

Special Committee on Strategic Planning

**Final Report**

November 4, 2011

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**I. INTRODUCTION**

In July, 2010, President Stephen P. Younger appointed the Special Committee on Strategic Planning, co-chaired by David P. Miranda and Sharon Stern Gerstman. At the initial stage, the Co-chairs, President Younger and President-Elect Vincent E. Doyle, III, engaged Harrison Coerver, a professional facilitator with significant experience and expertise with bar associations, and determined the scope of the committee’s work, concentrating on four principal areas: Membership, Technology, Finance and Programming and Services. Each of these subjects became a subcommittee of the Special Committee.

A full discussion of the strategic issues facing the Association was held at an all-day meeting of the Executive Committee, the Special Committee on Strategic Planning, and senior Association staff on March 31, 2011. Mr. Coerver facilitated the meeting.

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 and staff reviewed the principal areas of concern (Membership, Technology, Program Services, and Finance) and discussed numerous possible priorities for the Association to address. The participants identified Membership Value and Technology as the top two priorities. They then 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 an informational report, which sets forth the objectives, strategic assumptions and rationale for each priority as well as the summary of the retreat and feedback received from the participants. Following discussion by the Executive Committee in June 2011, this final Strategic Planning Report is submitted for approval by the Executive Committee, November 2011.

**II. MEMBERSHIP VALUE**

**A. 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).

1. **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 more effectively educate members and market its products and services to them.

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.

1. **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

**B. 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.

1. **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.

1. **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. Participants also expressed a desire for more specialized programming for more experienced attorneys.

**Performance measurements:**

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

**C. Objective**:  **Strengthen the Association's Sections to add benefit to the members.**

**Strategies:**

**1. Ensure there is appropriate dedicated staff support to Sections by the continued development of the Department of Section Services staffed by employees exclusively 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 to increase Sections' efficiency and provide more consistent support to the Sections. The staff support should have sufficient substantive and technological knowledge to meet the staff needs of the Section.

**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 timely, 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 technologies, including websites, listserves, and other electronic formats, to deliver Section information on a timely and convenient basis.

**Performance Measurements:**

1. Section and Association member retention

2. Increased attendance at Section programs

3. Increased Section membership

**III. TECHNOLOGY**

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

**Strategies:**

**1. Implement technologies consistently throughout the Sections and Committees, as well as Association departments.**

Assumptions & Rationale: There are inconsistencies in use of technologies within the Bar Center and across NYSBA Sections and Committees. There are inconsistencies in the 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 and understanding of technology places additional responsibilities on staff, without necessarily removing existing responsibilities, so this may need to be addressed within the NYSBA organizational structure.

**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. Listserve 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.

**2. Develop current forms of electronic information delivery to bring the Association to members’ 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 members’ mobile devices increases visibility and relevancy of and connection with the Association.

**Performance Measurements:**

1. Develop first mobile app, and infrastructure for new apps.
2. Develop additional mobile apps.

3. Measure use by members by monitoring downloads, usage.

**B. Objective: Increase organizational support for use of technology**

**Strategies**:

**1. Ensure adequate funding for technology initiatives, including consideration of new and creative funding options.**

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, 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 the budgeting process and spending decisions.

**Performance Measurements:**

1. There should be regular technology updates and reports to the Executive Committee and direction and feedback from the Executive Committee.

2. Formation of Technology Council, similar to Finance Committee, to help set technology strategy.

**3. Include a Chief Technology Officer 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. Create additional staff level position(s) as necessary 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 Association staff should be encouraged to reevaluate existing products, services, and procedures in terms of their current relevance to members and efficiency of delivery systems. The Association should encourage use of technology by Sections, Committees and in the delivery of Association services. There should be consideration of an award for use of technology to highlight and encourage innovation in the Association.

1. Chair, Subcommittee on Membership [↑](#footnote-ref-1)
2. Chair, Subcommittee on Finances [↑](#footnote-ref-2)