



Staff Memorandum

EXECUTIVE COMMITTEE Agenda Item #9

Requested Action: None as this Report is informational.

Attached is the Informational Report of the Special Committee on Strategic Planning.



Special Committee on Strategic Planning

Informational Report

CONFIDENTIAL

June 23, 2011

Special Committee on Strategic Planning

Informational Report

June 23, 2011

Sharon Stern Gerstman, Co-Chair

David P. Miranda, Co-Chair

James R. Barnes

Peter H. Blessing

Vincent E. Doyle III

Emily F. Franchina

Laurie A. Giordano

Claire P. Gutekunst

Paul M. Hassett

Seymour W. James, Jr.

Hon. Deborah A. Kaplan

Deborah A. Kaplan

John S. Marwell

Eileen D. Millett

Joshua M. Pruzansky

Manuel A. Romero

David M. Schraver

Grace Sterrett

Stephen P. Younger

INTRODUCTION

A full discussion of the strategic issues facing the Association was held at an all day meeting of the Executive Committee and the Special Committee on Strategic Planning on March 31, 2011. The meeting was facilitated by Harrison Coerver who has significant experience and expertise with bar associations.

The briefing report that was distributed to the Executive Committee at its January 2011 meeting provided the basis for the discussion. Building upon the briefing report, the two committees reviewed the principle areas of concern (Membership, Technology, Program Services, and Finance) and discussed numerous priorities for the Association to address. After identifying Membership Value and Technology as the top two priorities, the committees spent the remainder of the meeting developing the objectives and strategies for each priority, as well as setting forth the assumptions and rationale that served as the basis for each objective.

Following the meeting, the Special Committee on Strategic Planning prepared this informational report which sets forth the objectives for each priority as well as the summary of the retreat and feedback received from the participants.

This Informational Report is submitted to the Executive Committee for review and comment. After consideration of Executive Committee comment, a Final Strategic Planning Report will be submitted for Executive Committee consideration and approval at its November 2011 meeting.

MEMBERSHIP

MEMBER VALUE

Objective: Increase the value of the Association to members and prospective members.

Strategies:

- 1. Expand members-only employment resources, mentoring programs and networking opportunities, to improve the value of Association membership.**

Assumptions & Rationale: The NYSBA value proposition is key to membership recruitment and retention. The 2010-11 Member Satisfaction Survey and Focus Group Reports revealed a high level of interest among members and prospective members in greatly enhanced employment resources, the establishment of mentoring programs (for new attorneys as well as those in mid-career transitions), and expansion of opportunities for networking (in-person events and online).

- 2. Provide more members-only law practice management assistance, technology assistance, more Section-related substantive law updates and more user-friendly and relevant website resources, to improve the value of Association and Section membership to different segments of Association members.**

Assumptions & Rationale: We need to identify the products and services that our members want, using member satisfaction research and other means. Value is defined differently by different member constituencies. Research shows that most members place value on tangible, practical, practice-related support/assistance/information. Membership in Sections leads to greater longevity of Association membership. A recent analysis from the NYSBA database indicated that Association members who were also members of Sections were members of the Association for a significantly longer time than those not in Sections (18.5 v. 11.5 years).

The Association's extensive research provides clear insights into members' and prospective members' thoughts on how value could be improved. Many attorneys want more practical benefits to help them on a daily basis. The most frequently cited examples of what members and prospective members want and need from Association membership include e-filing assistance; forms/practice area guides; frequent, concise practice updates; in-person and electronic help with employment issues and referrals; and CLE on relevant topics.

- 3. Increase targeted marketing and expand communications regarding the tangible, practical benefits and dollar-value of membership, to members, prospective members and their respective law office management, to improve the real, delivered and perceived value of membership.**

Assumptions & Rationale: Member awareness of services and value must be improved. The Association must be a more effective marketer of its products and services.

NYSBA member satisfaction research reveals a widespread low level of awareness of NYSBA services among members and, even more so, among non-members and former members. Recent focus group research indicates that the Association has trouble convincing members that the Association provides sufficient value for the money invested in dues. Members tend to think that the Association is an “okay” to “good” value, while non-members or former members see the Association as a “not so good” to “okay” value. Survey findings indicate an erosion of our perceived value between the 2005 and the 2010-11 member satisfaction research studies. The 2010-11 research also indicated that law office partners were becoming more concerned about the cost and value to the law firm of their associates’ membership in bar associations, and were becoming less likely to financially support membership. Improved, targeted communications regarding the value to various constituencies could bolster membership recruitment and retention and dues income.

- 4. For new lawyers as an important constituent member group, develop targeted communications, expanded employment assistance, networking and mentoring programs and special initiatives that help them develop practical skills, to increase the value of membership to this group.**

Assumptions & Rationale: Each year, over 50% of the members who drop their membership are newer attorneys, those admitted within the first two to three years of practice. Research relating to new attorneys that the Association conducted in the fall of 2010 reveals that many of these new attorneys struggle to find employment and desire more opportunities to meet more experienced attorneys and get mentoring support. Targeted communications and expanded employment assistance, combined with the practical benefits of expanded networking opportunities throughout the state and mentoring programs, would demonstrate tangible benefits of membership to this group, which represents the future of the Association.

- 5. Offer specific CLE or other substantive incentives to new and existing members in connection with recruitment of new members and annual membership renewals, to improve the real and perceived value of membership.**

Assumptions & Rationale: At the March 31, 2011 Strategic Planning session, the group observed that “The NYSBA value proposition is key to membership recruitment and retention. Survey findings indicate an erosion of our perceived value. There is strong identification of value with the Bar’s CLE programs.”

