

2018 EDITION


TRANSITION AND THE NEW GOVERNOR



NATIONAL GOVERNORS ASSOCIATION

NGA Office of Management Consulting & Training

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Founded in 1908, the National Governors Association (NGA) is the collective voice of the nation's governors and one of Washington, D.C.'s most respected public policy organizations. Its members are the governors of the 50 states, three territories, and two commonwealths. NGA provides governors and their senior staff members with services that range from representing states on Capitol Hill and before the administration on key federal issues to developing and implementing innovative solutions to public policy challenges through the NGA Center for Best Practices.

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Preface

S ometime during a gubernatorial campaign, nearly every candidate allows a moment to reflect on what it might be like to experience the transition process. Looking back, most sitting governors report that when they were newly elected, they had little idea how demanding and difficult the transition period would be. Most did not fully appreciate the importance of the first months of governorship to their overall performance in office.

As candidates look forward to the election, many picture the transition as merely the period between election and inauguration. Most sitting governors, however, define the transition much more broadly. To those experienced governors, transition encompasses more than just this time; it covers the period stretching past the critical first 100 days in office to the point when they have confronted most of the important decisions and milestones of their early term. Broadly defined, the transition also includes the period in which most of the crucial personnel, decision-making processes, program development and communications processes are put in place and tested by the new governor.

During the past several years, the National Governors Association (NGA) has produced a series of publications designed to assist newly elected governors in assuming the responsibilities of leading and managing state government. Used as part of the curriculum at the biennial Seminar for New Governors, those materials have been designed to familiarize governors and their top staff with a wide range of issues, both organizational and political, in approaching governorship. Publications such as *Tools and Techniques of Effective Governors*; *Overseeing State Government Operations in the Governor's Office*; and *Organizing, Staffing and Operating the Governor's Office* fill a need felt by new governors for broad-based references on the roles of governorship as well as the organizational and management options available.

Although those materials have been used successfully by newly elected governors, they do not thoroughly explore the critical transition period between Election Day and the conclusion of the first legislative session. *Transition and the New Governor: A Planning Guide* was written to focus almost exclusively on issues confronting the governor in the exhilarating but often difficult transition period. In offering guidance to new governors, this guide relies on advice offered by experienced governors to their newly elected colleagues.



In particular, this guide answers several distinct and important questions:

- What must the newly elected governor do in preparing to assume office, especially during the period between Election Day and Inauguration Day? What immediate decisions must be made? Which of those decisions should be delegated and which should remain with the governor?
- During the transition period, how should the new governor approach the job? What do experienced governors advise concerning perspectives on being governor? What decision-making style will be most comfortable and help accomplish the most?
- How can a new governor turn campaign themes into an “agenda” for governorship? How can the full range of resources available to the new governor be focused on the accomplishment of these critical goals during the first months of the new administration?
- What organizational, management, policy development and communications tools can be brought to bear by the new governor?

This edition of the transition manual was written to allow governors and their staff to take the reins as quickly and seamlessly as possible. Following the Introduction and Getting Started sections, this guide is organized broadly into four sections: People, Processes, Programs and Pulpit, the four major areas a governor must address.

Introduction: Transition as a Springboard for Becoming an Effective Governor

“Do not be led astray by statutes or the constitution or other formal-looking and -sounding documents that refer to the term of office as starting after the transition ends. You are governor the moment you are elected...because the people think you are...”

—FORMER GOVERNOR


A Firm Foundation

There is no grace period for transition; even though the successful candidate is officially only the governor-elect, his or her governorship has already begun. The newly elected governor’s decisions will be seen as his or her own; the governor-elect’s words and actions will be scrutinized closely not only by the press and the public, but also by an army of potential appointees, interested parties and state employees.

The early transition—from election to inauguration—can be viewed as a launching pad for a successful administration. By building a firm foundation during this period, the new governor will be much better prepared when the administration actually begins. It is during the early transition that many key actors get their first clear view of the style and substance of the new administration.

Consider potential results of a transition that has been poorly planned and executed:

- Mail goes unacknowledged for weeks or months, causing the transition staff to be deluged with telephone calls from disheartened job seekers and citizens;
- Applications for jobs or appointments to boards and commissions get lost in the system, creating a vast reservoir of ill will even before the new governor is sworn in;
- Delays and miscues occur in the recruitment of key cabinet and staff positions, causing the press to characterize the new governor as weak and indecisive;

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- Little attention is spent on identifying and communicating the new governor's vision for the state, and the inaugural and State of the State addresses are viewed as weak and disjointed;
 - Minimal time or effort is spent by the new governor on reshaping the previous governor's budget, allowing the legislature to control the budget and encouraging cabinet officials to deal directly with legislative leaders;
 - Jockeying and infighting arise among the new governor's staff because the organization of the governor's office has not been thought through, leading to chaotic office conditions, inattention to important decisions and signs of ineptitude throughout the state bureaucracy;
 - Inadequate screening of candidates for high state government positions leads to embarrassing conflicts of interest and scandals later in the term; and
 - A major natural disaster occurs and the new governor is unprepared, causing delays in emergency response and the loss of funds for cleanup.

The problems that can result from a badly handled transition can become vexing because they tend to snowball if not addressed. If left unchecked, they can grow so large that the administration loses credibility with the legislature, state bureaucracy, press and eventually the public. It is critical to the success of the governorship that the transition go as smoothly as possible.

“The most important goal of the transition is the long-term effect. In other words, the new governor should not allow short-term pressures and demands for immediate results to overshadow the absolute necessity of establishing a solid administrative base for the entire term of office.”

—FORMER GOVERNOR

Getting Started: The Foundational Steps

The Setup of a Successful Transition

If properly handled, the transition can set the stage for a strong and vigorous governorship. In many ways, the tasks associated with being the top executive of the state will be tested by how the new governor manages the chaos of winding down the gubernatorial campaign and taking office. Transition is the first view people will have of the candidate—now governor-elect—as an executive. Effectively handling these first responsibilities will enhance public perception that the new administration can efficiently deliver needed services.

Experienced governors report that the governor-elect's overwhelming emotion on the morning after an election victory is a desire to relax and get away from it all for a few days. This is not only perfectly appropriate, but also recommended by governors who have been through it. However, before the vacation begins, the governor-elect should take a moment to organize the transition team. The governor-elect and his team must keep in mind that the duties and responsibilities of the office of the chief executive for the state are far different from those as a candidate. Even individuals with elected experience will find being governor far different.

The First Step: The Congratulatory Phone Call

The transition formally starts with the congratulatory phone call from the sitting governor. It is at this moment that the reality of the need to transfer power sets in for both the governor and the governor-elect.

Depending on how quickly the results are announced, tradition says the sitting governor will call the governor-elect to congratulate him or her and offer assistance during the transition. While the outgoing governor's call is an obligation, as well as tradition, what the outgoing governor says to the press afterward is not an obligation. Therefore, it is important to make a good impression on how the transition is being handled, giving the outgoing governor as much substance to relate to the press as possible and signaling a smooth and strong start to the transition. In many states, joint statements concerning the congratulatory call are issued.

Begin by spending some time chatting about the race and the politics. Once the conversation focuses on the transition, it is suggested that you make five requests—at a minimum—of the outgoing governor:



Designate a Point of Contact

It is very important that a single point of contact be established for the flow of transition information and development of the transition process. You will have well-meaning supporters contacting state agencies and requesting information in the name of your transition. To clarify which are official requests, suggest to the governor that each of you designate a single point of contact from each team as the conduit for the flow of information. These two points of contact can immediately follow up and coordinate additional details about information sharing. You should share the name of your designated transition director (point of contact) with the governor at this point (or an interim if a transition director has not been named) and ask that they also designate a point of contact.

Request an Economic and Budget Briefing

Paramount in nearly everything you do during transition is the budget process. Request an economic and budget briefing as soon as possible with the understanding that the finance and budget staff will likely be in the midst of finalizing the outgoing governor's budget. In particular, you should ask that the briefing concentrate on the state's economy, revenue forecast and budget forecast. If your state has an outside financial advisor, request access to him or her for a briefing. You should make it clear (as the outgoing governor no doubt will do) that these are background briefings only.

Request an Emergency Response Briefing


In addition to an economic and budget briefing, request an immediate briefing on the emergency response capabilities of your state. Emergency officials are prepared to do this as it is a standard briefing. Ask for a full briefing on the powers, duties and authorities of the governor in emergency situations as well as a complete briefing in the incident command structure. You should also request that the briefing be jointly conducted by the emergency management agency and the National Guard. Request that the briefing cover known and practiced emergencies that have been developed for your state.

Request a Listing of Major Legal Issues

Request a list of any major legal issues pending before your state or federal courts that would require immediate attention upon assuming office. In particular, you will need to know if there are any scheduled executions (for those states with capital punishment).

Request a Meeting of the Two Families at the Executive Residence

An excellent way to close the congratulatory phone call is to suggest that the two families meet in a social setting at the executive residence at some point during the transition to discuss life as a governor's family member. If there



are children involved, they will undoubtedly want to share stories. While it is entirely the sitting governor's call to make this offer, it is a strong signal to the public that the transfer of power will be done in a cooperative way. And it is good press to say it was discussed.


After the Congratulatory Call

Before moving into the formal transition, there are a few steps you can take to begin the process.

Take a Break

Governors report that the governor-elect's overwhelming emotion on the morning after an election victory is a desire to relax and get away from it all for a few days. This is not only perfectly appropriate, it is also recommended by veteran governors. A break is warranted and provides an important respite for personnel necessary to the transition. Everyone needs the time to decompress, recover from the campaign and clear the decks for the transition period, which is intense by anyone's measure. Before the vacation begins, the governor-elect should consider taking the following steps, all of which are highly recommended by experienced governors:

- Designate a high-level staff person as the transition coordinator; delegate routine matters of establishing the transition office while the governor-elect is on vacation. Make sure the transition coordinator has the authority to make decisions during this time;
- Make it clear to the transition coordinator, campaign manager and press office that no one is to speak for the vacationing governor-elect on any substantive matters. This injunction also should extend to the campaign press spokesperson and all other members of the campaign and transition staff. A period of silence is not only warranted but justified and expected;
- Time is the governor's most valuable and limited resource. Set forth basic ground rules on scheduling the new governor's time and develop a list of whom the governor should meet (and not meet) with in the following month;
- Designate a person or committee to plan and orchestrate the inauguration. After the appointment has been made and gubernatorial parameters and preferences have been established regarding inauguration activities, leave the festivities to others and concentrate on organizing the new administration; and
- Appoint a different person to wind down the campaign, close campaign offices and make sure financial records from the campaign are in order.



Before the much-needed break, most veteran governors have found that these steps are the only real decisions that need to be made.

Think about Themes and Priorities

During the time away, think about what you hope being governor will mean to the people of your state. What are the goals and priorities you hope to act upon? What are the values you expect to use as the basis for the actions you will take? As discussed throughout this guide, these early foundational steps will greatly assist in establishing the right team with the right priorities for a successful term as governor.

Discuss Public Life and Living in the Executive Residence with the Family

You are embarking upon a new and very intense public life. Your family will play a role in that experience. Have a family talk about the expectations and nuances of living that new life. Life with an executive protection unit will be very different, as will living in a very public rental home. Think about how exactly it will be different and which adjustments will need to be made.

While it is highly unlikely you will follow this guide to the letter, it contains a great deal of wisdom and guidance from those who have served before you. Every administration, however, is different and the circumstances and context of each state vary tremendously. The processes outlined herein are based on the tried and true experiences of a number of governors who have achieved great success in their respective administrations.

There simply is no replacement for meeting and talking with your fellow governors. The preeminent forum for doing that with great efficiency is the National Governors Association. You will find that the “ties that bind” exceed partisan boundaries and that your fellow governors will be quick to provide candid and sound advice on the vast array of problems that will confront you once you assume office.



BEST PRACTICE CHECKLIST: THE TRANSITION AS A SPRINGBOARD

It is critical to a successful governorship that the transition go as smoothly as possible.

The Congratulatory Phone Call

- ✓ Propose that each team designate a single official point of contact to develop the transition process and share transition information.
- ✓ Request an economic and budget briefing from state finance and budget staff focusing specifically on the state's economy, revenue forecast and budget forecast.
- ✓ Request an emergency response briefing from state emergency response, military and public safety officials.
- ✓ Request a list of major legal issues pending before state and federal courts.
- ✓ Request a meeting of the two families at the executive residence.

After the Congratulatory Call

- ✓ Select a transition coordinator.
- ✓ Determine immediate decisions that must be made.
- ✓ Which decisions should be delegated and which should remain with the governor?
- ✓ Set basic ground rules on scheduling and develop a prioritized list of with whom to meet.
- ✓ Specify parameters and preferences for inaugural activities and designate a person or committee to plan and orchestrate the festivities.
- ✓ Appoint someone to close the campaign office.

Take a Break

- ✓ Make plans to attend the NGA Seminar for New Governors.
- ✓ Take a vacation and think about what you hope being governor will mean to the people of your state.
- ✓ Think about your vision, mission and goals.
- ✓ Discuss public life and living in the executive residence with your family.

Governance: A Different Type of Power

“A governor’s inherent power is limited. A governor’s potential power is limitless.”

—FORMER GOVERNOR

The governor-elect will soon have the full power and responsibility of the executive branch of state government behind him or her. Despite winning an election with a strong desire to effect change—constitutionally, politically and practically—the statutory power of the governor is often perceived by new governors as more limited than they imagined.

Simply put, governing is quite different from campaigning. The ability of the governor and his or her team to navigate the difficulties of governing to implement the policies and promises made during the campaign—to wield power—will largely depend on their abilities to operate the four levers of power: people, programs, processes and pulpit.

Though the governor’s office comes with plenty of inherent powers, the true ability of a governor to implement his or her agenda requires maintaining credibility with the legislature, state bureaucracy, press and public. Maintaining this credibility requires using those four levers wisely and appropriately to guide the ship of the governor’s office through the often turbulent waters of governance.

Well navigated, the power of the office of the governor is limitless in its ability to effect change and meet campaign priorities. In this position, the governor is operating at full potential, maximizing all resources at his or her disposal to set an agenda and deliver on promises. When poorly managed, the governor’s role is reduced to caretaker, largely beholden to a bureaucracy that has previously weathered poor governors and a legislature eager to embarrass.

In order to maximize the potential of the office, it is recommended that a governor-elect appoint a person to oversee the operation of each of these power levers during the transition, establishing a clear line of communication and command among the appropriate individual directors.



The Four Levers of Power

If the primary responsibility of the governor is to govern, that begs the question, “How?” Even after agreeing to do so ethically and responsibly, the question remains, “How does one work through the myriad challenges and pitfalls awaiting?”

The four levers of power for the governor’s office were identified by former veterans of the transition process. Sifting through various office operations, veterans of the process have observed that patterns emerge that fit neatly into four categories: people, programs, processes and pulpit.

Thinking of the governor’s office through this framework can help to simplify what can seem to be—and is—a complex network of operations and responsibilities. Boiled down to its essence, governing is really about selecting the people you will work with, developing solid processes for managing them and making decisions, managing and initiating the programs you have been tasked with overseeing and clearly and effectively communicating, through stories, about those programs.

People

Without talented and dedicated people serving the new governor, little will be accomplished, despite the governor’s best efforts. As was discovered during the campaign, the ability of any one individual to oversee every aspect of the campaign was limited. Now, moving from a campaign environment into a role of governance, the scope of work and power has expanded dramatically.

The most important decisions you will make during the transition will be selecting individuals to staff the new governor’s immediate office, central management agencies and cabinet. You will not just be hiring talented individuals to assist you, but will be responsible for hiring a team. Constantly thinking about the team as a whole during the transition, as well as selecting and appointing team members to complement each’s abilities and talents will be paramount. And once the term starts, it will be your responsibility to make sure the team-building continues.

Processes

Governors who have lived through tumultuous beginnings and gone on to become successful caution new governors to keep their priorities firmly focused on the substantive issues at hand. While others around the governor are preoccupied with process and status, the governor must keep pushing the substance of the critical issues identified. *Veteran governors advise: Look at the processes of your administration as important tools to accomplish your key objectives or protect you from mistakes that will detract from progress toward your key goals.*



Programs

Immediately upon taking office, the new governor is expected to be a master of the intricacies of state government. Despite the impossibility of this expectation, it is important to develop systems to understand and monitor the inner workings of programs and operations. This can help you proactively respond to challenges, rather than react to those made public by the legislature or the press.

Programs are the lifeblood of state government and encompass everything from emergency disaster response to delivering critical health care. While it is tempting to attempt to remake state government, veteran governors recommend only tackling three to four large programmatic changes during a term.

Pulpit

A majority of governors indicate that despite the fact that they believed themselves prepared for press attention (especially after the campaign), they did not adequately anticipate the intense level of press scrutiny that comes with the governorship. A few missteps at the beginning of the term can put governors back on their heels, fighting to regain traction instead of building new and innovative ideas.

Using the full power of the pulpit is not only about the day-to-day communications, but also developing an overall narrative for the governor's tenure. In general, people do not respond to facts and figures—they respond to stories. Your ability to control the narrative begins on day one, and the press can either be a strong advocate or strong antagonist. Fully accessing the powers of the pulpit to extend the capabilities of getting your message out can significantly enhance your ability to govern effectively.

