

# **Commercial Law League of America**

**Strategic Planning  
2010-2015**

2010-2015

Plan and Planning Materials

# CLLA Strategic Planning Conference

August 6-8, 2010

Boston, MA

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# Commercial Law League Strategic Plan 2010-2015

## Core Purpose

To be the leader in providing legal, educational and professional services to the business and credit communities.

**We create business and leadership opportunities**

**We provide service and value through competence, ethics and professionalism**

## Vision 2015

At the end of 2015, the CLLA:  
Identifies and aggressively pursues diverse and evolving business opportunities, related to all areas of the commercial practice and the credit community, to the benefit of its members;  
Develops, organizes and conducts education, meetings and advocacy efforts through substantive practice groups; and  
Is recognized as the leader in providing legal, educational and professional services for the business and credit communities.

## Key Strategies

Business development (internal & external) - Fred Weinberg  
Membership relevance (criteria, diversity, development) - Annette Waggoner  
Continue practice group development - Liviu Vogel  
Reorganize all meetings (refresh, redesign) - Brenda Majewski

# Participants

- Gary Weiner
- Leonard Krulewich
- Beau Hays
- Rick Thomas
- Marc Bressler
- Brian Aylward
- Fred Weinberg
- Stuart Tobin
- Brenda Majewski
- John Wanderer
- Alan Nahmias
- Marc Hirschel
- Ivan Reich
- Nick Krawec
- Robert A. Bernstein
- Mike Guida
- John Postl
- Jeff Rubin
- Harriet Isenberg
- Jeffrey Lippman
- Barry Gammons
- Liviu Vogel
- Nancy Hamilton
- Deborah Ebner
- Meg Scotty
- Jeff Schatzman
- Jack Birk
- Bruce Godwin
- Gary Tier
- Wanda Borges
- Tom Mauro
- Adam McNamara
- Chris Considine
- Rick Johanson
- Annette Waggoner
- Gary Kreppel
- Michael Kreppel
- Don Seeley

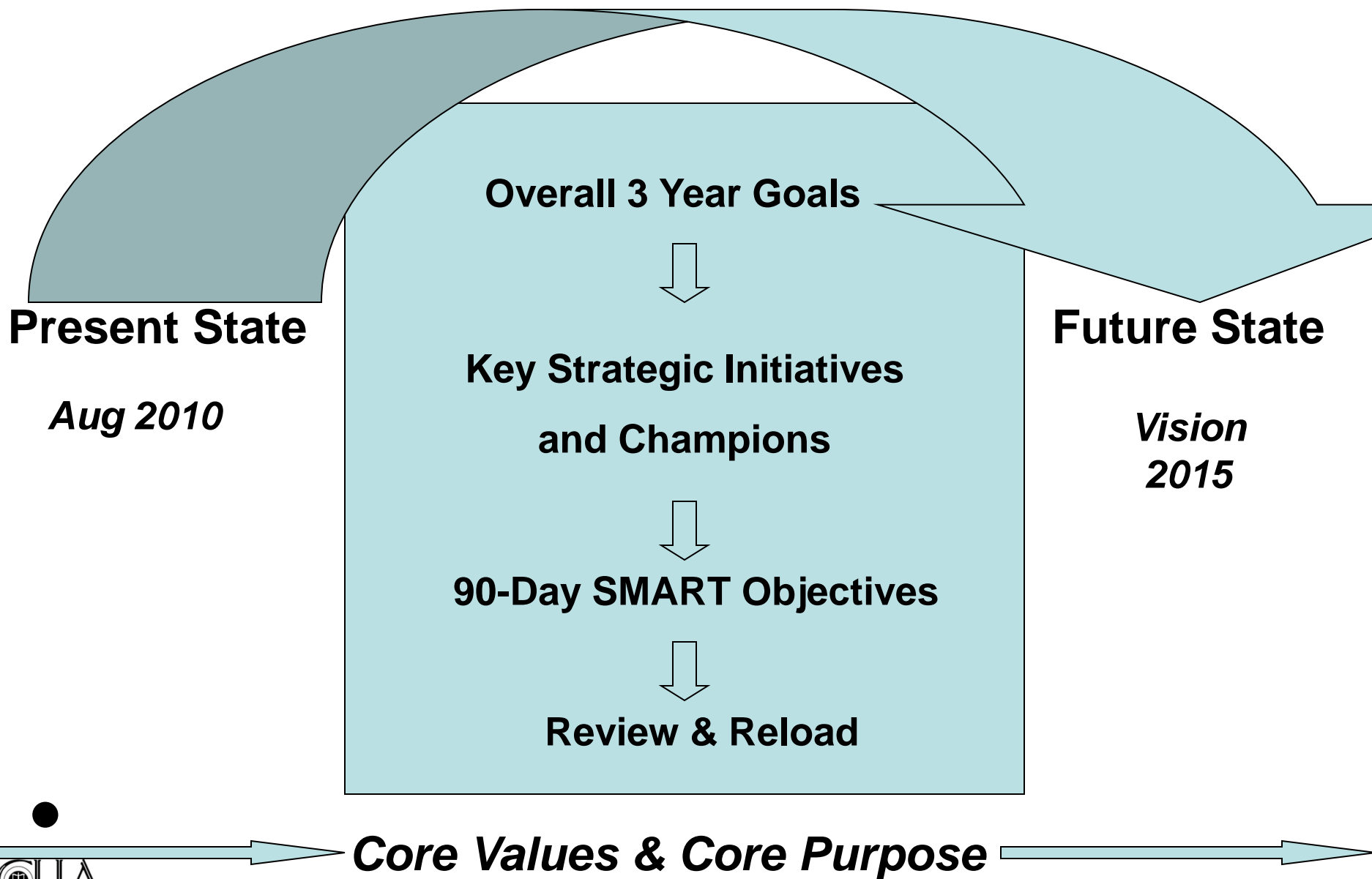
**Facilitator:** Robert S. Bernstein  
(Bernstein Law Firm)