The 2010 Member Satisfaction Survey provided clear evidence that members and prospective members appreciate the Association’s CLE offerings. At present, less than one-third of our members participate in CLE programs. By providing an incentive to join or renew membership in the Association, such as a free, online MCLE program or free practice forms, with each membership enrollment or annual renewal, the real and delivered value of membership would be enhanced, and the decision to join or renew would be encouraged and directly rewarded. In addition, for those members who don’t currently take NYSBA CLE, this would be an excellent opportunity to expose such members (and potential CLE customers) to the high quality and ease of using of NYSBA’s educational offerings.

Performance Measurements:

1. Membership retention levels
2. New member recruitment results
3. Research findings gauging satisfaction with value
4. Section membership levels
5. Retention levels of new attorneys

Objective: Strengthen the Association’s CLE programming and delivery and maintain the Association’s market leader position by providing quality, targeted and affordable CLE that is accessible through multiple delivery systems.

Strategies:

1. Expand CLE delivery through greater use of technology.

Assumptions & Rationale: Historically, there has been a strong identification of value with the Association’s CLE programs. However, the 2010-11 Member Satisfaction research revealed that survey participants were moderately favorable about NYSBA’s CLE, but some saw it only as “fair.” NYSBA CLE is known for highly qualified speakers, an excellent annual meeting and good program materials. Areas that survey participants cited as needing improvement included accessibility (e.g., it often is difficult for upstate attorneys to attend live programs because of their location) and use of technology (e.g., through use of webcasts, and programs accessible on iPods, iPads and MP3 players). In addition to the cost to register for CLE programs, travel expense was also cited as making NYSBA CLEs more expensive to attend than programs offered by other providers.

Free, 5-10 minute podcasts, developed from CLE programs, could be made available on Section websites to enhance the value of membership and further cross-market Section-sponsored CLE programs. Annual meeting programs could be recorded and made available on the NYSBA website after the annual meeting, at a modest cost for members.

2. Increase the differential between the cost for members and non-members to attend Association or Section-sponsored CLE programs and to purchase publications and products.

Assumptions & Rationale: The 2010-11 Member Satisfaction research results cited ways in which the Association could excel in its delivery of CLE. Members wanted the Association to offer greater member discounts, as it further demonstrated the dollar-value of membership. Integrating higher levels of member discounts on CLE programs and products would be a powerful way to deliver greater value to members.

3. Offer a wider range of scheduling options for CLE programs and a greater range of niche topics and programs designed for more experienced attorneys.

Assumptions & Rationale: The 2010-11 Member Satisfaction research report found that survey participants desired more opportunities for CLE outside the 9 to 5 workday. Evening and weekend programs, and more half-day programs, were cited as ways to encourage more attendance at CLE programs.

Performance measurements:

1. CLE attendance and revenue
2. CLE hours consumed by members
3. Association and Section membership retention

Objective: Strengthen the Association's Sections in order to add benefit to the members.

Strategies:

1. Add staff support to Sections by the development of a Section office, staffed only by employees supporting Sections and Committees.

Assumptions and Rationale: Members are retained for longer periods of membership if they are involved in Sections. The Association should provide appropriate levels of staff support in order to assist the Sections. The staff support should consist of staff dedicated to the work of Sections and committees,

only, in order to increase Sections' efficiency and provide more consistent support to the Sections.

2. Integrate the CLE provided by the Sections at all meetings with the CLE provided by the CLE department.

Assumptions and Rationale: There are two licensed providers of CLE within the Association: The CLE department and the meetings department. Currently, Sections develop CLE at their free-standing meetings and the Annual Meeting without coordination with other Sections or with the CLE Department. Additionally, some Sections provide extensive CLE programs for the CLE Department, and some Sections provide no such programming. The CLE providers should be merged or coordinated by one overarching CLE committee of staff and volunteers in order to assure that all current topics are covered and to minimize overlap. Financial arrangements for sharing of CLE revenues should be reexamined.

3. Improve technology based delivery of Section materials to members.

Assumptions and Rationale: Members want tangible, practical, practice-related support and information. In most cases, Sections are the best vehicle for the Association to deliver this support and information. The Association should support enhanced websites and enhanced use of list serves, and other technologies to deliver Section information on a timely basis.

Performance Measurements:

1. Section and Association member retention
2. Increased attendance at Section programs
3. Increased Section membership

TECHNOLOGY

Objective: Use technology to more effectively communicate with existing members, attract and retain new members, and increase the overall value of membership in the Association.

Strategies:

1. Develop mobile apps to bring the Association to member's mobile devices

Assumptions & Rationale: Membership use of technology is increasing, and our members expect NYSBA to use technology to deliver services and information. Mobile technology is increasingly important and having NYSBA apps resident on member's mobile devices increases visibility, relevancy of and connection with the Association.

Performance Measurements:

1. Develop first app, and infrastructure for new apps.
2. Measure use by members by monitoring downloads, usage.

2. Implement technologies consistently throughout the Sections and Committee, as well as the Association departments

Assumptions & Rationale: There are inconsistencies in use of technologies within the Bar Center and across NYSBA Committees and Sections. There are inconsistencies in level of technological adoption within Sections and Committees, with respect to the content on their web pages, use of listserves, online directories, blogs and other technologies. Increased use of and understanding of technology places additional responsibilities on staff, without necessarily removing other existing responsibilities, so this may need to be addressed within the NYSBA organizational structure.