GUBERNATORIAL TRANSITION MATRIX

The gubernatorial strategy most widely employed by experienced and successful governors is to identify and focus on a limited number of priority issues and pursue them with every available resource and strategically using four key gubernatorial powers – People, Programs, Process and the Pulpit.

	CAMPAIGN	TRANSITION
PEOPLE	<p>Compile list of potential candidates for key positions;</p> <p>Prepare a list of all positions over which the governor has discretion to hire;</p> <p>Establish a process for appointment decisions</p>	<p>Prioritize list of key appointments;</p> <p>Select vet, and announce key positions;</p> <p>Establish “ground rules” for ethics and performance</p>
PROGRAMS	<p>Develop comprehensive “issues” document to guide campaign and post-election activities</p>	<p>Inventory campaign promises and assign budget staff to cost them out;</p> <p>Establish “issues” working groups to expand outreach; Review revenue forecast and develop process for handling amendments to the budget</p>
PROCESSES	<p>Develop and execute scheduling, decision-making, communications, and reporting strategies</p>	<p>Perform an in depth review of existing operational processes and modify to suit needs of new administration</p>
PULPIT	<p>Simple concise message repeated ad nauseam</p>	<p>Develop and disseminate “how we will govern theme” with values and ethics statements for administration. Develop a communications strategy linked through every office function. Enhance efforts through social media and outreach with constituency groups.</p>



FIRST 100 DAYS	GOVERNING
<p>Confirm key selections;</p> <p>Select and confirm remaining positions;</p> <p>Establishing operational hierarchy and communication channels;</p> <p>Establish clear expectations concerning vision and values</p>	<p>Conduct performance appraisals of agency management, policy development and implementation;</p> <p>Establish a deliberative process for team building and encourage teamwork.</p>
<p>Prioritize issues for action: Report back to “issues” groups;</p> <p>Develop “First 100 Days” document and four year plan;</p> <p>Develop process for managing day-to-day operations of governing</p>	<p>Monitor and require regular progress reports on key priorities and programs</p>
<p>Finalize and disseminate decision making procedures</p>	<p>Adhere strictly to established decision making procedures and information flow processes; Monitor and adjust key processes as necessary</p>
<p>Consider regular press conferences to build the “rhythm” of administration. Refine efficient processes for legislative relations and constituent services and link closely with communications</p>	<p>Develop regular “cycles” around the administrations calendar: state of the state, budget address post legislative session.</p> <p>Fully utilize cabinet as surrogates to get out the governor’s message.</p>

People

“When you hire your immediate staff, you have to recognize that they will be most influential.... They are closest to you.”

—FORMER GOVERNOR


Develop an Overall Strategy for Building the Team

As the player-coach-owner, you will be held responsible for the actions of your entire team and responsible for developing the entire team in a manner that reflects the values and style of your governance. The new governor and transition staff will be besieged with advice concerning the makeup of the cabinet, immediate office of the governor and key appointments to boards and commissions. In addition, the new governor will often find that, despite the flood of job seekers and people promoting others for high-level positions, a dearth of real executive or political talent will exist in several areas of real concern.

Thus, the new governor is faced with the demanding task of simultaneously focusing on decisions about the organization of the cabinet and the governor's office, priority issues and hiring the right people to help achieve the governor's goals. All this must be accomplished in an atmosphere in which hundreds or thousands of people believe they are deserving of consideration for relatively few top state jobs.

When asked about staff roles, experienced governors often surprise newly elected governors with the following advice: *There is much utility in not assuming that your campaign staff will automatically make a good administrative staff.* The demands of governing are quite different from those of running for office. As the new governor's role must change from candidate to chief executive, the team around him or her also may have to change. The new governor also will recognize the difficulty of not selecting trusted and loyal campaign workers who have worked diligently to get the governor elected.

By thinking strategically during recruitment, veteran governors suggest a close relationship between the job to be filled and the governor's goals. If, for example, the new governor has decided that improving child welfare and health is a top priority requiring increased budget and legislative action, hiring a leading child welfare advocate as the director of the human services umbrella agency makes a great deal of sense. If, on the other hand, the governor has decided that economic development or restoring public infrastructure is the highest priority, then appointing a strong child welfare advocate as the human



services director may make less sense than appointing an effective manager who will allow the governor to focus on other priorities.

Strategic recruitment also involves balancing political and professional considerations when reviewing potential candidates for high positions. However, most governors warn that building an administration based solely on the groups or people who were instrumental in the campaign can be a dangerous approach to appointments. As voters take interest in the customer-focused management of government at all levels, many governors have turned to effective professional state government managers, sometimes recruited from other states. For jobs that are difficult to fill or extremely sensitive, the governor may wish to consider using an outside executive recruitment firm.

Understanding Your Needs and Values


A clear understanding of the preferred management approach, or combination of approaches, is important because it affects the selection of the governor's staff, department and agency heads and the processes/procedures that will define interaction between the governor's office and department and agency heads.

Each new governor instinctively will fall into a comfortable management style, but if the supporting organization is not designed to accommodate his or her particular preferences, a great deal of friction, confusion and frustration inevitably will result. Governors who have had to fire or reorganize entire staff within a year of taking office can testify that carefully considering one's own decision-making style before agreeing to an organizational scheme is time well spent.

Newly elected governors, especially those inexperienced in leading and managing large organizations, are well advised to spend time thinking about the matter of style. One way of looking at the issues concerning the organization and operation of the office is to consider it not so much an organization, but as a provider and processor of information. The governor-elect should determine personal preferences for receiving information and making decisions. This seemingly abstract issue strips away debates about organization charts, titles and power. It focuses the issue of organization where it belongs: on how information is provided to the governor, the ease with which the governor can make decisions based on that information and the implementation and enforcement of decisions.

Since the greatest determining factor in the structure of the governor's office is usually the governor's own management style, it must be carefully considered before hiring decisions are made. Governors' management styles vary considerably. Some factors include:

- **Management approach:** hierarchical or decentralized, command-and-control or broad delegation;


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- **Focus:** big-picture or detailed, depending on interest and individual expertise on issue;
 - **Information sources:** multiple sources or staff-driven;
 - **Communication styles:** written or oral, multiple options or single recommendation inclusive meetings or one-on-one discussions; and
 - **Decision-making styles:** reflective or reactive, private or public.

The three most common office structures used by sitting governors include:

- **Hierarchical structure**, with clear lines of authority, in which most staff report to the governor through the chief of staff. The chief of staff is expected to oversee the operations of the governor's office and review and coordinate issues presented to the governor for decision;
- **Decentralized structure**, where governors prefer to assign major functional responsibilities to a number of senior staff members and interact with them individually in relation to their areas of responsibility. In this structure, there is a tendency for the governor to act as his or her own chief of staff, relying on the chief more for policy and political advice and less for staff management; and
- **Hybrid structure**, where governors will combine the two models, with a limited number of senior advisors reporting directly to the governor and the majority of the staff reporting to the chief of staff.

Many new governors are reluctant to choose a hierarchical structure and prefer a loosely organized decentralized structure. Experience suggests that choosing a hierarchal structure and devolving to a more decentralized or hybrid approach as the administration develops will prove easier than attempting to attempt a more centralized style after utilizing a decentralized structure. And many governors have noted efficiency of their time and control of the bureaucracy as a key benefit of a more centralized style. But all of that depends on the governor's own style. Never attempt to change your style. Understand it and design the office around what is comfortable.

After reflecting on the governor's style and the implications it has on office structure and personnel decisions, it is important to articulate the value set that will govern the administration. A well-stated set of values up front can provide excellent guidance to the hiring team and send a strong signal to the public about how the administration will operate. Some values that should be stated up front include ethics, bipartisanship, transparency, diversity, etc. Thinking about the value set and articulating it to the hiring team will direct and set the tone for the hiring decisions that follow.



Both the style and the values of the governor-elect must be taken into account throughout the transition hiring process to select, build and maintain a strong team.

Recruit the Team


Like other aspects of the transition, executive recruitment and appointments must be handled with a mixture of toughness and diplomacy. Even if the new governor is unlikely to appoint a secretary of transportation from an unsolicited application, creating an application process helps keep track of interested job applicants, offering a way to ensure everyone has received at least cursory attention. It also helps sort out the interests of many supporters for consideration for lower-level positions. Former governors stress the importance of establishing a process that is professional and beyond reproach. Therefore, the governor-elect may decide to call on business associates with expertise in personnel management and executive recruitment to help the transition team establish this process. Alternatively, the governor-elect could request the assistance of professional HR associates within state government to be “loaned” to the transition team. Professional HR personnel, whether business or public employees, know and value confidentiality. Nevertheless, loaned or volunteer personnel should be used to assist in screening and responding to candidates, not in the decision-making process.

Although the formal application and screening process is handled by transition staff, the new governor will want to spend a considerable amount of time recruiting the cabinet and top staff. If the cabinet is large, the new governor probably will want to concentrate on personal efforts on the top officials in areas critical to the agenda.

Formal Application Process

The hiring process is the first—and probably the best—chance a governor has to set his or her priorities. Instead of beginning the candidate search by describing the ideal individual, it is more effective to first examine each agency/board/commission, diagnose its past flaws, and articulate its future promise and then build a search.

The governor can avoid potential problems and criticism by hiring staff members who possess the following critical traits: loyalty, self-confidence, humility, political sensitivity, accessibility to and understanding of the public, good judgment and competency. Staff members also should possess the following qualities:


- 
- Knowledge of state programs and how they operate
 - Experience working with the legislative process
 - Familiarity with key people in state government
 - Subject-matter expertise
 - A strong capacity for analyzing problems
 - Ability to express themselves well on paper and in person
 - Ability to work well in a team
 - Willingness to follow the leadership of the governor

A transition best practice is to develop an application process that lends itself to deriving the fitness of the candidate to meet the above criteria. At its core, the application process should seek to provide the hiring team an opportunity to judge an applicant's capability to help the governor with his or her agenda. Through an established formal instrument, applicants should be asked to submit their thoughts on:

- The major challenges facing the position for which they seek appointment;
- What they can realistically accomplish for the governor if appointed;
- The key legislative leaders they would be required to work with;
- Existing relationships with that leadership;
- The major advocacy groups they envision they would have to work with;
- The relationships they possess with those groups; and
- Knowledge and mastery of subject-matter background.

In addition, through the interview process, the issues above can be further explored and the interview team can establish their communication skills, ability to be a team player and willingness to serve the governor. Perhaps the greatest benefit of having a structured process is that the review of applications and interviews provide the transition team with a wealth of ideas and perspectives on each position and state agency.

During the interviews with final candidates, the new governor should describe priorities and program ideas that relate to the department or agency. This will allow the candidates being considered the opportunity to comment on the programs' implementation or to decide they may not be suited for the position.



It also will allow for a clear, baseline understanding between the new governor and a major appointee.

Team Balance

Many states have statutory requirements and some traditions to include or choose personnel from certain constituencies (for example, the requirement that health directors be medical doctors or adjutant generals have a certain minimum level of direct National Guard experience). Therefore, a careful review of the statutory framework for each appointed position is a necessary prerequisite for the foundation of building the team. Start with your required parameters, then move to your discretionary ones.

Recruiting cabinet candidates who align with the governor's priorities and possess the skills and experience that match agency needs early on will decrease the possibility that the governor will need to deal with ineffective, obstructive or disloyal personnel during the administration. On the other hand, there are many experienced and skilled professional staff who are eager to serve. A well-functioning administration needs both.

Common categories of prospective candidates include:

- Widely-recognized professionals that the governor does or does not know;
- Campaign staff and other individuals the governor has knowledge of;
- Career professionals from within state government; and
- Legislators and other elected officials.

Each category has its potential advantages and drawbacks.

The overall cohesiveness of the executive team should be considered as well. Governors often have direct appointment of cabinet officers and substantial influence or direct appointment of sub-cabinet officials. A useful goal is to establish a well-balanced team that consists of:

- Leaders to provide compelling vision;
- Managers to see that the vision is implemented; and
- Navigators familiar with the ins and outs of the institution.

A best practice is to charge the recruitment and hiring teams with the goal of achieving a solid balance of each of the above attributes on each functional team: leaders, managers and navigators. By doing so, you will build a team that complements its abilities and recognizes the values each member brings, solidifying early team building efforts.

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In establishing the balance of skills mentioned above, governors have found it often necessary to be forceful in picking some of the cabinet rank subordinates. While some governors have found that strong cabinet officers will resent the attempt to pick their subordinates, the time to be forceful on appointments is at the beginning of the administration. A well-reasoned and carefully explained appointment recruitment process will help negate opposition.

The Confirmation Process and Vetting Candidates

Vetting and preparing for confirmation go hand in hand. It is a single process with the goal of successful confirmation of the prospective appointee. Potential appointees can, and should, expect to receive intense examination by the media or interest and advocacy groups. As a result, all positions, from the governor's personal staff to heads of departments and agencies, should be carefully vetted. The mere fact that the governor may have known and worked closely with an individual does not mean there is knowledge of their entire background.


Each governor-elect will have a different idea of the items required for vetting, but at a minimum, a detailed financial disclosure form, confirmation of taxes paid and a full criminal background check are recommended as these items can help avoid potential embarrassment. Most outgoing governors allow the use of state police or other law enforcement checks, and other background reviews such as credit checks can be made.

Experienced governors stress the importance of weeding out potential conflicts of interest from the beginning to eliminate even the appearance of conflict later on. Therefore, a strong system for detecting potential conflicts is a must. Nothing can damage the best-laid plans and programs of the new governor more than speculation about possible conflicts of interest in the new administration. In addition, the new governor may want to require financial disclosure as a condition of employment, even if state laws do not mandate it.

Even though the process of screening and rescreening potential candidates for executive posts may be offensive to some, even driving away talented candidates, most governors believe the advantages of being extremely careful outweigh the potential loss of talent.

All positions, from the governor's personal staff to heads of departments and agencies, should be carefully vetted.

Many principal cabinet members and key appointees also will require confirmation by the state legislature. Issues or problems identified in the vetting process should be considered in light of potential hearings and publicity and the strategies developed to address them. Veteran governors agree that having an individual or



team dedicated specifically to the vetting process is important. A best practice is to have a single team, apart from the hiring process, dedicated to vetting and background checks. By separating the vetting from decision making, you avoid the possibility of advocates in the decision-making hierarchy overlooking aspects of the vetting with regard to candidates they are supporting.


Understanding the role of your respective legislative committees overseeing confirmation is critical to your initial success. Knowing the confirmation process is important, but reaching out to the respective leadership and understanding their information and documentation needs in advance will save valuable time as you assemble the confirmation packages and manage the confirmation process. Therefore, a transition best practice is to establish a separate confirmation team, preferably veterans of the process, to navigate prospective candidates through the confirmation process.

Gaining a full understanding of individuals' backgrounds through vetting and understanding of the confirmation process in advance will allow you to concentrate on those confirmations that will be more closely scrutinized. Many governors, in addition to preparing the extensive vetting and preparing confirmation packages, will also hold mock hearings to prepare candidates for the confirmation hearing process. If candidates do not know simple things, such as the agencies or divisions under their prospective purview or the size of their agency's respective budget, it can cause embarrassing press and reflect poorly on the transition.

Many veterans of the transition process have observed how a poor initial appointment can derail the transition process by consuming a tremendous amount of time and goodwill. Experienced governors have learned a few ground rules that may be helpful as the newly elected governor considers one of the most important tasks: vetting and selecting the people who will help accomplish his or her goals. A few of the ground rules are summarized in the following paragraphs.

Take Time

Legendary UCLA basketball coach John Wooden has some words to live by: "Be quick, but do not hurry." Decisions about which people to appoint to the new administration's most important posts should not be hurried. The pace of the early transition, as well as the desire to settle into a comfortable operating environment, will tempt the new governor and staff to make decisions on cabinet and other top posts too rapidly. Governors who, reluctantly and with embarrassment, have had to fire top aides or cabinet officials about a year into their terms often look back at the transition period and wish they had taken a little more time on these hiring decisions.



Part of the reason to take adequate time in choosing an executive-branch team is the necessity to conduct an extensive background check on every potential high-level official, no matter how well the new governor knows the candidate. You will, undoubtedly, feel pressure by the press, legislature and potential appointees to move the process along. Do not succumb to that pressure. Take time. Use the first appointments as a way of testing your appointment processes, from vetting to announcing.

Focus on Seven Key Appointments


The first appointments to an administration send a strong signal about the organization and makeup of the new administration. The most frequently named first appointments are the chief of staff, communications director/press secretary, policy director, boards/commissions appointments director, legal counsel, budget director and director of administration.

CHIEF OF STAFF

The chief of staff will play a critical role in your success as governor. If possible, you will want to name the individual filling this position immediately after the election so that he or she can be intimately involved in helping shape the transition process and structure and staff your office.

It is likely that you will look to your campaign staff and supporters for candidates to serve as chief. Often the most obvious candidate would appear to be your campaign manager. While it is absolutely critical that your chief have your full faith and confidence, it is important to understand that your chief will be much more than a political advisor. While the roles you assign your staff may vary, most chiefs will be expected to play all or most of these roles:

- Chief operating officer
- Initiative manager
- Office manager
- Chief strategist
- Policy advisor
- Gubernatorial vicar
- Guardian of the palace
- Headhunter
- Crisis coordinator
- Personal confidant



In most states, the chief will serve as the state’s chief operating officer—your surrogate in overseeing the management and operation of state departments and agencies. The chief also will play an important role in developing and enforcing your priorities as well as relationships with the legislature and other critical stakeholders.

