



*Knowledge is the key to open new doors*

Technical Assistance Guide

# Consumer-run Businesses and Services

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## Introduction

A major accomplishment of the mental health consumer/survivor/ex-patient movement has been the growing array of consumer-run businesses and services that we have created. By “consumer-run businesses,” we mean organizations planned, directed, and staffed by consumers, survivors, and ex-patients, whether or not the organization is run for a profit. “Consumer-run services” are an important subset of consumer-run businesses and refer to organizations run by consumers for the purpose of providing services to other consumers. Such services fill a vital need: people with psychiatric disabilities can seek support and counseling from peers in the most supportive and responsive setting possible.

When the movement began, most consumer-run groups took the form of informal self-help groups. Indeed, the very philosophy of the movement suggested that less structure is better. However, we cannot deny that early efforts were inhibited by a lack of support—especially financial support—for consumer-run businesses. Groups were often limited to weekly meetings at borrowed spaces, such as community mental health facilities.

As the movement grew in strength, consumers demanded—and began to receive—increased funding for their groups and independence from the mental health system. More and more consumer-run services began to expand the range of support and counseling that they offered. A typical example is the “drop-in center,” which provides a supportive environment and socialization opportunities for consumers, as well as regularly scheduled events.

Today, groups of consumers throughout the country have started an impressive variety of businesses and services. Most businesses that identify themselves as “consumer-run” fall into the category of services for consumers, such as self-help centers, advocacy groups, vocational and computer training, and respite care. However, consumer groups have also formed businesses that provide services to consumers and society at large: examples include restaurants and video production companies. As you read this Technical Assistance Guide, you’ll hear from consumers throughout the country who run all kinds of businesses. You’ll draw inspiration from their successes, learn from their setbacks, and hopefully begin down the path to start or expand your own consumer-run business.

We’re sure that by the time you finish reading this Guide, you’ll see the value that consumer-run businesses add to consumers’ lives and to society as a whole. But you’ll also realize that starting and running a business is a lot of hard work. You might wonder why you should start a consumer-run business.

There are many reasons, both selfless and selfish. Consumer-run services in particular fill a void for many people who either don’t have access to treatments or feel that traditional treatments don’t respond to their needs. The “selfish” reason is that starting and running a business is a major accomplishment, one that you can be proud of and consider a milestone in your recovery process. As you find success, you’ll also demonstrate to the

world that recovery is possible and that consumers are capable of running successful organizations.

As you read this Guide, you'll take part in a discovery process that will help you decide whether starting and running a business is right for you. Carefully consider the demands and rewards, and also think about the type of business that you'd like to start.

You'll have many decisions to weigh: whether to start a consumer-run service or another type of business, whether to start a nonprofit or for-profit business. This type of decision will not be solely a matter of personal preference. You'll have to consider what types of grants (or in the case of a for-profit business, loans) are available to you: oftentimes, funding is available to start a particular type of service, and you'll want to take advantage of the opportunity.

Most importantly, as you read this Guide, draw inspiration from the consumer leaders who've shown that with dedication and hard work, consumer groups are able to start successful organizations that achieve all kinds of goals. And as you try to build or expand your organization, remember that you'll have many role models within the movement as sources of support and advice.

## Getting established

Getting your consumer-run business off the ground will take hard work and dedication. But at the outset, it requires research, planning, and reflection. Some of the first steps you take will determine how successful you'll be later down the road, so you're better off doing as much advance research as possible.

Your first formal step in creating a consumer-run business will be to develop a business plan, and that's where we'll begin our guide. However, we highly recommend that you carefully read this guide in its entirety before writing your business plan—many of the issues discussed here will help you define your goals and write a better business plan.

### ***Developing a business plan***

Even if you already have a great idea for a business or service, you'll have to formalize your idea into a business plan before you'll be able to go very far with your idea. Don't be intimidated by the idea of doing a business plan. Your business plan *can* be as simple as an informal outline of what you hope to accomplish and what resources you'll need.

Although it's easy to do an informal business plan, you'll do yourself a favor by doing as detailed a business plan as possible. Doing a detailed business plan is not as complicated as you might think, and the more planning you do in advance, the more likely you are to obtain your initial funding. More importantly, advance planning will make your business run much more smoothly and greatly increase your chances of success.

For help in writing your business plan, consult Appendix A; the four basic parts of a business plan, as laid out in Appendix A, are as follows: 1) the description of the business, 2) the marketing plan, 3) the financial management plan, and 4) the management plan. If you read through this Clearinghouse guide before you sit down to write your business plan, you'll understand more about each of its components. We also highly recommend that you take advantage of the U.S. Small Business Administration (SBA) and other government resources listed in Appendix F, in addition to the services of state and national technical assistance centers.

Once you've developed a business plan—no matter how tentative—you should review it carefully to make sure that your goals are realistic and that you are putting your energies to the best use. Some of this can be done on your own: look at what you've planned and see if it makes sense: will you be providing a service or product that people really need (and if applicable, will be able to afford)? Will you be able to survive on the budget you've planned? Will you be able to attract enough members, clients or customers?

More importantly, seek feedback from others who have run businesses, whether for-profit or nonprofit, consumer-run or otherwise. People who have run businesses, especially

those who have started them, know what it takes to get businesses running and keep them running successfully.

By seeking feedback from people who've run businesses, you'll have better insight into whether your revenue projections are accurate, whether you've budgeted enough for items such as payroll and insurance, and other key matters. You should be able to find free help from organizations such as the Service Corps of Retired Executives (SCORE). For information specific to non-profits, you can locate a state nonprofit association through the National Council of Nonprofit Associations (NCNA). (Each of these organizations is listed in Appendix F.) You can also look for a local United Way in your phone book.

You'll also improve your chances of success by seeking feedback from other consumers who've headed up consumer-run businesses. You might consult with consumer leaders in your community, and if you're not sure whom to contact or would like more contacts, the Clearinghouse would be happy to provide you with additional names and phone numbers.

### ***Types of businesses***

Obviously, an essential consideration as you start your business is what type of business it will be. Most businesses that identify themselves as "consumer-run" are nonprofit businesses; however, there are two important sub-groups of nonprofit businesses of which you should be aware.

Many consumer-run businesses are nonprofit, tax-exempt corporations. They are *independent* businesses that do not pay taxes. They also offer "limited liability" to their organizers, which means that a person must sue the corporation itself rather than the individuals who run it.

Other consumer groups start programs that are *affiliated* with existing nonprofit agencies. As you'll see, this type of arrangement offers both advantages and drawbacks, and you'll have to carefully consider whether this course of action is the right way to go.

Of course, you might decide to start a for-profit business. If you have an entrepreneurial spirit, you can start any of a wide variety of business, and there are many supports available to people seeking to start small businesses.

### **Nonprofit, tax-exempt corporations**

Before deciding whether to create an independent or affiliated organization, you should understand what creating an independent organization entails. Many nonprofits are organized as corporations under the laws of the individual states in which they are located. Attaining "corporate" status essentially means that your business has a life of its own, and that it is the corporation rather than the people running it who are (for the most part) legally accountable for its actions.



Separate from the issue of corporate status is tax-exempt status. Many nonprofits qualify under Section 501(c)(3) of the federal tax code, meaning that they pay no taxes and that contributions to them are tax-deductible for the donor. Usually, 501(c)(3) organizations are also exempt from state taxes, but this exemption requires a separate application.

To qualify as an independent tax-exempt corporation, you must then take the necessary steps under both federal law (tax-exempt status) and state law (corporate status and tax-exempt status). Yvette Sangster, executive director of Advocacy Unlimited in Connecticut, says that corporate status “is easy to get. It’s the 501(c)(3) status that’s hard to get.” However, many consumer-run businesses have done the hard work and enjoy the benefits of tax-exempt status.

Incorporation is the first step. In most states, the incorporation process is rather straightforward, but as with many aspects of running a business, consulting with experts can be a great help. An experienced attorney will know all of the steps, but many groups won’t have the resources to hire an attorney. You might be able to use the phone book to locate free legal help through your local bar association or a law school, but you might have to resort to going through the incorporation process yourself.

If you do try to incorporate without an attorney’s help, contact your state’s secretary of state (listed in the blue pages of your phone book) to find out the requirements in your state. Your local library or book store might have information about forming nonprofit corporations, and other nonprofit corporations in your area might be able to assist you. Your primary tasks in forming your corporation will be to elect an initial board of directors (see *Building a board of directors*), drafting the articles of incorporation, and drafting the bylaws of the corporation.

The articles of incorporation make up a formal legal document that can be most easily described as the corporation’s “birth certificate.” State law will govern the contents required for your articles of incorporation, but general features include the name of the corporation, its charitable purpose, a statement that it is not designed for individual profit, and various other items. To find out the requirements for your state, contact the secretary of state’s office. As we’ll discuss below, the 501(c)(3) application process also imposes certain requirements.

Sample articles of incorporation are included as Appendix B, but you’ll be better off requesting samples from other organizations in your area because they’ll comply with state law. You can also request a copy of any in-state nonprofit corporation’s articles from your state’s corporation office.

The bylaws require more careful consideration because they will govern the activities of your board of directors and influence your corporation’s activities for years to come. (Of course, they may be modified.) As with articles of incorporation, state law may require that a nonprofit include certain elements in its bylaws. However, the primary purpose of bylaws is to spell out procedures for election and meetings of the board, membership of the organization, specific goals and visions, officers and committees, and various other

policies and procedures. An example of a consumer-run organization's bylaws is included as Appendix C, but again, you can request them from other organizations or the state corporation office.

Because each state has its own laws, you'll need to look for resources designed specifically for use in your state. In addition to seeking outside legal expertise and contacting the secretary of state's office, you can contact a local United Way or state nonprofit association to see what guidebooks, workshops, or other assistance might be available. You can locate these organizations in your phone book or by contacting the national organizations listed in Appendix F.

The process of obtaining tax-exempt, or 501(c)(3), status under the Internal Revenue Service's (IRS) guidelines, is uniform throughout the country, but it also poses a challenge for many consumer-run businesses. The IRS offers a guidebook to the process, Publication 557, which is available either through their web site or by contacting them. This information is listed in Appendix F.

Obtaining 501(c)(3) status requires a lot of work, and also requires waiting several months to a year once the applications are submitted. Yvette Sangster recommends hiring legal help if there is any way you can afford it. Her organization actually received free help from a law school's disability law clinic, but student's vacations and turnovers each semester drew out the process even further.

Although we suggest that you seek professional advice in obtaining 501(c)(3) status, there are some general guidelines that you should know about at this point. You should file your application within 15 months of incorporating, and you should realize that your organization must:

- be established as a corporation, trust, or association under state laws;
- have (or have applied for) an Employer Identification Number (obtainable by filing form SS-4);
- be limited by its articles of incorporation to exempt purposes (e.g., charitable purposes) and be prohibited from activities not related to those purposes;
- limit, in its articles of incorporation, distribution of assets to charitable purposes, or when dissolved, to other 501(c)(3) organizations or governmental units;
- not do a substantial amount of lobbying or political activity;
- not pay wages to individuals other than reasonable payments for services to the organization;
- not engage in racial or employment discrimination or engage in any illegal activity.

## Agency affiliates

As you might imagine, an immediate benefit to affiliating with an existing agency is that you don't have to go through the difficult processes of incorporating and obtaining tax-exempt status. Many consumer-run organizations get their start as an affiliate of an

established organization such as a mental health service provider or a local Mental Health Association. The established agency already has a nonprofit tax identification number, which allows it to receive funding and pass it on to the consumer-run project. An established agency can act as a “fiduciary,” or trustee, for the new organization. This means that the agency takes responsibility for the newer group’s funds or other property.

Established agencies offer valuable resources that can help make a project successful. The local Mental Health Association or a local provider agency can offer an established accounting and payroll system, access to group health insurance, free or low-cost office space, and in-kind services. Oftentimes, grant money is slow in arriving, and a parent agency can provide “float money” to keep your group functioning during the interim. In the private sector, small businesses fail a majority of the time because they lack adequate resources and management experience. Nonprofit groups can share the same fate for the same reasons, but an agency affiliation can greatly improve your chances of success.

The assistance that your group would receive from an existing agency could be a double-edged sword: the shelter and services often mean reduced independence. The sponsoring agency might view the fiduciary relationship as a license to interfere; the agency might demand a role in personnel decisions, policy development, and other areas. Many times the parent agency means well and sincerely intends to maintain a hands-off relationship with the consumer group. However, the sponsoring agency is held accountable by the funding source for how the consumer group spends its money, and in the case of consumer-run services, how effectively the services benefit consumers.

Give careful consideration before affiliating with a provider group. Many professionals, providers, and advocates might not be confident that consumers can manage their own affairs successfully and perform effectively on the job without outside supervision. There also might be ideological differences. Yvette Sangster, whose organization provides advocacy training to consumers, says her now-independent group began as an affiliate of a legal rights project, which allowed her to “call the shots.” But, in her opinion, “If we’d been attached to a provider agency, they’d have silenced us.”

At least at the beginning of your consumer-run business’s existence, the advantages of cooperating with an existing agency might outweigh the disadvantages. After all, agencies and consumer-run groups often share goals and serve the same people. Both types of organizations generally strive to increase the ability of individuals to cope and to build a better quality of life.

Keep in mind that even if your group begins its existence as an agency affiliate, it is possible to strike out on your own at a later time, as Yvette Sangster’s Advocacy Unlimited did. Bill Rose, assistant executive director of Texas Mental Health Consumers, reports that his group became independent from the MHA in Texas several years ago. Although the relationship was generally successful, “there were instances of conflicting ideals. Now we have a more equitable working relationship with the MHA. We come together through a policy consortium as equal partners working on common goals. This collaboration is particularly effective, for example, during legislative sessions.”

Another advantage to beginning your existence as an affiliate is that collaborative efforts involving consumer groups and agencies can help both types of organizations and their clients. Consumer groups may benefit from the specialized knowledge and skills of agency professionals. Through association with agencies, they may gain greater legitimacy, acceptance, and access to community funding and power sources.

There is no answer to whether you should begin as an independent group or an affiliate of an agency. Yvette Sangster says, “If I had to do it again, I would have started out point blank on my own.” But Jim Coleman, the executive director of Recovery Initiative, an affiliated consumer-run group in Cincinnati, believes that it’s not always practical to start out as an independent organization. “It’s enough to worry about operations, but to get 501(c)(3) status, an attorney, et cetera. . . . It really depends on your level of comfort.”

The decision whether or not to affiliate has so many variables that it requires careful reflection. Some groups can get off the ground with complete independence, while others fail. Some groups affiliate with existing agencies and still fail. Some affiliate with existing agencies, maintain their autonomy, and succeed in their goals. Some groups fail in their goal of being consumer-run because the agency exercises too much control.

You’ll have to ask some tough questions to find the right answer to the independence-or-affiliation issue. Some issues are the same ones that you must consider in developing your business plan. Can your group obtain funding and manage a budget on its own? How much money would you save on rent, telephones, and copying services if you affiliate with an existing agency?

Do some research, and make phone calls. Find out what other consumer groups in your area are doing. If you’re not sure which groups to contact, the Clearinghouse can put you in touch with local or state groups. You might find that a group near you has hooked up with a fiduciary that is willing to provide services with a hands-off attitude.

If you do affiliate, sit down with the management of the fiduciary agency and spell out where its right to intervene ends and where the empowerment of your consumer-run group begins. Don’t be adversarial or defensive. Your prospective fiduciary is likely to have concerns—and with good reasons. Is the leadership of your group stable? Are you prepared to meet the reporting requirements set by the funding source? How much administrative support will you *really* need? Anticipate questions, and be able to answer them.

You should also ask a few questions on your own. Does the agency have an accounting system that is adequate to manage your funding in a manner satisfactory to the funding source? Will the agency demand a say in your personnel decisions? How much will the agency charge you for administrative and support services? Will the agency oppose you if you decide later to become a fully independent organization? Will the agency provide temporary loans in case grant money is delayed?

After you've talked with potential fiduciary agencies, you'll have to sit down with your fellow organizers and weigh the pros and cons. If you can't find a willing fiduciary, ask yourself whether you can operate your program with the funding available. If you do find a fiduciary, ask yourself whether you'll be better able to achieve your goals independently or as an affiliate.

## For-profit businesses

Millions of Americans own small businesses, and it's impossible to estimate how many of them are consumers. However, running your own for-profit business can be both financially and personally rewarding. You have the benefit of being your own boss and creating a supportive workplace for other consumers. Local, state, and federal governments provide supports for new businesses, notably the SBA, which is listed in Appendix F. There are thousands of books published each year on entrepreneurship, and organizations such as SCORE provide free consulting.

