

LWVUS: Voters' Guides Best Practices

A. Introduction

Over the years, Leagues have built up high recognition value and reservoirs of community trust by providing citizens accurate, nonpartisan services and information on elections and on governmental issues. Public respect for the League's commitment to factual, unbiased information is a source of pride for League members and one that can be drawn on repeatedly in seeking community support for League activities and recruiting new members.

Producing candidates' questionnaires or Voters' Guides requires especially careful attention and sound judgment by the entire board, in order to protect the League's nonpartisan reputation and the public's trust.

In providing voter information, Leagues often work with other organizations, including newspapers and other media that may endorse candidates or have political action committees (PACs). In deciding how to work with such organizations, Leagues need to consider carefully how their participation might affect their nonpartisan status or the public's perception of the League's nonpartisanship. They must make sure that the ground rules are set to ensure that the activity is conducted in a strictly nonpartisan manner. It is important to *make clear that the League cannot waive its nonpartisan policy or any procedures that ensure fair treatment of candidates*. The same is true when a League cooperates with a newspaper or other media outlet to produce or distribute election information.

The following are recommended practices:

B. General

1. *Fair, balanced and nonpartisan questions* for candidates should be the responsibility of each League. A League may wish to solicit input from a partner (organization or media outlet), but the final choice and wording of questions should be the League's.
2. *Prominent display of the League logo*, contact information for the League and Web address should be standard practice and explained early on as part of the partnership. This benefits both the League and the partnership effort, as the public puts the highest level of trust in the League, and will see our logo as a trusted "seal of approval."
3. League positions on Ballot Measures or Constitutional Amendments, etc, *should not be included* in Voters' Guides. Leagues can distribute additional supplemental facts sheets (or publications, etc) that cover this information, but the fact sheets should: neither be part of the Voters' Guide nor distributed such that it appears as though it is a supplement of the Voters' Guide; and the fact sheets should have a different look and feel (e.g. design) so that the League's voter service activities and its advocacy activities are not easily confused. Leagues may choose to do pros and cons on Ballot Measures or Constitutional Amendments. However, League positions on either *should not be included* in Voters Guides.

4. League positions on issues (e.g. environmental or taxation, etc) also *should not be included* in Voters' Guides. Again, Leagues can distribute additional supplemental facts sheets (or publications, etc) that cover this information but the fact sheets should: neither be part of the Voters' Guide nor distributed such that it appears as though it is a supplement of the Voters' Guide; and the fact sheets should have a different look and feel (e.g. design) so that the League's voter service activities and its advocacy activities are not easily confused.
5. Include a *League membership "ad"* in your Voters' Guide, as long as general League funds (e.g. non tax-deductible funds) cover the specific cost of including the "ad." For example, if a Voters' Guide is 5 pages and the membership "ad" is half a page; general League funds should cover 10% of the total cost of printing and distributing the Voters' Guide. Some sample language for your ad includes: *"The League of Women Voters is where hands-on work to safeguard democracy leads to civic improvement. We are trusted, nonpartisan and never endorse candidates. Join the League and be directly involved in shaping the important issues to keep our community strong, safe, fair and vibrant."*
6. If *partnering* with another entity, the League should take the lead in communicating with the candidates. This includes:
 - a. sending *correspondence to the candidates* in a traceable form (USPS delivered, signed mail receipt or email returned mail receipt)
 - b. clearly articulating the *"ground rules"* for inclusion in the League's Voters' Guide – e.g.:
 - i. space limitations are included in the letter to the candidates so candidates know any responses over xxx word/character limit will be truncated at that number;
 - ii. there will be no editing for spelling mistakes, grammar, etc so candidates can not say their answers were "changed" by the League;
 - iii. what will be printed if the candidate does not respond – "No response from candidate";
 - iv. which specific races will be included in the Voters' Guide; and,
 - v. what criteria were used for determining which candidates would be included in the Voters' Guide. (The League Board should establish criteria well in advance.)
7. Voters' Guides should *not only be distributed in hard copy, but they should also be made available online*, through individual League Web sites and/or partner Web sites. LWVUS will also include every League's Voters' Guide on VOTE411.org. For inclusion on VOTE411.org submit your Voters' Guide to VoterInfo@lwv.org. Providing information online ensures that the information can reach a broader audience than print distribution alone and may be a great way to get other organizations or media to link to your Web site.
8. *All partners should be encouraged to publicize* the Voters' Guide before it is available – e.g. "Look for your LWV and xxx partner(s) Voters' Guide on xx day" (shortly before Election Day).
9. *Any disclaimers should be prominently displayed*. Examples of various disclaimers are provided below.
10. *Partner with a media outlet* to increase the distribution of your Voters' Guide. (See section: Best Practices: Partnering with Media Outlets for full discussion)

