

Q #1:

The biggest problem is candidates who will not participate in the debate. This leaves their opponent out of the program also, which is very frustrating to all concerned. Can we allow a candidate to make a statement if their opponent is not there, if we do not call it "a debate?" What else can we do?

Empty Chair Policy: If there are only two candidates and one fails to appear, then you can:

- a) Announce at the to the constituents of the candidate's unwillingness to participate and Empty Chair Policy, state facts.
- b) Convey to the audience that due to the Empty Chair Policy a forum can not be held, but you can allow the other candidate to make an opening statement only.
- c) If you have a Voter Guide that has videos of the candidates' responses to questions, you can also inform the audience of your Voter Guide for them to view.
- d) Outside of the forum room, constituents can ask candidates questions. However, it is not recorded or usually heard by all.

Q #2:

What approach do you suggest for this October if we cannot gather a large crowd due to the coronavirus? What platforms are best for a virtual approach?

You can create a Voter Guide type of video and interview each candidate separately then videotape. However, the preferred method is via teleconferencing a webinar via Zoom or other similar application.

Q #3:

Do we need participants, volunteers, and any possible audience members to sign a legal release form for Covid even if we follow state Covid guidelines for forums and meet & greets?

Phase I-IV guidelines will vary state by state, even locally. So confirm the existing phase and be aware the phase you are currently in may go up or down depending on your Governor or local officials. Additionally, I am prefacing my response by stating, I am not a lawyer and ultimately this is a legal question that must be answered by a lawyer.

If you plan on having in person events, whether or not you need a legal release form signed, then:

- *masks are required of all candidates, volunteers, and constituents,
- *social distancing is required,
- *think about having it outside, if weather is predicable in your geographical area,
- *hand shaking and other forms of contact when meeting persons are prohibited,
- *use of a stage, or strategically placed tables, are needed for the candidates,
- *spaced apart seating is required for constituents,
- *sanitizers and disinfectants need to be available before, during, and after the event
- *a professional cleaning crew may need to be considered before and after depending on the venue,
- *signs would need to be posted identifying all social distancing and mask requirements be met

With all that being said, convincing candidates, volunteers and constituents to attend may your biggest hurdle even if you took all the precautions, and then some, above. My recommendation is to have a virtual meet-and-greet this election season, or a recorded Voter Guide, to avoid all of the medical and legal hurdles of having in person events.

Q #4:

Will this caucus be recorded for later viewing?

Yes, we will provide the link after the caucus.

Q #5:

Can you give ideas how to get all candidates to accept invitation. We hold too many Forums with just 1 party showing up. Sometimes incumbents decide it is strategic for them to deny the challenger a forum. What should we do about that?

First, it is important to have an RSVP date so you are not waiting for them the day of to find out if they are participating or not.

When I speak with campaigns to let them know a forum is impending but a date needs to be established, I make subtle comments about the long standing history of the LWV and the value we bring to educating voters in a non partisan manner. Most politicians are aware of who we are, but if they are not, then they can be gently reminded of the following:

- *We are a well-established 100 year old, non-partisan organization
- *There is widespread knowledge of who we are and the value we bring to the community
- *We are trained to be non partisan and are committed to adhere to these high standards
- *The non partisan basis ensures a neutral forum
- *Moderators ask the questions, questions are not directly asked from the constituents
- *Many constituents have requested the forum and are expecting one
- *Many constituents use the forum in order to educate themselves before they vote
- *When a candidate is non responsive, or refuses to participate, it negatively affects the prospects of getting votes and is a disservice to the voters
- *There have been several inquiries by the news media asking if they will be participating
- *There have been several inquiries by constituents asking if they will be participating

Hopefully these facts listed above are enough to convince them of the need to participate by the RSVP deadline.

If they state they are already doing other debates by the local news, editor's interviews, or another group's meet and greet, then you can clarify that a LWV forum is not like any other and participating is expected by the very constituents they want to represent. The LWV forums are unique compared to other candidate events because:

- It is moderated by a trained LWV moderator that is not a constituent of the race in question (local races)
- It is held within the district that makes it easily accessible to constituents
- Constituents can submit questions for the candidates to answer
- It is videotaped from beginning to end, unedited then publicized for all to view

The League has found that voters find value in attending a live event in their district and constituents have a chance to submit questions. The League's candidate forums are videotaped from beginning to end and made available for all to view.



Q #5 continued...