This person is a combination of most-trusted lieutenant, top enforcer, spokesperson and surrogate. Generally, the chief of staff also will see that the new governor’s responsibilities are met in areas of high and low priority, ensure the governor is adequately informed on all issues, and manage the governor’s time well.

An excellent way of thinking about the role of the chief of staff during the transition is to think of it as “chief process officer,” establishing the processes by which your administration will function.

COMMUNICATIONS DIRECTOR/PRESS SECRETARY


The position of communications director/press secretary is one of the few functions of the governor’s office that bears a strong resemblance to the corresponding campaign role. For that reason, many governors appoint the person who held that job during the campaign. Governors also tend to have a close relationship with this person, and the press secretary usually has direct access to the governor. As in the campaign, good relations with the press will help shape the new governor’s image as a leader, manager and policymaker.

Press offices develop and implement the governor’s communications strategy and serve as the point of contact for media seeking information about the new governor and his or her programs. A strong communications strategy will give the media every opportunity to see the new governor aggressively pursuing the active management of state government and dealing with issues, particularly the critical issues defining the governor’s agenda. The office arranges news conferences, prepares news releases and advises the governor and staff of potential media reaction to proposed policies. There is a critical link between the press/communications function in the governor’s office and other strategic functions such as scheduling, policy and legislation.

During the transition, the communications director should not only be concerned with messages during transition, but also should be placed in charge of developing the processes and procedures that will allow the governor-elect to assume office and maximize the use of the pulpit. Another way of thinking of this role during transition is as the “chief press officer.”

POLICY DIRECTOR

This person has the primary responsibility for the new governor’s policy development process and must recognize its important link with the budget, legislative, scheduling and communications strategies. As with the



communications director, it serves a governor-elect well to have some degree of continuity between the campaign and the new policy office in this critical position.

As a special note, it is vital that the policy director have the ability to have a strong working relationship with the budget director. There is a natural tension between the development of the policy agenda and budget priorities in every administration.

In addition to translating the campaign agenda into an action agenda, the policy director should be equipped to manage the overall policy development process on behalf of the governor-elect during the transition. This is no small feat given that the new administration will simultaneously be developing a legislative package.

The policy director quite naturally fits the role as the “chief programs officer” during transition.

BOARDS/COMMISSIONS APPOINTMENTS DIRECTOR

The job of this key position is to establish an outreach and screening effort to secure potential nominees for the numerous positions in state government that must be filled in state boards and commissions. In many cases, governors-elect also will use this position to handle personnel decisions. By naming this individual early on, you provide a focus for job seekers outside of you individually. In addition, the appointments director can ameliorate any disappointed job seekers with the possibility of a board appointment later on in the process.

Because of the sensitivity of tasks performed, the appointments director has one of the more difficult jobs in a governor’s office. This position also should play a strong role in helping to ensure the diversity of the personnel and being a key player in screening candidates for fitness for service.

Therefore, it is quite natural to think of the appointments director as the “chief people officer” of the transition.

LEGAL COUNSEL

A critical player on the governor’s staff is a legal advisor who is responsible for liaison with the office of the attorney general. This person also provides legal advice to the governor and staff and often handles decisions regarding clemency, extradition and pardons. The legal counsel also may be involved in policy development and legislative relations. The legal counsel will be the “chief enforcer” of the ethics and legal compliance of your administration. An important role for the legal counsel during transition is the development of the ethics and accountability criteria that will guide your administration.



BUDGET DIRECTOR

This person helps develop the governor's policy choices into quantifiable budget policies and programs. The new governor's major management tool is the state budget, and the importance of this position underscores the need for the governor to gain a thorough understanding of the budget.

The budget is not just the premier tool for communicating priorities of the new administration; it is also an important tool in managing state government. Careful budget management will produce clearer messages and priorities to all decision-makers throughout state government. Therefore, an early and important decision a governor-elect needs to make is the appointment of a budget director.


The budget director is the person who should have the best understanding of how the budget is structured, where the revenue comes from and how tax dollars are used. Therefore, the working relationship between the governor and budget director is very important. In most states, this relationship is direct. The governor needs to always receive thoughtful, accurate and apolitical information about the budget. Veteran governors have repeatedly noted that although this position is one that requires a unique set of skills, two skills in particular stand out: professional competence and the ability to work with legislators.

DIRECTOR OF ADMINISTRATION

This officer represents the governor's interests in the state's financial, personnel, accounting, information technology and other critical management support systems. The director of administration demonstrates, through action and attitude, the governor's strong commitment to efficient and effective management. During transition, this position plays a key role in managing logistics, as well as finding workspace and budget resources to adequately handle expanding needs.

Stage Announcements Appropriately

Regardless of when you decide on which individuals will serve on the team, it is a good idea to think about staging the announcements. It is not a given that once a decision has been made, that an announcement should be forthcoming. While not critical to the success of an administration, the sequence of announcements says something about the strategic goals of the administration. Therefore, if transportation is to be a priority, announcing the key transportation team first makes a statement. Most often, a new administration will start with the chief of staff or other key governor's office personnel. Following that consideration, there should be a strategic plan for announcing appointments.



In addition, it is also a nice but not necessary to hold back some personnel from actual announcement, preparing to announce them immediately should the press begin to criticize the pace of the appointment process.

While supporters and the press alike will place certain pressures on the pace of announcements, it is important to remember that the confirmation clock starts with the announcement. Many states have statutory requirements that an appointment be confirmed within a fixed time schedule. Be sure to know these requirements and adhere to them.

Prepare for the End of the Relationship

Like all top executives, the new governor should think through how an employment relationship might end before offering a job to a prospective employee. Although few governors go so far as to require undated resignations, most believe that both cabinet and top staff should be aware that they serve at the governor's pleasure. Veteran governors report that time is well spent in interviews with potential members of the executive team, where it is made clear that, for a variety of reasons, a parting of the ways may be necessary. This task seems unpleasant and negative during the bright time of transition and recruitment, but considering how difficult or graceful an exit might be is important.

For the more politically oriented potential candidates, a direct discussion about the length of time the individual may be willing to serve is important. Even if no commitment can be made for serving for the full term, at least the candidate's intentions will be known up front.

Fill in the Team

Once the initial appointments are made, the transition team can turn its attention to filling the significant number of additional team members. While the most important positions for the governor-elect during transition will be the appointment of immediate staff, the press and public will be most interested in the cabinet and key agency heads (as will the bureaucracy).

Office of the Governor and Cabinet

Making early and effective use of the cabinet during transition contributes greatly to a successful administration. Therefore, governors have developed methods to approach policy development through maximum use of their cabinet. An important contributing factor in the enhancement of the governor's power, through broader acceptance of initiatives, has been the increased use of a multi-tiered cabinet structure and the use of cabinet subgroups to develop and manage policy.



CABINET AND KEY AGENCY LEADERS

Cabinets can perform a variety of functions, serving as advisory boards, policy generators, issues forums and debate mechanisms. In some states, the governor supplements the cabinet with subgroups assigned to broad cross-cutting issues or critical policy areas. They can be permanent structures or change over time as necessary to fit priorities.

By viewing top appointees (whether cabinet rank or senior agency personnel) as a management team consisting of leaders, managers and navigators, the new governor can provide a positive framework within which appointees can carry out broad policies and operate effectively as agency administrators. A proactive approach to the executive appointments process is essential to effective team-building. It is necessary for the new governor to maintain an active role in the screening of candidates for cabinet positions and to set forth criteria for search and selection. Because of the visible nature of the cabinet in state government, it is essential to initiate a clear approach to appointments and follow a well-thought-out strategy to fill the top posts in the new administration.


Viewed from this perspective, each personnel decision the governor is asked to make takes on a new quality. The governor may choose a tight-fisted manager to run a cabinet department that needs a great deal of attention, which the governor will not be able to give because other issues will be priorities. On the other hand, in a critical issue area where public support is needed, the governor may wish to choose a cabinet officer who already has high visibility and expertise within that area.

On the management side, methods exist to enhance the cabinet structure to best serve the governor's policy development needs. In an era when increased demands are being placed on states, cabinet subgroups may prove particularly useful in improving policymaking.

DEPUTY CHIEFS OF STAFF

At least by title, the position of deputy chief of staff is a relatively recent addition to the structure of governors' offices. Like their bosses, deputy chiefs of staff can play many roles.

One common role played by deputy chiefs of staff is general office administrator who oversees day-to-day operations. Alternatively, another common role of the deputy chief of staff is that of external advisor. This perhaps reflects an "inside" versus "outside" division of roles between chiefs of staff and their deputies or a delegation of roles depending on the particular strengths or practical work experiences of both.



In several states, multiple deputies function at high levels in the governor's office. In offices with more than one deputy, their roles are defined in several ways. Some states use deputies to monitor state agencies, while others assign deputies' responsibilities along major functional lines. Deputies also are assigned to important issues on an ad hoc basis.

LEGISLATIVE DIRECTOR

Interaction between the newly elected governor and the legislature begins the day after the election. Maintaining effective legislative relations is integral to the success of a governor's administration. This staff role involves overseeing the development of the legislative program, coordinating the lobbying activities of the administration and negotiating many issues with the legislature. The role encompasses coordinating agency legislative proposals and mobilizing support for the governor's legislative program. The legislative director also is responsible for advising the governor and members of the administration on probable legislative reactions to administration proposals. The legislative director monitors legislation and has a strong role in recommending whether to sign or veto legislation. The legislative director should have a close working relationship with the budget and policy directors.

SCHEDULING DIRECTOR

The governor's time is arguably his or her most precious asset. The scheduling director should use the governor's schedule as a management tool to strategically schedule meetings, events and appearances that promote the governor's priorities, while actively preserving time for personal and family needs. In addition, the director should use the schedule to reflect the governor's management style, facilitating necessary interaction with his or her staff and cabinet.

Experienced governors will note that the role of scheduling changes dramatically from the campaign to governing. During the campaign, the role of the scheduler is to maximize the amount of time the candidate gets out and promotes his or her message. Therefore, the campaign scheduler is often creating events and opportunities for the candidate. The governing style of the governor-elect dictates that the scheduler be adept at balancing the many opportunities that the new governor has and demands for the various constituencies to come in to meet with the governor. Scheduling while governing has an added complexity of coordination with the governor's spouse's schedule and governor's executive protection team.



POLICY AND AGENCY LIAISON

Governors generally have one or more positions devoted to working with state agencies and the issues that concern them. Many governors establish a policy unit in the governor's office to manage policy and agency liaisons. A variation is to appoint advisors in the areas of greatest concern to the governor or where there are no department heads directly responsible to the governor (for example, education in many states). In addition, these policy advisors often act as ambassadors to interest groups and the business community.

PERSONAL ASSISTANT


Responsibilities of the personal assistant usually include controlling access to the immediate office, managing the governor's in-office schedule, receiving and relaying messages to and from the governor, screening incoming calls and making personal arrangements. In many respects, the duties of the personal assistant extend beyond purely state responsibilities to the special needs of the new governor's immediate and extended family. It is invaluable to have a highly competent personal assistant who has the governor's confidence, is loyal to the governor, knows the governor's personal and political friends, recognizes people and problems quickly and deals with difficult situations pleasantly.

ADMINISTRATIVE SUPPORT

The need for administrative support personnel must be considered in the staffing plan for the new governor's office. In addition to support for professional staff members, administrative staff are required to answer mail, keep official records and meet the public. As many administrative functions in the governor's office are ongoing, the new governor should not necessarily purge the former governor's entire support staff—some support staff members may prove invaluable in setting up routine office functions and helping new staff become acquainted with office and state government procedures.

Boards, Authorities and Commissions

Appointments to boards and commissions will immerse the governor and staff in decisions ranging from trivial to crucial. In most states, the number of board and commission appointments the governor must make during a term will stagger the imagination. Hundreds or thousands of appointments must be reviewed, revalidated or changed during the governor's term. Several considerations with regard to these appointments stand out. The good news is that, in rare cases, the appointments to boards and commissions can and should wait until the initial crush of the transition occurs.



Initially, the most important task of the new governor and transition staff will be defensive—to avoid being embarrassed during the days and weeks after inauguration with unfilled vacancies or appointments that may automatically renew themselves unless some action is taken.


The new governor should not spend personal time on this issue; a trusted aide should be assigned to research and manage the appointments to boards and commissions that will be required by law during the first six months of the term. Many governors' offices have computerized board and commission appointment lists, with early warning systems built into the process so there is adequate time for proper consideration of whether to replace members of these bodies and with whom. It is most helpful if the new governor's transition staff is allowed access to the automated systems that have been developed to track appointments to boards and commissions.

Only after other major cabinet and staff positions have been filled should the governor turn to a proactive approach to board and commission appointments. In states where boards and commissions are powerful, the aggressive approach to recruiting people loyal to the new governor's programs and policies is often the key way the governor can wield power. Careful recruitment, appointment and training of qualified people will serve the governor well throughout the administration.

Since many boards and commissions are dominated by the groups they are responsible for governing or regulating, many governors develop review processes to examine legal requirements that may limit the governor's appointment discretion. The new governor will have to recognize that the traditional constituency for board and commission appointments may feel a right to be consulted about any changes. By developing staff review processes for the more important boards and commissions, the governor may be able to propose changes in the appointment process that will allow greater flexibility later in the term.

Establish Performance Expectations

Perhaps the single greatest tool a governor has in managing the large workforce that will be necessary for accomplishing the goals of the new administration is the selection of personnel. But without a mechanism to manage what is expected of those individuals, the new governor will find that the new team quickly will begin working in a direction that may or may not match the priorities of the new administration. Moreover, it doesn't take long for individual agencies to capture the new appointees and turn their attention to the agency's agenda, not the governor's.



It is critical to the success of a new administration to clearly spell out expectations of each and every position that is appointed. Unfortunately the pressure of the transition makes establishing a clear understanding difficult to accomplish. Therefore, most new governors find that to achieve the best outcome, they must instill in each new appointee that not only will formal expectations be developed during the transition, but they will be required to adhere to those expectations. Performance agreements with each gubernatorial appointee should include established priorities and measures as well as expectations for leadership, teamwork, communications and integrity.

Special Note on Reorganizations

During the first six to nine months of the term, veteran governors advise that a new governor generally should minimize down time by not undertaking major reorganizations, large-scale personnel changes beyond normal top-level appointments or other major actions unless absolutely necessary. If the transition is running smoothly, it may be tempting to cash in on some of the goodwill that seems so abundant during a honeymoon period to accomplish difficult reorganizations or to eliminate some entrenched bureaucrat who has run a particular bureau like a fiefdom for thirty years. To be sure, this may seem to be the best time to make the change, but many experienced governors advise caution at precisely the time when difficult decisions seem easiest.

BEST PRACTICE CHECKLIST: PEOPLE

The time to be strategic, careful and forceful on appointments is at the beginning of the administration.

Develop an Overall Strategy to Build the Team

- ✓ Consider the governor's management style before making hiring decisions and deciding on an office structure.
- ✓ Consider the position to be filled as it relates to the governor's goals for that position or agency.

Recruit the Team

- ✓ Establish a formal application process to recruit candidates with critical traits, skills and experience that match statutory requirements and specific needs.
- ✓ Establish good vetting processes. Separate vetting from hiring decisions by dedicating one individual or team to vetting and another individual or team to confirmation.
- ✓ Charge the recruitment and hiring teams to think strategically and build well-balanced agency teams, to lead, manage and navigate.

Make Appointments

- ✓ Take adequate time for making appointments.
- ✓ Focus on seven key appointments (chief of staff, communications director/press secretary, policy director, boards/commissions appointments director, legal counsel, budget director, director of administration).
- ✓ Announce appointments strategically because their sequence is a statement about the goals of the administration
- ✓ Address with the appointee how the employment relationship might end and clarify expectations about tenure commitments and serving at the pleasure of the governor.
- ✓ After announcing initial major appointments, select the many additional team members needed for the office of the governor; cabinet and agencies; and for boards, authorities and commissions.
- ✓ Clearly spell out broad expectations of each position during the transition and establish formal performance expectations early in the term.

Process

“As a businessman, I spent 90 percent of my time on process and 10 percent on policy. As governor, I find I spend 90 percent of my time on policy and 10 percent on process.”

—FORMER GOVERNOR

Designing a management framework for the governor’s office and administration are fundamental tasks to be accomplished during the transition period.


Because of the pivotal role of the governor’s staff, it is essential that the office structure be well thought out and that decisions regarding office organization be based on the preferences and management style of the governor-elect. Initial key decisions include organizational structure; processes, roles and responsibilities for ensuring effective internal communication; collaboration among the office’s core functions; and the decision-making process and rules.

During the transition, the governor-elect should make a number of critical decisions concerning the processes of the governor’s office and state government. Well-defined processes set the tone for the new administration.