The SBA also can provide assistance in securing a business loan. However, trying to obtain a loan can be a major stumbling block in getting a business off the ground. Carolyn Wilson, executive director of the New Hope Drop-In Center in Miami, says, "people need to have good credit," no matter what type of business they want to start. In a nonprofit business like Wilson's, good credit conveys responsibility to funders and landlords, but the need for good credit is heightened for those seeking to start a for-profit business with a loan.

If you've had past credit problems, you'll have to take responsibility for them in order to secure a business loan, but you shouldn't be completely discouraged. Investigate the SBA's many loan programs and ask them for referrals in your area. For example, the SBA has established a "microloan" program that allows nonprofit organizations to approve "pass-through" loans of SBA funding to *for-profit* businesses in their communities. There might be other funding available to start a business in an economically disadvantaged area. Try local foundations, which are increasingly interested in neighborhood business development.

As you might guess, the reason that so many supports exist for new for-profit businesses is that starting one isn't easy. A majority of new businesses fail for any of a variety of reasons. Before you decide to start a for-profit business, do research at your local library or bookstore. Ask for help from SCORE. Use this guide to answer questions about decision-making and staff management in consumer-run businesses. Most importantly, do a self-assessment and ask whether the busy lifestyle of a business owner appeals to you.

## ***Obtaining funding***

The processes of planning your consumer-run business and securing funding for it are intertwined. Without knowing what funding will be available, it is difficult to plan your business, and without a detailed plan of what you intend to do, it is impossible to get

funding. Your best bet is to do as much advance planning as possible, but be willing to tailor your project to stipulations made by funding agencies. Of course, you should also keep in mind certain principles that you will not violate, e.g., disclosing clients' names as a condition of funding.

As we've discussed, the primary source of funding for for-profit businesses is loans. However, in the non-profit sector, it is usually grant money that provides initial and continuing funding. For most consumer-run nonprofit businesses, the primary source of funding is government grants. However, as competition for government funding becomes heightened, an increasing number of consumer-run businesses are looking to private foundations and entrepreneurial ventures to increase their funding.

A common source of funding is federal "block grants," which are administered by the states. Congress allocates a certain amount of money that each state may spend under general guidelines. A great number of consumer-run programs throughout the country are funded by state and county mental health departments, and you should contact your local or state mental health agency (which you can find in the blue pages of your local phone book) to find out how to apply for funding.

More and more, consumer groups are looking to private foundations to raise money for their ventures. As the executive director of one drop-in center explains, "you can't run a drop-in center on what the state gives you." Her organization has been able to secure some private funding to keep its programs active.

If you're looking for private funding, access to the Internet greatly simplifies the process—if you're not connected, try to get access through a local library or school. Finding grant opportunities online still requires a lot of hard work, but the search capabilities of the worldwide web, together with some great existing resources (listed below), make the job easier.

You might wish to start out by going to <http://www.fundnetservices.com>. Using this web site, you can locate grantmakers operating in your state. You can then follow links to individual organizations. Other sites with links to funding sources include <http://www.granted.org>, <http://www.tgci.com>, <http://fdncenter.org>, and <http://www.findit.org>. We at the Clearinghouse also use our web site to publicize grant opportunities for consumer groups.

Of course, once you locate the sources of funding, whether private or governmental, you'll need to secure that funding by writing a grant proposal. If you've developed a description of your proposed business and a budget, you've done most of the hard work already. However, proposal writing is an art form that you'll have to get used to. You should seek help: either personal help from someone who's written grant proposals or materials that walk you through the process.

The Clearinghouse offers a detailed description of the proposal-writing process in our Technical Assistance Guide, *The Art and Science of Writing Grant Proposals That Win*, which you can request by contacting us. You can also locate general grant-writing information online at some of the web sites just mentioned.

## Internal decision-making

Although most consumer-run businesses and services begin with the vision of just one or a handful of dedicated people, most businesses, especially those which provide services to consumers, will not succeed for long with one person calling all of the shots. In fact, peer-run services *must* allow input from their members in order to fulfill their mission.

As consumer-run groups become more complex, it is increasingly difficult to adhere to the ideal organization in which all members have equal input and all decisions are the result of group consensus. In an informal self-help group, the group decision model is an important empowerment tool. However, to incorporate and apply for higher levels of funding, you'll have to establish a governing board and officers with authority to negotiate with outside parties such as funding sources and landlords. A key for the success of many consumer-run businesses has been to preserve self-help ideals as much as possible in their governing structures.

### ***Different methods***

When consumer groups start, they often resist having any decision-making structure. Instead, they "let things happen," trusting the group to do its best. Other groups choose one method, like consensus, and think that they must use it for every decision. We will describe five models here, but you'll have to consider what model will work based upon the size of your group, its goals, and its operational and funding structures.

- **Autocratic** (One person makes final decisions.) Many of us know this method from traditional workplaces. It is fast and is especially helpful in a crisis. On the other hand, because only one person is involved, the decision might not be accepted by others. An example of this model would be an organization with an uninvolved board that allows the executive director to make decisions unchecked.
- **Consultative** (One person gets advice from others, then makes the final decision.) This is a pretty fast method and involves more input than the first method. An office manager may ask others for suggestions before submitting a budget proposal, but the final choices would be his or hers. In this model, trust must exist to improve the chance of acceptance and commitment by others.
- **Minority** (Those with special interest make decisions.) The big plus here is that it's a decision made by experts. This can work when non-experts don't have the time or interest to pursue the decision and are willing to leave it to others. For example, the experienced advocates in a group can decide what cases the office will accept. However, all points of view might not be heard, and this small group might not be representative of the larger one. A variation on this method would be to choose a



smaller but representative group to make the decision. An example of a minority decision-making process is the board of directors model.

- **Majority** (Decisions are made based upon a vote.) Most of us are familiar with this style, and it can be used with any size group. This can be an excellent back-up method if consensus fails. However, often decisions are made that almost half the group strongly opposes, and people can often get into a win/lose mentality. There is often a lack of commitment by the losing side to the decision made.
- **Consensus** (Decisions are made when everyone in the group feels comfortable.) Consensus can result in a better decision, air more opinions, and elicit more commitment. Many consumer groups prefer consensus because it empowers all members of the group. It seems to match the self-help ideology that most consumer groups have. But it can take a long time, and it works best in small groups. Also, one person can block group progress, and the group might settle for the “lowest common denominator” to which everyone will agree. We discuss consensus more fully in *Consensus decision-making*.

Again, the type of decision-making model used by your consumer-run business might change over time. At the outset, you’ll have the best luck with a consensus model because it’s vital that all people involved support your mission wholeheartedly. As your organization grows, you’ll find that you have to have officers and a governing board in order to qualify for tax-exempt status, deal with landlords, apply for funding, and other routine operational matters. When your group is ready to assemble a governing board, you can use ideas discussed below to make sure that everyone’s voice continues to be heard.

### ***Consensus decision-making***

Many consumer-run groups, especially those that are first shaping their mission, find that consensus is the best process for making decisions. Consensus is *not* a synonym for majority rule; in many cases, almost half of the voters feel strongly that the majority reached the wrong decision. It is difficult, if not impossible, to mobilize a group around issues that many within the group vigorously oppose. There’s nothing wrong with majority rule, but sometimes we get too wrapped up in the idea of making a decision that we ignore the minority viewpoints.

In consensus decision-making, all members or workers can take an equal part in making decisions. This means that no decision is final until everyone in the group feels comfortable with the decision. Consensus relies on persuasion when there is disagreement. It’s a process during which people discuss a proposal, and keep changing it to take into account different ideas or disagreements.

The true value of consensus is that it places value on the voices of the dissenters, even a single dissenter. Each person in the group brings knowledge and experience, and it is important to respect each person’s voice. Therefore, pressure should not be used to settle

disagreements. On the other hand, nobody should give long speeches or raise objections at the last moment without having participated in the discussions that have led to the issue being put to a vote. Because the consensus process places so much value on the individual's voice, each participant has a responsibility to the group—to participate in the group decision-making process.

It isn't necessary for every person to feel that the consensus decision is the solution they want most or think is best. They may feel it is the best solution that can be reached at the time and under the circumstances. Consensus might mean that a "super-majority" supports a position, and a minority is willing to concede. It might mean that a simple majority supports a decision, and those in the minority feel that they can't decide, that they don't feel personally involved, or that they don't want to block the procedure.

Reaching a genuine consensus takes real skill. The experience of many consumer groups suggests that at least four elements are vital to using consensus successfully:

- *All members must have equal power and equal information.* No single person or subgroup can be allowed to have special influence or knowledge just because they are older, stronger, wealthier, or louder. If everyone does not have the same information, then time must be set aside to share what people need to know.
- *Every member must have an equal chance to debate an issue or voice an opinion before a decision is made.* Some people are afraid to talk in large groups. In other groups, a handful of members may tend to dominate all discussions. The group must invent creative ways to deal with this. Some groups have a rule that no one can speak twice until everyone has spoken at least once. Others break into smaller groups to discuss the issue, then get back into a larger group. However you do it, make sure you know where everyone stands.
- *Consumer group members must be open and honest with their feelings.* People's fears can lead to subtle agreements not to talk about certain issues or problems. However, open communications are necessary to resolve problems and prevent future ones.
- *A successful consumer group—especially one that makes decisions through consensus—requires commitment.* Often the only thing that keeps a group together throughout its conflicts is the conviction that the experience of consumer group decision-making has great value.

Your group can decide what works best for its consensus decision-making process. A basic outline is suggested below. Vary it in whatever way makes sense for you.

- Start by identifying and agreeing upon the issue or problem.
- Give each person two or three minutes to talk without interruption.

- If there seems to be general agreement, state what you hear in the form of a question, e.g., “Do we all agree to hold a demonstration at City Hall?”
- If there is no agreement, ask those who disagree to state their objections.
- Choose one of several methods to resolve the disagreement, such as:
  - Proposing a break or period of silence to think;
  - Changing the proposal so the objections are taken into account;
  - Convincing people who feel one way to take a different position;
  - Making a new proposal;
  - Postponing the decision and asking people from both sides to meet;
  - Asking the dissenters whether they’d like to prevent the decision or allow it to be made with their objections recorded; or
  - Having a backup plan for decisions that must be made, e.g., 75% majority needed.

### ***Effective membership meetings***

From the beginning stages of your consumer-run business through its more advanced stages, meetings of your membership are important for your organization to fulfill its mission, and when necessary re-evaluate its mission. They are times to share information, make decisions, give each other support, and accomplish tasks.

Meetings can be overused in consumer groups, so be sure that the purpose of the meeting is clear and that the meeting is necessary. How long and how often you meet is up to you and may depend on the stage your organization has reached in its development. Meetings are effective when everyone is clear on the purpose of the meeting, people have prepared for the meeting, and the meeting has a facilitator or chair.

Here are some tips for developing an agenda for a meeting:

- Establish and distribute the agenda ahead of time.
- Give each person in the meeting a copy of the agenda, or have it posted.
- Do whatever pre-meeting work possible on agenda items.
- Separate quickly accomplished tasks and announcements from longer discussions.
- Prioritize agenda items and set time limits on each.
- Make sure that the group accepts the agenda.

In order to have true input from the membership, the meeting’s facilitator should not direct the group without its consent. Rather, the facilitator allows the group to guide the meeting, but helps them carry it out in an efficient manner. A facilitator should follow most or all of these guidelines to ensure a smooth meeting:

- Start on time.
- Give every person a set time to say what’s on their minds.

- Review the agenda, and ask for additions, deletions, or corrections.
- Assign someone to take minutes of the meeting.
- Assign someone to keep track of time.
- Use short items, fun, and breaks to give people a rest from tough decisions.
- Keep the role of the chair neutral; make sure your personal opinions are labeled so.
- Go through the agenda item by item.
- Give people time to think quietly about important issues.
- Ask for proposals, bring out opinions, and encourage various viewpoints.
- Allow differences of opinion to lead to creative solutions.
- Make participation comfortable; break into smaller groups if necessary.
- Identify issues, restate ideas, and ask for clarification: “where are we now?”
- Be suspicious of agreements reached too easily.
- Keep the conversation on the topic and point out when it drifts.
- Don’t let discussions continue between two people; involve others.
- Try to make people speak for themselves only.
- Point out interpersonal problems you see arising.
- Keep looking for minor points of agreement and state them.
- Check for consensus on discussion items.
- Set a time, place, and agenda for the next meeting.
- End on time.

### ***Building a board of directors***

As we’ve mentioned, a board of directors might not be the decision-making body idealized by the self-help movement, which espouses equal shares in the decision-making process. However, not only are boards of directors necessary to secure tax-exempt status, funding, and (often) credibility, they can be a great benefit to your organization.

Forming and maintaining an effective board of directors will take hard work. You’ll want to develop a structure that allows the board to govern your organization without becoming too involved in day-to-day operations. You’ll also want to develop ways to ensure that the board stays true to your organization’s mission and takes the wishes of your clients or members to heart. You will need to have strong consumer representation on the board and select members who can offer their expertise.

### **Recruiting a board of directors**

Recruiting your initial board of directors and continuing to recruit board members can be an integral part of your organization’s success. Assuming that your group has carried out some activities prior to the formal creation of a board of directors, the obvious place to start is the people who’ve already been involved in the group. Yvette Sangster, executive director of Advocacy Unlimited, says that this approach worked for her group. Its board

is “all people who believe in what we do. We asked past volunteers if they’d like to serve on the board.”

However, despite her own advocacy expertise, she recognizes the value of having board members with past experience elsewhere. “We also got someone who’d been a director of another agency in the physical disability field.” Having people who’ve served elsewhere makes the board more capable of dealing with changes, expansion, and unexpected situations.

Carolyn Wilson, executive director of New Hope Drop-In Center, says she sought out “people who had ‘been there and done that.’ We got people who had already started drop-in centers.” People who have already developed the experience that you wish you had can be excellent mentors.

If you can’t locate people who’ve “been there and done that,” you’ll find yourself learning by trial and error. Jim Coleman, executive director of the Recovery Initiative, says that the early days “were stressful because I had no mentor. I really needed a mentor to help me to get through the accounting. I would’ve loved to have had businesspeople, accountants, and attorneys on my board.”

Jack Boyle, deputy executive director of the Mental Health Association of Southeastern Pennsylvania, thinks that having attorneys, accountants and professionals is essential in creating a “support structure” as your organization grows. (He oversees programs for an organization with over 200 employees, most of whom are consumers.) “It’s always good to have an attorney, and it’s always good to have an accountant. Look at the areas where you need expertise. If a primary concern is fundraising, look for people with development experience or a connection to money.”

Sometimes your organization’s goals will appeal to people within the community who are willing to both share their expertise and identify themselves as consumers. Bill Rose of Texas Mental Health Consumers reports that his organization’s bylaws allow non-consumer directors, but currently all but one director is a consumer. “We needed professional skills from accountants and attorneys, but now we have a consumer lawyer and a consumer accountant on our board.” Success stories like this take time, but they do happen.

## Maintaining a board of directors

Assembling a board of directors is only the first step in having an effective board of directors. Once your organization has recruited its board of directors, and as new directors join the board throughout your organization’s existence, you’ll need to provide training and support for the board, as well as outline responsibilities and expectations.

When you form your initial board of directors, it should be fairly certain that all board members understand and agree with the organization’s mission. However, it is important

that the board fully discuss the mission so that everyone understands it. Jack Boyle, deputy executive director for the Mental Health Association of Southeastern Pennsylvania, says that, “At the outset, it is important for the board to meet and decide on the mission, how to fulfill it, and how to pay for it.”

Creating a manual for board members is an excellent way to help the board operate more effectively. The manual should contain items such as the bylaws, past and current budget statements, mission statements, newspaper clippings, and anything else that conveys what your organization does. It is also important for new board members to be able to understand jargon, regulations, agencies, and procedures that are important to what your agency does.

The manual for the board of directors should also clearly outline what is expected of board members. Yvette Sangster thinks that her board of directors understands and fulfills its role. “They have a hands-off policy for daily operations: it’s not the board’s business—that’s why they hired me. The board is in charge of policy, vision, the big picture.”

On the other hand, you do want the board to take an active role in other aspects of your organization. Sherri Brown of Our House Drop-In Center explains that her board members serve important roles such as fundraising and examining legal liability. She says that it is important for the board to examine such issues and create committees to deal with important policy questions.