Per Judith S. Davis 2nd VP, LWWUS “Our response [to candidate non-responses and failure to participate] must be swift and public to get our message out and reframe the issue to put the voters/constituents and their concerns first -- where they rightly belong. These candidates are running for an elected office to serve the people of their district; their salary is paid by the tax money of their constituents and there is no viable excuse for them not to meet these people face to face for an hour or so to answer questions and state their positions about the issues that concern the community. Why wouldn't they want to, if they have nothing to hide? The one who is elected will be helping to make decisions that govern the lives of their constituents so there is every reason for those constituents to make sure they have the information they need to make a good decision about who represents them. A candidates forum or debate can clearly be seen as a job interview. Who gets to refuse a job interview and still get the job? Campaign stops, glad handing, ads, flyers and stump speeches absolutely do not serve the same purpose.”

Q #6:

How do you handle issue of candidates refusing to participate (not having a previous conflict)

Refer to answer in Q #5

Q #7:

Do you know of materials for moderator training?

Contact your local league, county league, or state league for Moderator training. They should have moderator training with the needed forms used while moderating. If these documents do not exist, then you can check out the LWWIL website for samples of typical moderator documents. Scroll to the bottom of the page for the Voter Service documents, you can find some moderator documents there.

<https://www.lwwil.org/resources-for-leaders.html>

Q #8:

So a candidate running a write-in campaign is not eligible for a LWW forum?

In Illinois, the write in candidate needs to get certified to be a write-in candidate. Until the candidate does, he is not considered a candidate for which vote cast will be counted. Check with your local laws regarding qualifying to be a write in candidate. If the write in candidate meets those criteria, then they may participate.

Q #9:

Forums are required to be face to face. Does Zoom or other similar technology meet that criterion?

The FEC includes the term “face-to-face” in the debate definition. In both debates and forums, candidates usually are on a stage and speak to the audience. While Zoom does not allow them to be physically face to face, the gallery screen allows the constituents and candidates to see all candidates' faces, concurrently.

Q #10:

What if you have more that 2 candidates and only 1 chooses not to participate?

If you have three or more candidates and one decides not to participate, but the others do (where you have 2 or more who share the stage), then you can hold the forum. I had four candidates, two bailed,



then I was left with two. I still went on with the forum. Just can not have one person on the stage by themselves.

Q #11: One candidate brought a clique of HS students who sat in front rows, hid signs with their candidate's face on sticks and then waved them at the opponent when he was speaking. The moderator had to pause and I confiscated the signs. Then a woman in the front row would hiss at the opponent every time he tried to speak. Moderator stopped her. Later people came up to me and said audience members were making abusive gestures at the opponent and mumbling under their breath when he tried to speak, making people uncomfortable.

I have had similar experiences. It is disheartening when people have no respect for the hard work that is put into making the forum neutral. You can have your volunteers scope out people when they come in, but that only minimizes the risk, it is not a preventative measure to control people's behavior. Just because it is a public forum does not mean they have the right to create an un-neutral environment. You could ask the candidate to plea to the constituents to behave themselves. You have every right to escort these people out if they repeat the offense. Security may need to be arranged. If it continues to happen with the same candidate's supporters, you may want to have forums without the public present for that particular race, and have constituents submit questions to an email or on a social media account. Our duty is to educate voters in a non partisan way.

Q #12:

Do you have any guidance on how to manage candidates forums for at large vs. district vs. other types of locations?

Need clarification on your question, are you referring to different types of offices? All forums are the same format no matter the race in question. Please email me if this did not answer your question

Q #13:

Do you have an example of a candidate forum request protocol that you can share?

I included in the handouts the timeline of tasks this give an idea of how much time I usually ask for when preparing forums. Here is a sample Candidate Forum Request Protocol (Steps 1-6) below that can be modified to fit your needs:

Step 1: Determine candidate filing deadline date and number of weeks until election

Step 2: Determine deadline date needed for forum request submissions and relay to league members.
I usually ask for 8 weeks from the time the request is submitted to the day of the forum if it is a Congressional Representative race. For local races, it may only be 6 weeks needed.

Step 3: Determine which races will be contested that fall within your geographical district

Step 4: Contact adjacent leagues to ascertain if they are contemplating forums for races where you share an office

Step 5: If there are multiple contested races, issue to your communication committee to post to local league website and/or social media pages a notice to constituents to submit a request for a forum with a deadline date to submit requests.

Step 6: Create a poll to determine which race(s) has the most interest, if you have limited resources



Q #14:

How to you deal with unauthorized filming and posting?