**CLLA Staff:** Oliver Yandle, David Goch, Emil Hartleb, Marisa Pochter, Suzanne Spohr, Rand Baldwin

# Commercial Law League SP Process: Checklist\*

- Review the Agenda and Process
- 2009 Plan Review and Close Out
- Operating & Financial Data
- Reported Trends, SWOT
- Create Vision for 2013
- Reality Check
- Strategic Issue Listing
- Key Strategies
- Champions
- 1<sup>st</sup> Pass 90 Day Objectives
- One Page SP
- Due Date for 90 Day Objectives
- Date of 90 Day Review & Reload

# Commercial Law League Strategic Plan Development



# Strategy vs. Tactics\*

Central organizing statement.

Spin put on things.

Road map for marketing plan.

Doing the right thing.

Concept.

Organizing glue.

Focused.

Mental, intangible.

An "action" statement: verb.

Day to day actions.

Things or tools spun.

Vehicles for the trip.

Doing things right.

Tools of execution.

What gets glued.

Typically, many things.

Physical, sensory.

Things: nouns.

# Strategy vs. Tactics

- *Strategic* - the "what and why"
- *Tactical* - the "how."
- *Strategic* thinking, planning, and actions reflect the doer's ability to consider the big picture, recognize patterns and trends, honor priorities, anticipate issues, predict outcomes, and have smart alternatives to fall back upon. Strategic issues deal with overriding mission and purpose, why the organization exists, how it makes a difference that others don't or can't make, and where it will be in the future.
- *Tactical* refers to the hands-on part of getting the job done, making sure the strategic goals are met. It's performing each implementation task with quality and efficiency.