An organization’s success or failure is determined to a large extent by how effectively the board of directors fulfills its role. As defined by the Pasadena, California accounting firm Martin-Werbelow and Company, which specializes in working with nonprofit organizations, the basic responsibilities of a nonprofit board are as follows:

- Determining, and constantly re-examining and refining, the organization’s overall purpose. This includes maintaining a written mission statement.
- Hiring and evaluating the executive director of the organization, as well as fine-tuning the specific duties of the executive and the board.
- Planning organization strategies. This includes long-range planning and allows for specific board members to call upon their particular areas of expertise.
- Taking primary responsibility for fundraising, even if someone on staff is selected to lead day-to-day fundraising efforts. This includes board members’ personal responsibility to donate money to the extent they are able.
- Overseeing and helping to develop the budget. This includes deciding whether programs can be added or expanded. The executive director must make regular reports to the board to ensure that the budget is being observed. The board should arrange that the finances be audited to ensure the accuracy of financial information.
- Determining and monitoring the organization’s programs. The board should ensure that programs are consistent with the organization’s mission and that they are an effective way of fulfilling that mission.

- Enhancing the organization's public image, through public relations and building relationships with other groups and government officials.
- Acting as a grievance system. Although the executive director should be in charge of personnel decisions, the board should be available to hear appeals that follow a formal procedure.

As with many aspects of running an organization, board operations are the subject of a great deal of literature. You might wish to consult your local library or book store for more information about running a board. Other nonprofits in your community are of course another resource for learning more about maintaining a board.

Other aspects of maintaining a board are best learned within your organization. It is important for your board to interact with your constituency on a regular basis so that it will remain grounded in your organization's mission. Boyle suggests regular board "retreats." Although the board is in charge of formally defining the mission, he says, "your mission has to be determined by your constituency in order for your organization to be successful."

## Operations

People start businesses because they have a vision of something that they'd like to accomplish. Your vision might be to create a second-hand store that employs consumers to pick up donations, repair household items, and sell them to the public. Your vision might be to create a drop-in center with an ambitious schedule of advocacy and vocational programs. Whatever your vision, you're probably not looking forward to everyday operational issues, and yet they probably will determine the success of your business even more than the quality of your programs.

It is inevitable, then, that you will have to familiarize yourself with operational matters such as preparing budgets, marketing your services, and dealing with the press. Although the prospect of learning these skills might not excite you as much as your organization's mission, having sound operational skills will help you fulfill your mission much more effectively.

### ***Financial management/budgeting***

As you might imagine, one of the major factors that determines whether any kind of business succeeds is its ability to fulfill its needed functions with the money that is available. A common mistake is to base your budget upon what you intend to do rather than upon the resources that you will have available. You must carefully plan a budget by listing projected revenues (such as grants, donations, and membership dues) as well as expenses (such as rent, salaries, and postage).

Effective financial management is difficult, but the process can be simplified with careful planning at the initial stages. Work out a sound, realistic budget by determining the actual amount of money needed to open your business (start-up costs) and the amount needed to keep it open (operating costs). The first step to building a sound financial plan is to devise a start-up budget. Your start-up budget will usually include such one-time-only costs as major equipment, utility deposits, down payments, etc.

### The start-up budget

The start-up budget really follows the same format as an operating budget, which is discussed below and illustrated in Appendix D. However, your start-up budget will look quite different because there are so many initial expenditures in getting a business off the ground. Of course, hopefully you'll also have more money (income) at the start from initial grants or loans.

The start-up budget should allow for these figures:



- **Legal/professional fees.** Although many functions of starting a business seem impossible without an attorney, you may not be able to afford one at first. Options include seeking help from the local bar association or a law school, or inviting attorneys to serve on your board of directors. You might, however, find that you must dedicate a portion of your initial budget to legal fees for incorporation, tax status, or other tasks.
- **Occupancy.** What types of costs will be associated with moving into your location? Examples might include security deposits, painting, signs, etc. Often, a consumer-run business will find a location for a very low rent only to find that many expensive repairs are needed to make the location useful for its intended purposes: be sure to ask your landlord if repairs are needed, and who will be responsible for them. Also, find out what types of modifications the landlord will permit you to make to the property.
- **Licenses/permits.** Many types of consumer-run businesses require permits to operate as a business, or certain types of permits to provide services to consumers or qualify for Medicaid reimbursement. An attorney would be able to help with these items, but you can also contact other consumer-run organizations in your area to ask for guidance.
- **Equipment.** Depending on the type of business that you'll be running, you might not need very much equipment, but most consumer-run businesses use computers, which can be expensive. (An alternative to purchasing computers is to look for businesses that want to donate used computers for a tax deduction.) Sometimes, equipment can be a major factor in the types of services you can offer. For example, The Haven, in rural New Hampshire, had to budget for a van in order to reach out to consumers in a wide radius.
- **Insurance.** Businesses generally have various types of insurance. Your group can purchase insurance to protect against lawsuits from people who are injured on its property, and if you have any type of vehicle, you'll need to insure it. As you're making your budget, make sure that you look for several price quotes, and don't assume that insurance will be easy to find. Carolyn Wilson, who runs a drop-in center in Miami, says, "when you mention mental illness, it can be very difficult to get insurance." Talk to other consumer-run businesses to learn how they obtained insurance.
- **Supplies.** You'll need various supplies to get your business off the ground. These can range from office supplies to furniture, kitchen items, computer disks, or whatever else your business will need. It's easy to forget items, so ask around and find out what you'll need, and then look at catalogues to estimate prices. (Don't get too bogged down—you'll never have perfect accuracy anyway!)
- **Advertising/promotions.** How much will it take to get your business noticed? Consumer-run services can generally get the word out relatively inexpensively, but if you are marketing goods or services to the public, an initial marketing campaign can be quite expensive.
- **Salaries/wages.** Many times, a consumer-run service will start as a consumer group operating informally and without expectation of compensation. If you are starting a non-traditional consumer-run business and need help, you might have to budget for a staff prior to "opening for business."

- **Personnel costs (prior to opening).** In addition to salaries and wages, be sure to budget money for personnel expenses such as recruiting your staff and training them once they're hired.
- **Payroll expenses.** On top of the money that you will be paying to your employees, there will be additional expenses involved in the payroll. Find out the cost of the payroll taxes for which you'll be responsible. Also investigate how much it will cost to establish an accounting system: often, businesses pay an outside service to manage their payroll, including keeping track of tax withholding and writing paychecks.
- **Utilities.** If utilities will not be included in your rent, find out from your landlord approximately how much utility bills have been in the past. Of course, if you'll be using the property in a significantly different way, you might have to adjust the figures accordingly.
- **Income.** Obviously, your budget should be based upon the amount of money that you have pulled together from grants, loans, and other sources (or realistically hope to do so).

## The operating budget

Your consumer-run business will prepare its operating budget when you are actually ready to open for business. The operating budget will reflect your priorities in terms of how you spend your money, the expenses you will incur and how you will meet those expenses (income).

The operating budget is illustrated in Appendix D and should take into account all sources of income and expenditures. Although it is tempting to plan your expenses in terms of what you hope to achieve, remember that they must also reflect the amount of income you can realistically expect to have available.

You should also keep in mind that your budget should not be set in stone. Often, unexpected events will require you to adjust your projections. Examples might include changes in funding, rising insurance costs, new grant opportunities, or decisions to add or remove programs. The budget requires constant re-examination. Jim Coleman of Recovery Initiative in Cincinnati prepares monthly budgets and then reports to his board whether the budgets are being met.

Another important aspect of creating a budget is accountability. "If you're funded, you have a responsibility to the funder to get the program done," says Jack Boyle, deputy executive director of the Mental Health Association of Southeastern Pennsylvania. Your budget must take into account the funding that you receive for certain programs and show how sufficient resources are being devoted to accomplishing the goals of that program.

Many consumer-run businesses have separate operating budgets for each program. To do this, you follow the format of an organizational budget and divide costs such as rent and utilities among the programs. Obviously, the salaries of people devoted to specific

programs belong in that program's operating budget. You'll also of course do an overall budget for the entire organization.

## **Marketing**

Marketing is crucial to the success of your business, whatever its purpose. If you've got a great idea but keep it to yourself, you won't be able to help yourself—or anyone else. If your goal is to start a for-profit business, then the need for marketing should be obvious. However, let's say you've received a set amount of money to run a drop-in center for consumers over a three-year period. Why should you try to encourage *more* people to use your services?

In this instance, a number of reasons explain why you should market your services. An idealistic answer is that you and your staff will get a great feeling of achievement from helping more people. However, the more practical reason is that by reaching more people, you demonstrate your business's success. With this success, you'll have a greater chance of increasing or extending your funding.

### Promoting services for consumers

Recruiting new members or clients is a key task for those consumer-run organizations that provide services to consumers. Services such as drop-in centers and self-help groups measure their success in large part by the number of people they serve. Sometimes, funding sources use the same method: "We get paid based on our monthly attendance numbers," says Debra Poteet of CAPE Social Club in Cincinnati.

It is fairly common for a consumer-run service to list "word of mouth" as its primary means of marketing its services. However, the harder you work at promoting your service to consumers, the more successful your organization will be.

Some recruiting techniques may be ruled out by the nature of a particular consumer-run program. For example, a peer case-management project might be mandated to accept participants only from referring mental health programs.

Consumer-run services that are membership-based face a double challenge. First, the group must reach out to potential members and get their interest. Then the group must nurture that initial curiosity into an ongoing commitment. Continually keeping members informed of your activities will keep participation levels high.

Before launching recruitment activities, decide what your group will expect of new members and how new members will benefit by participating. When you are welcoming new members, answer questions about the group's mission, the benefits of membership, and the duties expected of them.

Here are some ideas that consumer-run groups have used to make new members feel welcome and enthusiastic:

- *Identify people who are prepared to answer questions.* Have people available to explain things, introduce recruits to existing members, and generally make the new or prospective members feel welcome.
- *Prepare a written description of the organization.* This should explain its purpose, functions, goals, and activities. A simple one-page brochure folded into three can do a wonderful job of arousing people's curiosity.
- *Make sure that people have every opportunity to speak and participate.* Encourage questions and respond positively. Welcome new ideas and allow new members to pursue new projects or initiatives whenever possible.
- *Establish an activity or project that new members can get involved with right away.* Give them an opportunity to demonstrate their skills. Have trust in new members, and delegate responsibility to new members as often as possible. People give more effort to an organization when they feel trusted and needed.
- *Make a special effort to include members of ethnic, racial, and sexual minorities in the group's leadership.* Listen to their ideas and make them welcome. Reaching out to minorities should be an ongoing effort.
- *Describe your project as something attractive that fills a need for potential members.* (Sometimes, this task will encourage organizers to rethink the operation of their project—this is healthy.) The most effective way to attract participants is to provide a service that is meaningful and fills needs that are common to many people.
- *Circulate a sign-up sheet at meetings or presentations where other consumers are present.* One relatively easy way to identify interested people is to attend monthly meetings of family groups, mental health advocates, or mental health workers where consumers are present, or go to any speeches given by consumers. Debra Poteet also suggests vocational programs. Ask the speaker if you can briefly introduce your organization before or after the main presentation. Then, with everyone's attention, ask interested people to give you their names and phone numbers after the meeting. Contact them with information about your group (or further organizational meetings, if you are just starting out.)
- *Ask local service providers if they'll put a notice up.* The providers might include a mental health center, a minister, doctor, or social worker.
- *Place an ad in the local newspaper, or submit information for publication in its calendar of events.* Many newspapers have free "bulletin board" columns where you can list local events; your events would qualify. Flo Houston, of Our Choices Drop-in Center in Hazleton, Pennsylvania, says, "We've never done any paid advertisements, but we try to get into the newspapers as often as possible."
- *Network with mental health agencies and provider programs—as well as with other consumer-run services—to obtain referrals.* According to Houston, her group goes to inpatient units and discusses the program with the staff because they aren't allowed to speak directly with the inpatients. Her group does meet with consumers in partial hospitalization programs. Some service providers might help you to assemble a group of interested people.

- *Post flyers in the community.* Notices can be posted, with permission, in unemployment offices, laundromats, convenience stores, and any other place where people might see them. These notices can be simple and give contact information for your services.
- *Encourage members to bring friends along.* Carolyn Wilson, of New Hope Drop-In Center in Miami, says, “At the beginning we were too much of a small club. Then we had a campaign where we told everyone to bring a friend.” This was very effective in raising membership totals.

As we’ve mentioned, recruiting members is just one piece of the puzzle. Your business will only fulfill its mission if the members are actually using the services. Because participation in consumer-run services is voluntary, it is important to have outreach programs to keep members interested. Some outreach methods include:

- *Publishing a monthly calendar of events.* By highlighting fun and useful activities, you’ll encourage participation in special events, as well as day-to-day use of your services.
- *Publishing a newsletter.* Susan Mader, of the Gathering Place in Green Bay, says that her group sends out a newsletter each month to seven hundred people, which is many more people than visit the center in a given month. However, having a wide circulation keeps the word of your activities circulating.
- *Calling members on the phone.* Liz DeRose of The Haven, in rural New Hampshire, says that her group calls members on a daily basis. Many of her members live in isolated areas far from The Haven, and calling them maintains contact and encourages them to visit. In many cases, calling members regularly might not be practical, but you might have a policy of calling members who haven’t shown up recently—but remember that participation must be kept voluntary.

## Marketing to the public

If your consumer-run business will not be solely offering services to consumers, you’ll have to use marketing strategies that are common to all types of businesses. Examples include direct mail, newspaper and directory advertising, and flyers. Ideas on how to market goods and services to the public—as is necessary for businesses like pizza parlors or thrift shops—are really beyond the scope of this guide. However, libraries and book stores are filled with books about marketing strategies for small businesses.

## **Community relations**

A consumer-run organization’s relationship with the community can be an important factor in its success, whether or not it provides services to the community at large. Positive visibility in the community can help to combat the nearly universal prejudice toward people with psychiatric histories. When the community sees us succeed, we help

to defeat preconceived ideas that people diagnosed with mental illnesses are violent and that we do not recover.

Prejudice often poses a tough problem for consumer-run organizations seeking to open a drop-in center, residential program, or other service. Although many consumer groups have opened businesses without incident, those locating in residential neighborhoods often encounter resistance. Fearing for their safety and the value of their homes, neighbors often fight tooth and nail to keep a mental health service out of their community.

Although some consumer groups have tried to open their doors in relative anonymity, many consumer leaders feel that openness is essential in starting a new business or moving to a new location. You must convince residents that your program will be a positive presence in the neighborhood and that their fears are unfounded. Your group should not expect complete success in this effort—the best initial outcome might be limited to a grudging tolerance for the new service.

If you can make your presence felt in a community before moving in, your anti-stigma efforts will be more effective. People are more open to new ideas and information when they do not feel a threat to their own interests. Send representatives into the community to educate people about stigma and answer their questions. Target high school and college classes, PTAs, civic organizations, and religious and fraternal organizations. Prepare yourself with facts about mental illness and violence—available from the National Mental Health Association (NMHA)—and describe how providing services to the consumers in the community will benefit the community at large.

The attitude at work here is often described as the NIMBY (Not In My Back Yard) syndrome, and it is not a problem unique to consumer-run programs. Community opposition has made it difficult to find locations for programs dealing with issues such as AIDS, substance abuse, and homelessness. Your organization can request a free copy of a study by the Robert Wood Johnson Foundation (listed in Appendix F) entitled, “Gaining Community Acceptance.” This publication has a number of suggestions for overcoming community resistance, including:

- *Not giving opponents ammunition.* Comply with zoning and licensing regulations. Make sure the facility is clean and well maintained.
- *Preparing access to necessary resources.* Network with local advocacy groups, social service agencies, and providers. Develop a collection of literature to counter stigma and myths about mental illness—you can contact the Clearinghouse for assistance.
- *Doing your homework.* Be prepared to show why the consumer-run service is needed in the community. Know every detail about its operations. Know the people who will receive the service, their problems and capacity, and what the program will do for them.
- *Knowing the host community.* Ask the local library or a friendly bureaucrat to guide you to census sources or other public documents to help you determine the

demographic composition of the neighborhood. Learn about traditions, events, and institutions in the community.

For maximum effectiveness, concentrate your education efforts on close neighbors and vocal community opponents so that they become supportive or their opposition is silenced. It is often the case that the ill-informed minority can be transformed into an informed, aware group that will be tolerant (or even supportive) of consumer-run services.

The need to maintain effective communications with your neighbors does not end when the program is moved in and the services are underway. If there is an incident in the neighborhood that involves your group, do not cover up or be defensive. Assure your neighbors that action will be taken to correct the problem.