The recently announced staff restructuring and creation of a Section Services group should go a long way toward effectively executing this strategy. Including IT on the senior management team, either within the current staff environment or by the creation of a Chief Technology Officer position will also support this strategy of consistent application of technology throughout all phases of the Association.

Performance Measurements:

1. Website traffic, online sales, membership joins and renewals
2. Email open and click-through rates
3. Social networking (Twitter, Facebook, LinkedIn) followers
4. Use of online MCLE (webinars, video, audio, webcasts)
5. Member survey feedback
6. NYSBA Mobile App creation, download and acceptance
7. Listserv participation
8. Capability of members to personalize their NYSBA experience
9. Utilization of teleconference/video conference resources
10. Percentage of members providing NYSBA with their email address, cell phone number for texting, twitter handle, etc.

Objective: Increase organizational support for use of technology

Strategies:

1. Investigate new and creative options for funding technology initiatives.

Assumptions & Rationale: The NYSBA has been operating within an environment of cost containment over the past several years, which does not always lend itself to implementing new technologies and innovative member services. Increased use of technology will require increased resources in terms of project funding and technical

staffing. Options include investing reserves to support technology and increases in staff; and reallocating resources from existing programs.

2. Increase Executive Committee Leadership involvement in the strategic technology vision and plan for the Association.

Assumptions & Rationale: NYSBA will have to make strategic decisions on which technology applications to utilize, support and fund at the highest level. Executive Committee involvement and understanding in these decisions will have to increase. NYSBA decision-making processes have to keep pace with the pace of technological advances, which will affect traditional budgeting and spending procedures.

Performance Measurements:

1. There should be regular technology updates and reports to Executive Committee and direction and feedback from Executive Committee.
2. Formation of Technology Council, similar to Finance Committee, to help set technology strategy.

3. Include the technology director on the NYSBA senior management team.

Assumptions & Rationale: The importance of technology to the other areas of the Strategic Plan, Membership, Programming and Finance, requires that the head technologist at the NYSBA be represented in a peer level position on the Senior Management Team.

Performance Measurements:

1. A Chief Technology Officer at a high level within the Association may be necessary to monitor, evaluate, guide decision-making and oversee implementation of new technologies.
2. Creating additional staff level position(s) to support anticipated technical growth areas, such as mobile application/web development.

4. Foster an environment that encourages innovation.

Assumptions & Rationale: An organizational objective to maximize the use of technology works best in an environment that encourages creative innovation and is tolerant of expected and eventual failures. Status quo, traditional policies and procedures, and fear of failure severely inhibit the creative process of innovation. The entire staff of the NYSBA should be encouraged to reevaluate existing products, services, and procedures in terms of their current day relevance to members, and if there is a more efficient manner of providing them. The Association should encourage use of technology by Sections, Committees and in the performance of Association

activities. There should be consideration of an award for use of technology to highlight and encourage innovation in the Association.

CONFIDENTIAL

Strategic Planning Meeting Summary

March 31, 2011



Strategic Planning Meeting Summary

March 31, 2011
Fort Orange Club
Albany, New York

Harrison Coerver & Associates PO Box 1341, Boca Grande, FL 33921 239.281.1691 ♦ harrison@harrisoncoerver.com	Prepared and Submitted by: Harrison Coerver President
--	---

LIST OF PARTICIPANTS

Executive Committee

Officers:

Stephen P. Younger, President*
Vincent E. Doyle III, President-Elect*
David P. Miranda, Secretary*
Seymour W. James, Jr., Treasurer*

Samuel F. Abernethy
Jonathan B. Behrins
June M. Castellano
David Louis Cohen
Timothy J. Fennell
Hermes Fernandez
Hon. Margaret J. Finerty
Michael E. Getnick
Mark S. Gorgos
Claire P. Gutekunst*
Glenn Lau-Kee
Ann B. Lesk
John S. Marwell*
Ellen G. Makofsky
Steven E. Millon
Lillian M. Moy
Thomas E. Myers
Arlene Gordon Oliver
(Will become member on 6/1/11)
Manuel Romero*
Sherry Levin Wallach
Oliver C. Young
(Will become member on 6/1/11)

* Serves on both Committees

Special Committee on Strategic Planning

Sharon Stern Gerstman, Co-Chair
David P. Miranda, Co-Chair*
James R. Barnes
Claire P. Gutekunst*
Paul Michael Hassett
Seymour W. James*
John S. Marwell*
Joshua M. Pruzansky
Manuel Romero*
David Schraver
Grace Sterrett

Stephen P. Younger, President*
Vincent E. Doyle III, President-Elect*

NYSBA Staff

Patricia K. Bucklin, Executive Director
Keith J. Soressi, Associate Executive Director
Richard Rifkin, Special Counsel
Kathleen Mulligan Baxter, Senior Director of
Legal and Governmental Affairs
Douglas Guevara, Senior Director of
Continuing Legal Education
Richard Martin, Senior Director of Marketing
and Information Services
Patricia Wood, Senior Director of
Membership Services
Ronald Kennedy, Director of Governmental
Relations
John Nicoletta, Director of Management
Information Services
Kristen O'Brien, Director of Finance

Stephanie Bugos, (Transcriber)

Overview

The New York State Bar Association's (NYSBA) strategic planning process was initiated with a meeting of the Special Committee on Strategic Planning in New York City, New York on August 31, 2010. The meeting was designed to initiate the analysis of four subcommittees in the areas of membership, technology, programming and services and finances. The subcommittees submitted their report, the Briefing Report of the Special Committee, to the NYSBA Executive Committee in January 2011. The briefing report provided the basis for discussion and decision-making at the joint Executive Committee and Special Committee on Strategic Planning on March 31, 2011 in Albany, New York.