As the processes of governing are complemented with the strengths of personnel to operate the government, the governor may find that staff members and cabinet officials become preoccupied with how things work rather than what is accomplished. This is natural; how things work influences and may even dominate the staff’s work day. Who is powerful may be the No. 1 topic for many staff, cabinet officials, the state bureaucracy and the outside world. Particularly during transition it is easy to lose sight of substantive issues, which is why key processes must be established.

Veteran governors understand this and recommend early attention be turned to reviewing, refining, and in some cases, establishing well-defined processes for the operation of the new administration. At a minimum, those processes should include:

- How decisions will be made;
- How decisions will be communicated internally and externally;
- How scheduling requests will be handled and prioritized;
- How additional personnel and board appointments will be coordinated;

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- How personnel will be evaluated throughout the administration;
 - How reporting of the governor's priorities will be communicated;
 - How will cabinet officials report to the governor's office;
 - How often will the governor's senior staff meet, and
 - How often will governor hold cabinet meetings.

All of the above must be established based on the style and preferences of the governor. As the new governor's management and decision-making style is being considered, decisions on office organization and operations should reflect on the following preferences of the governor-elect:

- What are the governor-elect's decision-making preferences?
 - Formal or informal
 - Written or verbal
- How does the governor-elect prefer information and matters for decision or signature to be presented?
- Which staff does the governor-elect look to for advice and management of core functions and processes?
- What is the preference for frequency and formality of general staff meetings?

As the preferences of the governor-elect are considered, a framework for decision-making and process management should emerge to include:

- The outline of the structure of the office of the governor;
- The policy development and review framework and its link with other major functions;
- A set of preferred mechanisms to shape and steer the governor's agenda; and
- A guiding set of principles to manage relations among the new governor and principal staff, cabinet, and other state agencies.

Decisions regarding state policy and operations are complex. The benefits of spending time on this seemingly routine task will be realized immediately. A well-thought-out and established set of processes not only will reduce conflict, it will also increase the efficiency of transition and ultimately the efficiency of the new governor's office. Moreover, as the head of a massive bureaucracy, these processes will provide the remainder of state government with concise expectations about how to work with the new administration.



Organizing the Governor's Office

Operational Hierarchy

Every decision about every element of the new governor's office has interdependent and often overlapping consequences. Size is not simply a function of the population of the state. Certain tasks and core functions, such as those associated with developing a legislative program and budget, are the same for a governor's office regardless of the size of the state. The size of the governor's immediate staff is a reflection of the allocation of tasks and the degree of specialization sought for those functions. Size is also affected by the budget available for the new governor's staff as well as the tradition of the state.


It would be a mistake to organize the office in a highly hierarchical fashion if the new governor favors open access, face-to-face discussions, informality and paperwork flowing laterally, facilitating a flat organization within the office. In contrast, a governor with a more contemplative style, who prefers information to be sifted and flow upward, might be more comfortable with clear organizational channels.

It is important to make certain that the decisions on office structure will form the basis for a strong and effective staff capable of carrying out gubernatorial directives.

Office Structure

A “look to” approach may be helpful in answering questions about how a governor's office might be organized. For example, when structuring the office, the governor may want to consider the following:

- What unique advice and management role will the governor seek from the chief of staff?
- Which other senior staff will the governor look to for direct service (for example, personal assistance or scheduling staff) or direct advice and management assistance (for example, legal counsel or cabinet secretary)?
- Whom will chief of staff rely on to help carry out managerial roles and provide a reasonable span of control (for example, one or more deputies or assistants)?
- Whom will the governor, chief of staff and others assign to manage core functions of the governor's office such as agency liaison, appointments, correspondence, constituent services, intergovernmental relations, legal advice, legislative liaison, office management, policy development, media relations, scheduling and speechwriting?

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- Which core functions might be organizationally clustered to facilitate coordination and integration (for example, correspondence and constituent services, agency liaison and policy development and all communications functions) and to whom should the governor, chief of staff and others look to manage those clusters?
 - As an alternative or supplement to such organizational clustering, which staff teams might be formed to help shape and monitor the governor's critical strategies (for example, a scheduling team, policy steering group, or legislative coordinating team) and to whom should the governor, chief of staff and others look to lead and serve on those teams?

Because the answers to these questions should and will be answered differently based on the personal style of the governor-elect and the nuances of the operations of each state, no one recommended option can be forthcoming. What can be recommended is that the governor-elect give these questions strong consideration during transition and build an office based on his or her own preferences while considering the following alternative models.

CENTRALIZED MODEL

The most common approach to the structure of governors' offices is a traditional hierarchical model. This usually involves a single chief of staff as the primary staff member reporting directly to the governor. Many offices have a personal assistant or scheduler who also reports directly to the governor. The span of control varies for chiefs of staff in these offices, and the number of staff who report directly to them also varies widely. Many have several deputy chiefs who are responsible for subsets of the governor's office functions. For example, a large state may have four deputy chiefs of staff—in charge of operations, the cabinet, legislative relations and communications—who report to the governor through the chief of staff. Other offices have both deputies and functional units reporting directly to the chief of staff. In still other states, functional staff members report to the chief and no deputies are used.

DECENTRALIZED MODEL

Some offices employ a more decentralized model. In these offices, some key staffers, in addition to the chief of staff and certain personal aides, report directly to the governor. This model can take many forms. In a few states, a "troika" type design uses three principals serving the governor directly. They each maintain authority over large pieces of the operation. Other less hierarchical designs follow more of a "spokes of a wheel" structure, in which several senior staff members report directly to the governor. For example, four senior staff, along with the secretary of state and lieutenant governor, may report directly to the governor. These decentralized models place a high premium on regular and meaningful interaction among the direct-reporting senior aides.



SELECTING AND CHANGING MODELS

When considering the centralized versus decentralized model, most newly elected governors will state a preference for a decentralized model as it is more often the style associated with the campaign. Veteran governors, with exceptions, will opine that the centralized model presents a much better alternative in its efficiency for managing the governor's time and decision-making. While no preference is expressed here, it should be noted that changing models during an administration is much more difficult to accomplish when moving from decentralized to centralized, should the need arise.

Once the basic organizational decisions are made, the transition discussions can and should turn to the processes for supporting the governor and the new administration.

Developing Processes to Support the Governor's Style

Management style generally can be viewed as the extent of a governor's predilection to maintain central control over scheduling, policy management coordination, program decisions and appointments. This may range from total control to delegating to the chief of staff, key office employees or cabinet members for all but the most important decisions. Within this spectrum, management also may vary on each issue and problem that arises. Translating the governor-elect's personal style into concrete actionable directions will result in a set of processes that will guide the administration and signal to the larger audience of state workers how the new governor will govern.

In addition to paying careful attention to the governor-elect's style as you develop processes, careful attention also must be paid to the open-records laws of your state to make sure all processes you are developing adhere to the open-meeting laws, freedom of information requests and other legal considerations. Care should be exercised in establishing processes that support these laws while also allowing for the flexibility of the governor-elect to operate in some degree of confidence as decisions are being considered.

The purpose of reviewing the governor-elect's style and legal requirements is to establish processes that will maximize the use of the new governor's time. Experienced governors stress that the governor's time is the single most precious resource. How the governor spends his or her time defines the governor's public image more than any other trait. Who does the governor meet with? Which events does the governor attend? How does the governor spend his or her down time?

Experienced governors stress that the governor's time is the single most precious resource.



Creating a Scheduling Process

The job of the scheduling director, which is one of the most demanding, is to assist the governor in managing his or her time in a strategic way. The governor must rely heavily on the scheduling director to ration the many demands on his or her limited time in a way that maximizes his or her strengths and agenda. The scheduling director is not only a key player in maintaining the governor's image, but also in the effective operation of state government. Time allocations can influence the outcome of a meeting if, for example, not enough time was slotted for review of a major decision.


Experienced governors will note that the role of scheduling changes dramatically from the campaign, where scheduling means constantly trying to get the candidate included in an event, to one where the governor is welcome almost anywhere at almost any time. With such an open opportunity, the governor's staff can use the schedule strategically to advance the administration's policy and program goals.

But that opportunity comes at a price. The level of work required by the scheduler expands tenfold. The number of events and the complexity of the messaging mean a larger number of invitations and events to consider. Layering in the scheduling of the executive residence complicates the process even further.

To be effective, the scheduling director must be given broad latitude to accept or reject invitations, subject to the governor's review. While the key to successful scheduling may be in flexibility, new governors are often reluctant to give up control over their personal schedule.

A strategic approach to scheduling is needed. Strategic scheduling identifies important program or policy goals and designs scheduling opportunities for the governor to advance those programs and issues. Strategic scheduling enables the governor to choose the forum in which he or she wants to present an issue, rather than merely responding to invitations, which maximizes the governor's control over public exposure. Nearly any public appearance can be used to call public attention to problems or needs, secure public support for policies or management initiatives, involve interest groups or elected officials in a certain cause or communicate the governor's message to a specific constituency.

Governors increasingly have seen the benefits of a strategic scheduling process in evaluating and creating scheduling opportunities in line with their policy agenda. A scheduling team can be established to make judgments about the best use of the new governor's time and work informally with the scheduling director to evaluate scheduling requests. Political and strategic considerations thus may be applied in an effort to screen requests, look for opportunities to combine events or even to create events that call attention to the governor's program.




Very early in the transition, it is important for the new governor to set up scheduling preferences and establish some basic ground rules (for example, time set aside for meetings, appointments, important recurring events, family and public appearances). Working within these guidelines, daily, weekly and monthly block schedules can be developed, and annual or ceremonial events can be easily incorporated into the schedule. The objective of strategic scheduling is to allow time for the governor to pursue the administration's goals, manage state government and oversee the office while leaving time for the family and personal interests such as exercise.

Organizational options for scheduling include:

- **The governor/scheduler approach.** The governor and scheduler are the primary coordinators of the schedule;
- **The chief of staff approach.** This approach relies on the governor's chief of staff to maintain overall accountability for the schedule and the scheduling process; or
- **The scheduling team approach.** This approach brings together key members of the governor's staff (sometimes with the governor) to provide input and help plan or implement different aspects of the scheduling process.

Tools for strategic scheduling include:

- Defining parameters that guide how the governor's time should be organized on a regular basis;
- Setting a scheduling horizon for the amount of calendar time to be scheduled in advance;
- Establishing strategic criteria for screening requests and making scheduling decisions;
- Viewing the schedule as a blank page to be filled by creating opportunities answering two questions: what does the governor need or want to say, and where does the governor need or want to be?
- Developing procedures such as requiring all agencies to provide advanced periodic notification of upcoming major events for their respective areas well in advance of the forthcoming request;
- Developing a master schedule and incorporating standard activities (fixed activities such as major meetings and conventions) as building blocks to construct the schedule;

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- Establishing criteria that require and enforce processes for expanding the operational capability of the scheduling staff by delegating out the routine collection of information and briefing materials needed to make scheduling decisions to the requestor or agency personnel; and
 - Identifying and using surrogates for public events to expand the governor's presence.

By developing clear expectations of the authority, role and flexibility of the scheduler during the transition, the new governor can extend the reach of the scheduling process. Operational details of scheduling, once known by the bureaucracy, can then enhance this strategic outline to improve the overall efficiency of the scheduling process, freeing the governor up for what he or she does best: make decisions.

Developing a Decision-Making Process

Developing a sound and responsive decision-making process is the result of long hours of personal attention and an understanding of how the many available management and policy tools can work to implement the governor's goals. To ignore establishing a formal decision-making process and a full understanding of its integration with communications, legislative, budgetary and scheduling strategies is to not fully use an array of executive branch management techniques that will allow the governor to translate decisions into program results. The tools discussed here define the process of decision making. Suggested tips and techniques also will offer a framework to help guide priorities and implement programs that will produce the outcomes that will comprise the governor's legacy.

Development of a well-articulated decision-making process will provide a new governor with reasonable objectives for the state to work toward: developing programs, budgets and policies to steer the strategy and establishing processes to communicate with agencies, enforce policies and evaluate their success. Further, it should provide information to identify the future effects present demographic, economic, social and political trends will have on the state. It should isolate and clarify the current issues and those just developing, identify the resources available to resolve issues and assess their potential impact. Effective decision-making followed by program implementation and evaluation will provide the governor with a mechanism to evaluate how policies are being managed to produce results that will further the agenda.



Decision-Making Process Outcomes

While decision-making is a central part of governing, establishing processes and expectations for the decision-making process during transition will set immediate expectations for the entire administration. Defining expectations from day one will establish these processes as givens, rather than as changes later on in the administration.

There are a number of factors that should be considered regarding the organization of the decision-making process. To get started, a suggested best practice is to inventory the existing processes in the outgoing governor's office and modify them to suit the governor-elect's own style.


Since the outgoing governor may have established key processes, procedures and systems that could be quite useful, a first order of business is to find out what the current processes, procedures and systems are and to review them carefully for appropriateness to the new administration's style and organization.

The outcome of the review of the decision-making processes and the incorporation of the new governor's style should be the establishment of a formal system that:

- Identifies key operational and policy issues that will require action early, before they become public;
- Develops a system for ensuring all available information regarding the issue is considered;
- Builds a trusted network that allows for the input of relevant experts and constituencies on the issue being addressed;
- Considers the effects of options under consideration and assesses the likelihood of success;
- Ensures that the decision is consistent with campaign promises that were made;
- Establishes, as part of the deliberation, a plan for communicating the decision reached; and
- Documents the options considered, the legal authority to act and the budget requirements necessary.

DECISION MEMORANDUM

A best practice is to create a decision document format that lays out the key considerations to be addressed during the decision-making process and formally documents the key components that must be considered. While time will not allow for the use of a formal document in every case, the process of creating a format will clearly establish expectations of what the governor considers key to each decision to be brought before him or her.



Moreover, the creation of a formal format will greatly assist in communicating with the bureaucracy the key decision factors expected of them in proposing actions for decision by the governor. This will save valuable staff time that will be required to review and present the issue to the governor for a formal decision.

- There are numerous methods by which governors approach the organization of a decision-making process. There are three general approaches states use:
- No formal decision-making unit in the governor's office;
- Traditional policy unit located in the governor's office; or
- A unit located within the governor's office that clusters decision making with one or more other major functions.

That said, not all states fit neatly into these categories, but the three approaches provide a useful construct to compare and contrast the ways the decision-making function is organized in the states.

No Formal Decision Unit

In this model, the governor looks to one or more staff members, and frequently the cabinet, as primary sources for policy development, advice and decision-making support. In some states, due to lack of resources, state tradition, strength of the cabinet structure, etc., the governor has not sought to establish an organizational unit in the office that maintains principal responsibility for decision-making guidance. Some states use one or more independent policy advisors to take the lead on issue areas key to the governor's agenda, each of whom report directly to the chief of staff or governor. In still other states, an outstationed or adjunct office helps develop policies on behalf of and at the direction of the governor.

Policy-Directed Decision Unit

In this model, the policy unit is maintained within the governor's office and is part of its central mission is to guide decision making. This is the most frequently used model. In these states, policy units have a formal role in developing decision-making support. In some states, the unit is titled to pivot with the word "policy," while in other states, the office has a title related to its role as cabinet liaison. In all of the states that use this model, the policy director serves on the governor's senior staff and has a number of policy advisors and analysts reporting to him or her. Staff typically are clustered by issue areas based on the governor's agenda or according to their expertise. Policy unit staff work closely with other units on key matters related to legislation, budget development and message. Work is coordinated and lead responsibilities are assigned through regular senior staff meetings.



Decision Making Clustered with Other Functions

In this model, a unit in the governor's office clusters decision-making oversight with one or more major functions. Those units have a director and staff; the director is a member of the governor's senior staff. The unit also may maintain a formal role in other functions such as legal affairs or legislative relations. Decision support staff are clustered along issue areas. States that use this model have assigned units a variety of other tasks in addition to policy development and cabinet and agency liaison. Those responsibilities evolved by design or as a matter of accommodation to complement the strengths of the staff. Coordination is achieved through regular meetings of the governor's senior staff. Illustrations of combined functions include:

- The use of the governor's legal counsel as lead coordinator for decision making;
- Combining lead decision-making coordination with legislative relations; and
- Policy, legislative relations and legal counsel functions are all combined into one unit responsible for decision-making oversight.

Regardless of which model is chosen, the governor may want staff to develop first-cut decision options for the governor's initial concurrence before they are negotiated with agencies. Or a governor may want proposals to be developed initially in the agencies, flow through cabinet officers directly to the governor's office and then be reviewed by staff. This approach may be a way to integrate cabinet subgroupings along issue lines to generate discussion of options and proposals.

New governors will find, however, that requests for decisions will come at a remarkable pace and from a number of sources. Therefore, a process is needed to review them, provide analysis and assimilate them into a coherent proposal for decision making.

Developing Informational Processes

Not all information that a governor requires results in a decision. A significant portion of information flows into and out of the governor's to update him or her on the status of policy, budget and management priorities, as well as provide feedback to others. Therefore, it is necessary to develop processes to monitor outcomes of initiatives and provide feedback, in both directions, on the progress of initiatives. Governors have adopted a variety of approaches to tracking progress on meeting desired outcomes and often use the entire array of options.