However, your community service efforts really must be pro-active rather than reactive. Keep up the speaking engagements, get involved with local advocacy coalitions, and make sure that your facility is in tip-top shape. For ideas on how to maintain positive visibility in the community, consult Clearinghouse publications such as “Fighting Stigma” and “Organizing and Operating a Speakers’ Bureau.”

Some consumer groups have built positive relationships with neighbors by participating in community improvement efforts such as fund-raising events for local charities, block clean-up days, and similar activities. The director of one new drop-in center not only joined the local business owners’ association, but she also offered her facility as a site for the organization’s meetings.

In short, the best way to ensure good relations in the community over the long term is to let people know what your organization is doing—and be a good neighbor. Sherri Brown, who runs a drop-in center in a residential Memphis neighborhood, says, “Our community relations are really good. We even mow some of the elderly neighbors’ yards. We give back to the community by feeding the homeless, for example. We show that people diagnosed with mental illnesses are vibrant in the community.”

### ***Using the Press***

Although it is important for a consumer-run business to maintain good community relations in its immediate neighborhood, your group can benefit even more by using the press to publicize its activities. For example, if your group holds a block clean-up event, your neighbors will be impressed. However, if a local newspaper carries the story of a group of “former mental patients” that cleaned up litter and graffiti in their neighborhood, you’ll impress everyone reading the story. You might even attract new members or supporters for your organization.

The easiest way to alert the media to your group’s activities is to issue an effective press release. Well in advance of an event, send your press release to all local media outlets.

You should make up a list of local newspapers and television and radio stations, to which you can send a press release whenever an event is scheduled. At first, you should direct your press releases to assignment editors at local media outlets, but once you develop relationships with reporters, you can send them the releases directly. Never send a release to more than one individual at any outlet. For daily newspapers, radio, and television, 24-hour advance notice is appropriate, but weekly papers obviously need longer.

A press release is like a short news article—no more than 400 words, if possible. The body of the press release should begin by answering the five W's: Who, What, Where, When, and Why. For example: "A group of people who have been diagnosed with mental illnesses will be removing trash and overgrown weeds from the playground at Broad and South Streets on Monday, January 12 at 9 a.m., so that children can once again use the facility." In the body of the press release, you should include some background on the issues. You may also include some quotations from organizers of the event.

"If your press release is well-written and reads like a news story, smaller newspapers might be willing to carry it word-for-word," says Cece Lentini, communications director for the Mental Health Association of Southeastern Pennsylvania. Before sending out your press release, ask yourself whether it reminds you of a story that you might read in a newspaper. Also, proofread it carefully so that an editor can run it as a story with only minimal modifications.

An effective press release should also follow standard form. It should be on your group's letterhead, and underneath the letterhead (or typed address) should be the words, "Press Release." Follow this with another line reading "For immediate release." Next comes a headline, e.g., "Mental health consumer group to clean up playground," and a dateline, including the city where your organization is located, or the city at which the event will take place. At the top, include one or two reliable contact people, who should remain available for comment. A sample press release is included as Appendix E.

A press release is also an effective tool for advocacy and fighting stigma. When a particular issue is before the legislature or is otherwise attracting media attention, your group might wish to issue a statement of its position on the issue, together with relevant facts. Regularly sending carefully written, calm letters about our positions to editors, public leaders, and station managers is good policy and builds a relationship for the future. Respond to news stories and items of public concern, and speak out in "op-ed" articles and on call-in shows. You can also volunteer for panel shows, interviews, and public service announcements on mental health issues. For more ideas on using the press to advance your group's positions, see Clearinghouse publications "Fighting Stigma" and "Systems Advocacy."

## ***Negotiation skills***

Operating a consumer-run business, like any business, is not easy, and a primary skill that distinguishes successful businesspeople is the ability to negotiate. In order to be an



effective negotiator, you can't take an extreme position by either demanding too much or expecting too little. This is true whether you're dealing with a funding source and seeking more money for your programs or trying to negotiate a more favorable lease for your facilities.

The ability to negotiate is one that cannot be taught quickly: even seasoned business owners take classes to sharpen their skills. As your business grows, negotiation skills become increasingly important. Competition for available grant funding, for example, is often fierce, and you can't take a passive approach. You must do everything you can to compete for major sources of funding, rather than simply filling out applications.

In the example of funding, when you are told that there isn't enough money to fund consumer-run programs, you should look for ways to show that there *is* money and that it *should* be spent on consumer-run businesses. Clifford Thurston has seen the public mental health system in Washington State divert increasing amounts of money to consumer-run programs because the government perceives them as cost-effective. His advice to consumer-run businesses is to first find out where the money for programs is coming from—usually this is at the county level. Find the local manager of the mental health dollars and the contract specialist if you are dealing with a managed care organization.

Most importantly, he says, gather information about the effectiveness of consumer-run programs. “The government is happy to put more money into advocacy programs once they see that they're successful. I'd definitely recommend that people look at what's happening here in Washington and King County as a national model.”

The lesson to be learned is that you should always negotiate in terms of what the other party has to gain. In the example of seeking funding, explain how the cost-effectiveness of consumer-run services saves public money. If you are trying to locate your service in a residential area, explain how your services will help the community by reaching out to people who refuse traditional mental health treatments. Explain to a potential landlord how your group would take pride in its location and seek to improve it.

### ***Quality assurance***

Any business needs to evaluate what it does in order to improve its performance. Private businesses spend a large portion of their budgets determining how their customers feel about their products or services: quality assurance is the subject of many business books. Consumer-run services are no different in their need to know how they're doing, and across the country, they have developed ways to evaluate the services they provide to consumers.

Often, evaluation procedures are shaped by outside pressures. Many of the government agencies and private foundations that fund consumer-run services require evaluations to demonstrate their effectiveness. Funding sources are becoming more cautious with their money, and their demands for accountability are getting tougher. It is becoming

increasingly common for funders to require detailed evaluations that involve research. Some consumer-run businesses are even hiring outside consultants to help them meet these tough new demands.

There are several steps your group can take to comply with evaluation requirements. Plan how you will evaluate your program at the beginning, when you are hammering out a blueprint of how services will be provided. Also, establish a list of goals and objectives for the project at the start in order to have a benchmark to measure the effectiveness of your program later on. It's a good idea to agree on evaluation methods and requirements with your funding sources ahead of time so that unreasonable demands are not put on the organization later.

The task of evaluating a project can be performed using a variety of methods. Examples can include documenting the total number of people who participate in your project and compiling the number of referrals, phone contacts, and written correspondence performed by project staff.

Other, more sophisticated evaluation techniques include developing and distributing questionnaires to people who participate in the program. Surveys can be used to obtain feedback from consumers about where they see strengths and weaknesses in the project. More complex evaluations employ devices such as pre- and post-test questionnaires or interviews in which program participants are asked their views before and after they receive services from the project. Pre- and post-service responses are compared to see how people's views have changed.

Common evaluation criteria used by local and state mental health agencies are units of service and number of unduplicated clients or participants. A unit of service is usually defined by multiplying the number of people by the amount of time each individual uses the service during a given period of time. For example, a drop-in center used by 25 people for four hours each could be said to provide 100 "person-hours" of service. The number of unduplicated clients, meanwhile, simply means the number of *different* people who use a service.

When you are planning an evaluation of a consumer-run service, remember that your project is unique. Even if two programs look similar at first glance, valid criteria for measuring success might differ. For example, a drop-in center in a sparsely populated rural area far from public transportation is likely to provide fewer units of service per week than a similar program operating in an urban environment near a bus stop. However, both programs might be quite successful when outside circumstances are taken into consideration.

An effective evaluation of your project is valuable not only to the funding source but to your organization as well. Evaluations can serve as a valuable tool to improve your project so that it does a better job for the people you serve. Involve staff and users of your project in each step of the design and implementation of your evaluation. The result will be an evaluation that is more effective in pinpointing your project's strengths and

weaknesses. You'll also further the consumer movement's goals of empowerment and self-determination.

Formal evaluation methods do have a major pitfall: some involve extensive record keeping that may compromise the confidentiality of the individuals whom your project serves. Consider issues of privacy and make sure the evaluation methods you adopt are not so invasive that they compromise the values of the group. Consumers are continuously poked and prodded in traditional mental health programs, and many view surveys and extensive record keeping as an intrusion.

Barbara Granger of the Matrix Research Institute suggests that consumer-run services allow their members or users to be involved in the design of any formal evaluation procedures. "If the consumers are involved in the design of the survey, they'll be much more likely to participate. I'd also recommend having someone from outside participate in the design. Often, you can locate social work students or others who will be willing to do the work pro bono. By involving both consumers and outsiders, you can maximize both acceptance and effectiveness."

Informal methods of evaluation can provide extensive information about the effectiveness of services without the intrusion that inevitably occurs with many traditional evaluation mechanisms. Moreover, some funding sources are willing to work in cooperation with consumer-run businesses to create non-invasive approaches for determining the effectiveness of a consumer-run service. Funding sources still want to know that they are getting their money's worth, but you might be able to convince some funders that units of service and other traditional approaches do not always provide a true measure of a project's effectiveness.

Even if a funding source places no evaluation requirements on a consumer organization, the people who run the project should work on an ongoing basis to find out how they are doing in the eyes of the people who use the service. The best way to achieve this is to maintain an atmosphere that encourages open lines of communication among paid staff, volunteers, and users of the service. People will not communicate openly unless they know that the project holds the satisfaction of consumers as a fundamental value. Make sure that people are listened to, and when someone voices a valid complaint or concern, make sure that action is taken.

Opportunities for informal evaluation abound in the day-to-day operation of any consumer-run service. Encourage people at staff or member meetings to speak their minds openly. Listen to what people have to say in self-help groups. During informal conversations, take note when someone says, "if only we could. . ." or "what this place really needs is. . . ."

## Consumer-run services: special considerations

Although there are really no limits on the types of businesses that consumer groups can create, a majority of businesses that identify themselves as “consumer-run” fall into the category of services *by consumers for consumers*. If your group is interested in starting a consumer-run service, it will help to know some of the principles that have been important to the development of other successful groups.

Your consumer-run service will probably not think of itself as being part of the mental health “system,” and your service will indeed be very different from that offered by traditional providers. However, a reality of operating a consumer-run service is that it is difficult to do so without government funding, and with that funding comes regulation. You’ll have to learn how to navigate the public mental health system—and in many states, managed care organizations—for your consumer-run service to reach its greatest potential.

### Core values

Self-help, consumer-run services are planned, administered, and delivered by recipients of traditional mental health programs. Consumer-run services are not a cure-all, but these programs often enable mental health consumers to take a few critical steps toward rebuilding their lives. Consumer-run services operate under a system of core values that set them apart from traditional mental health programs operated by professionals. These include:

- *The consumers who staff the service and the consumers who use it regard each other as equals.* In contrast to the “provider caring for the client” attitude that prevails at traditional mental health services, consumer-run programs are staffed by people who have “been there.” As a result, they view consumers who use the service as people who are capable and deserving of dignity and respect.
- *Mutual support and self-help are fundamental to services and activities.* This approach is not limited to relationships between consumer staff members and consumers who use the service. In a consumer-run organization that operates effectively under the self-help model, consumers who use the service provide mutual help to each other—and to staff members, as well. Mutual support is also a key element in relationships between staff members.
- *Confidentiality and respect for rights are viewed as top priorities in the program.* These values are often lacking in traditional mental health services, but are a major factor in the effectiveness of consumer-run services.
- *Empowerment and self-determination are recognized as core values.* Although running a consumer-run service empowers its management and staff, the management and staff must remember that the service must also strive to empower its users.

- *Participation in the consumer-run service is voluntary.* The project may provide referrals to traditional mental health services, but consumer staff members don't tell a consumer that he or she is "required" to participate in a day program or other service.
- *The service is offered at little or no cost to the consumers who participate.* Although some groups charge membership dues, they are usually nominal and not seen as a significant source of income.

### ***Working with the mental health system***

Many people who organize and staff consumer-run services find that the need for efficiency and accountability conflicts with self-help values. Keep in mind that self-help values are an ideal. Sometimes compromises must be made to keep the project running. However, it is important that your group do whatever it can to maintain its integrity as a consumer-run service that upholds the principles of self-help and mutual support.

#### **Maintaining self-help ideals**

Your group *can* provide services, meet requirements of funding sources, yet stick to its principles. However, it is far too easy for a group to allow pressures from the outside to mold it into something that looks suspiciously like the old-fashioned "I'm the professional, you're the client" mental health service provider agency. Constant vigilance and soul-searching, as well as a willingness to experiment with new ways of doing things, will keep your group from losing touch with its self-help roots.

Watch for early warning signs that your group is beginning to resemble a traditional provider, such as:

- *The people who staff the consumer organization start to act as if they are "better" than the people who use it are.* Take a close look at how staff and program participants work together. Are staff members respecting people's wishes and preferences?
- *A single person or perhaps a few individuals make decisions on their own or establish rules or guidelines without consensus from other project staffers and participants.* Include as many consumers as possible in the decision-making process.
- *People in leadership positions withhold information that is relevant to the organization as a whole.* Sometimes a leader feels that information should be withheld to "protect" his or her peers, but empowerment can't happen if people don't know what's going on.
- *People are penalized because their ideas or behavior don't conform.* Don't shut a person out because they make others uncomfortable—a diversity of backgrounds and points of view is crucial to the success of any consumer group, regardless of its services or activities.

- *The agency or foundation that provides funding to the consumer organization asserts control in day-to-day operations and decision making.* Negotiate the role of the funding source *when you apply* for the money so that misunderstandings do not occur later.

Consumer-run services continue to gain recognition and validation in the mental health system. The Clearinghouse—like many local, state, and national groups—has participated in research studies examining the effectiveness of consumer-run services. As formal documentation builds, consumer-run services have access to increased funding and are able to provide a wider range of services.

However, consumer projects do continue to meet widespread resistance among professionals in the traditional mental health system. Some traditional programs resist referring their clients to consumer-run services. A few underestimate the value of such services in their community, saying that these programs aren't effective and are not operated to meet professional standards.

Too many mental health service providers view consumers in terms of their disabilities, limitations, and “illness.” They fail to recognize that many of us have valuable skills that could be put to good use in an empowering professional environment. In many cases, mental health service providers also regard programs operated by consumers as a threat to their territory. Self-help services managed and staffed by consumers are emerging as important complements to the traditional mental health system in many parts of the nation.

Here are some suggestions for dealing effectively with mental health service providers:

- Be open to other opinions.
- Seek out technical assistance from providers when appropriate.
- Collaborate and work in coalition on public policy or advocacy issues when possible—but don't compromise your organization.
- Whenever possible, explain to providers that your organization *complements* traditional services and is a valuable resource.
- Show providers what you do.

## Consumer-run services and managed care

In recent years, more and more states have turned to managed care organizations (MCOs)—private businesses that use various methods to control healthcare costs—to administer their state's Medicaid programs. This has meant decreasing choices of traditional services for consumers in the public mental health system; however, advocates continue to work hard to ensure that the advent of managed care doesn't limit access to consumer-run services.

Clearinghouse executive director Joseph Rogers says that the cost-effectiveness of consumer-run services, compared to traditional services, will appeal to MCOs. “Ideally, they will start looking at consumer-run programs as an alternative to help people with long-term needs. Drop-in centers, for example, get involved in mutual support in a relatively low-cost way. At the Clearinghouse, we’ve participated in research projects that show the efficiency and cost-savings of consumer-run services.” However, consumers must advocate for consumer-run services so that MCOs are convinced of their effectiveness and cost-effectiveness.

In some states, MCOs are providing funding to consumer-run services to help some of the MCOs’ clients. Rogers cites the example of an Arizona-based MCO that provides funding to consumer-run services, and also helps them out by reducing their paperwork requirements and helping them obtain nonprofit status.

Carolyn Wilson, who runs a drop-in center in Miami, says that the introduction of managed care to Florida has actually increased her organization’s membership. “With Medicaid guidelines, people are supposed to recover” rather than continue to utilize expensive medical services. Because “people are supposed to reach a certain level by a certain time,” there has been an increased demand for her center’s services such as advocacy training, job programs, and self-help groups.

Clifford Thurston is a consumer working within an MCO in Washington State. In his state, more and more healthcare dollars are going to consumer-run advocacy programs. He says, “The bottom line is that these programs are being funded because they’re cost-effective. They reduce hospitalizations and get people back to work. MCOs try to control spending, and consumer-run programs are replacing clinical ones because the clinical programs waste money.”

## **Workplace issues**

The modern workplace can be a major source of stress regardless of the setting. Think of everyone you've heard complain and make jokes about their jobs, and you've surely noticed that many TV shows and movies poke fun at working conditions. Everyone has had problems at work at some time or another, but for consumers the workplace often poses significant challenges.