## Implementing the Plan: Role of Champions

- Key strategies are selected.
- A single champion is appointed for each key strategy.
- Champions will usually form a small cross-functional team (champion + 3) for helping with brainstorming, SMART objectives setting, specific knowledge, different perspectives, research, analysis, recommendations etc.
- Champions progress their strategy by leading the efforts of their team and by utilizing other internal and external resources if appropriate and approved.
- Champions present the progress made on their strategy at the 90-day review & reload process to solicit input and buy-in.
- The champion is **accountable** to the strategic planning team.
- **It is the collective efforts of champions and their teams that guarantee implementation. Without this, the plan will be just another intellectual exercise.**

# S M A R T OBJECTIVES

- **SPECIFIC**
- **MEASURABLE**
- **ATTAINABLE, with STRETCH**
- **RELEVANT to STRATEGIC PLAN**
- **TIME STATED**

# **Commercial Law League of America Core Purpose**

**To be the leader in providing legal,  
educational and professional  
services to the business and credit  
communities.**

# CLLA Core Values

- We provide service and value through competence, ethics, and professionalism
- We foster relationships
- We create business and leadership opportunities
- We provide high quality education
- We are the leader in our industry

# Vision 2015

At the end of 2015, the CLLA:

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**CLLA**  
**Strategic Plan**  
**Work Materials Slides**

# Trends

# Trend Data – Claims Placed with CCAA Agencies

Year	No of Accts	\$ Accounts	Ω Size Accts
2009	9,798,904	\$17,762,139,514	\$1,813
2008	9,176,831	\$14,335,770,045	\$1,563
2007	8,985,975	\$11,637,181,988	\$1,295
2006	8,236,506	\$10,746,754,198	\$1,305
2005	8,774,458	\$10,205,387,733	\$1,163
2004	7,827,132	\$10,073,073,479	\$1,163
2003	7,545,303	\$10,289,552,347	\$1,364
2002	9,817,448	\$13,159,677,099	\$1,340
2001	7,319,187	\$11,558,223,670	\$1,579

# Trend Data - Membership

## Commercial Law League of America

Year	Dues Paying Members	Increase Decrease Number	Increase Decrease Percentage	Life Members	Increase Decrease Number	Increase Decrease Percentage	Total Members	Change	Change
1995	4,277	(224)	-4.98%	306	(9)	-2.86%	4,583	(233)	-4.84%
1996	4,170	(107)	-2.50%	306	0	0.00%	4,476	(107)	-2.33%
1997	4,136	(34)	-0.82%	312	6	1.96%	4,448	(28)	-0.63%
1998	4,042	(94)	-2.27%	301	(11)	-3.53%	4,343	(105)	-2.36%
1999	3,920	(122)	-3.02%	250	(51)	-16.94%	4,170	(173)	-3.98%
2000	3,705	(215)	-5.48%	245	(5)	-2.00%	3,950	(220)	-5.28%
2001	3,561	(144)	-3.89%	240	(5)	-2.04%	3,801	(149)	-3.77%
2002	3,452	(109)	-3.06%	223	(17)	-7.08%	3,675	(126)	-3.31%
2003	3,157	(295)	-8.55%	230	7	3.14%	3,387	(288)	-7.84%
2004	3,119	(38)	-1.20%	197	(33)	-14.35%	3,316	(71)	-2.10%
2005	2,871	(248)	-7.95%	184	(13)	-6.60%	3,055	(261)	-7.87%
2006	2,779	(92)	-3.20%	182	(2)	-1.09%	3,018	(37)	-1.21%
2007	2,573	(206)	-7.41%	177	(5)	-2.75%	2,845	(173)	-5.73%
2008	2,437	(136)	-5.29%	184	7	3.95%	2,723	(122)	-4.29%
2009	2,270	(167)	-6.85%	176	(8)	-4.35%	2,546	(177)	-6.50%
2010	2,101	(168)	7.40%	165	(11)	6.25%	2,346	(200)	-7.86%