C. Funding Your Voters' Guide:

1. Education Fund monies may be used to underwrite the costs of most, if not all, of your Voters' Guide. You are encouraged to use some general League funds to cover the specific cost of including a League membership "ad" in your Voters' Guide. For example if your Voters' Guide is 10 pages long and you include a half-page membership ad, then 5% of the total cost of producing your Voters' Guide (printing and distribution) should be paid for with general League funds. Be sure legal constraints on giving and receiving money for election-related activities are fully understood especially tax-deductible contributions.
2. The approach used by the LWVUS/LWVEF Board on fundraising offers some guidance to your own approach and includes the following policy: "The LWVUS/LWVEF shall not enter into any financial relationship (investment, fundraising, cause-related marketing, gift solicitation or gift acceptance) which is incompatible with the principles, priorities and mission of the LWVUS/LWVEF. Management shall exercise appropriate discretion when identifying and soliciting prospective donors and partners." This practice helps avoid conflicts of interest and retains the public trust in League activities and publications.
3. Seek neutral community underwriting or in-kind donations from businesses or community organizations – e.g. printing and design/layout. Be sure to recognize these sponsors in your Voters' Guide.
4. Earn income by selling Voters' Guides and other voter service materials in bulk quantity to business and industry, organizations, labor unions, political parties and/or individuals. If you sell to a political party make sure that the terms offered are the same for all parties and candidates.
5. Leagues are seeking ways to fund their Voters' Guides and some consider advertising and/or partnerships with other organizations. *The best practice is to avoid candidate advertisement in your Voters' Guides altogether.* Your Board *should not* accept any advertising that includes an electioneering message or any express advocacy. Some partners, such as media partners, may insist on paying for the space through advertising. In such cases, the state or local Board should use its own judgment and discretion in deciding whether to accept advertisements, including candidate advertisements.

If your Board is considering allowing advertising in your Voters' Guide, consider the following.

- a. **Types of advertisements:** What is your League willing to accept—e.g. products or services only advertisements (shampoo, cookies, automobiles, realtors, banks, etc.) and not willing to accept —e.g. candidate advertisements (Vote for Wonder Woman on November 1st, etc.) or political/issue advertisements (political parties or advocacy groups, etc.)
- b. **Placement of advertisements:** Although LWVUS/EF advises against the inclusion of candidate ads in your Voters' Guides, if they are acceptable to your Board, minimize the chance that the advertising could be perceived as favoring one candidate or party over another. Consider:

- i. All advertisements must be confined to a specific section of the Voters' Guide such as the inside panel of the last page only or a single page elsewhere in the Voters' Guide;
 - ii. Candidate advertisements may only appear on pages associated with that candidate;
 - iii. Support from any candidate or political party/organization may only be acknowledged through a listing of supporters on the inside of the back page; or;
 - iv. Other criteria your Board develops.
 - c. **Advertisement specifications:** Are different sized advertisements allowed at different prices, are color and/or black and white ads allowed at different prices, etc.? Might some of these differences result in an appearance of a League preference for one candidate or party more than another?
 - d. **Promotion of availability of advertising space:** Will the League (and/or partner) actively solicit support from corporations? Will the League alert all candidates of this opportunity in their communications about participating in the Voters' Guide? Will the League decide on a case-by-case approach as potential advertisers approach the League? (This case-by-case approach should only apply to product and service advertisements.) Will another approach be approved by the state/local Board?
 - e. **Acceptance of Advertisements:** Will advertisements be accepted on a first come first serve basis, or if candidate/political advertising is allowed will they be accepted only on an equal basis (e.g. Leagues cannot run ads for candidates for only one party), etc.
 - f. **General Principles:**
 - i. Leagues that accept advertising *should insert the word "advertising" above or below any advertisement.*
 - ii. Fees associated with advertising are *not tax-deductible.*
 - iii. Leagues should either *display information* in the Voters' Guide regarding the process the league used to promote and accept advertising, and/or direct readers to place on your Web site where they may learn more about your process.
 - iv. Leagues should also prominently *display a disclaimer* such as "Reference herein to any specific commercial product, process, or service by trade name, trademark, service mark, manufacturer, candidate, issue, or otherwise, does not constitute or imply endorsement, recommendation or favoring by the LWV of XX."
6. If a League has raised more than enough funds to cover the costs of their Voters' Guide, the *remaining tax-deductible funds* may be used for other Education Fund activities.

D. Partnering With Media Outlets

1. *Appeal to their self-interest* to publish voter information as a service to their readers/listeners. Media outlets want the public to use their resources, to see them as "serving the community" and the League adds tangible, trusted recognition to their own

name and this effort through affiliating and collaborating together on Voters' Guides (or other voter service activities).

2. *Make sure you have a written contract.*
 - a. Signed by your League President and the media partner(s).
 - b. Clearly articulates the "ground rules" (noted above); that the League will provide ready-to-print materials and credibility; the rules regarding publishing LWV material in its entirety (e.g. the partner may make no changes to the text); specifies dates of publication; distribution of the Voters' Guide both in print and online; includes any costs that LWV might incur; states that League nonpartisanship and mission statements, and includes any disclaimers specifies how contributions/sponsors will be acknowledged, including in-kind support (if necessary); states how and what type of advertisements may be included; specifies that no endorsements may be included; specifies that the League name, logo and contact information will be included; and reaches an agreement on space limitations and candidate races to be covered.
 - c. Clearly delineates the League's role/responsibilities vs. the partner's role/responsibilities.
 - d. Including any publicity the partner(s) will undertake (e.g. "Look for your LWV and xxx paper, xxx TV Voter's Guide on xx day (shortly before Election Day).
3. Although *the contract will state which races will be covered* in the joint Voters' Guide, the League might decide to cover more races and include them on the League Web site.
4. Leagues should be aware that *many media outlets endorse candidates and accept candidate and political advertising*, and although the League can and should require that no candidate endorsements appear within the Voters' Guides, the League has no control over what is included in the rest of the media partners' online or print materials.
5. *If partnering with a newspaper.*
 - a. Ideally, the newspaper would cover the costs of printing the Voters' Guide as a special insert in their newspaper.
 - b. Leagues are encouraged to try to get extra copies of the insert printed for distribution through libraries and schools, community organizations and reaching out to diverse audiences.
 - c. Some Leagues have contributed to the cost of printing the Voters' Guide in a newspaper but Leagues are not encouraged to offer to do so at the outset of the discussions. However, Leagues should be prepared to respond to this request if it arises. As part of your negotiations, it is helpful to quantify your League's contribution to the total "cost of undertaking a Voters' Guide." According to the reputable nonprofit association, Independent Sector, the estimated value of volunteer time in 2006 was \$18.77 per hour. If there is a fee in the end, this fee should be included in the contract as well.