In the general workforce, consumers often face discriminatory actions from their employers and harassment from their co-workers. Although these actions are often illegal under the Americans with Disabilities Act (ADA), incidents continue. By starting a consumer-run business, you have the advantage of being able to create a workplace that is supportive for consumers' individual needs. However, you must maintain the standards that any business needs to succeed, and finding the delicate balance between supportive and permissive is often difficult to achieve.

### ***Recruiting***

Obviously, the first step in creating a work force for your business is recruiting workers. For many businesses, the initial workforce is composed of the people starting the business, who might or might not be receiving any monetary compensation. However, for your business to grow and thrive, you'll eventually need to hire additional workers.

Some consumer-run businesses don't face significant recruiting challenges. Many consumer-run businesses have small staffs with relatively slow turnover, so they don't find themselves looking for new employees very often. Many groups hire people who have volunteered or participated in their services.

Consumer-run businesses must promote job openings in a variety of ways in order to reach consumers. Informal methods of recruiting might include word-of-mouth and networking with people at other programs. More formal methods include placing an announcement in your group's newsletter, sending job announcements to community mental health centers, and placing ads or announcements in various mental health newsletters.

In today's work environment, equal opportunity is important. Your announcements should definitely encourage consumers to apply, but you should also encourage applications from women, people with physical disabilities, and members of racial, ethnic, and sexual minorities. Don't limit your job search to people you know—you might be missing out on a wonderful candidate! For more information about recruiting in a non-discriminatory manner, you can contact the Equal Employment Opportunity Commission (EEOC), which is listed in Appendix F.



Consumer-run businesses face a special challenge in recruiting: they seek to help people rebuilding their working careers, and simultaneously need to operate as efficiently as possible on their limited resources. Should experience be required? Should people be held to the same standards of attendance and performance that they would have to meet in the “real world”? Can compromises be made without compromising quality? These are troubling questions for a movement founded on the principles of egalitarianism and empowerment.

Some consumer-run businesses don't require resumes or formal job experience. Instead, they consider informal experiences that demonstrate honesty, reliability, and a willingness to help others. Sometimes personal experiences with homelessness, substance abuse, and negotiating the system of public benefits can be a valuable resource. In membership organizations, often the members meet candidates and have input into who is hired.

Other organizations look at formal job experience, but take into account that consumers may have had past job difficulties. One approach is to look at job history from the time that recovery began and analyze how the candidate was able to incorporate work into the process. You might also look into coping mechanisms and support systems that will help candidates perform in a full-time job.

When checking references, you must take them with a grain of salt. Often, when a consumer must take extended absences or has difficult incidents at work, this will color a reference despite excellent work in better times. Also, be sure to respect candidates' confidentiality when checking references—they will not appreciate your discussing their histories with former employers.

### ***Staff development***

Recruiting the right people to work for your consumer-run business is really only the first step. Once you've recruited employees, your group will have to establish policies and procedures to help employees reach their potential. You'll want to offer a supportive environment for consumer employees and comply with the ADA, yet maintain an efficient workplace. You'll also need to have training programs that ensure employees will grow to new levels of responsibility.

### **Creating a supportive environment**

Consumers who start businesses know first-hand the challenges that we face in the workplace. Many consumers have had difficulties at work in the past, and many of us have had long breaks in our employment history. However, we all have the capacity to rise to our full potential in a supportive work environment, and it is important that a consumer-run business provide that type of environment.

Creating a supportive environment does *not* mean bending over backwards to accommodate employees' needs, nor does it mean allowing abusive or destructive behavior. Rather, a supportive environment is one in which the standards are clearly explained, and they are established with employees' needs in mind. In many private-sector jobs, employees are supposed to conform to "unwritten rules" of enthusiasm, politeness, refinement, and composure. Many people are able to perform excellent work but cannot comply with these "rules," and consumers often find themselves in that category.

Many consumer-run businesses have eliminated vague standards of decorum and understand that, while their employees have emotional needs, they can still do their jobs well. Yvette Sangster, executive director of Advocacy Unlimited in Connecticut, says, "In our workplace you might see someone crying away as they type. They know that it's OK to cry at work, and nobody bothers them. At other places, they'd have to go home; here, people support each other."

Jim Coleman, executive director of Recovery Initiative in Cincinnati, thinks that jobs at consumer-run businesses "are excellent stepping stones for consumers prior to entering the [private] workforce. The ability to work through typical emotionally upsetting employment situations in a supportive environment is critical to future non-consumer employment success."

Oftentimes, the support extends to modifying job duties. At Sangster's organization, "when people aren't doing well, they can do other things, like filing, that might not be their usual job. We let them do whatever they can that day because they're not thinking clearly. Attitudes like this aren't found in the private sector."

Of course, a supportive environment has its limits. "We don't allow violence or abusiveness," Sangster continues. However, the standards of behavior are clearly drawn, and done so for valid reasons. "We will not tolerate abusiveness to clients, and everyone knows it." Coleman agrees that he "cannot allow [other] consumers to use their illnesses as excuses for inappropriate behavior." We'll discuss standards further in *Dealing with problems*.

Sangster thinks that rules of behavior are essential not only for the efficient operation of a business and the protection of employees and clients, but also for the personal development of the employee. "Too open an environment can make people's standards go down. It's like when you're an inpatient, you're expected to be crazy: you yell, you act rude—because it's acceptable." She demands professionalism from her employees and feels that it creates a skill that employees can take with them when they leave for other employment.

## Complying with the Americans with Disabilities Act (ADA)

Most consumer-run businesses do create supportive environments in which compliance with the Americans with Disabilities Act (ADA) usually does not pose any problems. However, you should keep in mind that the ADA makes certain elements of your supportive environment a matter of law. As an employer, you should take steps to educate yourself about compliance with the ADA, which outlaws discriminating against persons with disabilities in areas such as recruitment, pay, hiring, firing, promotion, job assignments, training, leave, lay-offs, and benefits. You are also required to provide “reasonable accommodations” to employees with disabilities so that they are able to do their jobs.

Reasonable accommodations can take many forms, and are less clear-cut for people with psychiatric disabilities than for those with physical disabilities. You can find out more information by contacting the Equal Employment Opportunity Commission (EEOC) or the Bazelon Center for Mental Health Law, and Boston University’s Center for Psychiatric Rehabilitation, each of which is listed in Appendix F. Reasonable accommodations that Boston University suggests on its web site include:

- Restructuring jobs (including reassigning some duties to others)
- Adjusting work schedules (such as later starts or part-time hours)
- Flexible leave (including gradual returns)
- Specialized equipment and assistive devices
- Modifying work sites (such as to create more privacy)
- Providing special transportation
- Providing job coaches (both in hiring and on the job)
- Changes in supervision (modifying feedback or involving a job coach)

If you have specific questions about the ADA and reasonable accommodations, you might wish to call the ADA technical assistance hotline at (800) 949-4232.

## Balancing work with government benefits

Many consumer-run businesses employ people who have been receiving government income supports, such as Social Security Disability Insurance (SSDI), housing subsidies, or food stamps. It is a difficult decision for anyone who is “on welfare” to rejoin the workforce because the first job usually does not pay very well or offer attractive benefits. However, politicians are pushing for more programs to transition people from public assistance into the workforce, often called “welfare to work” programs.

Nonetheless, it is especially difficult for a consumer to decide to rejoin the workforce because of the consumers’ own feeling of self-doubt and uncertainty whether the job will work out. Also, many consumers (reasonably) fear discrimination in seeking a job: society and many treatment models discourage the idea that people diagnosed with

mental illnesses can return to work. The net result is that many consumers are neither willing nor able to turn their back on public benefits by jumping headfirst into the working world.

Realizing the dilemma, many consumer-run businesses provide a transitional form of employment that allows consumers who are receiving public benefits to work limited schedules and retain their benefits. Yvette Sangster says that Advocacy Unlimited carefully monitors each such employee's situation so that the employee doesn't lose his or her benefits. Although part-time employees make valuable contributions, "they are working with a great deal of support." Her organization completes paperwork verifying that the employees require assistance in employment, and they are able to both keep benefits and return to work on a limited basis in a friendly environment.

If your organization would like to use part-time employees who need to keep their benefits, you should of course find out the requirements that are applicable. Find out what types of assistance they receive, and find out income and other requirements so that they'll continue to receive that assistance. Jim Coleman of Recovery Initiative says it can be a difficult process. "I have consumers whose rent has increased; others had their benefits threatened, and many have either lost food stamps or had them reduced. Others have lost their right to medication because of working."

To head off problems before they start, you might explore sources of help in determining benefit eligibility. Liz DeRose says that her organization, The Haven, works with a contact person in New Hampshire's mental health department to ensure that part-time employees do not lose benefits. Your organization might be able to find assistance from your state government as well. The Social Security Administration (SSA), which is listed in Appendix F, also offers guidance in helping part-time employees maintain their benefits.

Sometimes people are ready to transition from public assistance to full-time work immediately. Consumer-run businesses which hire such people might be eligible for financial incentives and other supports under their states' welfare-to-work programs. Support services range from transportation and childcare vouchers to wage supports, providing employees and employers with new options for commuting and insuring appropriate supervision of the employees' children. Additionally, some service providers offer mentor programs that can be instrumental in helping employees adjust to entering or re-entering the workforce.

To learn more about welfare-to-work programs, including whether your state offers wage subsidies, contact the SBA, which is listed in Appendix F. Your group can also look in the phone book for the local chapters of member organizations. The YMCA, YWCA, Goodwill Industries, NAACP, National Council of Negro Women, Urban League, Catholic Charities, Boys and Girls Clubs of America, and the United Way provide various support services, such as mentoring and training.

## Personnel policies

Probably the best way to ensure an efficient workplace is to establish clear guidelines of what is expected from employees. Your organization must have a personnel manual that spells out standards of conduct, disciplinary procedures, employee benefits, grievance procedures, and other information. Additionally, each employee should have a clear job description, although the success of a small organization often depends on employees' willingness to work above and beyond their job descriptions.

Developing a personnel manual is difficult because it must take into account much information that is unique to your organization. However, contacting other organizations and asking for copies of their personnel manuals will give you a good starting point. The effort of creating a personnel manual is well worth it because it will prevent future problems.

The personnel manual should contain the following information, according to Cheri Blagbrough, human resources coordinator of the Mental Health Association of Southeastern Pennsylvania:

- History and structure of the organization;
- Employee classifications (e.g., part-time or full-time);
- Performance appraisal procedures;
- Promotions and raises;
- Timekeeping and pay;
- Pay days and paychecks;
- Health insurance and other employee benefits;
- Time off, including vacations, holidays, sick days, personal days, and Family and Medical Leave Act (FMLA) absences;
- Drug and alcohol policy;
- Criminal conviction policy;
- Attendance policy;
- Nepotism policy (hiring relatives);
- Reasonable accommodations/ADA;
- Equal employment opportunity;
- Sexual harassment policy;
- Personnel records (e.g., right to examine);
- Employee expenses and reimbursement;
- Conflicts of interest/outside employment;
- Separation procedures (e.g., layoffs and terminations);
- Standards of conduct; and
- Grievance procedures.

Your personnel manual will change with your organization: when your consumer-run business is first starting, it probably will not be able to offer a full range of benefits, but benefits are important to employees and you should tell them exactly what to expect. Many consumer-run businesses offer benefits that might not be available in the general workforce, such as extra vacation days or generous sick day policies. Coleman's organization offers "respite leave," which means that an employee can take an extended unpaid absence without losing job seniority.

With benefits come responsibilities, and by clearly spelling out performance review standards in the personnel manual, you can improve workplace efficiency and comfort. With a formal review process, employees will receive feedback on a regular basis, and they'll know areas in which improvement is needed. Your manual should also include disciplinary procedures, which are discussed in *Dealing with problems*.

Clear job descriptions are also vital to the success of any consumer-run business. Clearinghouse executive director Joseph Rogers says, "be scrupulously fair. Fairness means that people should know exactly what is expected of them, in as much detail as reasonable." When employees are evaluated, the supervisor is then able to point to particular responsibilities that the employee is performing well or not as well.

## Staff training

Many consumer groups have experienced "growing pains." In the beginning, the needs of the group are filled by volunteers who work for nothing or very little. As mentioned in *Balancing work with government benefits*, many consumer volunteers survive on welfare or disability benefits. However, your consumer-run business will soon reach a stage where volunteers or staff working at minimal, part-time wages are not enough.

Part of the necessary growth for a consumer-run businesses is to train people as they take on greater responsibilities in the business. Training needs range from learning to use a computer to honing counseling skills for crisis intervention. Staff training can often be achieved informally and with little cost.

Methods used by consumer-run businesses to train staffers include:

- *Inviting a person with expertise on the topic to come to your business and provide the training one-on-one or to a group.* For example, the person who manages the computer system at a large mental health provider agency could be asked to train your staff members on-site, either on a volunteer basis or for a consulting fee.
- *Sending staff members to relevant conferences.* Conferences sponsored by consumer, family, and professional organizations and government agencies are held all over the nation, and most include workshops to teach skills ranging from case management to proposal writing. Examples include the national Alternatives meetings and countless state and regional meetings. Check out the Clearinghouse web site for upcoming conferences.

- *Sending staff members to attend local community colleges.* Courses on topics ranging from social work to accounting are often offered for minimal tuition.
- *Offering on-site supervisory training.* Current management or board members can offer training that empowers supervisors to deal with difficult employees and feel connected with organizational policies.
- *Educating staff members about sexual harassment.* Today, many human resources professionals consider this training a must. It will help your organization prevent lawsuits as well as help staff members understand behavioral standards in the workplace.

An effective, ongoing training program boosts the morale of staff and volunteers because they will get the satisfaction of developing skills and advancing themselves professionally. Training opportunities are also an important tool in reducing staff turnover.

### ***Dealing with problems***

The best way to deal with problems in the workplace is to deal with them as soon as possible. As a supervisor, you owe it to your staff members to be fair and honest. Be positive when possible, but offer constructive criticism early enough so people have the chance to improve. You must have what Jim Coleman refers to as a “progressive disciplinary policy”—employees learn early on what they must do to improve, and their progress is monitored.

Clearinghouse executive director Joseph Rogers has the following suggestions for establishing a progressive disciplinary policy:

- Establish clear expectations in written job descriptions.
- Have regular review sessions (e.g., after the first 90 days and each year). Communicate very clearly about your expectations and how the person is doing in relationship to these expectations.
- Provide positive feedback to employees who perform adequately or who exceed job expectations.
- Counsel staff members who are not performing adequately. Find out why they’re not doing the best job they can do. They should go away understanding specifically what they need to do in order to improve their work.
- After meeting with an employee, write down what took place at the counseling session. If the situation deteriorates, you might need this documentation.
- Continue counseling employees who are not meeting performance standards.
- If an employee requests a reasonable accommodation—as guaranteed by the ADA—draft a description of the needed accommodation, to be signed by both the staff member and the supervisor.
- If you are too close to be objective, invite human resources to help mediate any problems that might arise from your own feelings.

- If it becomes necessary to let someone go, help the person with the transition. If the individual has not grievously violated any of the organization's policies, help him or her retain benefits or reinstate public assistance.
- Have a written grievance program that allows employees to appeal demotion and termination decisions. This policy should be spelled out in the personnel manual and it should be explained to employees.

The above suggestions provide an excellent method for dealing with common issues of job performance, but sometimes there are workplace crises that cannot be dealt with in such a calm manner. However, with innovative solutions, a consumer-run business can preserve its goal of helping consumers adjust to workplace responsibilities.

Coleman's organization has a written policy that allows a supervisor to place an employee on unpaid leave "if the supervisor feels the employee cannot complete the essential functions of his or her job because of health reasons." To prevent abuses, the employee is allowed to appeal such decisions through a formal grievance program.

Coleman has also taken extraordinary steps to help employee's problems become learning experiences. In one case, two employees almost came to blows in the workplace. Rather than terminating the employees, as might happen at many businesses, he held joint and individual conflict resolution sessions with the employees, and they were able to find new ways to resolve their differences. Coleman feels that "these types of learning situations are absolute prerequisites for employees wishing to make the transition from consumer employment to non-consumer employment."



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## Appendix A. How to write a business plan

For this section, we've adapted the United States Small Business Administration (SBA) publication entitled *The Business Plan: A Roadmap to Success*. We have made additions and modifications so that the guidelines are more appropriate for consumer-run businesses, whether they are for-profit or nonprofit, and whether or not they provide services to consumers.