Periodic Meetings

Perhaps the primary method for keeping abreast of major initiatives is to use the cabinet structure, with its attendant regular meetings, as a mechanism for both hearing about progress (or problems) regarding specific initiatives and providing feedback on accomplishments. The advantage of reporting via regular cabinet meetings is that the entire cabinet can hear firsthand the progress on key initiatives and, at the same time, gain a sense of the overall administration priorities (and their respective roles). Group reporting during the cabinet structure also broadens the commitment by others in the administration to the overarching goals of the administration.

Detailed reporting of initiatives during cabinet meetings is not, however, the most efficient use of time if you are going to be delving into the program details. As such, many governors use the cabinet reporting for high-level updates and establish groups beyond the formal structure of the cabinet for more in-depth meetings. Several models are used by governors, including:

- Formal or informal steering groups (chief of staff, policy director, communications/press secretary and other key staff) that meet and monitor progress;
- Issue-specific task forces made up of private citizens and public officials to increase visibility and develop program policies; or
- Cabinet subgroups that meet and track development status and implementation on priority issues.

Periodically, governors also may hold strategic planning exercises (annual retreats or meetings) to review progress and plan next steps. This is an excellent way to involve the entire cabinet in the development of the governor's agenda or hear from thought leaders regarding a coming issue and gain the multifaceted input regarding the issue from the entire cabinet. Periodic cabinet retreats also contribute to building a sense of team within the cabinet.

Periodic Written Reporting

In many states, the governor communicates priorities by delegating all but a few major issues to senior staff or a group of key cabinet officials. Although some governors strongly believe that this approach is effective, there are potential pitfalls. The governor must be careful to not be viewed as out of touch with overall involvement with managing state government. Vigilance on setting management priorities and enforcing them will alleviate this potential problem.

To the outside world, legislature, special interest groups and the media, the governor also must be firm in paying attention to critical agenda items without offending those who care deeply about other issues. Experienced governors

advise there is no easy way to accomplish this, since special interest groups and the media will continually distract the governor from his or her main agenda.

By establishing a formal periodic reporting system, such as a weekly report, the governor can become knowledgeable about a host of agency issues without spending large amounts of time and effort addressing them. Many times, merely acknowledging the existence of an issue raised during a press conference or at a citizens' meeting is sufficient to reassure the questioner. If the governor is adequately informed, he or she can quickly respond by explaining how the administration is handling the problem. Establishing the expectation of a report during transition to cabinet officials will ease implementation of the requirement.

A second advantage of a formal periodic reporting system is efficiency of time. Agencies will need to inform the governor and his or her staff regarding a wide array of items, often through phone calls, email and meetings. An established reporting system provides an efficient way for cabinet officials to relay critical information in a manner that allows the governor's office to determine just how critical a formal meeting may be.


A suggested format (no more than two pages per cabinet member) would include:

- Updates on the governor's priorities;
- Key legislative interactions;
- Key stakeholder issues;
- Agency matters or operational issues/information;
- Audits/investigations/compliance issues;
- Upcoming events or agency visits by the cabinet; and
- A list of any pending actions requested of the governor.

Periodic reporting will signal that a new administration is decisive and capable of tracking needed decisions.

Caution is urged, however, since in many states producing a weekly report can be subject to open-records laws. Therefore format and content must be carefully considered before implementing such a process.

Written reports can be immensely helpful in managing people and programs. In addition to creating a clear and concise method of updating the governor (and key assistants) regarding the progress on major priorities, the report also can serve to inform the governor of programs not clearly connected to the highest priorities but important to others. The governor can use the report as a basis to communicate concern and attention with a relatively small expenditure of time.



At regular intervals, the governor also can use the report to provide feedback to cabinet and sub-cabinet officials whose performances were exemplary, or conversely, in need of improvement. In only a few hours, using the report the governor can communicate that he or she cares about department X or bureau Y and that he or she is keeping tabs on performance throughout the system. By doing so, the governor is communicating to both staff and the bureaucracy he or she has not forgotten them or their issues.

Personnel and Appointment Processes

At the same time as personnel decisions are being made during transition, there is a need to establish a personnel and appointments decision-making process beyond the initial key personnel appointments to be made during transition. An effective personnel and appointment process will help ensure time is not wasted on routine appointments, instead focused on key appointments requiring most attention. After setting appointment parameters, governors generally delegate responsibility for appointment functions, especially boards and commissions.

On an ongoing basis, various options exist for delegating authority on personnel and appointments including creating an appointment office or naming an appointment director on the governor's senior staff, assigning appointment functions to other gubernatorial staff positions, delegating appointment functions to a state personnel agency or delegating appointment functions and decisions to state agency heads. Many governors also use executive search firms and other stakeholder groups to inform candidate recruitment. A few crucial steps make up the coordination process:

- Determine the governor's desired level of involvement with appointments;
- Determine any statutory or professional requirements for appointments;
- Determine compensation and benefits for appointments;
- Categorize appointments according to the governor's priorities. Positions critical to overall state operations management must be filled first. Next, appointments critical to the implementation of the governor's management and program initiatives should be filled. Finally, attention can be focused on remaining vacancies;
- Arrange a standard application submission process and a timely response process; and
- Use an appointment database to track all positions, resumes and detailed information on candidates.



Establishing “Contracts” with Appointees

Building on the discussion of the application process outlined in the People section, a suggested best practice recommended by a few veteran governors is to enter into a “contract” with appointees. In essence, this contract spells out the expectations the new governor has for the appointee. The process should begin by taking the application the appointee submitted and formalizing it into a contract between new governor and the appointee. While every new governor will want to customize such a contract, key components should include the major issues confronting the agency and the steps the individual will take to accomplish key goals toward the governor’s agenda. The degree of formality will vary from state to state, but the outcome in developing contracts is to establish expectations for the individual’s performance goals.

Developing contracts during the transition is difficult. However, to the degree it is possible to do so, these contracts will not only get the new administration off to a strong start, but also greatly assist the individual when preparing for confirmation hearings.

In addition, the contract should spell out a commitment by the individual to adhere to state ethics laws and additional ethics directives issued by the governor-elect.

Compliance and Ethics

Failure to adhere to the legal compliance of governing and ethics breaches are not uncommon occurrences in a new administration. Many appointees will be unfamiliar with the legal requirements of open-meeting laws, freedom of information statutes and conflict of interest nuances. To minimize the possibility of these problems, a strong system for establishing, training and monitoring key legal requirements is required. Setting expectations and requirements early in the transition will assist in guiding the new administration and appointees in a manner that minimizes transgressions.

The lead on developing the compliance and reporting criteria for compliance and ethics most often resides with the new governor’s legal counsel. The legal counsel should be tasked with creating a process for ensuring that the new governor’s statements on ethics and all legal requirements are complied with throughout the remainder of the administration.

During transition, a best practice is to establish an administration code of ethics, requiring all new and existing personnel to sign a pledge to adhere to the code. This sends a strong statement not only to new employees, but to the public as well. Also during the transition, provisions should be made to develop and provide training to all personnel that will be part of the administration regarding open-meeting laws, public records requirements and conflict of interest compliance.



INTERNAL COMMUNICATION

Effective internal communication is difficult but critical. The governor's appointees can best serve the governor and amplify his or her message when they possess a clear understanding of the governor's priorities and how they are expected to contribute to achieving these goals. Establishing expectations of regular cabinet meetings, sub-cabinet meetings and one-on-one meetings with the governor can be powerful tools in this process. Communicating the governor's priorities to the office staff is vital as well because the priorities will guide their day-to-day operations and interactions. Requiring regular meetings of the governor's office staff, with or without the governor's involvement will help the team grow.

Processes: Putting it all Together

Emphasis has been placed on the need to spend time during the transition to carefully consider and develop the processes that will be used by the new administration. The reason for this is twofold. First, once the administration is underway, you simply will not have time to develop processes; and second, establishing the processes up front sets expectations from the very beginning that will be easier to implement and maintain.

The best practice for new governors recommended for implementation of these processes is to hold an all-hands retreat of the new appointees just before inauguration to go over the processes so that expectations are firmly set before the term begins.

As suggested agenda would be:

- Greeting by the Governor and First Spouse
- Introductions
- Statement of “How We Will Govern”
 - Ethics and Compliance Training
 - Open-Records and Open-Meetings Training
 - Conflicts-of-Interest Training
- Presentation on Campaign Priorities
- Presentation on How Legislative Relations will be Handled
- Presentation on Dealing with the Press
- Presentation on Scheduling Requests
- Overview of Decision-Making Requirements/Processes
- Briefing on Personnel Benefits and Paperwork

BEST PRACTICE CHECKLIST: PROCESS

A thought-out and established set of processes will reduce conflict and increase the efficiency of the transition, eventually leading to an efficient governor's office.

Office Organization and Operations

- ✓ Organize the office and critical processes to support the governor's style.
- ✓ Review, refine and establish well-defined processes for the operation of the new administration (scheduling, decision making, communications, reporting, etc.).

Strategic Scheduling

- ✓ Develop a strategic scheduling process to evaluate and create scheduling opportunities in line with the governor's policy agenda and management style.
- ✓ Decide on a scheduling approach (governor/scheduler, chief of staff, scheduling team).
- ✓ Establish basic scheduling ground rules.
- ✓ Coordinate the governor's schedule with the first spouse's schedule.

Decision Making

- ✓ Establish a formal decision-making process and fully integrate that process with communications, legislative, budgetary and scheduling strategies.
- ✓ Determine how the decision-making function and oversight will be organized in the governor's office.
- ✓ Identify key operational and policy issues early that will require action.
- ✓ Develop a system to ensure all available information about an issue is considered.
- ✓ Build a trusted network to get input from relevant experts and constituencies.
- ✓ Consider the effect of options under consideration and assess the likelihood of success.
- ✓ Ensure that the decision is consistent with campaign promises.
- ✓ Establish a plan for communicating decisions.

Personnel

- ✓ Establish an effective personnel appointment process that includes clear parameters on the governor's involvement.
- ✓ Develop a standard application process to efficiently track candidates and make timely decisions.
- ✓ Establishing "contracts" with appointees to spell out performance expectations and adhere to state ethics laws and directives.

Programs

“Decide early what two or three things you want to accomplish; develop a sound public information program to let people know; and devise methods for evaluating your own performance, using outside sources.”

—FORMER GOVERNOR

Establishing Priorities

History filters judgment. When experienced governors sit down with new governors and reflect on the office, a strong consensus emerges concerning the critical elements for success. Veteran governors agree that success depends first and foremost on focus and commitment to a limited number of policy issues. Long after the names of your personnel are forgotten, once the discussions of your style of governing fades, the legacy of your administration will come down to the programs you championed.

**Success in the
governorship
depends first and
foremost on focus.**

All of the tools, from the governor’s personnel decisions to the decision-making processes and the use of the pulpit for communicating, should be used to achieve the governor’s limited priorities. The governor’s most precious resource—his or her time—should be used to vigorously pursue the established priority issues as these will guide the

administration and form his/her legacy. Success in the governorship depends first and foremost on focus. The term should be committed to a limited number of issues and concentrate on them throughout.

Identify a Limited Number of Priorities

It is important to establish a limited number of gubernatorial priorities—somewhere in the range of three to five. A longer list tends to dilute public and legislative attention and may overtax the governor’s limited political capital. Every candidate creates an extensive to-do list during the campaign. That list will be found in position papers, press releases, speeches and the commitments made to constituents and stakeholders. The list of campaign ideas and promises provides a starting point for establishing the governor’s priorities. Additionally, issues of interest to the governor and visible issues due to statewide/national attention can be considered. Priority issues range from short to long term. Former governors suggest that for each of the priority items, a senior staff

member should be appointed to be the driver of that item until it is completed. As the items on the priority list are completed, other issue areas can be considered.

Establishing a list of gubernatorial priorities does not mean that those priorities are the only activities that will receive attention and resources. The state budget provides means to ensure attention to a broader range of issues. In addition, department and agency heads will establish priorities of their own that will require little gubernatorial involvement or investment. The governor can delegate responsibility for various issue areas to trusted staff as well.

It is important to establish a limited number of gubernatorial priorities—somewhere in the range of three to five.


Establish Priorities and Segment Goals

The gubernatorial strategy most widely employed by experienced and successful governors is to identify a limited number of issues and pursue them with every resource at hand. This perspective looks upon the processes of government and the people around the governor as resources to accomplish the governor's goals. When pressed, senior governors make the distinction between this strategy and those often held by officeholders at all levels—the difference between governing and reigning, between making a contribution and occupying an office, between being remembered and being forgotten.

While the people and the press often have short memories, many governors forget to re-establish and reassert the priorities of the administration within the administration itself. It is tempting for cabinet members to get focused on the day-to-day specifics of running their offices; new initiatives and ideas can clutter the minds and desks of the best administration officials.

By establishing priorities early, segmenting those into achievable interim goals and then continuously revisiting them, the vision and principles of the chief executive remain at the forefront. This helps keep the administration on track and moving toward a set of common objectives.

During the election campaign and through extensive involvement in the public life of the state, the newly elected governor will be intimately familiar with a long list of important issues. Former governors offer the following advice to their newly elected colleagues on how to limit these issues to a manageable number for special consideration.



Initially, the new governor should select no more than three or four issues on which to concentrate. These issues should be authentic and grounded in the values and vision of the new governor. They can be developed for long-term impact and should serve as the cornerstone of the governor's legacy. It is likely that several other issues will arise as the term progresses. By selecting a few priority issues, the governor will maintain flexibility to deal with hot-button issues or crises as they arise.

A newly elected governor should not pick a single issue on which to focus all of his or her attention. Although it may be tempting to seek a reputation as, for example, the “education governor,” it is a trap to risk the entire program if the governor cannot persuade other prominent leaders to also place their emphasis on that one issue. Most experienced governors advise it is best for the new governor to move on at least two fronts over a long period of time, although there may be periods, such as during a special session of the legislature, when the governor concentrates all efforts on a single issue.

Newly elected governors should be careful to concentrate only on issues that are real, rather than campaign slogans or a style of governing. Although it is often appropriate to articulate a new approach to managing state government or communicating with the people, these matters of style should not be confused with tackling difficult problems facing the state. Commitments to lead an “open administration” or an “anti-corruption administration” or promises to “run government like a business” are useful and important, but are not the same as the two or three key issues referred to by most governors as being essential to defining an administration's long-term success.

Newly elected governors should not be leery of identifying an issue as critical even though they do not know exactly what to do about it. Part of the leadership potential of the governorship itself is to articulate issues that need attention without initially having to prescribe exact solutions. At some point, leadership requires proposals, but in the first few months of a term it can be sufficient to articulate key issues and set forth a process for coming to consensus. For example, a western governor said to his legislature, “One of the issues I believe is a serious problem is water policy. I am willing to work with you on a solution, but whether or not you address the issue, I plan to. If we have not been able to act together during the coming two years, I will act alone, taking my case to the people.” In this fashion, he articulated an important issue without prejudging the answers; he also put special interests on notice that if they blocked cooperative efforts, he would act alone.

Refining your priority list should begin with reviewing the commitments made during the campaign.



Turn the Campaign Promises into an Action Agenda

Inventory Campaign Promises

During the campaign, promises and commitments were made to the public. They will serve as the primary source and the substance of the first year's program, along with other issues raised by citizens, groups, staff and local officials during the transition process. A new governor will hear of even more issues from these groups, plus agency heads and state legislators, so an inventory of all clear and implied promises should be conducted before any action during the transition to assimilate other ideas is undertaken. This review will help identify issues of significance and help determine immediate and longer-term priorities.

During the campaign, the governor-elect will also have developed several key policy themes and priority budget issues. In moving to translate campaign pledges into legislative proposals, the new governor must weigh the costs of legislative actions and potential political risks. Being aware of the relationship between the legislative program and the budget proposals can help the governor establish priorities and choose legislative initiatives carefully.


Campaign promises should be segmented to list items that can be accomplished administratively. If a goal can be accomplished administratively, the new governor should seek means other than legislation to quickly translate his or her agenda into policies and programs immediately upon assuming office. Doing so provides a series of quick wins that add to the momentum of the new administration and demonstrate the ability of the new governor to make a difference.

It is a fundamental truth that policies cost money. A best practice is to have the cost of all campaign promises determined by experienced budget staff as a first step.

Cost Out the Campaign Agenda

By its nature, the budget process forces decisions on both major and minor issues. An early decision on a major issue may force a series of actions at a later date. It is impossible to separate policy goals from the budget process. The budget and its presentation to the legislature will greatly influence the nature of policy initiatives and the successful resolution of issues. Because nearly all gubernatorial initiatives—whether development of a new program or retention of an old one—involve resource allocation questions, virtually every issue will have ramifications for the state budget. Failure to consider the budgetary impact during the development of policy can result in disaster.

In addition to forecasting revenue and identifying the big-ticket items that will affect the upcoming budget, it is important to cost out the campaign agenda. While some campaign promises must be delivered in the first budgetary



process, others can be delayed in implementation. Developing an accurate budget for the campaign agenda allows the governor, with his budget officer and other advisors, to plot a strategy for implementing the campaign agenda in a sequence that considers budgetary and political implications.

Developing an accurate cost estimate for implementation (and variations on implementation timeframe) gives the governor and staff options, plus the ability to improvise in budget negotiations. In years with a large surplus, perhaps the time is ripe for implementing big-ticket campaign items. If the state is facing a deficit, then perhaps some items can be delayed until a year or two into the term.