# Trend Data – P & L

## Summary of CLLA Audited Revenues and Expenses

	5/31/2005	5/31/2006	5/31/2007	5/31/2008	5/31/2009	5/31/2009
<b>Revenue</b>	\$ 1,241,217	\$ 1,113,159	\$ 1,202,176	\$ 1,137,707	\$ 1,037,522	\$ 1,015,480
<b>Expenses</b>	1,292,478	1,114,827	1,246,218	1,141,228	1,036,717	1,036,137
<b>Income (Loss) Before Extraordinary Items</b>	\$ (51,261)	\$ (1,668)	\$ (44,042)	\$ (3,521)	\$ 805	\$ (20,657)
<b>Extraordinary Items</b>						
Investment Income	13,534	10,221	21,886	10,551	(4,895)	31,818
Unrealized Gain (Loss) on Investments						
Other Extraordinary Items	0	0	0	0	(17,571)	
<b>Total Extraordinary Items</b>	<b>13,534</b>	<b>10,221</b>	<b>21,886</b>	<b>10,551</b>	<b>(22,466)</b>	<b>11,161</b>
<b>INCOME (LOSS)</b>	<b>(\$37,727)</b>	<b>\$8,553</b>	<b>(\$22,156)</b>	<b>\$7,031</b>	<b>(\$21,661)</b>	
Net Assets, Beginning of Year	321,043	283,316	291,869	269,713	276,743	255,082
Net Assets, End of Year	<b>\$283,316</b>	<b>\$291,869</b>	<b>\$269,713</b>	<b>\$276,743</b>	<b>\$255,082</b>	<b>\$266,243</b>

# Trend Data – CLLA Dues Rates

## COMMERCIAL LAW LEAGUE OF AMERICA

For the Fiscal Years June 1 to May 31

	5/31/2003	5/31/2004	5/31/2005	5/31/2006	5/31/2007	5/31/2008	5/31/2009	5/31/2009	5/31/2010
<b>CLLA National Dues</b>									
Regular Dues	\$245	\$245	\$245	\$295	\$295	\$295	\$295	\$360	\$480
Admitted to bar < 6 years	\$130	\$130	\$130	\$130	\$130	\$130	\$130	\$130	\$130
Membership for ages < 31 years old	\$130	\$130	\$130	\$130	\$130	\$130	\$130	\$130	\$130
Law Professors/Teacher	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50
Student	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$25
Judges/US Trustees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sustaining Dues	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$0
Fund for Public Education	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30
<b>Sections</b>									
Bankruptcy	\$80	\$80	\$80	\$80	\$80	\$80	\$95	\$95	\$50
Creditors' Rights	\$50	\$50	\$50	\$50	\$50	\$80	\$80	\$80	\$50
Young Members Section	\$35	\$35	\$35	\$35	\$35	\$35	\$35	\$35	\$0
<b>Regions</b>									
Southern Region	\$10	\$10	\$10	\$10	\$10	\$25	\$25	\$0	\$0
Eastern Region	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$0	\$0
Western Region	\$20	\$20	\$20	\$20	\$20	\$20	\$20	\$0	\$0
Midwest Region	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$0	\$0
New England Region	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$0	\$0

# Trend Data - Bankruptcies

Bankruptcy Filings	Total	Business	Non Business	Consumer as % of Total
<b>2000</b>	1,253,444	35,472	1,217,972	97.17%
<b>2001</b>	1,492,129	40,099	1,452,030	97.31%
<b>2002</b>	1,577,651	38,540	1,539,111	97.56%
<b>2003</b>	1,660,245	35,037	1,625,208	97.89%
<b>2004</b>	1,597,462	34,317	1,563,145	97.85%
<b>2005</b>	2,078,415	39,201	2,039,214	98.11%
<b>2006</b>	617,660	19,695	597,965	96.81%
<b>2007</b>	850,912	28,322	822,590	96.67%
<b>2008</b>	1,117,771	43,546	1,074,225	96.10%
<b>2009</b>	1,473,675	60,837	1,412,838	95.87%

# Trend Data – Dues Compare

Organization	Base Dues	Affiliate Membership
CLLA	\$480	
IACC	\$395	\$295 (attorney)
DBA	\$595	\$275 initiation fee
NARCA	\$600	\$275 (in house coun.)
ABI	\$275	
NACM	~\$450	