I start out by either myself, or the moderator, clearly stating in the LWW opening statement at the beginning of the forum that:

“The LWW is videotaping the forum from beginning to end, unedited, and will be made available to the public for all to see. If people in the audience film it while the forum is going on, it can be disruptive. Therefore, out of respect for all the hard work that went into the forum and to ensure there is no improper use of the forum, we respectfully request to leave the filming up to the professionals. We thank you in advance for your understanding.”

Most will oblige. I have had a few constituents state I am trampling on their First Amendment rights, but after I assured them that the forum will be filmed and made public and I will send them the link of it to them, then they calm down and they are free to learn information about the candidates and their positions. You can't prevent, only relay supporting reasons why your are requesting they do not.

If the posting is from a candidate's campaign I usually have luck asking it to be removed or corrected when I produce a Ground Rules document signed by the candidate. If a constituent does end up filming and posting their own segments of the forum, I'll request them to remove it, but may not have as much luck as they did not sign the Ground Rules document.

Q #15:

How do you prevent attendees from recording the forum on a phone and then showing only portions of it on FB or other media?

Refer to answer in Q #14

Q #16:

More time or less time to organize virtual forum?

The planning is generally the same, though now I have a slight learning curve with the virtual details. However, the day of the forum, way less time!!!

Q #17:

Can you have local news media (e.g. a local TV station) attend. They will then show just a portion of the event on their nightly news program. Is this acceptable?

The media can attend. If it is a conventional forum and you expect a lot of media present, make sure to create a media list so when they come you can check them in. Also, you may want to reserve a few seats for them, front and center, so they can hear and see well. Regarding virtually, they can be an attendee. In either scenario, as they are news media, they are allowed to tape the forum, play portions of it on their shows or quote portions of it in their articles. It is acceptable for news.

Q #18:

How will you be doing your forums in the time of Covid?

The last part of the presentation included slides to help the decision making process. If you need more information, please do not hesitate to contact me



Q #19:

We had a forum and a candidate supporter recorded with her phone and posted it on YouTube. Bottom line - it was a public event and they had the right to record it.

You are correct, they have the right to record a public event, but you can always respectfully request they leave it up to the LWW to tape and post. There are additional suggestions listed in Q #14 answer.

Q #20:

A local radio station asks our small local league to participate in a "community conversation" with 6 candidates for 3 school board positions. Suppose this arrangement doesn't meet all the requirements of a LWW forum. Can we participate?

Which requirements are not being met, I need more information. If it is not a forum, rather a meet-and-greet, you may be able to continue to participate. It is important the local radio station does not end up endorsing a candidate or a slate, then that may increase risk that the LWW would appear partisan. You can probably work out a viable co-sponsorship, especially if they do not endorse candidates.

Q #21:

We allow candidates to bring campaign materials but they have to place them on a particular table OUTSIDE the room. Is this considered okay?

Yes! Make sure they are not handing out literature as constituents are walking in the forum. The literature must be outside the forum room and can be distributed after the forum ends. Make sure to tell the candidates to clean up after themselves or any literature left behind will be thrown away.

Q #22:

How would we give time warning in zoom webinar?

Either the host or an assigned co-host can have the time cards that say 30 seconds, 15 seconds, stop, etc and hold it up while they are visually seen in gallery view. You'd have to have a practice session with the candidate quickly so they can get used to paying attention to the person that hold up the signs to let them know how much time they have that remains. Alternatively, if you do not have those materials, the moderator will have to politely state that time is up when the candidate runs out of time. Refer to Q #23 question and answer.

Q #23:

We are planning on using a digital clock counting down the remaining time for the speaker and are making it the responsibility of each speaker to monitor their time and stop on time. Is this ok?
Thanks

That is an excellent idea! I imagine the success depends on practicing with the candidates and the ability of the candidates to not get distracted while they are speaking and within the time. This is new waters for all of us, so any idea is definitely worth a try. Thank you for sharing! Please let me know how that works.

Q #24:

Do all state Leagues have this for map or similar for their local Leagues and ILOs

I am not sure, I have not checked other states. It is a VERY handy tool I am grateful for the cleverness of the LWWIL to have that visual and email links. It helps tremendously. Also, your state league may have a list of federal and state districts that include the local leagues within each geographical district as some may overlap and/or cover multiple districts.

Q #25:

Will the slides be available? What is your email address?