We strongly recommend that you contact the national or regional SBA offices for additional assistance in developing your business plan, especially if you are seeking to start a business that sells goods or services. Contact information is listed in Appendix F. SBA recommends that your business plan consist of four parts: the description of the business, the marketing plan, the management plan, and the financial management plan.

### ***Description of the business***

As you might imagine, the most important part of a business plan is an explanation of what exactly you are planning to do. Your description of what you plan to do might be shaped by a particular request for proposals (RFP) for available grant money, or it might be entirely the result of your own vision. Either way, creating a business plan is an excellent way to refine your idea and figure out what exactly you'll be doing, as well as how to do it efficiently. When you explain your business, include a detailed description of your services (or products), the people whom you'll serve, and—most importantly—what makes your business unique.

After a cover sheet including the name, address and telephone number of the business and the names of all organizers, the business description section can be divided into three primary sections. First, describe the type of business you'll be running. Next, describe the products or services you'll offer. Finally, describe the actual or ideal location for your business, and why this location is desirable.

When you describe your business, be sure to keep in mind two things. First, an important feature of your business is that it will be planned, directed, and staffed by consumers. Second, remember that some terms (such as “drop-in center”) should be explained fully for readers who might not be familiar with such terms.

Here are some essential elements of your business description:

- **Legalities.** Will your business be nonprofit or for-profit? Will it be an independent corporation or affiliated with an agency? What types of licenses and permits will you need? See *Types of businesses* for more information.
- **Business type.** Are you providing alternative services for consumers or are you providing a service or product to the community at large?

- **Specific business.** Are you a drop-in center or respite care center? A restaurant or a landscaping service?
- **Value to the community.** If you're operating a for-profit business, why will it be profitable? If you will be operating a service, why will it be essential to the community? Be sure to explain the positive impact on the community at large, rather than just for the users of the service.
- **Operating hours.** When will your business be open?
- **Planning.** What have you learned about your kind of business from outside sources, such as trade associations, bankers, operators of similar businesses, and publications?

When you've drafted the description of your business, review it to make sure that it clearly identifies goals and objectives and clarifies why you are, or why you want to be, in business.

After describing your business generally, it is important to provide as detailed a description as possible of the services that you will provide, or as the case may be, the products that you will offer. If you are providing services to consumers, try to describe the benefits of your services from your clients' or members' perspective. Describe:

- The particular service or product that you are offering or selling.
- How your product or service will benefit your members, clients, or customers.
- Which services or products are most in demand, and in the case of for-profits, whether there will be a steady flow of cash.
- What is different about the service or product your business is offering.

The location of your business can play a decisive role in its success. If you are providing services to consumers, your location should be accessible and it should provide a sense of security. Consider these questions when addressing this section of your business plan:

- What are your location needs?
- What kind of space will you need?
- Why is the area desirable? The building desirable?
- Is it easily accessible? Is public transportation available? Is street lighting adequate?
- Are there other factors that make the location desirable or accessible to consumers?
- Is there a particular need for services in the neighborhood or community in general?

### ***The marketing plan***

Marketing is obviously a key factor in the success of a for-profit business *or* a nonprofit that relies on generating revenue through selling products or services. However, well-planned marketing is also essential to the success of non-profit businesses that rely on outside funding sources. Foundations and government agencies want to know that their money is being put to good use, and the best way to demonstrate this value is to provide services to as many people as you can accommodate.

In your marketing plan, identify the people who will be your customers, clients, or members. If you are trying to reach a particular subset of consumers, state so. If you are looking to start a for-profit business, identify your potential customers by their age, gender, income or educational level, and residence. At first, target only those members, clients, or customers who are most likely to use or purchase your product or service. As your membership or customer base expands, you may need to consider modifying the marketing plan to include other customers.

In your marketing plan, you should also consider your competition. Whether or not you are starting a business to make a profit, competition is a way of life. If you are starting a for-profit business, you'll have to outperform your competition. If you're running a nonprofit, you'll have more difficulty obtaining funding if another organization already provides similar services to your target membership. Regardless the type of organization, your marketing plan should address the following questions:

- Who are your nearest direct competitors, if any?
- Who are your indirect competitors?
- Is demand for their products or services steady? Increasing? Decreasing?
- What have you learned from their operations? From their marketing?
- What are their strengths and weaknesses?
- How does their product or service differ from yours?

Your marketing plan should also spell out whether you intend to charge for your products and services, and if so, how much. If you plan to use a sliding scale, charge annual fees, ask for volunteer service in exchange for memberships, be sure to explain your policies. If you are not planning to charge anything or to accept only voluntary contributions, you should clearly say so.

### ***The management plan***

The management plan covers the organization of your business and how it will be run. You should consult *Internal decision-making* as you prepare this section of your business plan. Your management plan should answer questions such as:

- How does your background or experience help you in this business?
- What are your weaknesses and how can you compensate for them?
- Who will be on the management team?
- What are their strengths and weaknesses?
- What are their duties?
- Are these duties clearly defined?
- What are your current personnel needs?
- What are your plans for hiring and training personnel?
- What salaries, benefits, vacations, and holidays will you offer?
- What benefits, if any, can you afford at this point?

In the case of nonprofit businesses applying for grant money, your management plan should respond to the grant's request for proposals (RFP) by explaining how the expertise of your management and staff will enable your organization to ensure progress on funded activities. Depending on the grant, you might describe how you will provide services, deliver written materials, communicate with funders and other groups, or achieve other specific goals.

### ***The financial management plan***

Sound financial management is essential. No matter how great your ideas are, if you don't properly manage your finances, your business will not succeed. The most difficult part of any business, whether for-profit or nonprofit, is operating within the budget available. If your business is run for-profit, your budget will be determined by loans and revenues. Nonprofits must operate within the confines of available funding and often must cope with the disappearance or reduction of funding sources.

The centerpiece of your business's financial management plan will be the initial and operating budgets. (For more information about creating budgets, see *Operations* and the sample budget in Appendix D.) Regardless of the type of business, you will need to identify and implement policies that ensure you'll meet your financial obligations. Because finances are a difficult and technical aspect of running a business, many experts recommend hiring someone or asking for outside guidance in financial matters.

The financial section of your business plan should also include any grant applications or loan applications you've filed and a list of equipment and supplies needed. If you are starting a for-profit business, you should consult an accounting reference to develop a balance sheet, which lists your assets and liabilities, and income projections (or a "profit and loss statement").

The accounting system that you will be using is generally addressed in this section of the business plan also. Whether you develop the accounting and inventory systems yourself or have an outside financial advisor develop the systems, you will need to acquire a thorough understanding of each segment and how it operates.

Your plan should include an explanation of all projections. Unless you are thoroughly familiar with financial statements, get help in preparing your cash flow and income statements and your balance sheet. Your aim is not to become a financial wizard, but to understand the financial tools well enough to gain their benefits. Ideally, you'll be able to find help from an accountant or financial advisor, but we've listed some free or inexpensive resources in Appendix F.

*Be sure to check with your state's individual requirements. This document was not created to comply specifically with any state's law, but rather federal tax law.*

## **Appendix B. Sample articles of incorporation**

**Articles of Incorporation** of the undersigned, a majority of whom are citizens of the United States, desiring to form a Non-Profit Corporation under the Non-Profit Corporation Law of Michigan, do hereby certify:

**First:** The name of the Corporation shall be Motown Consumer Coalition.

**Second:** The place in this state where the principal office of the Corporation is to be located is the City of Detroit, Wayne County.

**Third:** Said corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

**Fourth:** The names and addresses of the persons who are the initial trustees of the corporation are as follows:

John Doe      2013 Main Street, Detroit MI 90909

Jane Smith    11 Elm Street, Detroit, MI 90921

**Fifth:** No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

**Sixth:** Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

In witness whereof, we have hereunto subscribed our names this 21st day of June 2001.

*Be sure to check with your state's individual requirements. These bylaws do not necessarily comply with state or federal laws.*

## **Appendix C. Sample bylaws**

### BYLAWS OF CALIFORNIA CONSUMER EMPOWERMENT

#### ARTICLE 1: OFFICES

##### **SECTION 1. PRINCIPAL OFFICE**

The principal office of the corporation for the transaction of the business is located in Orange County California.

##### **SECTION 2. CHANGE OF ADDRESS**

The county of the corporation's principal office can be changed only by amendment of these Bylaws and not otherwise. The Board of Directors may; however, change the principal office from one location to another within the named county by noting the changed address and effective date below, and such change of address shall not be deemed an amendment of these Bylaws.

##### **SECTION 3. OTHER OFFICES**

The corporation may also have offices at such other places within or without the State of California where it is qualified to do business, as its business may require and as the Board of Directors may, from time to time, designate.

#### ARTICLE 2: PURPOSES

##### **SECTION 1. MISSION STATEMENT**

The purpose of the California Consumer Empowerment is to support and encourage mental health consumers to fully recover and become powerful advocates.

##### **SECTION 2. OBJECTIVES AND PURPOSES**

The primary objectives and purposes of this corporation shall be:

- (a) to empower mental health consumers through self-help groups and networking statewide;
- (b) to teach consumers how to confront stigmatizing attitudes about us in the public, the media, the mental health system, and within mental health consumers themselves;
- (c) to offer self-advocacy programs to promote and instill the rights of consumers in and out of treatment situations, with special attention to the right of freedom of choice;
- (d) to provide every possible reasonable accommodation to enable persons with a psychiatric disability to work and provide a range of employment opportunities from subsidized pre-vocational training and on-the-job skills development to employment comparable to non-disabled individuals in similar positions; and
- (e) to carry on other charitable activities consistent with our vision or mission.

#### ARTICLE 3: MEMBERS

##### **SECTION 1. DETERMINATION AND RIGHTS OF MEMBERS**

The corporation shall have only one class of members. No member shall hold more than one membership in the corporation. Except as expressly provided in or authorized by the Articles of Incorporation or Bylaws of this corporation, all members shall have the same rights, privileges, restrictions, and conditions.

##### **SECTION 2. QUALIFICATION OF MEMBERS**

Only persons who have been diagnosed or labeled with a mental health diagnosis are qualified to be members of this organization.

##### **SECTION 3. ADMISSION OF MEMBERS**

Applicants shall be admitted to membership on making application therefore in writing and on payment of the first annual dues, as specified in the following sections of this Bylaw.

##### **SECTION 4. FEES, DUES AND ASSESSMENTS**

- (a) No fee shall be charged for making application for membership in the corporation.
- (b) The annual dues payable to the corporation by members shall be in such amount as may be determined from time to time by resolution of the Board of Directors.
- (c) Memberships shall be non-assessable.
- (d) A sliding fee shall be charged for annual dues but no one who is otherwise eligible for membership shall be excluded for lack of funds.

##### **SECTION 5. NUMBERS OF MEMBERS**

There is no limit on the number of members the corporation may admit.

##### **SECTION 6. MEMBERSHIP BOOK**

The corporation shall keep a membership file containing the name and address of each member. Termination of the membership of any member shall be recorded in the file together with the date of termination of such membership. Such file shall be kept at the corporation's principle office and shall be available for inspection by any director or member of the corporation during regular business hours. Any director or member of the corporation may request a copy of the membership list by submitting a written explanation of how it will be used.



*Be sure to check with your state's individual requirements. These bylaws do not necessarily comply with state or federal laws.*

The record of names and addresses of the members of this corporation shall constitute the membership list of this corporation and shall not be used, in whole or part, by any person for any purpose not directly related to a member's interest as a member, and confidentiality shall be respected.

#### **SECTION 7. NON-LIABILITY OF MEMBERS**

A member of this corporation is not, as such, personally liable for the debts, liabilities, or obligations of the corporation.

#### **SECTION 8. NON TRANSFERABILITY OF MEMBERSHIPS**

No member may transfer for value a membership or any right arising therefrom. All rights of membership cease upon the member's death.

#### **SECTION 9. TERMINATION OF MEMBERSHIPS**

(a) Grounds for termination. The membership of a member shall terminate upon the occurrence of any of the following events:

- (1) Upon his or her notice of such termination delivered to the President or Secretary of the corporation personally or by mail, such membership to terminate upon the date of delivery of the notice or the date of deposit in the mail.
- (2) Upon a determination by the Board of Directors that the member has engaged in conduct materially and seriously prejudicial to the interests or purposes of the corporation.
- (3) Upon a failure to renew his or her membership, such termination to be effective thirty (30) days after a written notification of delinquency is given personally or mailed to such member by the membership secretary. A member may avoid such termination by signifying an interest in continuing as a member within a thirty (30) day period following the member's receipt of the written notice of membership expiration.

(b) Procedure for expulsion. Following the determination that a member should be expelled under subparagraph (a)(2) of this section, the following procedure shall be implemented:

- (1) A notice shall be sent by first-class or registered mail to the last address of the member as shown on the corporation's records, setting forth the expulsion and the reasons therefor. Such notice shall be sent at least fifteen (15) days before the proposed effective date of the expulsion.
- (2) The member being expelled shall be given an opportunity to be heard, either orally or in writing, at a hearing to be held not less than five (5) days before the effective date of the proposed expulsion. The hearing will be held by the Board of Directors in accordance with the quorum and voting rules set forth in these Bylaws applicable to meetings of the Board. The notice to the member of his or her proposed expulsion shall state the date, time, and place of the hearing on his or her proposed expulsion.
- (3) Following the hearing, the Board of Directors shall decide whether or not the member should in fact be expelled, suspended, or sanctioned in some other way. The decision of the Board shall be final.
- (4) Any person expelled from the corporation shall receive a refund of dues already paid. The refund shall be prorated to return only the unaccrued balance remaining for the period of dues payment.

#### **SECTION 10. RIGHTS ON TERMINATION OF MEMBERSHIP**

All rights of a member in the corporation shall cease on termination of membership as herein provided.

#### **SECTION 11. AMENDMENTS RESULTING IN THE TERMINATION OF MEMBERSHIPS**

Notwithstanding any other provision of these Bylaws, if any amendment of the Articles of Incorporation or of the Bylaws of this corporation would result in the termination of all memberships or any class of memberships, then such amendment or amendments shall be effective only in accordance with the provisions of Section 5342 of the California Nonprofit Public Benefit Corporation Law.

### **ARTICLE 4: MEETINGS OF MEMBERS**

#### **SECTION 1. PLACE OF MEETINGS**

Meetings of members shall be held at the principal office of the corporation or at such other place or places within or without the State of California as may be designated from time to time by resolution of the Board of Trustees.

#### **SECTION 2. ANNUAL AND OTHER REGULAR MEETINGS**

The members shall meet annually in Regions at the date, place and time specified by the Regional Directors for the purpose of electing Directors and transacting other business as may come before the meeting. The names are the Far South Region, the South Region, the Bay Area Region, the Central Valley Region, and the Far North Region. The boundaries of the geographical regions shall be accorded by resolution of the Board of Directors.

Cumulative voting for the election of Directors shall not be permitted. The candidates receiving the highest number of votes up to the number of Directors to be elected shall be elected. Each voting member shall cast one vote, with voting being by written ballot only.

The annual meeting(s) of members for the purpose of electing Directors shall be deemed regular meetings and any reference in these Bylaws to regular meetings of members refers to these annual meetings.

Other meetings of the membership may be held at the date, time and place designated by the Board of Directors provided that proper notice is given in accordance with these Bylaws.

#### **SECTION 3. SPECIAL MEETINGS OF MEMBERS**

*Be sure to check with your state's individual requirements. These bylaws do not necessarily comply with state or federal laws.*

Persons Who May Call Special Meetings of Members. Special meetings of the members shall be called by the Board of Directors or the President of the Corporation. In addition, special meetings of the members for any lawful purpose may be called by five percent (5%) or more of the members.

#### **SECTION 4. NOTICE OF MEETINGS**

(a) Time of Notice. Whenever members are required or permitted to take action at a meeting, a written notice of the meeting shall be given by the Secretary of the corporation not less than ten (10) nor more than ninety (90) days before the date of the meeting to each member who, on the record date for the notice of the meeting, is entitled to vote thereat: provided, however, that if notice is given by mail and the notice is not mailed by first-class, registered, or certified mail, that notice shall be given twenty (20) days before the meeting.

(b) Manner Of Giving Notice. Notice of a members' meeting or any report shall be given either personally or by mail or other means of written communication, addressed to the member at the address of such member appearing on the books of the corporation or given by the member to the corporation for the purpose of notice; or if no address appears or is given, at the place where the principal office of the corporation is located, or by publication of notice of the meeting at least once in a newspaper of general circulation in the county in which the principal office is located. Notice shall be deemed to have been given at the time when delivered personally or deposited in the mail or sent by telegram or other means of written communication.

