

## Testifying Tips from “One of the Best in the Biz” – Seth Dawson

### General Recommendations

**Get to the hearing early** – 30 minutes ahead of time for budgetary hearings and 15 minutes in advance of other hearings. People are called to testify more or less in the order they sign in, so you probably want to sign in ASAP.

Find the relevant sign in sheets and print your name, group (if any) you are speaking for, address, whether you wish to testify, and if so whether you are pro, con, concerned, etc.

Hearings usually last two hours or even longer, and it is hard to predict when your turn to speak will come. **Bring something to read or do while you are waiting.**

**Prepare 1, 3 and 5-minute versions of your spoken testimony.** At budgetary hearings you may get no more than a minute. At other hearings you could get as much as 5 minutes or so, but it is always hard to predict how much time you will be given. So be prepared!

**Go to the heart of your testimony** – your position on the bill or budgetary item and the reasons for that stance. Make your points in descending order of importance, so if you get cut short of time at least you’ve made the best use of the limited time you were allowed.

**No long wind-ups** – no lengthy self-introductions or general background information on the issue you are addressing. The clock is running the moment you start!

**Don’t fight the time limit!** If the chair announces that each person may speak for a minute, then observe that limit. Don’t argue that you need more time or ignore the deadline. You will only be cut off and have your testimony awkwardly truncated, maybe at the expense of antagonizing the committee chair.

Go with the flow. **Watch & listen to the pace if people are called to testify before you.** Adjust your commentary to the time allowed – speak clearly and concisely in support of what you are asking the committee to do on your subject matter. When/if the chair asks you to conclude your comments, do so as quickly and cogently as possible.

**Prepare and distribute your written testimony!** While your speaking time will be limited, you can/should always bring more detailed written testimony – for reasons elaborated upon below. Just find out how many copies are required for the committee in question (if you don’t bring enough, they may not be distributed), and then hand them to the relevant committee staff before you testify. The staff will probably distribute them to the committee members as you begin speaking.

In your spoken testimony you can/should note that your more detailed commentary is provided in the written materials.

## Some Specifics

### **Yes, it is possible you will not be able to testify if time runs short.**

A common frustration of testifying (or trying to do so) is that you may be given very little time to do so, or you may even be skipped over altogether. One point is that if the subject matter is a priority, we really need to have the most effective people we can muster at the hearings – to take advantage of whatever time is made available.

- Sooner or later everyone who attends a number of hearings will be given a minute or less to speak and, on some days, will not be called upon at all.
- Often there simply is not enough time for everyone to get to speak.
- The committee chair alone decides who will testify when and for how long, using the order of sign-ins as a general guide only.
- Chairs may call people out of order, according to which particular groups they may represent, if necessary, to get a balance of pro and con testimony, to specially accommodate people who have come a long way to speak, etc.
- Hearings normally last two hours, which means that time will be sliced pretty thin when as many as a dozen or more bills will be heard in that time.

### **Because you may not get to testify, or even if you do, it is wise to prepare and distribute written testimony to each committee member and staff.**

- If you don't get to testify, at least you can leave your written comments for each committee member and staff.
- Even if you testify, some (maybe even most) committee members are likely to be absent, so you can still reach them through your written commentary.
- Written testimony (unlike the fleeting spoken word) can be preserved and used at later hearings and meetings with legislators or used by friendly legislators during caucus and floor debates.
- Making extra copies for the media can be a good idea, providing clear, accurate, detailed quotations. (Reporters have a harder time misquoting a written document.)
- Written comments can be a good set of notes for your oral testimony – although, if at all possible, you should avoid just reading the document. (If you must read your notes and cannot be extemporaneous, at least **rehearse** enough so that you don't *sound* like you are reading and so that you can make some eye contact with legislators.)
- Particularly if your spoken testimony is cut short, your written version is likely going to be much more thorough, detailed, organized and accurate.
- Written testimony better educates your lobbyist, empowering him/her to be more informed and persuasive in other legislative venues – such as other hearings or the Rules committees.
- Written testimony should be clear, concise, and orderly. **A page or two at the most**, although as always more detailed facts/figures, editorials, articles, etc. can always be attached.

### **Traveling to Olympia and testifying takes a lot of time and effort! Get the most out of it by taking the time to prepare written testimony!**

## When you testify:

1. **First, state your name, which group (if any) you are speaking for, and any particularly relevant background you may have.**
2. **Second, clearly state what you are asking the committee to do and why.**
3. **Third, in conclusion thank them for their time and consideration, reference the availability of your written testimony, and offer yourself as a reference if they want to follow up with you separately.**
  - Be polite (non-argumentative), concise and focused.
  - Keep in mind the comments, questions, body language and others cues that may be revealed as people testify ahead of you so that you can tailor your comments accordingly.
  - It is not necessary to answer each and every point the opposition may make, so don't go off on such tangents if doing so is less important than making the points you originally intended to deliver.
  - Be creative and use visual aides whenever you can! Listening to talking heads for hours is not only boring, but studies show that listeners retain less than 10% of the information presented in this manner. Combining written materials with the spoken word increases that retention % considerably, as would any other kind of visuals you can conjure.
  - Legislators and staff tend to work in a fairly detached, academic setting. If you have "real world" experience and are articulate, you can hold committees almost spellbound.
  - If you're asked a question by a legislator and don't know the answer, just say so and commit to getting back to him/her. (And make sure that you or someone else does).
  - You may be asked some questions in a polite but oppositional way. Be prepared to counter possible arguments against or concerns with you position.
  - A sense of humor comes in handy if the setting is right and you are in fact humorous. Not so good if you try and fall short. If in doubt, remain serious.

**To be most effective with your testimony, you need some special rapport with one or more of the committee members and especially the chair. This relationship can be created in a number of ways. Among them:**

- ✓ By testifying (effectively) on numerous occasions, being consistently articulate, informed, reasonable and concise.
- ✓ By making personal visits to legislators.
- ✓ By having taken legislators on a tour of your agency, or possibly having served with them on some task force or committee, during the interim.
- ✓ By having been active in their campaigns.
- ✓ Somehow, someday, you want to find an appropriate link to at least some of the committee members outside the hearing itself, for optimum impact. You want to cultivate a reputation of credibility, competency, problem solving and reasonableness.

### When **NOT** to testify:

Sometimes the chair will make it clear that your bill will pass and wants to move on to more controversial bills. Do not antagonize your ally, or possibly derail your own fast-moving train, by insisting on testifying and raising unanticipated questions, objections, or concerns.

Also, if your bill must move by the end of the hearing, you would not want all the committee time taken up with testimony. You would want ample time left at the end for the committee to go into executive session (when the committee actually debates and votes on whether to advance certain bills).

### **In Sum**

Despite the potential hardships in trying to testify, the effort usually is necessary and important – at least on priority items. At least you can let legislators know that your proposal is important enough that you came all the way to Olympia to speak to it and leave behind your written testimony, even if you don't actually get called upon.

And if you do get to speak, keep in mind that advocacy basically is a matter of exchanging information with legislators. There is no more efficient means of doing so than by addressing them all at a hearing. (Trying to make separate appointments with each and every member would soon make you better appreciate the efficiency of testifying!)