Yes, I recorded it and it will be made available for later viewing in addition to the chat transcript and Q&A. mlieb@macbrady.com

Q #26:

Do you allow everybody to clap at the end for ALL candidates?

Yes!

Q #27:

In my experience the panelists (candidates) can see the questions in the Q&A. Is that true with all platforms?

I stated that you want to ensure that the panelists (candidates) can not see the questions being submitted. You are correct, I think there are some platforms that do not give you the option to keep the questions from the candidates. If this is the case, then you can ask them to be on the honor system and not look, or you can acquire questions from constituents for the forum in advance so they can not see the question ahead of time. Zoom webinar can also be streamed to Facebook, so you can get prohibit candidates seeing questions if questions are submitted to your FB messages or email address.

Q #28:

We do have a videographer who livestreams the forums to Facebook and posts them on our website. But I am uncertain how we proceed with these guidelines. None of our short list of moderators is tech savvy, and our tech savvy president is not a moderator and unwilling – so far – to learn. Is the teleconferencing option really an option or is it a requirement? Now that Illinois is in Phase 4 of the Pandemic restrictions, group meetings of 50 will be allowed with social distancing. If everything falls into place, can we hold a live forum with video available on Facebook and our website for those who feel unable to attend? What about no audience, taped debate with social distancing (at a large venue in at a TV studio). Or Partner with TV station(s) to live broadcast debates with moderator in the studio and candidates joining by Zoom.

If IL will be going into phase IV soon and the candidates are willing to participate, you can videotape them, then publicize. I am not sure about having constituents present yet though. Also, if you get a subscription of the webinar and practice, webinars are not really so bad. I have had many league that just had their webinar primary forums and said after doing a forum via a webinar, it was easier and they prefer it! Use of webinar is not mandatory, rather preferred and recommended. If you can find a way to make it work in person, you can still try but must to be savvy and meet social distancing, mask and sanitizing requirements, you can certainly try that way. If you have a TV studio willing to do local forums, that will work too. Refer to Q#3 too.

Q #29:

Why can't we send invites to an incumbent's official email or address of the office they hold?

If you are sending forum invites, you can call their official office to obtain their campaign email and/or address to send the invite to, you can not send an invitation to a forum to the email or physical office they hold. You do not want to be in a position where someone accuses the LWV or the incumbent of using their office for political gain, therefore, the invite must be sent to their personal address or campaign address.

Q #30:

What do you mean by "never give your opinion"? Can the League spokesperson make it clear that the League encourages all candidate to participate because we believe that candidate debates and forums provide voters with a valuable opportunity to compare the candidates side-by-side during an issue-based public forum?

What I mean is this, you may be asked to surmise why candidates don't participate or are non responsive in interviews. An opinion as to why a candidate is non responsive or ignored the LWV, you can not answer that question. Rather state the dates and times of the correspondence. If you give an opinion on candidates, you may leave yourself open to being accused of being biased or partisan. You can express your disappointment and hindered efforts to educate voters. Unwillingness to participate is a disservice to voters. Have a prepared script or know your facts to help you appropriately answer questions if asked.

Q #31:

Do you co-sponsor with other civic organizations? With local universities? PTA? About venues -- are houses of worship okay?

Yes, it is ideal any organization you with or co-sponsor with does not end up endorsing any of the candidates. It is always good to ask an organization if they have ever endorsed candidates in the past to gauge whether or not to co-sponsor.

Q #32:

What if non-partisan groups (e.g. Chamber of Commerce) endorse candidates?

Technically they are partisan if they endorse candidates in the eyes of the LWV. I had a local community group in IL claim they are non partisan because they are not supporting a democrat or republican, thus definitions of non partisan may vary from one organization to another. It happens when you have local level races where there is no official "party" The LWV has a strict definition of non partisan and that means never endorsing a candidate.

Q #33:

What's your position of letting candidates stand when speaking?

I encourage everyone to sit by staging the forum with a table and chair for all candidates. I have never had a candidate insist on standing. Unless there is a medical requirement to stand, I would encourage the candidate to sit with the others so as not to be a distraction and to allow ensure the recording of the forum is not compromised by making the videographer move with candidate in motion.



Q #34:

Does LWWIL co-sponsor local League candidate forums for state level and state-wide races? If so, what does that co-sponsorship entail?