Discussion of the Briefing Paper Issues

The following is a summary of the discussion of the Special Committee on Strategic Planning's briefing paper. The full transcription of participants' comments is included as Appendices A-D.

PROGRAMMING AND SERVICES

There were three areas that accounted for over half of the comments: CLE, advocacy and practice-related services.

The importance of CLE as a part of the NYSBA value proposition was reaffirmed, alternative delivery, packaging and timing of CLE was addressed, and the importance of maintaining the quality of NYSBA CLE was identified. There is low member value and awareness regarding the bar's advocacy efforts. There are concerns that members do not understand the importance of advocacy. It was noted that NYSBA could improve services that were practice-related. Tangible offerings like forms and search services were suggested.

MEMBERSHIP

A wide range of aspects regarding membership were discussed: out-of-state members and membership potential; dues structure; at-risk member segments; NYSBA priority on membership; retention of involved members; law school presence and low membership of deans; and CLE discounts with membership.

TECHNOLOGY

The website is identified as a key interface with members, but it is difficult to search and may be vulnerable to new, emerging technologies. Sections and Committees vary in their use of technology and they need technological education and support. There is continued potential for CLE delivered via technology, with interactive capability. Other issues included Executive Committee attention to technology; the potential for a Chief Technology Officer on staff; apps; email clutter; and security and privacy issues.

FINANCES

The group discussed the budgeting being done on a historical basis, and the need to be more strategic in the budgeting process. Section reserves and the way costs were allocated to Sections were discussed. Other issues included budgeting for technology expenses and identifying new revenue sources.

NYSBA Objectives

An objective is a temporary but careful estimate regarding a future result which cannot be projected with accuracy but which is believed can and should be achieved through NYSBA's efforts and commitment of resources. Objectives should be derived from a careful analysis of future development and potentials, with relatively less reliance placed on historical data and the projection of past experience. The group established the following three to five-year objectives and placed them in priority.

Priority sequence was determined by a voting process in which participants in the planning meeting were provided with a handout sheet. Participants were asked to choose three objectives and write the corresponding

identification letter in the appropriate box for a #1, #2 and #3 ranking. Items ranked #1 received three points, items ranked #2 received two points and items ranked #3 received one point. Points were then tabulated and objectives were ranked.

- A. **Value:** Increase the value of the Association to its members; CLE; tailored services, user-friendly, linked to/enhance members' livelihood, members-only benefits; educate members on how to adopt technology for their use (97)
- B. **Technology:** Capitalize on technology to deliver/target services and information; communicate; improve accessibility/participation; achieve efficiencies; develop new areas of programs and services (68)
- C. **Advocacy:** Strengthen NYSBA's position as thought leader and advocate for the evolving profession and on legal/legislative/judicial issues; promoting the image of the legal profession to the public; educating the public on civic and legal issues (12)
- D. **Communication:** Increase attorney awareness of the Bar's benefits and value, and encourage member participation in Bar activities (10)
- E. **Young lawyers:** Understand, attract, retain and engage young/newly admitted lawyers and students (8)
- F. **Sections:** Enhance section capability to add value to members; enhance NYSBA/Section coordination; staff support (14)
- G. **CLE:** Quality, accessibility, targeted, timely, affordable, market leader, multiple delivery mechanisms (14)
- H. **Finances:** Fund strategic initiatives and operations, maintain financial soundness, pursue diversification of revenue streams, priority-driven budgeting (15)

- I. **Diversity:** Association membership, leadership, and staff; the legal profession, judiciary (8)

Member Value

GENERAL OBJECTIVE Increase the value of the Association to its members

RELATED OBJECTIVES Enhance section capability to add value to members

Strengthen the Bar's CLE programming and delivery

SPECIFIC ASSUMPTIONS OR PREMISES

1. The NYSBA value proposition is key to membership recruitment and retention
2. Survey findings indicate an erosion of our perceived value
3. There is a strong identification of value with the Bar's CLE program
4. Value is defined differently by different member constituencies
5. Membership in Sections leads to longevity of NYSBA membership
6. Most members place value on tangible, practical, practice-related support/assistance/information
7. The complexity of the Bar is difficult for members to understand and navigate
8. Member awareness of services and value must be improved
9. Bar must be a more effective marketer of its products and services
10. We need to identify the products and services that our members want
11. We need to identify what has led to declining/stagnant membership in many Sections
12. We still don't know what the young lawyers want

SUGGESTED PERFORMANCE MEASUREMENTS

The following performance measurements were proposed by the participants. The list requires further review, a reduction to a limited number that best reflect progress on the value objective, and specific targets within a specified timeframe to track progress on the objective.