# Participant Reporting

## TRENDS

# Reported Trends

- Lack of representation in younger demographic
- Aging members not bringing colleagues into the League because of fear of competition
- Competition from other organizations
- Loss of institutional knowledge
- State of the economy will increase challenges for membership and meetings
- Economy discouraging banks from lending and companies from hiring
- Organizational fracturing due to Board amendments

# Reported Trends

- Loss of value from CLLA membership
- Decrease in the number of claims placed for collection resulting in longer term decline in claims placed with attorneys for suit
- Restrictive corporate policies will result in less credit being issued and fewer and smaller claims
- Increased competition for a smaller pool of claims
- Legislative and judicial actions making collection harder and more expensive

# Participant Reports

- S trengths
- W eaknesses
- O pportunities
- T hreats

# Strengths1

- Relationships developed – business and personal
- Should be *the* source for commercial collection/litigation/bankruptcy – experts at what they do
- History
- Tradition
- The CCAA seal
- Educational Programs
- Strong leadership

# Strengths2

- **Solid reputation for the credit community. One stop shopping with the triad.**
- 120 years of strong positive reputation with the credit granting community
- Success of the CCAA in advertising services to the credit granting community
- Dedicated core of membership with long history with the League
- National and international scope.

# Weaknesses 1

- National should have control over the core services of the organization – networking opportunities, educational conferences. Too much, without procedures to follow, in hands of the volunteers.
- Declining membership numbers limit budget to carry on member benefits, marketing
- Over tapping of volunteers can adversely affect the practice of the volunteer during the year(s) of service
- Perception of fractures between CCAA, sections and regions.
- Less business opportunities from CLLA membership
- There remains more 1<sup>st</sup> party business which will reduce the number of claims placed to those agencies that do not accommodate clients with these services.
- Growing feeling of self-doubt about ability of League to grow and continue to succeed – we seem to be down on ourselves a lot in recent years.
- Many members feel that the League should be all things to all people – attempts to expand into other areas seems to be diluting core values.

# Weaknesses 2

- Aging of group – lack of young members.
- Inexperienced staff leadership – constant and continuing turnover over period of some years.
- It tends to be provincial. Members spend as much time politicking as networking. It often feels like an oversized homeowners association or country club, with fussing and feuding. Like many NFP's, leadership AND action is from finite percent of membership, and sort of gets re-cycled.
- Lack of business for new members and, to a certain extent, many existing members. This creates a cycle which makes it difficult to retain members and attract new members.

# Opportunities 1

- Further development of attorney to attorney business referrals
- Further development of practice areas unique to League
- Further development of authority/expert status on key legal issues to state and governmental agencies
- Further development of presence of League through marketing, social networking
- Creating a working and vibrant retail section of the League
- Building and strengthening CCAA to make the CLLA stronger
- Do Not Know

# Opportunities 2

- What we do best is what other groups do least – commercial collections. We need to draw on that strength.
- We have many opportunities to engage with and sell to the constituencies of other groups – we need to capitalize on those opportunities.
- Our network, coupled with bonding of lists, should be a strong attraction for business grantors. Especially those used to paying hourly or higher contingent rates. Law firms that don't handle post judgment collections is also an opportunity. It relieves them of a headache without costing their clients much, if any, additional money.
- CLLA should be more visible fighting debt collection laws and filing Amicus briefs. We should have more focus and active lobbying/political efforts. If we don't supply more business, we have to try to offer members some defense and/or protection against industry enemies.

# Threats 1

- Competing organizations. Membership in an organization must have tangible benefits that ensure continued membership renewal. Value added to be the organization of choice.
- Internal frictions within League. The fragmentation of the League will place a cloud on the merchandising of the League and reduce the number of claims placed with certified agencies.
- Economy
- Time commitments. The CLLA depends on its volunteers in many aspects.
- Restriction of marketing dollars available to members.
- Our own self doubt and infighting are not external, but I think they pose the greatest threat to our organization right now.

# Threats 2

- Political and Judicial paternalism.
- Provincial attitude. Too much public infighting. This conference is a good example. We invite all members and a new member is exposed to all dirty laundry. Risks turning them off and away in my opinion.
- Not enough business grantors.
- Rates are low.
- Competition from numerous other collection organizations and the "Walmartization" of the industry. With so many mega-firms and mega-forwarders out there, the League risks losing significance and membership, while offering lower rates. Not a winning combination.