We have co-sponsored with local news for statewide forums. Generally as it is in a studio downtown Chicago. There is limited studio seating, thus there are no constituents present. Questions are predetermined by the LWV and news. The LWV usually has volunteers present to be the timekeepers and stay by each candidate in the green room until time to lead them to the studio. The moderator is a news anchor and the taping is naturally taken care of. The LWWIL, along with the local news also publicizes the forum to ensure the public is aware. For more specifics of the many other duties behind the scene leading up to the forum, please email info@lwwil.org and they will get you in contact with the person that organizes statewide races.

Q #35:

If it is NOT a federal office, can the LWV create clips from a forum (focused on each candidate or each issue discussion) to share via You Tube and social media?

It is best to follow FCC rules no matter which race. When you start to edit videos, you leave yourself open to be accused of putting one candidate in a better light than the other. The best way to stay neutral is an unedited recorded from beginning to end.

Q #36:

May we get the specific FCC regulation reference about the posting only the full, unedited recording

<https://www.fcc.gov/media/policy/statutes-and-rules-candidate-appearances-advertising>

Section 73.1941 [47 CFR §73.1941] for broadcasters and **Section 76.205 [47 CFR §76.205]** for cable

Additionally there is an Equal Time Rule, therefore if we edit any part of the forum we leave ourselves open to be accused of being partisan and censoring what was edited out.

Q #37:

Our candidates have never had a problem with the moderator being a constituent. Can you talk more about why you think this is important? For a League that covers only one city, how can you have a moderator who is not a constituent for (for example) a city council forum? Why must the moderator not be a constituent? If it's a state office, how can you have a moderator who is not a constituent?

If you have difficulty finding a Moderator outside of the area, then you do not have a choice. The advantage when you have a Moderator outside of the area is they have no stake in the results. It is just a cleaner means of having a forum, reduces risk of a candidate claiming favoritism, especially if they have a bad appearance in a forum. For state level races, we have had local news anchors be the Moderator, though they are constituents too.

Q #38:

What if the candidates want a non-league moderator?

I'd need a valid reason for not having a LWV trained Moderator. It is not good practice to allow candidate to dictate how the forum is run or who to staff it with. It leaves you open to be accused of being partisan by the other candidates.



Q #39:

If we are joining with other organizations to plan and sponsor a forum, do we still use all the League banners, etc.?

Yes! We need to make sure the LWV are associated with non-partisan forums. Additionally it spreads the word on who we are. I have had many constituents come up to me after forums asking more about our organization. It is our forum, we need to advertise who we are.

Q #40:

How can we get a listing of Leagues already doing virtual forum and pro/con?

I'll provide the transcript of the chat room in addition to the Q&A. Leagues who have already performed virtual candidate forums indicated so in the chat and some can be found in the 2020 Convention Award Nominees. I'll work with LWWUS to create a group for discussion and support for virtual forums. I will email the info to attendees who can then forward to their voter service if they are not in voter services themselves.

Q #41:

For zoom forums how do you make sure that all candidates have "equal" tech i.e. visuals and sound? what happens if a candidate loses their connection?

Relay the technical equipment and software needed to the candidates. Perform practice runs. If the candidate loses connection, they should be able to re-connect quickly.

Ron Bandes noted: Not all candidates had equal tech, i.e., some used computers, some tablets, and some smartphones. We advised candidates not to use phones, but some did. We did provide a document of Zoom settings and other advice to optimize their appearance in the forum. Kathy Meany noted: We held 30 min. virtual practice sessions with all candidates to review presentation skills, backgrounds, and bandwidth. We advised all to close out of all apps and emails, and to ensure the family stays offline during the forum timing. This helps bandwidth issues.

Q #42:

What is the penalty for breaking the Ground Rules? The Indiana Debate Commission gave up on the rules r.e. using clips to make ads because it was so difficult (and expensive) to enforce. Have you ever required legal counsel to enforce the restriction?

They broke their word, violated a signed agreement, and did not honor their commitment. While the probability of legal proceedings is practically non-existent, having a politician breaking their word during a campaign is not a political risk most will take. So, most will correct the errors of their ways once notified. Veda Florez noted: Youtube is great about deleting video-just dispute the video. We consulted legal council but felt it was not worth the time and money to pursue.

Q #43:

What if the event cosponsor doesn't want to let the press know that a candidate is unwilling to participate

What's their logic? Letter to editor, press interviews, etc are critical tools. It is the voters right to know.

Q #44:

I think your plan to interview the candidates individually violates some of the legal issues raised in the documents you provided.

When I stated interview candidates, it is meant to be a Vote411 or Voter Guide, not a really forum. My apologies if I was not clear. Thank you for raising the concern.