Use Issues Working Groups During Transition


Immediately upon taking office, the new governor is expected to be a master of the intricacies of state government. In the first press conference, he or she may be asked to expound on any one of several complicated state issues. Issues working groups can provide an early-warning system of what those issues may be.

Issues working groups also present an opportunity for the new governor to create new relationships or repair old ones. By skillfully including a diverse set of members to each group, a new governor signals a willingness to work together in a team approach to accomplishing progress for the state.

There also will be many latent issues that never came up in public debate or in issue papers developed by the campaign research staff. These issues may be as important as multi-million-dollar unfunded pension liabilities, possibly unavoidable transportation tax increases or the imminent collapse of the unemployment compensation system. If these issues are not brought to the new governor's attention, they can fester and conditions can deteriorate, with major damage occurring when they surface publicly later. The budget process is a useful tool for uncovering these time bombs and defusing them before they explode. In addition, there may be pressing issues for important interest groups and legislators, where relatively easy resolution can bring support to other, more controversial proposals contained in the budget.

By reviewing transition documents prepared by the outgoing administration and summary documents, a new governor also may discover that the previous administration initiated studies, analyses or plans in critical issue areas. Those should not be discarded but thoroughly reviewed and discussed. With some minor changes, they may serve a new governor's needs in addressing the issues.

Governors have their own vision of how the state should progress, and they see government's role as one of the prime forces to help shape this future. The new governor was elected to work toward that vision, and while the new governor's staff may be excellent, there are many perspectives that can contribute to a successful administration. Using issues working groups can add



to that perspective and provide the new governor with many more options, but only the governor can really communicate the administration's vision of the state's future.

TASKING THE ISSUES WORKING GROUPS

Should you choose to use working groups, a suggested structure is to assign them according to the structure of the existing hierarchy of state government. The structure for assignment of working groups is not as critical to the process.

The working groups should be tasked with reviewing the inventory of campaign promises, creating an inventory of existing issues, incorporating known budget issues, triaging the issues and requesting to stay away from personnel issues.

Reviewing the Inventory of Campaign Promises

As their foundation, the issues working groups should start reviewing the list of campaign promises established during the inventory discussed previously.

Creating an Inventory of Existing Issues

By reviewing any transition documents that the outgoing administration provides, the groups can capture additional issues to be addressed by the new administration and determine if any existing studies and initiatives by the current administration are already addressing those issues.

Incorporating Known Budget Issues

A helpful component of the issues working groups is to place budgetary context to the issues that must be addressed. What are the big-ticket items?


Triaging the Issues

The groups should be then tasked with establishing priorities for addressing the issues they have uncovered with their review. The issues should be placed into three categories: immediate (for crisis issues only), first 100 days and longer term. In addition, the issues working groups should to create a quick-action agenda that segregates actions the new governor can take immediately to further the campaign agenda or resolve issues that can create momentum for the new administration.

Requesting to Stay Away from Personnel Issues

While the issues working groups should be encouraged to pass along information that may be helpful to the personnel selection team, it should be made clear to them that their role is issues, not personnel.

The groups can be an effective way to triage issues confronting the new governor and should develop a formal report for use by the transition team. Issues working groups can greatly assist the new governor's transition team by



developing lists of what needs immediate attention, what can wait and what is already going well. In addition, a No. 1 best practice is to have the designated policy director be intimately involved with the working groups. The output of the working groups can not only serve as a guide to the transition, but also as a primer to the cabinet and senior appointees on the issues ahead of them as they assume office.

Establish a First 100 Days Agenda


Whether or not issues working groups are used or another means of capturing the information outlined above is used, the next step is to develop initial executive actions and the first legislative package. Many new governors refer to this as the first 100 days agenda. The first 100 days are critical to the entire term as the first actions translates the new governor's concerns, priorities, promises and visions into budgets, programs and policies. The first legislative session allows a new governor to tie the discussion of issues with the actual presentation of concrete legislative proposals. These proposals must be discussed and agreed to by the legislative branch. This negotiation is a process that is a challenging part of every administration and will take up much of the governor's time, even in states where the same party controls both branches of government.

Early executive actions also should be coordinated with legislative leadership. Obtaining advance key support and communication with legislative leadership can and should be part of every executive action. Even when you may not ultimately obtain full support, early consultation will at least allow you the opportunity to know where, and to what degree, you have tread upon issues that the legislature is also concerned about.

Experienced governors also will tell you that the time to announce your first 100 days agenda is on the 100th day, or close proximity thereto. Announcing the agenda in advance leaves great latitude for others to gauge your success. And the announcement of the success of the first 100 days should be all about progress and momentum to build public support for additional, more difficult actions that may follow.

Develop a Four-Year Agenda

Governors have adopted a variety of techniques to handle the management and communication strategies of both short- and long-term issues to ensure that policy development is a continuous cycle of activity. This allows a forward approach to issues and helps prevent surprises. One technique used by many governors is the articulation of policy themes. These themes are broad by design and emphasize the priority areas of concern that, in total, reflect a composite of the governor's vision. The themes may range from fiscal policy, to streamlining



public services delivery not provided by the private sector, to areas such as jobs and education.

By issuing broad policy themes, the new governor can provide guidance to agencies most affected by and responsible for the development of specific programs, as well as to the central management agencies. These themes also can provide the governor and policy staff with a tool to focus agency efforts, coordinate policy development, enforce management activities and periodically assess agency efforts to achieve the governor's goals. This is an approach to policy development that can be used throughout the term. Using campaign promises as a benchmark, the policy staff should quickly develop a first draft of the longer term themes for the governor's review.

Some governors package major policies under one or two umbrella themes that help focus public support for a wide range of proposals. In the name of jobs or education, for example, a large number of specific and substantive policy changes can be articulated to the voters and the legislature. This approach also can be used throughout the term to anchor the governor's priorities and accomplishments.


By issuing policy themes, even only internally, the new governor can also manage expectations. By announcing, for example, that year one will be transportation, year two will be education, year three will be workforce and year four will be natural resources, a new governor will have signaled to the team and the bureaucracy a strong set of expectations that can outline the intentions of the administration. Not everyone will be happy about this, but they will know where they stand.

Another successful technique used by governors to emphasize major priorities and vision to the agencies and the public is a State of the State publication or an annual progress report. These publications identify the major issues, provide the background and strategies being used to solve each problem and record the specific impacts and accomplishments the administration can claim. Over time, these publications can help tell the administration's story.

Establish the Budget

The state budget has been described as a "spending plan and policy tool." However, in the hands of a creative chief executive and an aggressive staff, it can be much more. Equipping the budget staff with a clear set of expectations by development of the first 100 days agenda and the themes of the overall administrative priorities will provide excellent guidance to the budget team in establishing budget priorities.

In his annual budget message, one former governor characterized the budget in the following manner: "The budget should be more than a tool...Rather,



it should be an instrument for creative government—for meeting the needs of the people.” As the days before inauguration speed by, the new governor should become immersed in the budget process and begin to look at the budget strategically, for it can be an important vehicle for achieving key objectives and preventing mistakes that can haunt the new administration for years to come.


The importance incorporating priorities up front in the budget process cannot be overemphasized; further, there is no easy way to avoid the hard choices faced in preparing an executive budget. A properly designed budget process, which incorporates priorities up front, can help the governor tremendously. If budget decision meetings or packages are presented serially, a governor may be near the end of the process having made decisions that have designated all available funds and still facing the necessity of budgeting a substantial increase in order to cover the administrations’ priorities. Or the governor may find that, having granted state and university employees a pay raise, there is no longer leeway to offer sufficient education aid to allow schoolteachers any raise at all. All of this may happen exclusive of a desire to set aside some funds for special initiatives or to fulfill campaign promises. Therefore the establishment of administration priorities as a prerequisite to budgeting is paramount.

As the new cabinet will have had little time to provide advice on departmental operations, the budget process also becomes the single most important learning tool the new governor possesses during the transition and the early days of the administration.

Sitting through long budget decision meetings may seem a waste of time given the myriad other pressures facing the governor-elect, but many experienced governors report that the learning experience was well worth the effort. A keen understanding of the budget also will help the governor decide which aspects of the overall process might be targeted for reform. One governor, confronted with multiple (10) requests from state agencies dealing with water policy, quickly targeted reforming the state’s approach to water policy as a priority.

Because the new governor will want to involve new cabinet members in the budget immediately, the budget process can be a revealing test of their attitudes, their willingness to respond to leadership and management priorities or their advocacy of special interests. Similarly, it may be desirable to involve key staff members in budget meetings or in reviewing decision documents as a learning process and as a way of sensing how the staff deal with and analyze important fiscal issues. Important to any budget review will be the inclusion of policy staff and veterans from the campaign who can provide input on the positions taken during the campaign.

All states, constitutionally or by tradition, must have a balanced budget. As a spending plan, the budget is the major way in which priorities are set among



and within state agencies. The budget is the most essential instrument to accomplish the new governor's priorities and develop management initiatives early in the term.

In the extremely busy days preceding the inauguration and during the rush to complete the first budget, it is easy to forget that the budget will be as much of an expenditure control and management tool as a policymaking and communications document. The budget does not go away after the last appropriations bill is signed.

The budget must be closely aligned with other key policy instruments. The new governor's initiatives could be substantially enhanced by close attention to tax policies and the capital budget. Strategies must also be developed to respond to questions and implications of intergovernmental funding. States must often respond to uncertainties in federal funding, which is generally not synchronized to the state budget cycle.

The new governor signals much about his or her priorities and management style through the budget process, particularly as the budget is presented to the legislature, press and public. Decisions concerning salaries for state and other public employees and the degree to which the governor is involved in management issues during the budget process will send a signal to the bureaucracy, as will gubernatorial questions concerning program justification and evaluation.


In presenting the budget to the legislature and the people, the new governor will have the opportunity to highlight proposals, express understanding of the fiscal health of the state and communicate priorities. In addition, the message can be used to set the stage for later far-reaching and difficult decisions.

Review and Understand the Revenue Forecast and Resource Availability

The budget process begins with assessing the resources at hand. There seems to be no more politically perilous activity than revenue estimation. Little is more damaging than basing the budget on what may turn out to be bad revenue estimates. The penalty is loss of credibility, loss of influence in the legislature, and very possibly early retirement.

It is extremely important for the new governor to assign a trusted aide to review the previous administration's revenue estimates. This is not to suggest that an outgoing administration would purposely over- or under-estimate revenues, but the nature of forecasting requires repeated review and analysis before final figures are accepted. In some states, revenue estimates are set by independent or semi-autonomous bodies or by other elected officials.

Even in these cases, a governor should scrutinize the forecasts because outside estimators will not be the ones forced to raise taxes or cut services if revenues



fall short. The governor should also understand the methods used to calculate any estimates and the level of confidence in which they fall. Several techniques can be employed to ensure that the best possible revenue estimates are produced and that the political risk associated with the estimation process is shared to some extent.

The governor or budget director can employ an outside group of experts to review the economic forecasts and methodologies on which revenue estimates are based and generated. This has the advantage of ensuring that a variety of viewpoints about the state's economic future are considered and breeds confidence in the final estimates, as the process of generating estimates is an open one. The disadvantage of this approach is that sensitive information concerning revenue forecasts for the upcoming years, which may imply new taxes or stringent budgets, will be widely shared and essentially in the public domain. Additionally, outside groups may focus too heavily on economic theory and not provide useful information that demonstrates knowledge about state government. Another disadvantage is that involving large numbers of people from outside the administration in setting revenue estimates restricts the governor's ability to accept and use a different estimate, one that may seem safer given economic uncertainty.


A variation of this approach is to ask the economics department or business school of the state university to review both forecasts and methodology, while keeping the actual revenue numbers within the administration. In some states, the university system regularly produces statewide economic forecasts independently, and these can be used by a new governor to check against internal forecasts and revenue estimates.

The new governor should decide early in the budget process whether to involve the legislature or legislative staff in the revenue-estimating procedure. The advantage of involving the legislature is that a consensus forecast and revenue estimate will head off possible second-guessing when the budget and its figures are presented. Involving at least legislative staff will minimize charges that question the realism of the new governor's budget assumptions. Further, legislatures may have a different perspective than the governor and be more interested in cutting taxes than managing state government.

Economic forecasts and revenue estimates will have a great deal to do with policy decisions on taxation and spending, as well as with the new governor's ability to propose initiatives in future years. The estimates will also influence a second major budgetary decision that is highlighted below.

Focus on Big-Ticket Items

After even a cursory review of the budget, a new governor will quickly discover that, as in the federal government, the governor's budgetary flexibility is



extremely limited by the interaction of four or five big-ticket nondiscretionary budgetary items. These items are usually formula-driven elementary and secondary education aid, higher education, welfare and Medicaid, state employee pay and pension funding and, in some states, highway construction and maintenance. Inevitably, the critical choices in an overall budget strategy will involve a three-way trade-off among the formula-driven items, priorities for new initiatives and reductions of existing programs.


In approaching the major budget trade-offs, a new governor will be tempted to put off decisions that will foreclose other options. Although a certain amount of honest uncertainty is valuable, putting off decisions too long will portray a weak image. Because of the importance of this first budget, its possibilities and signals, it is important to set a positive pattern of relationships and decisions. The best advice from former governors on this issue seems to be to wade in, make decisions, and be prepared to face a few mistakes. In releasing his budget to the legislature, one former governor characterized his role: “We should be mindful that this budget and the recommendations contained therein are a reflection of the hopes and aspirations of the people...as I see them. [The budget] is truly the heart of the governmental and political process of our state.”

Develop a Capital Investment Strategy

For years the state capital budget has been viewed primarily as an afterthought. Billions of dollars have been spent on everything from new college stadiums to state office buildings and new roads for speculative industrial parks or stadiums. Many states have been more interested in building new facilities than in rehabilitating or remodeling existing ones.

A governor should be investment-oriented in considering proposals for state capital construction. As a rule, requests for capital expenditures should be reviewed in relation to departmental priorities and 5- to 10-year projected needs and an analysis of long-term maintenance and operation costs. Capital budget requests also should be linked to the new governor’s priorities and should identify alternative funding options and the potential for renovating existing structures. When these conditions are met, a governor will be in a better position to ensure that the expenditure is warranted. The governor should require a budget review team to make sure that agencies requesting capital facilities have included sufficient maintenance funds, are using scheduled preventive maintenance programs and have programmed rehabilitation activities into appropriate structures.

The policy and budget staff should be required to develop a capital investment strategy. This strategy is simply the administration’s statement and policies on the investment of public capital. Once the strategy is in place, agencies will know the ground rules and priorities. The investment strategy should include some fundamental criteria:


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- Is building new facilities or renovating existing infrastructure more cost-effective?
 - Is new technology considered in building design or renovation?
 - What are the maintenance standards?
 - Should each agency/program have its own structure, or are multiple-use structures encouraged?
 - Is an economic analysis made of proposed capital expenditures?
 - How do proposed investments support the new governor's priorities?

A governor's capital investment strategy should include federally supported capital expenditures with an eye toward the overall long-term costs to the state. Decisions on capital investment should not be made independently of program, legislative and operating budget decisions but should be part of an overall strategy.

Determine Surpluses and Contingency Funds

A critical choice that the new governor and advisors must make during the budget process is the size of the budgetary balance that will be targeted. The budgetary balance (or unobligated cash balance), referred to as a surplus, is necessary to ensure that the budget will be balanced if revenues fall short and to handle cash flow differences during the year. Because tax revenues will flow into the treasury unevenly throughout the year and because large expenditures, such as school aid payments, will peak at certain times, a substantial balance is usually advisable. Before making a decision on the surplus issue, the new governor must first prepare a long-term budget plan that considers statutory requirements and reasonable, defensible budget and revenue estimations for the next five years. Many budget officers (and bond rating agencies) recommend that, if possible, state budgets should retain a balance of approximately 5 percent of general fund expenditures.

For the governor, the surplus issue is a tricky one and requires close attention. If the budgeted balance is too small, the governor runs a risk of difficult mid-course budget corrections, with possibly painful cuts if revenues lag at any time during the year. In addition, cash flow crises are likely to occur during the year, even if revenues meet or exceed forecasts. On the other hand, a large surplus will invite legislative and public outcry that the state is hoarding funds that could be used for tax cuts or increases in services and programs. In addition, the projection of large budgetary balances encourages legislators with special-interest constituencies to argue for above-budget appropriations in their areas of interest.



Most governors take a cautious approach in times of surplus, carefully weighing the pros and cons of program enhancements and tax cuts. Governors who are elected on campaign promises of returning the surplus to the people in the form of tax decreases may have a difficult time because they may find themselves proposing painful cutbacks in services and increased taxes at a later date.


Develop the “First Budget”

Despite herculean efforts and total dedication to the budget process, a new governor cannot possibly master all its intricacies or fully use it to achieve the important goals of the first months in office. Nevertheless, most experienced governors would advise new governors that priority attention to the first budget is one of the most important, if not the most important, activity that will occur during the transition period. A newly elected governor should not sit back and view the budget as already set in concrete. Although it might be tempting to let the first budget slide by and blame any shortcomings on the previous administration, this approach invites difficulty for several reasons.