1. Membership retention
2. New membership recruitment
3. Member survey feedback on value
4. CLE hours and income
5. Number of members that consume all NYSBA CLE
6. CLE evaluation scores
7. Section membership
8. Member utilization of selected NYSBA products/services
9. Number of members involved in NYSBA activities (Sections, Committees, etc.)
10. Recruitment and retention of at-risk segments (young, women, large firm)

Technology

GENERAL OBJECTIVE Capitalize on technology to communicate and add value to members

SPECIFIC ASSUMPTIONS OR PREMISES

1. Our members will increasingly expect NYSBA to use technology to deliver services and information
2. There will be variations within the membership on their adoption of the technology
3. Technologies will emerge that we are not aware of today
4. The rate of technological change will accelerate
5. Membership use of technology will increase
6. If we don't address this need, someone else will fill the void
7. We will have to make decisions on which technology applications to utilize
8. NYSBA leadership and senior staff represent an older demographic

9. There are internal technology issues (e.g. system upgrades)
10. There are inconsistencies in use of technologies across Bar Committees and Sections
11. Technology will require increased resources (funding and staffing)
12. Increased technology places additional responsibilities on staff, without removing other existing responsibilities
13. Investing reserves is an option to support technology and increases in staff; reallocating resources from existing programs is another option
14. There are inconsistencies in level of technological support to Sections and Committees
15. Mobile technology will be increasingly important
16. Making decisions on what technologies to support and fund will be difficult; Executive Committee involvement and understanding in these decisions will have to increase
17. Technology will allow members to personalize their NYSBA experience
18. NYSBA decision-making processes have to keep pace with the pace of technological advances
19. It's likely that there is a CTO in our future
20. System security will be an issue
21. We will need to expect that there will be failures
22. Testing of technologies is critical
23. There can be negative consequences of communications overload

SUGGESTED PERFORMANCE MEASUREMENTS

The following performance measurements were proposed by the participants. The list requires further review, a reduction to a limited number that best reflect progress on the value objective, and specific targets within a specified timeframe to track progress on the objective.

1. Website traffic, click-through rates, open rates, online sales/renewals, application downloads, twitter/Facebook followers, webinar attendance
2. Repeat users of website
3. Member survey feedback
4. App creation

5. Decrease in postage and printing
6. Listserve participation
7. New users of electronically-delivered CLE
8. Ability to measure member interactions (better analytics)
9. Capability of members to tailor their NYSBA experience
10. Usability rating
11. Utilization of teleconference/video conference
12. Percentage of members providing NYSBA with their email address, cell phone number for texting, twitter, etc.

Concluding Comments and Observations

1. Most of our time was spent dealing with serving our members; our mission to advance the administration of justice, access to justice, and the independence of the judiciary were not addressed
2. Our focus was on members and internal functioning
3. If the officers of the Association embrace the plan, the prospects of implementation are significantly higher
4. Members would be satisfied to know that we are addressing what is important to them
5. We came to a good consensus on our priorities
6. Who owns the strategic plan?
7. We are mid-way through the process. (Need action plans, and resource allocation to priorities)
8. Success of the plan depends on buy-in from leadership, Sections, and staff
9. Report cards on progress should be produced on a regular basis
10. It's important to communicate the plan to the membership and a broader base of leadership
11. Some performance measurements may be hard to track
12. The emphasis on technology is appropriate
13. Our focus was on operations vs. policy

APPENDIX A: PROGRAMMING AND SERVICES

1. Weakest part of our service – Members looking for: (1) advocacy (2) support for practice (3) Insurance. NYSBA has a gap in the support for the business of law
2. Survey results emphasize that advocacy efforts aren't that important to members/lapsed members
3. Members don't see how advocacy impacts them and their practice. We need to make that clear (communication).
4. NYSBA is winning grassroots award from ABA – and our members don't know it.
5. Computerized research is expensive – bring it to the small firms – Develop services/benefits that make it cheaper and efficient for a small law firm to survive
6. App called Fast Case – NYSBA could provide something like that
7. Advocacy - Young lawyers don't understand the importance of advocacy, or how to become involved in it.
8. Why do you need NYSBA for services that are readily available elsewhere? What is special and unique about NYSBA's product?
9. Member interest in advocacy positions varies
10. Advocacy confuses our members. There is (1) reform of the law, and (2) defense of the profession. Need to communicate to the members that we do both.
11. Need to provide real benefits that are important to the members. Members shop their options (e.g., insurance plans).
12. Need to increase NYSBA staff. Consider a business development person to evaluate the various offers for co-sponsorship.
13. Importance of CLE to our members/non-members: Need sufficient resources for that mission. MCLE is here to stay. Need efficiency and quality. Ensure quality programs, delivered in the way the members want.
14. We don't need to do less, but communicate with members in a more focused way. E.g., targeted messages for renewal (small firm, young lawyers, etc.)

15. Importance of employment services to our membership. Need to do more with that.
16. Focus group showed importance of forms – need a wide library of current forms. Forms, templates to make their lives easier.
17. Need for better coordination of services. Haphazard nature on how subjects are covered in CLE, etc. Need staff-driven coordinated program. Re-think organization of all of the programs and services delivered to members – encompassing sections, committees; everyone. Friction exists between sections and the Association (CLE, finances, advocacy issues, etc.)
18. Membership survey shows members are looking for relevance to their practice. They are finding that in specialty bars. Promote that we are 25 specialty bars (with our Sections).
19. Could create NYSBA forms that can only be used by NYSBA members – NYSBA-approved forms, or license it.
20. Whatever changes we make should not detract from the quality of current NYSBA CLE.
21. NYSBA has made CLE more webinar-intensive. Also need to deal with times of day. Not just full-day CLE.
22. Political Action Committees (PACs) – It may be time to reevaluate our position on them.
23. In addition to CLE timing, need to look at locations across the state.
24. Most of the local bars do CLE for an hour in the morning or evening. NYSBA uses many full-day programs. Aspect of competition.
25. Many go online to get an entire package for year's CLE credit.
26. Invest resources to stay quality as the "big tent." Specialists could use technology to coordinate.
27. Take care in competing with local bars.
28. Delivery of legal services to the clients – Lawyers want to know what clients think of them. What are we doing that changes the public's perception of lawyers? Periodically survey the public w/r/t perception of the profession.
29. Awards given by Association – Look at how we can better market those awards to showcase members who are doing amazing things. Coordinate awards better; increase member awareness.

