

Do's and Don'ts - Tips on Testifying

Maryland Association of Counties 2009-10-27

1. **DO know your issue.** Understand both the pro and con sides of your issue. Anticipate likely questions and bring any experts or documents necessary to respond. Providing specific examples also helps. If possible, try to address opposing arguments in your testimony. Take notes during the hearing and respond to points raised by other written or verbal testimony if appropriate. Most committees allow you to have an expert or two in the audience who can answer technical questions. However, you should ask the permission of the committee before doing so.
2. **DO know your legislators.** Prior to testifying before a particular group of legislators, take a little bit of time to find out who they are and how they might feel about your issue. If a legislator who represents your county is on the committee you will be testifying before, try to discuss the issue with him or her beforehand.
3. **DO build alliances where possible.** Your case will be stronger if you have the support of key stakeholder groups who will be impacted by the proposed legislation. Most legislators will listen seriously to coalitions; especially those where normally opposing stakeholders have reached an agreement. Reaching out to different stakeholder groups before you testify can be the difference between success and failure.
4. **DO remain flexible.** It may take several years to get a bill passed or a bill may pass in a slightly different form than what you wanted. This is part of the legislative process and it is rare that significant legislation will pass without amendments. Be flexible in your expectations and do not sacrifice the good in pursuit of the perfect.
5. **DO be concise.** When testifying, state your reasons for supporting or opposing legislation. Say what you need to say to get your point across and nothing more. If someone else has already said everything that you were going to say, do not repeat his or her testimony. Simply say "Me too!" The legislators, who may have been sitting and listening to testimony for hours, will be very appreciative. Similarly, keep your written testimony clear and direct.
6. **DO be professional.** If your position comes with a uniform, such as police or corrections, wear it while testifying. Always be polite and respectful. Answer questions directly and truthfully. If challenged, calmly respond with facts. Do not take a challenge personally or respond emotionally. While this is easy when an official or staff person is being polite and respectful to you, it is equally important when that person is confrontational. Taking the "high road" will always benefit you in the long run. Remember, you are representing not just yourself but your county and peers.
7. **DON'T make up an answer if you cannot answer a question.** While you should be prepared, it is impossible to anticipate every question. Tell the legislator that you do not know the answer and will follow up. Then make sure that you do follow up. Most legislators are very good at detecting lies or evasive answers.

8. **DON'T** be drawn into partisan politics. Many issues, especially at the local level, are nonpartisan in nature and having your issue become part of a political struggle will likely alienate legislators who might have otherwise supported your agenda.
9. **DON'T** read your written testimony when testifying. Many committees have express rules prohibiting this. Legislators can read and will become irritated if you read your testimony word for word. Summarize and build-on what you have written.
10. **DON'T** ignore committee and support staff. Committee and support staff help keep the legislative process moving and often wield significant power that can help or hurt your cause. Treat them with the same respect and courtesy you would show a legislator. You never know when a good relationship with a staffer will help you down the road.
11. **DON'T** be a sore loser. Remain gracious and civil even if you do not succeed. You or your successor will likely need to work with the same legislator, committee, or stakeholder group in the future. Alienating potential future support serves no useful purpose.
12. **DON'T** get frustrated. The legislative process is often exhausting and bewildering. Committee schedules run on “legislative” time and often slip, meaning that your testimony could be delayed by several hours or that you are only given a few minutes to testify. Legislators may not appear to be listening to your testimony or refuse to commit to a position. Bills may be amended on the fly, forcing you to rapidly re-evaluate your position. Often, there are valid reasons why the process works the way it does. It is important to keep a positive attitude throughout. While it may not always seem like it, things often do work out in the end. Do not give up!