First, failure to give serious attention to the first budget allows a major opportunity to slip by for articulating the most important goals of the new administration. Although the newly elected governor may restate campaign themes in the State of the State address and develop other legislative proposals, the fact is that many of these initiatives will be taken by the legislature and the press as mere rhetoric if they are not tied to resource allocation decisions. This does not mean that the fiscal impact of a proposal must be entirely spelled out, but it does mean that the budget must at least allow for the issue to be considered and must not foreclose early action on any proposal that the new governor plans to make. Moreover, the new governor must be sure that the budget does not include built-in program increases that may force the governor to either raise taxes or cut other programs in years ahead to finance plans for state policies or initiatives.

Second, simply accepting the previous administration's budget invites mischief in the legislature. A signal that the new governor plans to make only cosmetic budget changes may alert a legislator to assert his or her own priorities, implicitly criticizing the governor for lack of leadership. This approach to the budget may be encouraged by cabinet officers' appealing to the legislature for changes in what they see as unfair budget decisions from a previous administration. The appropriations process is difficult enough without this type of legislative chaos.

While a great deal of attention must be paid to the first budget, it is important not to lose yourself in the details of the first budget, forgetting the long-term vision of the office. The gubernatorial strategy most widely employed by experienced and successful governors, and repeating a common theme of transition, is to identify a limited number of issues and pursue them with every resource at



hand. This perspective looks upon the processes of government and the people around the governor as resources to accomplish the governor's goals.


Problems inherent in the outgoing governor's budget will become the new governor's problems when they come up later in the year. If funds for medical assistance for the needy run out three quarters of the way through the first year in office, blaming the previous administration will do little to calm deeply concerned recipients, doctors, nurses, pharmacists and hospital and nursing home administrators.

The new governor should spend as much time as possible on the first budget, if for no other reason than to avoid foreclosing options for the future. The first budget process that may be important to new governors in signaling their management ability as well as setting policy directions. Governors report that their understanding of the underlying processes of the budget, by which facts are developed, not only enables them to be better decision makers, but also provides an ability to demonstrate publicly (in a press conference or otherwise) their grasp of the basic state government machinery and reassures many questioners that capable leadership is being provided in difficult times.

The Legislature and Budget Issues

As nearly all governors discover as their terms progress, the legislature sees the budget as a central element in resolving difficult political questions. Many new governors, particularly those with legislative backgrounds, will be aware that the role of the budget in the legislative process reaches further than the appropriations process itself. Yet few new governors are able to use the first or even second budgets to promote their legislative goals because of the difficulty of identifying sensitive spots of diverting funds in the budget before the legislative process begins.

By assigning a legislative liaison or transition staff to analyze the previous and upcoming budgets early in the transition, the new governor may be able to find several items in the budget in which key legislative leaders are especially interested. Having focused on the few key initiatives that the governor plans to pursue, legislative staff can carefully pinpoint legislators whose support will later be necessary to carry out the program and steps that can be taken within the budget process to avoid offending these legislators. The governor has to develop the budget with care to avoid allowing the legislature too much influence to act early in the process, thereby losing leverage later and jeopardizing his or her image as a strong executive. At the very least, ensuring that inadvertent slights are not built into the budget will pay off in later legislative battles. Many sitting governors often ask, as a closing statement of budget decisions, will this be able to be approved by the legislative budget process?



The governor's participation in the budget process must be carefully and strategically developed. The governor must be highly visible in the early stages by setting priorities and listening to agency responses. As the budget takes shape, the governor must become immersed in the process to develop a coherent, consistent and viable executive budget proposal. Once the legislative process begins in earnest, the governor must step back but remain aware of all budget issues and not appear too eager to negotiate. Toward the end of the legislative session, the governor should reinstate a personal presence with a clear understanding that he or she will be the final arbiter and must retain the ability to review the final legislative product from a statewide perspective.

Executive Actions


When a governor communicates with a large bureaucracy, there should be little room for conjecture or misinterpretation of stated instructions, attitudes and priorities. It is important to use the power and prestige of the office to translate priorities into operating policies and procedures used by state agencies. This communication system must provide a method of quickly establishing a governor's leadership and management predominance. Executive actions make a very visible statement about the new governor's priorities to the vast network of state employees. Therefore a major programmatic tool for the new governor is the management and issuance of executive actions.

Executive Orders

The thoughtful use of executive orders can be an effective way for a governor to outline and direct the actions of the bureaucracy.

An executive order is a document that specifically states the positions, instructions or policies of a governor on an issue or process. Its legal power differs from state to state, and it is used for everything from designating holidays to establishing guidelines for the use of state cars or establishing budget policies. The new governor's staff should review the outgoing governor's executive order policies on such matters as state employee activities, ethics and other operational state activities.

A governor may consider different levels or categories of executive orders. An executive order series on management could cover ethics and other management imperatives. Another executive order series could specify processes for agencies' interaction with the governor's office. Finally, a series of executive orders could include budget preferences, priorities and other substantive issues. Initial executive orders (even drafts) will help establish the new governor's management commitment, interests, and visibility. A new governor may even



want to circulate draft executive orders to the agencies before the inauguration. This will provide the agencies with sufficient notice of proposed changes in policy or procedures and enlist their cooperation immediately.

Executive orders also offer the new governor the opportunity for quick unfettered action to move the new administration forward. The caveat here is that legislative leadership should be consulted in advance, as previously mentioned.

Regulation

Each state exercises regulatory functions in many areas. These regulatory activities can greatly affect a new governor's program. For instance, if it is a priority to redirect the state and local educational program to teach skills that prepare students for the service economy of the 21st century, a governor must have an honest assessment made of the state's regulatory impact upon curriculum and quality in local school districts and colleges. Regulation is a dominant force that governs much of the public policy arena.

Regulations greatly affect program implementation in such areas as health and human service delivery. Issues regarding citizens' quality of life also are dealt with by regulating air and water quality, workplace safety, toxic and hazardous substances and energy production. Traditional economic regulation occurs in the worlds of banking, insurance, transportation and trade. For some, regulation has become a force that has over-permeated society; for others, regulation is central to ensuring standards in the way business is conducted and to maintaining quality of life.

In much of the furor over regulation, regulation reform and deregulation are often discussed. Although these issues are popular and often appropriate, they should be approached judiciously. A new governor should be aware of the regulatory functions in the executive branch and consider them as potential tools for implementing policies.



BEST PRACTICE CHECKLIST: PROGRAMS

Gubernatorial success depends first and foremost on focus and a commitment to a limited number of priority issues.

Gubernatorial Priorities

- ✓ Identify three to five priorities early on and segment into achievable interim goals.
- ✓ Priorities should drive the schedule, communications, budget decisions, and cabinet and staff meetings.
- ✓ Turn campaign promises into an action agenda.
- ✓ Create an accurate budget for the action agenda and develop an implementation strategy in a sequence that considers budgetary and political implications.

Issue Working Groups


- ✓ Use issue working groups to signal a willingness to work collaboratively and include a diverse set of members to achieve program goals.
- ✓ The team approach can create or repair relationships, providing an early-warning system of complicated state operation issues.

First 100 Days Agenda

- ✓ Develop a list of initial executive actions and a legislative package to translate concerns, priorities, promises and visions into budgets, programs and policies.
- ✓ Work to obtain key support in advance and communicate actively with legislative leadership.
- ✓ Announce your first 100 days agenda on the 100th day to emphasize action and progress, build public support and build momentum for more difficult actions that may follow.

The Four-Year Agenda

- ✓ Articulate broad policy themes designed to emphasize priority areas, focus agency efforts, coordinate policy development, enforce management activities and periodically assess agency efforts to achieve the governor's goals throughout the administration.

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- ✓ Deliver an annual progress report or State of the State publication to record specific impacts and accomplishments that tell the administration's story.

The Budget and the Budget Process

- ✓ A properly designed budget process incorporates priorities up front and signals the governor's goals and management style as the budget is presented to the legislature, press and public.
- ✓ Focus on big-ticket items.
- ✓ Set clear expectations for budget staff.
- ✓ Review and understand the revenue forecast and determine surpluses and contingency funds.
- ✓ Assign a legislative liaison or transition staff to identify budget items of interest to key legislative leaders.

The Governor's Role in the Budget Process

- ✓ The governor must be highly visible in the early stages of the budget by setting priorities and listening to agency responses.
- ✓ As the budget takes shape, the governor must become immersed in the process to develop a coherent, consistent and viable executive budget proposal.
- ✓ Once the legislative process begins, the governor must step back, remaining aware of all budget issues without becoming too eager to negotiate.
- ✓ Toward the end of the legislative session, the governor will be the final arbiter and must review the final legislative product from a statewide perspective.

The Importance and Power of Executive Actions

- ✓ The use of executive orders and an awareness of the regulatory functions in the executive branch are useful programmatic tools.
- ✓ Executive actions make a strong statement about the governor's priorities to the vast network of state employees.
- ✓ Staff should review the outgoing governor's executive order policies on employee activities, ethics and other operational activities.

Pulpit

“Without promotion, something terrible happens—nothing.”

—P.T. BARNUM

The Power of the “Bully Pulpit”

One of the most important resources the governor can use to achieve his or her priorities is the “bully pulpit.” When a governor speaks, whether to the press, the legislature, on the road or through responses to constituent inquiries, focus is immediate. Techniques and tools such as the inaugural address, State of the State address, and budget message are incredibly useful and powerful communication tools.

The bully pulpit, though, is much more than the sum of these opportunities. The pulpit encompasses the entire messaging network available to the governor. While media relations is primary among those tools, other forums where the governor communicates on priority issues also constitute an opportunity to set the tone and agenda for the administration.


The bully pulpit involves, for example, continuously scanning the governor’s schedule for opportunities to articulate themes of the administration. An overall communications strategy to achieve the governor’s priorities during his or her term should be developed in advance. Staff must be aware of the key themes and look for and create opportunities to present the themes. Proactive scheduling helps create a focused effort to strategically coordinate and to present the maximum opportunity for the governor to pursue key objectives.

Using the bully pulpit effectively includes timing statewide radio and television appearances to coincide with key events in the development of critical issues such

Returning again and again to a small group of themes will ensure that the public and the legislature have a consistent view of what defines the governor and the administration.

as key speeches around the state, the calling of special legislative sessions and announcements of vetoes. The pulpit also encompasses responding to constituent mail and effective use of the governor’s website and social media.

Returning again and again to a small group of themes will ensure that the public and the legislature have a consistent view of what defines the governor and the



administration. Constantly referring to established themes from the pulpit at every available opportunity is not only necessary but a best practice for effective governors.

The Rhythm of the Office of the Governor

Using the pulpit to advance the governor's message starts with an understanding of major events that drive the rhythm of an administration: the State of the State address, the budget introduction address, the legislative adjournment message and the year-end fiscal message. Everything revolves around this cycle that is, in essence, the grand pulpit opportunities for a governor. Understanding this rhythm will greatly assist in assimilating the various moving parts of the pulpit to maximize its use. Communication strategies, web updates, cabinet priorities and even constituent mail will be driven by this basic rhythm. Understanding this cycle and how it affects individual component operations is important for everyone to consider as the messaging is developed.

The Governor's Role in the Communications Strategy

A pivotal decision to be made during transition is the role the governor will play in the communications strategy. Some governors are natural public speakers who thrive in the media spotlight. Such governors will be highly visible during their term of office, and the media strategy will focus on creating opportunities in which they can interact directly with the media. Other governors are less comfortable dealing directly with the media. They may prefer to appoint someone who acts as spokesperson for the administration in most instances. In some administrations, the governor's chief of staff and top cabinet officials serve as spokespersons. In other states, the communications director or press secretary generally speaks for the administration.

The communications strategy also should be designed to reflect the governor's style and natural talents. If the governor has a strong speaking voice and is most comfortable working from written remarks, the media relations program can emphasize the use of radio programs and interviews. If the governor is best at informal, off-the-cuff remarks, opportunities can be sought in which he or she can use that talent. In addition to clarifying the governor's involvement in the communications strategy, the communications office needs input and guidance from the governor to establish:

- Policies for engaging with media;
- The relationship between the governor's communications office and cabinet agencies; and
- Roles and responsibilities of the primary communicator.



Communications Operations

The premier component of the effective use of the pulpit is the communications operation. The role of the gubernatorial communications office is one of the most difficult and rewarding in the state house. Veteran governors and common sense will tell you that an effective communications operation is vital for a successful, productive tenure as governor.

The communications staff must work with the media to facilitate communication with constituents about the governor's actions, policies, positions and initiatives. Without an efficient communications operation, the work of the governor and his or her staff can get lost in the fast-paced, round-the-clock news cycle.

The media—whether small local newspapers or national television networks—carry information to the public about the governor's work on important state issues. The job of the communications office is to provide media with timely, relevant information about the governor's priorities and actions.


The importance of developing and implementing an effective communications strategy cannot be emphasized enough. Web-based access to information, including news organizations' websites and blogs, have resulted in a faster pace of coverage and the need for governors' offices to respond quickly.

Effective media coverage can convey the message that a governor is doing a good job and his or her initiatives have a meaningful, positive effect on the lives of state residents. Supportive media coverage can improve a governor's ability to lead by demonstrating to the public the value of his or her service and agenda. Negative media coverage can undermine a governor's efforts and could jeopardize his or her re-election.

The political implications are clear. A governor who is seen as caring, capable and an effective leader is more likely to have a long and productive career in government than a governor who is seen as detached, indecisive or ineffective. However, there are limits to what communications alone can achieve. A communications strategy cannot substitute for worthwhile progress or inspiring ideas. Nor can a communications staff convey the goals of the governor and his or her administration if not clearly outlined.

An administration's goals and priorities should be identified early and incorporated into the communications strategy. The communications strategy must be an integral part of the governor's office operations, and it must be linked closely with every other function.

Opportunities for media coverage can spring from many sources, including gubernatorial priorities, proclamations, invitations, new legislation and constituent concerns, among others. The communications office must be aware of upcoming events on the governor's schedule and emerging issues being considered within the administration.



The breadth of responsibilities included in the communications strategy will determine the size of the communications office staff. Before staffing decisions can be made, however, the governor will need to decide what role he or she wants the communications staff to play, and how he or she will interact with them.

Establish Clear Policies for Media Relations

During the transition, the governor-elect will want to task the communications office with developing processes and ground rules to determine:

- Who in the administration may speak to the media;
- Who may speak on behalf of the governor and under what circumstances;
- Who needs to review speeches, press releases and policy statements; and
- What the relationship will be among the communications office and the governor's policy development staff, the governor's scheduler, top-level staff in the governor's office and cabinet agencies.

Select the Appropriate Communications Staff

The role of the governor's communications office will depend largely on the governor's style and interests. Some governors want an assertive, proactive media relations program that offers a high media profile and includes frequent interviews, news conferences, special events and appearances. Other governors prefer a more low-key approach, responding to events that are offered, speaking through other members of the staff and holding periodic news conferences. The appropriate size for a communications office will depend on the governor's preferences and the office's level of interaction with media.

While communications staff vary from one gubernatorial office to another, there are several positions that typically comprise the communications office.

COMMUNICATIONS DIRECTOR

The communications director usually is responsible for the overall communications strategy and is a member of the governor's senior staff. As the primary communications strategist, the communications director helps the governor think through the political, governmental and legislative implications of the messages that are delivered to key audiences through the media and public events.

Some communications directors have broad responsibility and authority that extend beyond the governor's office. In a few states, the communications director hires and supervises the public information officers who work in the executive branch agencies. This approach gives the governor valuable resources and ensures he or she will not be surprised or embarrassed by something that appears in the media from an agency.



PRESS SECRETARY

Many offices also employ a press secretary (or in large offices more than one) who reports to the communications director. The role of the press secretary is to proactively disseminate information to reporters, respond to media inquiries, prepare communications materials and organize news events.

PRESS AIDE/COMMUNICATIONS ASSISTANT

Another more junior communications staffer, called a press aide or communications assistant, may report to the press secretary or communications director and perform administrative tasks such as maintaining media lists and supporting the communications staff.

A small office may *only* have a press secretary who wears all the hats described above.

Regardless of title, it is critical that the primary communications staff member can think strategically and has complete access to the governor. Ideally, the senior communications position would be invited to all major meetings, listen in on discussions that may have press implications and discuss with the governor matters such as overall administration strategy.


Although the senior communications position, almost without exception among the states, deals directly with the governor to develop media strategies and craft responses to media inquiries, it is critical that the senior communications position be attuned to the need to keep other senior staff members actively engaged in the process.

The lead communicator, whether a communications director or press secretary, is one of the few positions in the governor's office that bears a strong resemblance to its counterpart in the campaign. For that reason, many governors appoint the campaign communications director or press secretary to the administration's communications office. Other governors choose as their first communications director or press secretary as someone with a background in news media, or someone who has worked in public relations or public affairs.

Once the lead communicator is chosen by the governor, that individual will likely be responsible for filling other communications roles (with the approval of the governor) and will want to choose individuals with strong media relations, digital communications and writing skills.

Common Responsibilities of the Communications Office


Gubernatorial communications offices typically have four major roles and responsibilities. They serve as the media's point of contact, write speeches and messaging, maintain an online media presence and develop promotional materials.