30. One size doesn't fit all – People communicate differently; may need to communicate in different ways to different segments of the membership
31. Don't lose sight that CLE is one of our primary sources of revenue.
32. Group buys for membership and CLE, and ways to do it individually.
(e.g., firms buy a "fast pass" for CLE)
33. Task force on Future of the Legal Profession looking at younger attorneys – training
34. Place more responsibility on the staff. Leadership is volunteer, so there are continuity and consistency issues.
35. Training younger attorneys – ComFed has a mentorship program (Or technology mentors can turn it the other way around)
36. There are other benefits of CLE for NYSBA than just the income stream. E.g., members join because of the quality of CLE. Look not just at the bottom line revenue, but other additional benefits.
37. Need to pay attention to revenue sharing for section CLEs and Association CLEs
38. Members are maintained for longer when they are involved in a Section.

APPENDIX B: TECHNOLOGY

1. Needs to be user-friendly, rich in content, easily searchable
2. Needs to be oriented towards the members' livelihood
3. NYSBA Website is too hard to search
4. We need NYSBA apps to deliver content (websites becoming obsolete)
5. We have computing systems that limit capacity (and financial limitations)
6. Key interface with members and potential members is the website
7. Website is becoming obsolete to other technologies
8. We have to be agile
9. Technology needs to become a means of communication and participation with the Bar Association
10. Pushing out information rather than just being a source
11. Increase staff resources to support content in communication through technology
12. Need to deliver more CLE via technology
13. There is also a need to educate members who are technologically challenged – Help them to become more technology-oriented
14. In order to anticipate new technologies we need to have a chief technology officer
15. Need to look at how the Association has alienated the younger attorneys by not using technology – Bridge the gap
16. Need to sort out which technologies to adopt (monetary aspect)
17. A focus group of young attorneys could be used – determine what apps they are using
18. CLE needs interactive capability (e.g., Twitter, social networking)
19. Add technological access for Sections and Committees
20. More involvement by leadership and Executive Committee in some of the financial issues. Then, leadership attention to membership was identified as a priority. Now, technology needs this kind of attention by the Executive Committee
21. Everything varies by Section. Work on getting Sections up to speed on the importance of technology.
22. How can the Association help the Sections? How do you get out the information?

23. Sections have staff liaisons. May be time to consider a technology liaison.
24. Getting to the average member solo/small firm practitioners with technologies that they can use in their practice
25. Chief information officer rather than chief technology officer?
26. In order to qualify for the Executive Committee, do you need to be reasonably adept with technology?
27. Need to balance privacy with technology in terms of best way to reach the membership – Lack of trust of the Association re: not sharing personal information
28. Email clutter needs to be addressed
29. Discount for solo/small firms in getting up-to-date technology?
30. We have moved from print promotion for events to email. Should we move to Twitter, Facebook, etc.? Are there better means?
31. Do not want to exclude more senior attorneys – members and leadership. Can provide instruction and support, but don't limit participation based on technology.
32. Evaluative component for technology used by Sections and Committees. Is it working? Can it be improved?
33. Attract tech vendors to the events
34. Need to educate Section leaders on technology currently available
35. Report assumes need to maintain printing
36. Need to be sure that our systems are secure (particularly with financial information)
37. Revenue from advertising in electronic formats
38. COSAC will need to weigh in with ethical issues

APPENDIX C: MEMBERSHIP

1. Successful membership challenge – but need to look at where to go next. Downfall on Section membership, which drives to renewing overall membership.
2. 24% of members are from outside of New York State. We likely do not provide 24% of our resources to them. Do more for NRES members.
3. Out of state membership is a huge market.
4. The State Bar won't have the competition of a local bar with out of state members. They may be more interested in other means of delivery for CLE.
5. 186,000 attorneys admitted in NYS that are not members of NYSBA. 260,000 total.
6. Reverse the decline in market share
7. Need to focus on being relevant to newly-admitted attorneys
8. Re-think the business model of having a set dues amount that fluctuates based on number of years admitted to practice. Have a menu of choices (e.g., level of utilization; offer various packages)
9. Need to focus on the solo and small firm practitioners. Unless we provide tangible services to them, they will not see the point in staying with us, and will default to the local bars.
10. Low penetration in NY law firms. Should have a sales staff to market NYSBA.
11. Membership is an ongoing process. Consider having a survey as a regular part of our process, or smaller ones. Be aware of what is happening.
12. Membership has to remain a top priority for Association leadership. Continue to keep the senior lawyers engaged.
13. Need to continue to identify what provides value to our members, then need to communicate to members and prospective members on why NYSBA membership gives them value.
14. Is there a way to take existing county and specialty bar members and get them to join NYSBA? Work with county bars to bring them into our fold. (e.g., with a dues package). Encourage local bars to cooperate on a regional basis. Bring local and county bars together.

