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Bar associations lean into challenges created by COVID-19

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Contributed photo

The Cleveland Metropolitan Bar Association's International Women's Day 2020 was its last event before COVID-19 prompted business shutdowns and stay-at-home orders in mid-March.

Like small businesses and the firms the lawyers serve, most professional nonprofit associations are grappling with resources and income amid financial pressures of the pandemic. Despite that, the Cleveland Metropolitan Bar Association is not just doing more, but giving away more programming for free as a community service.

Legal and business communities have looked to the [Cleveland Metropolitan Bar Association](#) for news, insight and resources seemingly more than ever amid the COVID-19 outbreak and the uncertainties it is causing.

Despite that, like most professional nonprofit associations and small businesses today, the CMBA is grappling with resources and income issues just like the attorneys and law firms it helps support, all while potential members and backers reel in expenses deemed nonessential.

While the pandemic rages on, though, the CMBA has been a hub for updates on local court systems, a go-to resource for legal questions raised by employers, a convener for discourse about protests and public safety [amid the Black Lives Matter movement](#), and a counselor for firms large and small on how to best manage their businesses when times are tough.

The organization has been busier than ever, said CEO Rebecca Ruppert McMahon. The pandemic has presented an opportunity for the CMBA to further prove its indispensability, particularly in a smartphone-enabled world where access to information and connectivity with others — two things professional associations like regional bars have historically offered — have never been easier to access.

Yet, building membership — which provides about one-third of the CMBA's approximately \$3 million in annual revenue — has become a more acute challenge as a pandemic-induced recession prompts a tightening of belts.

"I think it's easier to forget the critical mission that we serve when you're living through a pandemic and it's all hands on deck for everyone trying to get from week to week, month to month," McMahan said. "It would be easy to be lost in the shuffle as another expense-saving mechanism, but we've been battling to prove value and step up engagement and show how critically important we are to our members and beyond."

That battle is all about showing that the CMBA should be viewed more than just a discretionary line item in someone's budget to be trimmed when times are financially tough.

"We're committed to making us the indispensable go-to organization in Northeast Ohio on matters of law and justice," said Joseph Gross, a Benesch attorney and the CMBA's 2020-2021 president. "I'm not sure we're there now. But we will be there someday."

That's why, despite the cancellation of in-person events at its offices at One Cleveland Center, the CMBA not only has flocked to virtual formats for everything from panel discussions to offerings for Continuing Legal Education (CLE) credits, but also increased output of overall programming in recent months. The CMBA has hosted 200 virtual programs since going remote in mid-March, all of which were not even on the calendar prior to then. For a time, many of those were offered to the community at-large free of cost. Some paid programming has resumed since May.

But with all that free programming and some memberships being canceled, between March and the group's fiscal-year end on June 30, the CMBA lost about \$300,000. The organization is grinding harder but bringing in less money, trying to provide "more value for the same dollars," Gross said.

The CMBA sees that as the cost of executing on its mission today. The hope is that it translates to community and business support.

But with core membership stagnating around 5,000 in recent years, and fears of some members dropping out amid the pandemic, the CMBA feels an urgency to engage potential members, donors and the overall community to retain its viability of years past.

"We have absolutely leaned into the challenges and opportunities the pandemic presents," McMahan said. "That has meant not only rethinking how we deliver services to members, but

in some ways, more importantly, rethinking what our members and community need from us."

Apt to adapt

Such challenges are not unique to the CMBA, said Mary Amos Augsburger, CEO of the [Ohio State Bar Association](#). Augsburger is also member of a statewide coalition of association CEOs in different industries, all of whom are facing similar issues with membership and resources right now.

The OSBA has about 22,000 members, but that level has been slowly declining since the Great Recession — something happening more with older lawyers retiring and fewer attorneys coming out of law schools. The association brings in about \$12 million in annual revenue, according to its latest tax filing, about half of which is dependent on member dues.

"As lawyers are impacted by the economy, and many of them are, they also have to tighten their belts and direct resources to where they need it most," Augsburger said. "And you also have law students graduating on average with \$98,000 in student debt. When you're just starting out, putting together resources for numerous bar memberships can be difficult."

Both the OSBA and CMBA have been offering tailored membership rates because of financial concerns. The OSBA offers free membership for two years to new lawyers, discounted membership between two and seven years, and discounts for retiring lawyers that include CLE credits.

The CMBA has bundles with discounts for small and solo lawyers and packages that include different options and services, such as one that offers marketing-grade services like the ability to take a professional headshot and counseling on using social media to boost one's practice. A menu of creative pricing is one avenue to attract members when finances are tight.

The CMBA has been adapting to a more challenging environment even before the pandemic, supplementing income from dues and donations in creative ways, including renting out its conference spaces — an income stream that was growing pre-COVID-19 — and partnering with other Ohio bars to [establish the Ohio Notary Services](#) last year.

The fall would normally see the CMBA hosting more than 100 CLE programs, and all of those will be converted to livestream formats. At some point, there may be some "hybrid" events, McMahon said, where some people come to the conference center but the whole event is still webcast.

Despite leaning into the pandemic to prove its relevance and value, which is bringing bar engagement at both the OSBA and CMBA to new highs, budget shortfalls are all but guaranteed. McMahon said she's working on scenarios for the new fiscal year, which ends next June, projecting revenue dropping between 10% and 50%.

These challenges are why professional associations like the CMBA — which, unlike its state-level counterpart in the OSBA, does virtually zero lobbying — are advocating hard for access to stimulus funds like the [Paycheck Protection Program](#). The PPP prohibits participation from 501 C (6) organizations, which include nonprofit professional associations like attorney bars because of their lobbying abilities. But McMahon is hopeful lawmakers provide an exception for groups that do little of it, like hers.

The CMBA has 19 full-time staff members, with two positions still furloughed and two others permanently eliminated. And it's provided more support and free services to the community at-large than the largest law firms in this market, which [vacuumed up millions of dollars in PPP funds](#).

Despite all of the challenges, the CMBA points to opportunity in the situation as it continues its mission to promote justice and advance the legal profession.

"It's an opportunity to be important to this community in the kinds of ways lawyers are important to their clients," Gross said. "We are going to take advantage of this time to make ourselves even more important."

Inline Play

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