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- **Serve as the media's point of contact.** In nearly all states, the communications office serves as a point of contact for members of the media who have questions about the governor's policies and actions or who want to schedule press time with the governor. The office arranges news conferences, prepares news releases and advises the governor and staff members on potential media reaction to proposed policies.
 - **Write speeches and messaging.** Most communications offices are responsible for drafting the governor's speeches and messaging. Even when this responsibility is carried out by an individual or an office other than the communications office (often the policy office), the senior communications aide usually reviews speeches and messages proposed for the governor's use. In many states, the governor's communications office also prepares and publicizes proclamations.
 - **Maintain online media presence.** Because of the increasing popularity of the Web and social media, an increasingly important function of the senior communications aide is leading online communications. Communications offices are now responsible for managing the governor's website, blogs and social media, which serve as important media and constituent outreach tools.
 - **Develop promotional materials.** The communications office is often responsible for the materials developed to promote the governor and his or her important programs, including brochures, press kits and flyers.

Web-Based Communications

The Internet provides unlimited possibilities for extending a governor's message. It provides enormous outreach potential given the capability to quickly transmit information. Web-based operations are not always a component of the communications office as they occasionally are operated by a technology agency. Because of its immediacy, it is critical that all material presented on the Internet be treated as dynamic rather than static content and updated often and only used once reviewed and approved by the governor's communications office.

- **Websites.** A well-designed and -maintained website can be an asset to any gubernatorial office. The website is a widely used resource for journalists and constituents to quickly access information about the governor's efforts leading the state. Websites provide access to governors' photos, biographies, speeches, press releases, policy positions and much more. They can also provide links to other websites that provide valuable information such as state and federal agency websites.

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- **Blogs and social media.** Because of the growing popularity of social media, many governors use these as platforms for mass communication. Governors are using new media to host statewide town halls via webcast, chat with students in classrooms, reach new audiences through Facebook, give short updates through Twitter and post videos and photos from events to YouTube and Flickr. All of these mechanisms provide the governor with many forums with which to answer questions, explain policy positions or deliver an important address to constituencies in real time.

However, constantly evolving Web-based technology is also presenting challenges for communications offices. The Web is a form of two-way communication. Websites, blogs and social media sites require constant monitoring and clarifications and responses where necessary. The blogosphere has also created a new culture of citizen journalists. This often results in more media requests for communications offices. It is important for the communications staff to work with the governor and other key staff to determine the office's strategy for web outreach and policies for participating in blogs and social media.


It is important to link the efforts of the governor's website with the efforts of the agencies in a seamless style that allows for enhancement of the overall branding of the administration.

Developing a Crisis Communications Plan

Every governor hopes his or her state will never face a statewide emergency, but emergencies do occur, even in the first days of an administration. Whether it is a ruptured dam that floods a town, an unexpected environmental emergency or major accident, the governor's office must be prepared to respond effectively to the situation. One important component of emergency management is to develop a crisis communications plan. The governor's communications office should work closely with state emergency management personnel to develop a strategy that can work in different situations from the first day of the new administration.

Some fundamental rules apply in all situations:

- The governor should be kept informed of developments as they occur;
- Before a crisis, need-to-know officials should be identified and a list with their contact information should be circulated;
- The governor should designate a single spokesperson to serve as the point of contact for all information requests; and
- A policy of dealing directly and honestly with inquiries should be put into place.



The basic groundwork for such a plan may already be available from the state emergency management agency. The governor and his or her communications staff should consider existing plans to see whether they fit current needs or whether they need to develop a new plan. It is important to do this early in the administration, before an emergency occurs. A written crisis communications plan should be distributed to every person on the governor's staff and agency personnel who will play a role in implementing the plan during a crisis.

Extending the Power of the Pulpit to the Cabinet

The governor also needs to establish the desired balance between his or her communications office and the cabinet agencies. Some of the issues to be resolved include:

- The degree of control the governor wants to maintain over the public information and media relations efforts of cabinet agencies;
- How information will move between the communications office and these agencies; and
- How the work of these agencies will fit into the governor's overall communications strategy.

Much of the governor's agenda will be carried out through the cabinet agencies that oversee various components of the administration. Many governors believe they will be judged, in part, by the effectiveness of these agencies. Every new administration will need to determine how cabinet-level activities fit into the governor's communications strategy and what role the governor's communications office will play in them. The communications office of the governor is not generally the press information center for all of state government, though in some states the governor's communications director has broad authority that extends to cabinet agencies.

At a minimum, the governor's office should be informed in advance of any potentially embarrassing problems or disclosures. The agencies also offer the governor a chance to announce positive news or show how his or her programs are working.

Many press secretaries regularly review proposed news releases and major speeches from departments and agencies.

Clear guidelines should be developed to determine:

- Exactly what news the governor wants to release on behalf of the cabinet agencies;

- How the agencies fit into the communications strategy;
- Which materials and media contacts need to be reviewed or cleared by the governor’s communications office (for example, speeches, interviews, press releases, and speaking engagements); and
- How the review process will be executed.

Even if the governor does not require cabinet officials to obtain prior approval for media releases and statements, it is critical he or she be kept apprised of all cabinet agency developments.

Two suggested tools for keeping informed about agency issues include regular written reports from all public information officers representing state agencies and regular meetings with all public information officers representing state agencies. Regular contact provides a valuable forum to discuss key issues in the cabinet agencies and learn about any cross-departmental issues. This not only informs the governor’s senior communications position, but also provides another outlet to reinforce the governor’s primary messages or seek news opportunities that otherwise might be overlooked.


In addition to coordinating the press operations of the agencies with the governor’s office communications operation, the opportunity exists to extend the power of the governor’s message by using cabinet personnel as surrogates for speaking engagements. Even when the cabinet personnel are not speaking on behalf of the governor at an event, they should be equipped with weekly talking points regarding the governor’s priorities. These can be easily worked into any speech on any topic by using the talking points as a message from the governor to share with the audience.

The Pulpit and the Legislature

The State of the State address and the budget are the two preeminent message methods for establishing legislative priorities. Legislation is needed to implement the governor’s budget and fiscal priorities, carry out routine government functions and accomplish many of the governor’s policy goals. The legislative session allows a new governor to tie the discussion of issues with the actual presentation of concrete legislative proposals.

An effective legislative relations strategy enables the governor to focus attention on, and secure support for, his or her priorities.

An effective legislative relations strategy enables the governor to focus attention




on, and secure support for, his or her priorities. It recognizes and is able to navigate the political climate in the state by identifying, creating, controlling, and reviewing executive branch legislation while intentionally building and maintaining relations with key players in the legislative process.

Managing the Legislative Process

In developing, coordinating, packaging, presenting and building support for the legislative program, a new governor has numerous opportunities to establish a strong management basis for the administration. Maintaining a proactive management stance throughout the first legislative session and those following it requires multiple important steps and processes. During the transition period, attention must focus on the following key components of building the legislative program:

- **Developing the governor's legislative program.** The legislative program should reflect the governor's priorities and political realities. Ideas for proposals can be collected through various methods and then a legislative review process must be established to evaluate whether the proposals fit the governor's priorities.
- **Controlling agency legislation.** Central review of agency legislative proposals helps ensure agency heads do not work against one another or the governor in their legislative goals. It also limits the number of bills sanctioned by the executive branch and helps ensure the development of cohesive executive branch legislation.
- **Presenting the governor's legislative program.** The inaugural address, State of the State address, budget message, special messages, and other public relations strategies can be used to focus attention on the governor's legislative priorities.
- **Selecting sponsors for drafted legislation.** Sponsor selection is important because it signals party or leadership support for a bill. Choices for bill sponsorship include individuals in party leadership, key committee chairs or other legislators who have a good relationship with the administration.
- **Providing testimony and lobbying.** The governor needs to establish policies on his or her role and the role of others within the executive branch in securing the passage of legislation. This includes deciding how the staff will promote specific legislative proposals and the role agency heads will play in lobbying and testifying before legislative committees.
- **Maintaining relations with legislative leaders and members.** Building and maintaining relations is important for the overall legislative strategy.

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- **Tracking legislation.** Legislative tracking information can serve the governor by identifying legislative proposals in conflict with the governor's interest. The process must also incorporate a mechanism for establishing agendas for meetings with legislative leadership, scheduling testimony, lobbying and other public information activities for the governor, in addition to warning the governor about key priority measures that need special attention.
 - **Reviewing legislation.** The governor needs to establish a reliable and systemic review process to determine whether to sign or veto a bill. This system can consist of a formal bill review procedure or a less rigorous analysis by key staff. The documentation created during this review process for any approval or veto message can be an important part of legislative history and provide valuable guidance to those charged with implementing the new legislation.
 - **Responding to legislation.** All states have established requirements as to when and how a governor must act on legislation passed by the legislature which the governor must have awareness. Governors can use three tools: a veto message, transmittal message or a signature message to communicate their thoughts and actions regarding legislation that has secured passage through both legislative chambers.


Veto Power and Messages

The governor's veto power can focus attention on critical issues and the veto message can mobilize support for the governor's position and identify legislative deficiencies. Veto power was not designed to be used on a whim. Historically, governors have used this powerful executive authority sparingly. A veto decision should be made when it can be reasonably assumed the veto will be sustained or the governor wants to send a strong message about his or her personal position. In addition, the decision to veto should be made with a thorough understanding of the bill, the political environment and the statutory constraints.

Building Support for the Legislative Program

In every state, traditional relationships between the governor and the legislature have evolved over time. Though building consensus with the legislature can take a significant amount of effort, obtaining the members' support is essential for successful passage of executive branch legislation.

A new governor's early action on legislative matters creates expectations for the remainder of his or her term. Therefore, activities should be carefully planned at the outset of the administration. Matters to be considered include the degree to which legislators will be given access to the governor, the extent of legislators' involvement in developing the governor's program and



how public announcements of projects or programs of special interest to an individual legislator will be addressed. Whatever relationship exists between the governor and the legislative leadership, it is vital for the governor to maintain some process of consultation and communication for legislative goals to be achieved. Communication between the executive and legislative branches is also important at the staff level to facilitate the flow of information and alleviate potential problems.

A few specific actions that can garner support for the legislative program and ward off opposition include:


- Sharing announcements or other publicity regarding actions affecting a particular part of the state with the legislator(s) from the area, members of the governor's party or legislators who have supported the governor's programs;
- Inviting legislators to participate in the development of legislative proposals;
- Endorsing other initiatives sponsored by individual legislators;
- Involving individual legislators in bill signings or other press events;
- Expediting special requests by legislators on behalf of constituents; and
- Informing legislators in advance of program budget actions, executive appointments and other events of interest to them.

Constituency Groups and the Pulpit

It is important to establish a process for handling the new governor's formal and informal ties with diverse groups outside the governor's office. Handled well, these relations become an essential part of the overall outreach process and an extension of the governor's ability to project from the pulpit. Often a governor will designate an overall outreach coordinator to handle this function. But constituency outreach must become part of everyone's job description. While the activities associated with handling constituency groups will vary widely from state to state depending on the organization of the governor's office, the activities should focus on the following:

INTERGOVERNMENTAL RELATIONS

- Liaison with the state's congressional delegation and local elected officials, implementation of the governor's policies with respect to federal legislation and other intergovernmental issues;
- Access and links to information about federal and local policies and the state's role;

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- Establishment of relations with other states and multistate organizations; and
 - Development of relationships with national organizations such as the National Governors Association and the regional governors associations.

RELATIONS WITH OTHER STATE OFFICIALS AND BRANCHES

- Establishment of close working relationships with other elected state officials such as the lieutenant governor, attorney general and the state treasurer;
- Development of systems for monitoring the activity of the legislature and judicial body; and
- Establishment of methods for dealing with personal contacts and requests regarding legislators.

RELATIONS WITH INTEREST GROUPS

- Development of methods to coordinate with major interest groups;
- Determination of how much input major interest groups should have in decision making; and
- Determination of how much access interest groups should have, and under what circumstances, to the governor's immediate staff.

Constituent Services

Initially the quantity of mail received in a new governor's office will usually be three times the volume of the previous governor's mail. Maintaining effective contact with the public is extremely important for any new governor. The manner in which mail, telephone calls and other contacts with the public are handled during transition will have a great deal to do with whether the administration is initially perceived positively by citizens. Moreover, how constituent services are managed presents an opportunity to the new governor to integrate this one-on-one communications opportunity into the overall messaging.

Managed properly, it is possible for the governor to reach many thousands of people each year through the mail and other direct public contacts. During transition and initially upon taking office, mail can mount up and cause difficult problems throughout the term. During transition, it is important to obtain an understanding with the outgoing governor's team as to how letters arriving in the last days of the administration will be handled. The new governor, through the chief of staff, should ensure that the office establishes effective systems for



routing mail and answering it promptly. Mail can generally be divided into the following categories:

- Personal mail for the governor;
- Important business mail;
- Issue-oriented mail;
- Casework mail;
- Invitations and scheduling mail; and
- Miscellaneous mail.

Each category requires a different process. However, issues-oriented and casework mail present an opportunity to respond not just to the issue addressed, but also to the overall message relating to the governor's priorities. For example, if a constituent writes concerning an environmental issue, personal information should be tagged and noted for future opportunities, should a major environmental announcement be made.

Subject areas can be monitored as can responses to speeches and legislative proposals. If monitored correctly, constituent mail becomes an early-warning system of problem areas in the agencies or with the administration. By developing positions on key issues and incorporating them into letter texts the governor can better communicate priorities to those who write. In dealing with issue mail, it is expeditious to use standard letters or merged paragraphs with the governor's signature. This ensures consistency and helps the governor reply to citizens as quickly as possible. The mail becomes a critical source of names that can be gathered in a database that the governor can use to communicate with constituents proactively on issues as they are addressed by state government.

Many governors combine correspondence and constituent functions into a "constituent services" section of the office. The purpose is to provide a liaison between the governor's office and the public. Constituent services, beyond mail, may encompass activities such as:

- Casework functions;
- Hot lines and toll-free numbers;
- Public relations programs to bring the governor close to the people (for example, town meetings or Capitol for a Day programs); or
- Other functions, such as executive proclamations and state flag requests.

At a minimum, a constituent's request must receive a timely answer indicating that the governor has received the request or comment, understands the need or problem and will try to do something respond appropriately as soon as possible. One way to accomplish this is to immediately acknowledge the communication with a short letter over the governor's signature or that of a staff assistant.

Routine mail can and should be referred to appropriate agencies with instructions to draft replies for the governor's signature or to answer letters on the governor's behalf.

BEST PRACTICE CHECKLIST: PULPIT

The bully pulpit is one of the most important resources the governor can use to achieve his or her priorities and encompasses the entire messaging network available.

The Rhythm of the Governor's Office


- ✓ The rhythm of the governor's office revolves around a natural cycle of pulpit opportunities: the State of the State address, the budget introduction address, the legislative adjournment message and the year-end fiscal message.
- ✓ Constantly referring to established themes from the pulpit at every available opportunity will ensure that the public and the legislature have a consistent view of what defines the governor and the administration.

The Governor's Role in the Communications Strategy

- ✓ The communications strategy should be designed to reflect the governor's style and natural talents.
- ✓ The administration's goals and priorities should be identified early and incorporated into the communications strategy.

Developing an Effective Communications Operation

- ✓ Communications staff must be closely linked with every other operation.
- ✓ Establish clear policies for media relations, determine the desired communications approach, develop a crisis communications plan and establish key communications staff roles and responsibilities.
- ✓ Platforms such as websites, blogs and social media provide unlimited possibilities for extending the governor's message.

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- ✓ Communications staff should enhance overall branding and create a seamless style for the administration by linking the governor's office with cabinet agencies.
 - ✓ Decide how to use personnel, the cabinet and agencies as surrogates.

Creating an Effective Legislative Relations Strategy

- ✓ An effective legislative relations strategy should focus on and secure support for the governor's priorities.
- ✓ It is vital for the governor to consult and communicate with the legislative leadership for legislative goals to be achieved.
- ✓ Communication between the executive and legislative branches also is important at the staff level to facilitate the flow of information and alleviate potential problems.

Handling Constituency Groups

- ✓ Determine how to handle the new governor's formal and informal ties with diverse groups outside the office.
- ✓ Outreach activities include intergovernmental relations, relations with other state officials and branches of government and relations with specific interest groups.

Developing an Efficient Process for Constituent Services

- ✓ Mail, telephone calls and other contacts with the public will determine how the administration is initially perceived by citizens and provides an opportunity to maintain effective contact and communicate gubernatorial priorities with the public.
- ✓ Effective systems should be established for routing mail and answering mail promptly.
- ✓ If monitored correctly, constituent mail becomes an early-warning system of problem areas in the agencies or with the administration.

Conclusion

The transition period for a new governor has often been described as the most intense period of an administration. For the entire period, the process seems chaotic and takes on a life of its own. This document is an attempt to take the best of the best from veteran governors and recognized veteran staff to develop an overarching, high-level view of the essential elements that must be addressed during transition.

Successful governors are principled and disciplined leaders who remain in touch with their constituents and choose a few compelling priorities that everyone in the state can work to achieve. Where possible, glimpses into the effect early transition decisions will have on the governing of the new administration have been included.

Not every question that may arise about transition is answered in this document. However, if this document provided you with some solace that you are not alone and that there are resources available from NGA and your fellow governors to guide you during transition, then *Transition and the New Governor: A Planning Guide* will have succeeded in its mission.





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