15. Do more to reach out to the public sector. Most of the membership is in the private sector, but can't ignore them.
16. Need systems sufficient to allow measurement of what works. E.g., if a Section does this kind of a program, what members does it attract?
17. Need to track what the individual member wants (e.g., Amazon brings up other products a purchaser may be interested in)
18. Should look at dues structure not only to raise revenue, but to encourage people to join, so it is not a hurdle to join.
19. Need to tailor dues structure, services and communications on a need-oriented way rather than in demographic categories.
20. It is important to address membership issues with information on what is going on in terms of performance ratings at similar associations – Benchmarking.
21. What kind of incentives do we offer to involve large law firms, as well as solo/small firm?
22. Involved members feel that they have gotten value for their membership dues. How do we engage members in more Association activities?
23. Increase presence at the law school level
24. Few deans or professors are members of NYSBA. Students need to have mentors pushing it along. Almost all of them are members of the ABA as the result of a package offered.
25. Deans council forum could help connect them
26. Steeper discounts for members for CLE programs will create a perception of more value, which would help membership
27. At the county level, there are stealth membership drives. Members feel that they are getting value (e.g., free CLE)
28. One-on-one is the best way. We need to know who the non-members in our area are, so when we encounter them personally, we can encourage them to join. One-on-one approach at events.
29. Promotion of NYSBA at CLE events
30. Consider governing structure – restructure to advance membership efforts

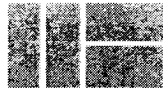
APPENDIX C: FINANCES

1. Contingency budget has not been developed – Where do we cut if our financial projections fall short?
2. Budgeting is done on a look-back basis, rather than focusing on where we should be spending our money to achieve the priorities of the Association.
3. It is time to look at where we invest our assets strategically. We have not been in an investment mode. Invest our assets strategically, including in technology and staff.
4. Amount of money that sits in accumulated surplus of Section budgets is \$2.6 million. (Friction between Sections and Association) – encourage to invest in membership.
5. Spend money in increasing members, and in using technology to provide more value to members
6. Sections enhance the work of the Association. We need to Sections, and need to be sure that we don't alienate them. Need to have dedicated staff to work with the sections. Section liaison system is not cost-effective. Need to re-look at the model.
7. There is a huge gap between sections; some have large surpluses, and others have none. Why is one section allowed to do something because they have the money, and another can't?
8. Some other associations don't allow Section surpluses – all goes to the association. It does work in other places. Benchmark bars that have section structures that are different.
9. As services get delivered online, need to look at differentiation of dues between resident and non-resident members. NRES dues increased, without losing members. (However, in some countries, USD is worth a lot.)
10. Budgeting needs to account for increased use of technology and staff
11. Have we considered outsourcing technology? (It has been considered in various areas, e.g., recording CLE programs.)
12. CLE and Membership account for 70% of revenue. Look for new sources of revenue.
13. Consider reserve budgeting in years of surplus.

14. Review cost accounting and cost allocations with regard to Section budgets; also allocation of staff
15. Staff could record amount of time spent on particular Section projects, etc.

Feedback and Evaluation Summary

March 31, 2011



HARRISON COERVER & ASSOCIATES

ASSOCIATION MANAGEMENT CONSULTANTS

April 8, 2011

TO: Sharon Gerstman, David Miranda and Keith Soressi

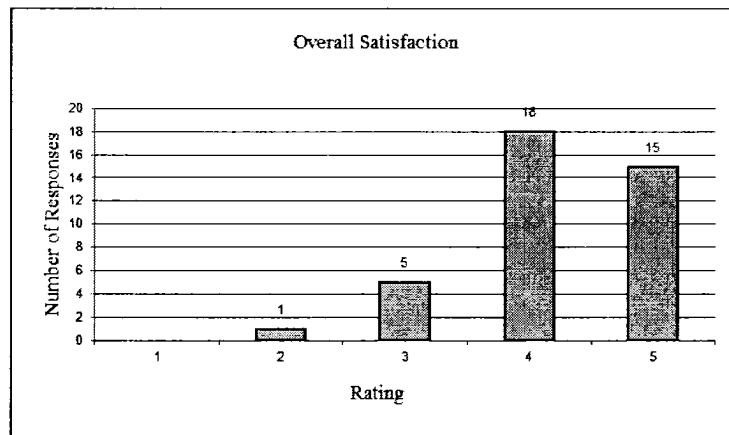
FROM: Harrison Coerver

RE: Feedback and Evaluation Summary

Thank you very much for your selection of Harrison Coerver & Associates to assist the New York State Bar Association in its strategic planning. As part of our consulting services, we conduct a survey of participants to determine their satisfaction and feedback regarding the planning session.

The following information summarizes the response of participants in the March 31st planning session. We received 39 completed questionnaires.

Overall satisfaction was rated as follows on a scale of 1 to 5, with 1 being “not at all satisfied” and 5 being “very satisfied.”



Overall satisfaction	4.2
----------------------	-----

Participants gave a mean or average rating for the following dimensions of the planning session, with a 1 being “poor” and a 5 being “excellent.”

Committee Briefing Report	4.5
Agenda	4.4
Facilitation	4.5
Priority Objectives	4.0
Value to NYSBA	4.1

Participants identified the following strengths of the planning session:

1. Formulating the performance measurements after identifying priorities; Harrison was an exceptional facilitator
2. Priority objective discussion was important and helpful in defining our issues
3. Critical issues teed up for the Executive Committee
4. Allowed us to focus on our strengths and weaknesses to prioritize for the future
5. Identifying the specific areas of weakness in the NYSBA
6. Helped us as a group to focus on the big picture issues and direction in which we should be heading
7. Facilitation of discussion; participation of members
8. Ability to work through “all” of the association’s myriad services and products and focus on specific objectives
9. Raised awareness of future issues concerning the association
10. Bringing people together to talk about the issues
11. Discussion of concerns to be addressed in the future
12. Helped identify priorities
13. It was an opportunity to focus on the issues
14. Involvement/buy-in of key leadership and staff
15. The flow of ideas and interchange. Harrison was excellent with a few exceptions
16. Excellent attendance and participation. Kudos to Harrison
17. The committee report was very strong. The discussion of the report was strong.
18. Organizing and strategizing our goals
19. The detail in the committee’s report was very informative; the initial discussion generated open discussion
20. Identifying problem areas and future objectives
21. Effective facilitation/leading of the discussions
22. Morning discussion about the briefing report
23. I would have liked to see three priority objectives
24. The open discussion of the problems and recognition of financial limitations
25. Excellent facilitation; building consensus of leadership on objectives; inclusion of staff in the process
26. Identification of issues to a broad group of leaders
27. Focused group on important issues to retain members
28. Addressing big picture issues with NYSBA leadership