(c) Contents of Notice. Notice of a membership meeting shall state the place, date, and time of the meeting and (1) in the case of a special meeting, the general nature of the business to be transacted, and no other business may be transacted, or (2) in the case of a regular meeting, those matters which the Board, at the time notice is given, intends to present for action by the members. Subject to any provision to the contrary contained in these Bylaws, however, any proper matter may be presented at a regular meeting for such action. The notice of any meeting of members at which Trustees are to be elected shall include the names of all those who are nominees at the time notice is given to the members.

(d) Notice of Meetings Called by Members. If a special meeting is called by members as authorized by these Bylaws, the request for the meeting shall be submitted in writing, specifying the general nature of the business proposed to be transacted and shall be delivered personally or sent by registered mail or by telegraph to the President, Vice President, or Secretary of the corporation. The officer receiving the request shall promptly cause notice to be given to the members entitled to vote that a meeting will be held, stating the date of the meeting. The date for such meeting shall be fixed by the Board of Trustees and shall not be less than thirty-five (35) nor more than ninety (90) days after the receipt of the request for the meeting by the officer. If the notice is not given within twenty (20) days after receipt of the request, persons calling the meeting may give the notice themselves.

(e) Waiver of Notice of Meetings. The transactions of any meeting of members, however called and noticed, and wherever held, shall be as valid as though taken at a meeting duly held after regular call and notice, if a quorum is present in person, and if either before or after the meeting, each of the persons entitled to vote, not present in person, signs a written waiver of notice or a consent to the holding of the meeting or an approval of the minutes thereof. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meeting. Waiver of notices or consents need not specify either the business to be transacted or the purpose of any regular or special meeting of members', except that if action is taken or proposed to be taken for approval of any of the matters specified in subparagraph (f) of this section, the waiver of notice or consent shall state the general nature of the proposal.

(f) Special Notice Rules for Approving Certain Proposals. If action is proposed to be taken or is taken with respect to the following proposals, such action shall be invalid unless unanimously approved by those entitled to vote or unless the general nature of the proposal is stated in the notice of meeting or in any written waiver of notice:

- (1) Removal of directors without cause;
- (2) Filling vacancies on the Board by members;
- (3) Amending the Articles of Incorporation; and
- (4) An election to voluntarily wind up and dissolve the corporation.

#### **SECTION 5. QUORUM FOR MEETINGS**

A quorum at statewide meetings shall consist of fifty (50) members or 10% of the Membership, whichever is higher. The members present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting due to the withdrawal of members from the meeting. When a meeting is adjourned for lack of a sufficient number of members at the meeting or otherwise, it shall not be necessary to give any notice of the time and place of the adjournment meeting or of the business to be transacted at such meeting other than by announcement at the meeting at which the adjournment is taken. However, if after the adjournment a new record date is fixed for notice or voting, a notice of the adjourned meeting shall be given to each member, who, on the record date for the notice of meeting, is entitled to vote at the meeting. A meeting shall not be adjourned for more than forty-five (45) days.

Notwithstanding any other provisions of this Article, if this corporation authorizes members to conduct a meeting with a quorum of less than one third (1/3) of the voting power, then, if less than one-third (1/3) of the voting power actually attends a regular meeting, in person, then no action may be taken on a matter unless the general nature of the matter was stated in the notice of the regular meeting.

*Be sure to check with your state's individual requirements. These bylaws do not necessarily comply with state or federal laws.*

#### **SECTION 6. MAJORITY ACTION AS MEMBERSHIP ACTION**

Every act or decision done or made by a majority of voting members present in person at a duly held meeting at which a quorum is present is the act of the members, unless the law, the Articles of Incorporation of this corporation, or these Bylaws require a greater number.

#### **SECTION 7. VOTING RIGHTS**

Each member is entitled to one vote on each matter submitted to a vote by the members. Voting at duly held meeting shall be held by voice vote. Election of Directors, however, shall be by ballot.

#### **SECTION 8. PROXY VOTING**

Members entitled to vote shall not be permitted to vote or act by proxy and no provision in the Bylaws referring to proxy voting shall be construed to permit any member to vote or act by proxy.

#### **SECTION 9. CONDUCT OF MEETINGS**

The Board of Directors shall appoint, by majority vote, a Chairman to preside over each meeting of the members of this corporation and shall appoint someone to act as Secretary of the meeting.

Meetings shall be governed by Robert's Rules of Order, as such rules may be revised from time to time, insofar as such rules are not inconsistent with, or in conflict with, these Bylaws, the Articles of Incorporation or any provision of law.

#### **SECTION 10. ACTION BY WRITTEN BALLOT WITHOUT A MEETING**

Any action which may be taken at any regular or special meeting of members may be taken without a meeting if the corporation distributes a written ballot to every member entitled to vote on the matter. The ballot shall set forth the proposed action, provide an opportunity to specify approval or disapproval of each proposal, provide that where the person solicited specifies a choice with respect to any such proposal the vote shall be cast in accordance therewith, and provide a reasonable time within which to return the ballot to the corporation. Ballots shall be mailed or delivered in the manner required for giving notice of meetings specified in Section 4(b) of the Article.

All written ballots shall also indicate the number of responses needed to meet the quorum requirement, and except for ballots soliciting votes for the election of Directors, shall state the percentage of approvals necessary to pass the measure submitted. The ballots must specify the time by which they must be received by the corporation in order to be counted.

Approval of action by written ballot shall be valid only when the number of votes cast by ballot within the time period specified equals or exceeds the quorum required to be present at a meeting authorizing the action, and the number of approvals equals or exceeds the number of votes that would be required to approve the action at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot.

Directors may be elected by written ballot. Such ballots for the election of Directors shall list the persons nominated at the time the ballots are mailed or delivered. If any such ballots are marked 'withhold' or otherwise marked in a manner indicating that the authority to vote for the election of Directors is withheld, they shall not be counted as votes either for or against the election of a Director.

A written ballot may not be revoked after its receipt by the corporation or its deposit in the mail, whichever occurs first.

#### **SECTION 11. REASONABLE NOMINATION AND ELECTION PROCEDURES**

This corporation shall make available to members reasonable nomination and election procedures with respect to the election of Directors by members. Such procedures shall be reasonable given the nature, size, and operations of the corporation, and shall include :

- (a) A reasonable means of nominating persons for election as Directors.
- (b) A reasonable opportunity for a nominee to communicate to the members the nominee's qualifications and the reasons for the nominee's candidacy.
- (c) A reasonable opportunity for all nominees to solicit votes.
- (d) A reasonable opportunity for all members to choose among the nominees.
- (e) Not less than 66% of the Directors shall be elected from among the membership.

Upon the written request by any nominee for election to the Board and the payment with such request of the reasonable costs of (including postage) the corporation shall, within ten (10) business days after such request (provided payment has been made) mail to all members or such portion of them that the nominee may reasonably specify, any material which the nominee shall furnish and which is reasonably related to the election, unless the corporation within five (5) business days after the request allows the nominee, at the corporation's option, the right to do either of the following:

- (1) inspect and copy the record of all members' names, addresses and voting rights, at reasonable times, upon five (5) business days prior written demand upon the corporation, which demand shall state the purpose for which the inspection rights are requested; or
- (2) obtain from the Secretary, upon written demand and payment of a reasonable charge, a list of the names, addresses and voting rights of those members entitled to vote for the election of Directors, as of the most recent record date for which it has been compiled or as of any date specified by the nominee subsequent to the date of demand. The demand shall state the purpose for which the list is requested and the membership list shall be made available on or before the later of ten (10) business days after the demand is received or after the demand is received or after the date specified therein as the date of which the list is to be compiled.

If the corporation distributes the written election material soliciting votes for any nominee for Director at the corporation's expense, it shall make available, at the corporation's expense, to each other nominee, in or with the same

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material, the same amount of space that is provided any other nominee, with equal prominence, to be used by the nominee for a purpose reasonably related to the election.

Generally, any person who is qualified to be elected to the Board of Directors shall be nominated at the annual meeting of members held for the purpose of electing Directors by any member present at the meeting in person or by proxy. However, if the corporation has five hundred (500) or more members, any of the additional nomination procedures specified in subsections (a) and (b) of Section 5521 of the California Nonprofit Public Benefit Corporation Law may be used to nominate persons for election to the Board of Directors.

If this corporation has five thousand (5,000) or more members, the nomination and election procedures specified in Section 5522 of the California Nonprofit Corporation Law shall be followed by this corporation in nominating and electing persons to the Board of Directors.

#### **SECTION 12. ACTION BY UNANIMOUS WRITTEN CONSENT WITHOUT A MEETING**

Except as otherwise provided in these Bylaws, any action required or permitted to be taken by the members may be taken without a meeting, if all members shall individually or collectively consent in writing to the action. The written consent shall be filed with the minutes of the proceedings of the members. The action by written consent shall have the same force and effect as the unanimous vote of the members.

#### **SECTION 13. RECORD DATE FOR MEETINGS**

The record date for purposes of determining the members entitled to notice, voting rights, written ballot rights, or any other rights with respect to a meeting of members or any other lawful membership action, shall be fixed pursuant to Section 5611 of the California Nonprofit Public Benefit Corporation Law.

### ARTICLE 5: DIRECTORS

#### **SECTION 1. NUMBER**

Two (2) Directors shall be elected at membership meetings held in the geographic regions, two (2) Directors for each region. The geographic regions are designated as the Far South Region, the South Region, the Bay Area Region, the Central Valley Region and the Far North Region. The Directors shall be called Regional Directors.

Up to five (5) Directors will be appointed by the elected Regional Directors to represent the interests and populations of the state.

#### **SECTION 2. POWERS**

Subject to the provisions of the California Nonprofit Public Benefit Corporation Law and any limitations in the Articles of Incorporation and Bylaws relating to action required or permitted to be taken or approved by the members of this corporation, the activities and affairs of this corporation shall be conducted and all corporate powers shall be exercised under the direction of the Board of Directors.

#### **SECTION 3. DUTIES**

It shall be the duty of the Directors to:

- (a) Perform any and all duties imposed on them collectively or individually by law, by the Articles of Incorporation, or by these Bylaws.
- (b) Appoint and remove, employ and discharge, and, except as otherwise provided in these Bylaws, prescribe the duties and fix the compensation, if any, of all officers, agents, and employees of the corporation.
- (c) Supervise all officers, agents, and employees of the corporation to assure that their duties are performed properly.
- (d) Meet at such times and places as required by these Bylaws.
- (e) Register their names and addresses with the Secretary of the corporation, and notices of meetings mailed or telegraphed to them at such addresses shall be valid notices thereof.

#### **SECTION 4. TERMS OF OFFICE**

One-half (1/2) of the Board of Directors shall be elected/appointed annually to serve a two (2) year term.

The term of any Director shall commence at the time of the meeting at which she/he is elected or appointed, The term of the elected Directors shall expire at the regional membership meeting held in the year in which his/her term is to expire. Regions shall have the right to recall an elected Board Member at their annual Regional Meeting. The term of the appointed Director shall expire at the Board Meeting immediately following the annual regional membership meetings held in the year in which his/her term expires. Directors shall continue to hold office for the term specified or until a successor is elected and qualified. Board Members shall not serve more than two (2) consecutive terms.

#### **SECTION 5. COMPENSATION**

Directors shall serve without compensation except that they shall be allowed and paid their actual and necessary expenses incurred in attending Board meetings. In addition, they shall be allowed reasonable advancement or reimbursement for expenses incurred in the performance of their regular duties as specified in Section 3 of this Article. Directors may not be compensated for rendering services to the corporation in any capacity other than Director unless such compensation is reasonable and is allowable under the provision of Section 6 of this Article.

#### **SECTION 6. RESTRICTION REGARDING INTERESTED DIRECTORS**

Notwithstanding any other provisions of these Bylaws, not more than forty-nine percent (49) of the persons serving on the Board may be interested persons. For the purposes of this Section, interested persons means either:

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(a) any person currently being compensated by the corporation for services rendered it within the previous twelve (12) months, whether as full or part-time officer or other employee, independent contractor, or otherwise, excluding any reasonable compensation to a Director as Director; or

(b) any brother, sister, ancestor, descendent, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any such person.

#### **SECTION 7. PLACE OF MEETINGS**

Meetings shall be held at the principal office of the corporation, unless otherwise provided by the Board, or at such place within or without the State of California which has been designated from time to time by resolution of the Board of Directors. In the absence of such designation, any meeting not held at the principal office of the corporation shall be valid only if held on the written consent of all Directors given either before or after the meeting and filed with the Secretary of the corporation or after all Board members have been given written notice of the meeting as hereinafter provided for special meetings of the Board. Any meeting, regular or special, may be held by conference telephone or similar communications equipment, so long as all Directors participating in such meeting can hear one another.

#### **SECTION 8. REGULAR AND ANNUAL MEETINGS**

There shall be a minimum of six (6) regular meetings of the Board of Directors each year, including the annual Directors meeting at which the Executive Committee members are chosen.

#### **SECTION 9. SPECIAL MEETINGS**

Special meetings of the Board of Directors may be called by the Chairman of the Board, the President of the Board, the Vice-President, the Secretary, or by any two Directors, and such meetings shall be held at the place within or without the State of California, designated by the person or persons calling the meeting, and in the absence of such designation at the principal office of the corporation.

#### **SECTION 10. NOTICE OF MEETINGS**

Regular meetings of the Board may be held without notice. Special meetings of the Board shall be held upon four (4) days notice by first-class mail or forty-eight (48) hours notice delivered personally or by telephone or telegraph. If sent by mail or telegram, the notice shall be deemed to be delivered on its deposit in the mail or on its delivery to the telegraph company. Such notices shall be addressed to each Director at his/her address as shown on the books of the corporation. Notice of the time and place of holding an adjourned meeting need not be given to absent Directors if the time and place of the adjourned meeting are fixed at the adjourned meeting and if such adjourned meeting is held no more than twenty-four (24) hours from the time of the original meeting. Notice shall be given of any adjourned regular or special meeting to Directors absent from the original meeting if the adjourned meeting is held more than twenty-four (24) hours from the time of the original meeting.

#### **SECTION 11. CONTENTS OF NOTICE**

Notice of meetings not herein dispensed with shall specify the place, day, and hour of the meeting. The purpose of any Board meeting need not be specified in the notice.

#### **SECTION 12. WAIVER OF NOTICE AND CONSENT TO HOLDING MEETINGS**

The transaction of any meeting of the Board, however called and noticed or wherever held, are as valid as though the meeting had been duly held after proper call and notice, provided a quorum, as hereinafter defined, is present and provided that either before or after the meeting each Director not present signs a waiver of notice, a consent to holding the meeting, or an approval of the minutes thereof. All such waivers, consents, or approvals shall be filed with the corporate record or made part of the minutes of the meeting.

#### **SECTION 13. QUORUM FOR MEETINGS**

A quorum shall consist of a majority of the Board of Directors. Except as otherwise provided by these Bylaws or in the Articles of Incorporation of this corporation, or by law, no business shall be considered by the Board at any meeting at which a quorum, as hereinafter defined, is not present, and the only motion which the President or Chairperson may entertain at such meeting is a motion to adjourn. However, a majority of the Directors present at such meeting may adjourn, from time to time, until the time fixed for the next regular meeting of the Board.

When a meeting is adjourned for lack of a quorum, it shall not be necessary to give any notice of the time and place of the adjourned meeting or of the business to be transacted at such meeting, other than by announcement at the meeting at which the adjournment is taken, except as provided in Section 10 of this Article.

The Directors present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting due to the withdrawal of Directors from the meeting, provided that any action thereafter taken must be approved by at least a majority of the required quorum for such meeting or such greater percentage as may be required by law, the Articles of Incorporation or Bylaws of this corporation.

Board Members may vote on specific issues by proxy.

#### **SECTION 14. MAJORITY ACTION AS BOARD ACTION**

Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present is the act of the Board of Directors, unless the Articles of Incorporation or Bylaws of this corporation, or provisions of California Nonprofit Public Benefit Corporation Law, particularly those provisions relating to appointment of committees (Section 5212), approval of contracts or transactions in which a Director has a material

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financial interest (Section 5233), and indemnification of Directors (Section 5233e) require a greater percentage or different voting rules for approval of a matter by the Board.

#### **SECTION 15. CONDUCT OF MEETINGS**

Meetings of the Board of Directors shall be presided over by a Chairperson chosen by a majority of the Directors present at the meeting. The Board of Directors shall appoint a person to act as Secretary of each meeting. Meetings shall be governed by Robert's Rules of Order, as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these Bylaws, the Articles of Incorporation or provisions of law.