# Participant Reporting

## Current Strategic Issues

# Strategic Issues1

1. Long term growth and retention of membership
2. Value added membership benefits including education pertinent to industry as experts in the fields of commercial law, bankruptcy, individualized practice areas including consumer, real estate, complex litigation ...
3. Staffing to the level necessary to carry out the planned changes/updates/upgrades
4. Stronger CLLA
5. Stronger retail section
6. The continued marketing of the League and its importance to the credit community.
7. Maintain the segmentation of the internal sections of the League.
8. Build on and grow our reputation with commercial agencies and in the credit granting community.

# Strategic Issues2

9. Energize conferences – make League membership & participation more relevant and advantageous to current and potential members.
10. Increasing sources of business - I believe this, more than anything, remedies all other endemic problems. As Kevin Costner learned: if you build it, they will come.
11. Increasing relevance in industry

## Consolidated Strategic Issues – 10-1

1. Reorganize all meetings (refresh, redesign).
2. Continue practice group development.
3. Business development (internal & external).
4. Advocacy awareness.
5. Maintain educational progress.
6. Proper allocation of resources (staff, \$\$, time).
7. Communicate vision.
8. Financial transparency to members.
9. Develop external educational programs (local trade groups).
10. Leadership development process.
11. Membership relevance (criteria, diversity, development).

## Prioritized Strategic Issues – (votes)

4. Reorganize all meetings (refresh, redesign). (17)
3. Continue practice group development. (20)
1. Business development (internal & external). (38)
6. Advocacy awareness. (11)
9. Maintain educational progress. (7)
5. Proper allocation of resources (staff, \$\$, time). (13)
7. Communicate vision. (10)
11. Financial transparency to members. (1)
7. Develop external educational programs (local trade groups). (10)
10. Leadership development process. (3)
2. Membership relevance (criteria, diversity, development). (26)

# 2010 Strategic Issues - Final

1. Business development (internal & external).
2. Membership relevance (criteria, diversity, development).
3. Continue practice group development.
4. Reorganize all meetings (refresh, redesign).

# Strategic Issues Drill Down - 1 - Business Development

1. Define CLLA marketing concepts & components.
2. No one at CLLA is working on identifying and pursuing business opportunities.
3. Develop biz ops w/in existing groups.
4. Develop new biz opps w/o alienating existing members.
5. Identify new biz through existing practice groups and explore new practice areas.

# Strategic Issues Drill Down - 2 - Membership Relevance

1. Define structure (regions, sections, prac areas and membership eligibility)
2. Diverse membership dev & retention.
3. Firm v. individual
4. Include managers, operations people
5. Relevance, emails, law school

# Strategic Issues Drill Down - 3 - Practice Group Development

1. Define structure (including practice areas)
2. Local trade groups
3. Set up template for new practice groups
4. Where are the new markets? Tap into them

# Strategic Issues Drill Down - 4 - Reorganize all Meetings

1. Design meetings to achieve core functions.
2. Start over and evaluate from scratch.
3. More accessible and welcoming for new people
4. Possible new venues

# 2010 Strategic Issues and Champions

1. Business development (internal & external). Fred Weinberg
2. Membership relevance (criteria, diversity, development). Annette Waggoner
3. Continue practice group development. Liviu Vogel
4. Reorganize all meetings (refresh, redesign). Brenda Majewski

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# Commercial Law League SP 2010-2015\*: Important Dates

- Champions enlist existing or ad hoc member teams (if necessary)  
August 13, 2010
- Each champion and supporting staff person prepare SMART objectives  
August 20, 2010
- All SMART objectives compiled and distributed with Plan by [staff]  
August 31, 2010
- 1st Review & Reload meeting  
November 11, 2010
- 2nd Review & Reload meeting  
February xx, 2011
- 3rd Review & Reload meeting  
April xx, 2011