29. Collaboration and diversity of viewpoints/experience, including staff.
Comprehensive approach, yet focused on details
30. Getting the Executive Committee focused on strengths and weaknesses and a vision for the future
31. Excellent facilitator; participation by members in attendance was active
32. Sharing of ideas and different perspectives on issues of importance
33. Surfacing all issues and forcing the establishment of priorities
34. Focus on the future. Determination of general priorities.
35. Briefing report excellent; Harrison good with tough crowd; ended on time.
36. Identifying needs of NYSBA
37. Helped give participants an awareness of the organization, its strengths, weaknesses and challenges
38. Highlighting problems to be confronted

Weaknesses or shortcomings of the planning session include:

1. The staff was initially reluctant to participate. When they eventually joined in, the provided valuable input
2. Underlying premises discussion bogged down and could have been streamlined
3. Too much time repeating; didn't get to finances
4. None perceived
5. None
6. More work needs to be done to help us make decisions
7. Two days needed
8. Not enough time to discuss the remaining objectives
9. Too many suggestions – hard to follow than many assumptions and premises
10. Specific plan as to follow-up to determine success should be reviewed periodically
11. Too many digressions
12. There was not much that has not been discussed in prior meetings among those in the room
13. None
14. The synthesizing was not as good as it could have been. Also, presumptions/assumptions sometimes became action steps. Their purpose was not adequately defined.
15. Too long. People were running out of gas as the day went on. As the day went on, the comments generally became much too specific. Too many nits were picked.
16. We did not spend enough time on planning the implementation of the goals
17. The identification of objectives as tedious and confusing, and too much time was devoted to that
18. Long and repetitive. More breaks needed for energy and thinking
19. Some participants going off on tangents
20. The afternoon seemed to drag
21. Far too much time having Executive Committee members with insufficient knowledge brainstorm to develop ideas that a knowledgeable person would know off the top of her head (e.g. appropriate metrics). Repetitive and redundant. Objectives are so broad as to be meaningless. Everyone could have told you at 9:00 am that major problems were membership and technology.
22. It was exhausting – I question whether the objectives will be acted on in a timely way or discussed to death

23. Not enough time allotted for debate on specific action steps
24. Concern about implementation, although performance measures should help
25. Lack of assurance that the results will become policy (not NYSBA's fault, but the process)
26. Too much time spent on underlying premises and performance measurements
27. Hard to fit all the issues into a one day program
28. A bit too long
29. As this type of meeting is conducted, I find no shortcomings or weaknesses within the time period allotted
30. Not enough time to develop certain concepts
31. I wish that it was more conclusive
32. Objectives need more specific definition and people/groups need to be assigned to follow up
33. More staff involvement would have been valuable; should have addressed finances
34. Conversation dragged in the afternoon and lost focus
35. Repetitiveness

Participants' suggestions for future planning efforts were:

1. A component should be devoted to at least an initial discussion of what steps to take toward implementation
2. Be a little more heavy handed in moving on
3. It was well done. No suggestions.
4. Well done
5. Meeting was long. Understand the necessity of that, but people got tired.
6. Start with the mission statement and a list of key organizational objectives in support of the mission
7. Very good and interesting
8. Leadership should re-visit and review objectives and measures on a regular basis
9. Shorten process by 2 hours
10. Shorten the sessions. We could have easily skipped most of the morning.
11. Collect the sheets were people wrote objectives to get suggestions that they did not get the chance to voice or chose not to
12. Small group breakouts
13. Harrison is very good, but as the day went on the discussion turned to too many [indcipherable].
14. Leave time to plan specific actions to implement and achieve goals
15. Implementation concepts needed
16. More breaks, avoid repetition, shorter meeting
17. Invite Section leaders and committee chairpersons to attend
18. Better focus on decisions for which the Executive Committee is adequately prepared.
19. Leave time to debate action steps; I would shorten the pre-lunch summary which was a rehash of [indcipherable] to date.
20. Harrison is very talented and I'm not smart enough to suggest improvements in the process
21. Make them shorter and more focused. Some discussion went on far too long.
22. More comfortable chairs
23. None – really enjoyed the experience and saw value in both sessions

24. Just shorten it a bit (1 hour +/-)
25. An advance guideline as to the protocol to be followed
26. More staff input
27. Need group discount on Harrison's book
28. Explain weighted voting process; good use of projection on screen in lieu of flipchart
29. Perhaps two half day sessions rather than one long and full day
30. Guide discussion with a firmer hand. Language disputes in range of "How many angels fit on the head of a pin."

Thank you for the opportunity of working with the New York State Bar Association. If you have any questions or if I can be of further assistance, please call me at 239.281.1691 or contact me at harrison@harrisoncoerver.com.

Best regards.



Harrison Coerver & Associates
PO Box 1341
Boca Grande, FL 33921
239.281.1691
harrison@harrisoncoerver.com

