position that's not going to be helpful - in fact it's going to hurt your cause - and getting them to understand what it is you're doing and why you're doing it and why doing it the way you're doing it maximizes the likelihood of success... it's a very challenging aspect of the job.

**JW:** How much would you say of client management is ego management? And I know you kind of mentioned it, you've got ... you dealt with judges particularly, and you had to talk them about what the Judicial Council does for the judiciary writ large, and then there's also your association for judges. I can also imagine there's other associations that represent local elected officials where you're dealing with egos there.

How much would you say was ego management?

**RL:** \*sighs\* A significant part. I don't want to overemphasize it because there's, you know, it's like, it's funny. I think it's, one way to look at it is that...

**JW:** Maybe more managing personalities than egos is a better way to phrase that.

**RL:** It is. One way to look at it is if your client or parts of your client have no knowledge that's one thing. If they have a little bit of knowledge, like they say, that's the most dangerous thing. They think they know how everything works. They want you to do x, y, or z because they understand - they think - and x, y, or z could diminish your chances of success to very close to zero.

Now, my position has always been, I want a very educated client. And I understand that it's not a straight line from zero to where I want them to get to, that, in the intervening part you're in that little knowledge is a dangerous thing. But once you get them past that where they really understand ... And of course, the other key aspect is your track record, your accomplishments, the way you do things while you're representing them builds a reservoir of trust. So even if they don't necessarily get why you're doing what you're doing, they trust that you've got all the things necessary, including loyalty to them, including judgement and understanding of how things work, etc. etc.

So once you've educated them and developed that trust relationship I think you're most of the way there.

**JW:** Okay. So we're going to switch gears a little bit and I'm going to, kind of, lean on my old jazz background and instead of stealing questions from other podcasters, I'm going to borrow them.

So what is, and this is kind of related to what we've been talking about, but what was something that you thought you knew when you were starting out that turned out not to be the case?

**RL:** I think I could just sum it up in that it's an arena that's not comparable to any other venue. That starting out, I might have thought and probably did think that, "Oh, ok. I can draw some sort of analogy between the legislative arena and x, y, or z arena about how things work."

Really, what I found out is there's nothing comparable. It's got its own ethos, its own morays, its own communication system, its own... however you want to describe how things work. You know, if you start from that sort of *tabula rasa* of it's not comparable to any other venue, or any other arena, you're way ahead of the game in my view.

**JW:** So you couldn't even say, "Well, it's a legislature so it's got to function something like, say, Congress?"

**RL:** Well, maybe. Except that I wouldn't have any idea how Congress works. I will say this, that local elected officials who were then elected to the Legislature, many of them shared with me, "I came up here figuring this is going to be really similar to how our city council functioned. And it bears no relation whatever. I'm lost!"

And it's like, that really verified that view that I have. You raise a good question about another state legislature or Congress. Perhaps. But anything else, and particularly local elected officials, I can't tell you how many of them shared that view almost in those exact same words.

**JW:** Another borrowed question here, describe your job in five words.

**RL:** That's a hard one. How about these four?

**JW:** I'll take four.

**RL:** Managing the seemingly unmanageable.

**JW:** Alright. Yeah. I can see how that plays out in this environment. Ok. Well, before we go, any other tips you have for lobbyists who are just starting out?

**RL:** Yeah, I would, starting at a basic level, here's a few things that I would advise. One is to be a sponge. Look at who is succeeding and why they're succeeding. Look at who's failing and why they're failing, and what I mean by be a sponge is soak all that in. It's what I did and it really stood me in good stead.

I think another thing is don't let the perfect be the enemy of the good. It's rare when you're going to get every single thing that you want and to be so committed to it that you lose sight of the fact that by staying 100% committed to it, you lose the ability to get something nearly as good. And, you know, live to fight another day. So I think that would be another one.

Another aspect that I think is really important is for people not to take things personally. You know, you can lose sight of keeping your eye on the prize if you take things personally. In most instances, not every one, but in the vast preponderance of instances nobody has it out for you. You may be getting in their way, in their view, or getting where they want to go. But it's not because they don't like you or they want to screw you or anything like that.

**JW:** They're just their agenda and they're trying to get it done.

**RL:** Exactly. And I think...

**JW:** Today you might be in the way of that, but next time around you might be on the same team.

**RL:** Exactly. And I would, I guess related to that, I would say, don't get hung up on the notion of fairness. I think it's really important for you to treat people fairly, but the fact that you're not always being treated fairly, that's part of the landscape and you have to deal with it. Again, don't sacrifice your commitment to treating people fairly.

Another thing is really, maybe equal to any other, is to protect your reputation. To tell the truth and to follow through on your commitments. The most valuable coin you have is your credibility and your reputation. And it's very, very easy to lose it, and almost impossible to regain it.

I guess the last thing I would add is to make sure that you take care of your mental, physical, and spiritual health. Very, very easy to lose sight of that when you get so

wrapped up in what you're doing because you're so committed to an accomplishment that you let all those other things go and you'll pay the price for that.

**JW:** Okay. Well, that's some really good advice. Thanks so much for taking the time to share, Ray.

**RL:** It's been my pleasure.