#### **SECTION 16. ACTION BY UNANIMOUS WRITTEN CONSENT WITHOUT MEETING**

Any action required or permitted to be taken by the Board of Directors under any provision of law may be taken without a meeting if all members of the Board shall individually or collectively consent in writing to such action. For the purposes of this Section only, "all members of the Board" shall not include any "interested Director" as defined in Section 5233 of the California Nonprofit Public Benefit Corporation Law. Such written consent or consents shall be filed with the minutes of the proceedings of the Board. Such action by written consent shall have the same force and effect as the unanimous vote of the Directors. Any certificate or other document filed under any provision of law which relates to action so taken shall state that the action was taken by unanimous written consent of the Board of Directors without a meeting and that the Bylaws of this corporation authorize the Director to so act, and such statement shall be prima facie evidence of such authority.

#### **SECTION 17. VACANCIES**

Vacancies on the Board of Directors shall exist (1) on the death, resignation, or removal of any Director, and (2) whenever the number of authorized Directors is increased.

If this corporation has any members, then, if the corporation has less than fifty (50) members, Directors may be removed with cause by a majority of all members, or, if the corporation has fifty (50) or more members, by vote of a majority of the votes represented at a membership meeting at which a quorum is present.

If this corporation has no members, Directors may be removed without cause by a majority of the Directors then in office.

Any Director may resign effective upon giving written notice to the President or Secretary of the Board, unless the notice specifies a later time for the effectiveness of such resignation. No Director may resign if the corporation would then be left without a duly elected Director or Directors in charge of its affairs, except upon notice to the Attorney General.

Vacancies on the Board may be filled between annual meetings by a majority vote of the Directors, whether or not less than a quorum, or by a sole remaining Director. Directors appointed by the Board according to this section shall hold office until the next annual membership meeting, where their appointment must be ratified by majority vote of members present in order for them to continue as Directors.

A person elected by the membership to fill a vacancy on the Board of Directors as provided in this section shall hold office until his/her term expires or until his/her death, resignation, or removal from office.

#### **SECTION 18. NON-LIABILITY OF DIRECTORS**

The Directors shall not be personally liable for the debts, liabilities, or other obligations of the corporation.

#### **SECTION 19. INDEMNIFICATION BY CORPORATION OF DIRECTORS, OFFICERS, EMPLOYEES AND OTHER AGENTS**

To the extent that a person who is, or was, a Director, officer, employee, or other agent of this corporation has been successful on the merits in defense of any civil, criminal, administrative, or investigative proceeding brought to procure a judgment against such person by reason of the fact that he/she is, or was, an agent of the corporation, or has been successful in defense of any claim, issue, or matter therein, such person shall be indemnified against expenses actually and reasonably incurred by the person in connection with such proceeding.

If such person either settles any such claim or sustains a judgment against him or her, then indemnification against expenses, judgments, fines, settlements, and other amounts reasonably incurred in connection with such proceedings shall be provided by this corporation but only to the extent allowed by, and in accordance with, the requirements of Section 5238 of the California Nonprofit Public Benefit Corporation Law.

#### **SECTION 20. INSURANCE FOR CORPORATE AGENTS**

The Board of Directors may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any agent of the corporation (including a Director, officer, employee, or other agent of the corporation) against any liability other than for violating provisions of law relating to self-dealing (Section 5233 of the California Nonprofit Public Benefit Corporation Law) asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, whether or not the corporation would have the power to indemnify the agent against such liability under the provisions of Section 5233 of the California Nonprofit Public Benefit Corporation Law.

#### **SECTION 21. QUALIFICATIONS OF DIRECTORS**

Anyone who is directly involved in administering involuntary commitment and/or forced treatment is forbidden from being nominated to the Board of Directors or to remain on the Board of Directors.

### ARTICLE 6: OFFICERS

#### **SECTION 1. NUMBER OF OFFICERS**

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The officers of this corporation shall be a President, a Vice-President, a Secretary and a chief financial officer who shall be designated the Treasurer. The corporation may also have, as determined by the Board of Directors, other Vice-Presidents or other officers. Any number of offices may be held by the same person except that neither the Secretary nor the Treasurer may serve as the President.

#### **SECTION 2. QUALIFICATION, ELECTION AND TERMS OF OFFICE**

Any member may serve as officer of this corporation. Officers shall be elected by the Board of Directors, at any time, and each officer shall hold office until he or she resigns or is removed or is otherwise disqualified to serve, or until his/her successor shall be elected and qualified, whichever occurs first.

No member of the Board of Directors may also serve as permanent or regular payroll staff of the corporation.

#### **SECTION 3. SUBORDINATE OFFICERS**

The Board of Directors may appoint such other officers or agents as it may deem desirable, and such officers shall serve such terms, have such authority, and perform such duties as may be prescribed from time to time by the Board.

#### **SECTION 4. REMOVAL AND RESIGNATION**

Any officer may be removed, with cause, by the Board of Directors, at any time. Any officer may resign at any time by giving written notice to the Board of Directors or to the President or Secretary of the corporation. Any such resignation shall take effect at the date of receipt of such notice or at any later date specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The above provisions of this Section shall be superseded by any conflicting terms of a contract which has been approved or ratified by the Board of Directors relating to the employment of any officer of the corporation.

#### **SECTION 5. VACANCIES**

Any vacancy caused by the death, resignation, removal, disqualification, or otherwise, of any officer shall be filled temporarily by majority vote of the Executive Committee until such time as the Board shall fill the vacancy. Vacancies occurring in offices of officers appointed at the discretion of the Board may or may not be filled as the Board may determine.

#### **SECTION 6. DUTIES OF PRESIDENT**

The duties of the officers shall be defined and may be modified by majority vote of the Board of Directors.

#### **SECTION 7. COMPENSATION**

The salaries of the officers, if any, shall be fixed from time to time by resolution of the Board of Directors, and no officer shall be prevented from receiving such salary by reason of the fact that he/she is also a Director of the corporation, provided, however, that such compensation paid a Director for serving as an officer of this corporation shall only be allowed if permitted under the provisions of ARTICLE 5, SECTION 6, of these Bylaws. In all cases, any salaries received by officers of this corporation shall be reasonable and given in return for services actually rendered the corporation which relate to the performance of the charitable or public purposes of this corporation.

### **ARTICLE 7: COMMITTEES**

#### **SECTION 1. EXECUTIVE COMMITTEE**

The Board of Directors may, by a majority vote of the Directors then in office, designate three (3) or more of its members, including all officers, to constitute a Coordinating Committee and delegate to such committee any of the powers and authority of the Board in the management of the business and affairs of the corporation except with respect to:

- (a) The approval of any action which, under law or the provisions of these Bylaws, requires the approval of the members or of a majority of all of the members.
- (b) The filling of vacancies on the Board or on any committee which has the authority of the Board.
- (c) The fixing of compensation of the Directors for serving on the Board or on any committee.
- (d) The amendment of new Bylaws or repeal of Bylaws or the adoption of new Bylaws.
- (e) The amendment or repeal of any resolution of the Board which by its express terms is not so amendable or repealable.
- (f) The appointment of committees of the Board or the members thereof.
- (g) The expenditure of corporate funds to support a nominee for Director after there are more people nominated for Director than can be elected.
- (h) The approval of any transaction to which this corporation is a party and in which one or more of the Directors has a material financial interest, except as expressly provided in Section 5233(d)(3) of the California Nonprofit Public Benefit Corporation Law.

By a majority vote of its members then in office, the Board may at any time revoke or modify any or all of the authority so delegated, increase or decrease but not below two (2) the number of its members, and fill vacancies therein from the members of the Board. The Committee shall keep regular minutes of its proceedings, cause them to be filed with the corporate records, and report the same to the Board from time to time as the Board may require.

#### **SECTION 2. OTHER COMMITTEES**

The corporation shall have such standing committee as may from time to time be designated by the Board of Directors. Such committees shall include, but are not limited to:

- (a) A personnel Committee to advise the Board on all matters relating to the paid or unpaid staff of the corporation.

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(b) A Program Evaluation Committee to advise the Board on all matters relating to the development and evaluation of all programs or projects of the corporation.

(c) A Finance Committee to advise the Board on all matters relating to the search for or management of resources to support the work of the corporation.

(d) A Minority Issues Committee to advise the Board on all matters relating to ethnic or other minorities and especially with regard to the development of outreach methods which effectively identify and recruit minority consumers to participate in the work of the corporation.

(e) A Nominating Committee to recruit, evaluate and nominate persons qualified to serve on the Board of Directors; prepare orientation materials for newly elected or appointed Directors; coordinate the election of Directors at the annual membership meeting; and recommend individuals to fill Board vacancies occurring between membership meetings. Standing committees shall include at least one (1) Director and such other members of the corporation as are interested. The corporation shall have such other committees as may from time to time be designated by the Board of Directors to advise the Board on the implementation and operation of the programs and projects of the corporation. The duties, composition, and authority of such committees shall be defined by resolution of the Board.

### **SECTION 3. MEETINGS AND ACTION OF COMMITTEES**

Meetings and action of committees shall be governed by, noticed, held, and taken in accordance with the provisions of these Bylaws concerning meetings of the Board of Directors, with such changes in the context of such Bylaw provisions as are necessary to substitute the committee and its members for the Board of Directors and its members, except that the time for regular meetings of committees may be fixed by resolution of the Board of Directors or by the committee. The time for special meetings of committees may also be fixed by the Board. The Board of Directors may also adopt rules and regulations pertaining to the conduct of meetings of committees to the extent that such rules and regulations are not inconsistent with the provisions of these Bylaws.

## **ARTICLE 8: EXECUTION OF INSTRUMENTS, DEPOSITS AND FUNDS**

### **SECTION 1. EXECUTION OF INSTRUMENTS**

The Board of Directors, except as otherwise provided in these Bylaws may, by resolution, authorize any officer or agent of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or to render it liable monetarily for any purpose or in any amount.

### **SECTION 2. CHECKS AND NOTES**

Except as otherwise specifically determined by resolution of the Board of Directors, or as otherwise required by law, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the corporation shall be signed by a Director designated by the Board and countersigned by the Administrator.

### **SECTION 3. DEPOSITS**

All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

### **SECTION 4. GIFTS**

The Board of Directors may accept on behalf of the corporation any contribution gift, bequest or devise for the charitable or public purposes of this corporation.

## **ARTICLE 9: CORPORATE RECORDS, REPORTS AND SEAL**

### **SECTION 1. MAINTENANCE OF CORPORATE RECORDS**

The corporation shall keep at its principal office in the State of California:

(a) Minutes of all Meetings of Directors and committees of the Board and, if this corporation has members, of all meetings of members, indicating the time and place of holding such meetings, whether regular or special, how called, the notice given, and the names of those present and the proceedings thereof.

(b) Adequate and correct books and records of account, including accounts of its properties and business transactions and accounts of its assets, liabilities, receipts, disbursements, gains and losses.

(c) A record of its members, if any, indicating their names and addresses and, if applicable, the class of membership held by each member and the termination date of any membership.

(d) A copy of the corporation's Articles of Incorporation and Bylaws as amended to date, which shall be open to inspection by the members, if any, of the corporation at all reasonable times during office hours.

### **SECTION 2. CORPORATE SEAL**

The Board of Directors may adopt, use, and at will alter, a corporate seal. Such seal shall be kept at the principal office of the corporation. Failure to affix the seal to corporate instruments, however, shall not affect the validity of such instrument.

### **SECTION 3. DIRECTORS' INSPECTION RIGHTS**

Every Director shall have the absolute right at any reasonable time to inspect and copy all books, records, and documents of every kind and to inspect the physical properties of the corporation.

### **SECTION 4. MEMBERS' INSPECTION RIGHTS**



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If this corporation has any members, then each and every member shall have the following inspection rights, for a purpose reasonable related to such person's interest as a member:

(a) To inspect and copy the record of all members' names, addresses, and voting rights, at reasonable times, upon five (5) business days prior written demand on the corporation, which demand shall state the purpose for which the inspection rights are requested.

(b) To obtain from the Secretary of the corporation, upon written demand and payment of a reasonable charge, a list of the names, addresses, and voting rights of those members entitled to vote for the election of the Directors as of the most recent record date for which the list has been compiled or as of the date specified by the member subsequent to the date of the demand. The demand shall state the purpose for which the list is requested. The membership list shall be made available on or before the later of ten (10) business days after the demand is received or after the date specified therein as of which the list is to be compiled.

(c) To inspect at any reasonable time the books, records or minutes of proceedings of the members or the Board or committees of the Board, upon written demand on the corporation by the member, for a purpose reasonably related to such person's interests as a member.

#### **SECTION 5. RIGHT TO COPY AND MAKE EXTRACTS**

Any inspection under the provisions of this Article may be made in person or by agent or attorney and the right to inspection include the right to copy and make extracts.

#### **SECTION 6. ANNUAL REPORT**

The Board shall cause an annual report to be furnished not later than one hundred and twenty (120) days after the close of the corporation's fiscal year to all Directors of the corporation and, if this corporation has members, to any member who requests it in writing, which report shall contain the following information in appropriate detail:

(a) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year.

(b) The principal changes in assets and liabilities, including trust funds, during the fiscal year.

(c) The revenue or receipts of the corporation, both unrestricted and restricted to particular purposes, for the fiscal year.

(d) The expenses or disbursements of the corporation, for both general and restricted purposes, during the fiscal year.

(e) Any information required by Section 7 of this Article.

The annual report shall be accompanied by any report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the corporation that such statements were prepared without audit from the books and records of the corporation.

If this corporation has members, then, if this corporation receives twenty-five thousand dollars (\$25,000.00), or more, in gross revenue or receipts during the fiscal year, this corporation shall automatically send the above annual report to all members, in such manner, at such time, and with such contents, including an accompanying report from independent accountants or certification of a corporate officer, as specified by the above provisions of this Section relating to the annual report.

#### **SECTION 7. ANNUAL STATEMENT OF SPECIFIC TRANSACTIONS TO MEMBERS**

This corporation shall mail or deliver to all Directors and any and all members a statement, within one hundred and twenty (120) days after the close of its fiscal year, which briefly describes the amount and circumstances of any indemnification or transaction of the following kind:

(a) Any transaction in which the corporation, or its parent or its subsidiary was a party, and in which either of the following had a direct or indirect material financial interest: any director, trustee, or officer of the corporation; or its parent or subsidiary (a mere common directorship shall not be considered a material financial interest).

The above statement need only be provided with respect to a transaction during the previous fiscal year involving more than fifty thousand dollars (\$50,000.00) or which was one of a number of transactions with the same person involving, in the aggregate, more than fifty thousand dollars (\$50,000.00).

Similarly, the statement need only be provided with respect to a transaction during the previous fiscal year involving more than fifty thousand dollars (\$50,000.00) or which was one of a number of transactions with the same person involving, in the aggregate, more than fifty thousand dollars (\$50,000.00).

Any statement required by this Section shall briefly describe the names of the interested persons involved in such transactions stating each person's relationship to the corporation, the nature of such person's interest in the transaction and, where practical, the amount of such interest; provided, that in the case of a transaction with a partnership of which such person is a partner, only the interest of the partnership need be stated.

### **ARTICLE 10: FISCAL YEAR**

#### **SECTION 1. FISCAL YEAR OF THE CORPORATION**

The fiscal year of the corporation shall begin on the first day of July and end on the last day of June in each year.

### **ARTICLE 11: BYLAWS**

#### **SECTION 1. AMENDMENT**

Subject to any provision of law applicable to the amendment of Bylaws of public benefit nonprofit corporations, these Bylaws, or any of them, may be altered, amended, or repealed and new Bylaws adopted as follows:

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(a) subject to the power of the members, if any, to change or repeal these Bylaws under Section 5150 of the Corporations Code, by approval of the Board of Directors unless the Bylaw amendment would materially and adversely affect the rights of members, if any, as to voting or transfer, provided, however, if this corporation has admitted any members, then a Bylaw specifying or changing the fixed number of Directors of the corporation, the maximum or minimum number of Directors, or changing from a fixed to variable Board or vice versa, may not be adopted, amended, or repealed except as provided in subparagraph (b) of this Section; or (b) by approval of the members, if any, of this corporation.

#### ARTICLE 12: AMENDMENT OF ARTICLES

##### **SECTION 1. AMENDMENT OF ARTICLES BEFORE ADMISSION OF MEMBERS**

Before any members have been admitted to the corporation, any amendment of the Articles of Incorporation may be adopted by approval of the Board of Directors.

##### **SECTION 2. AMENDMENT OF ARTICLES AFTER ADMISSION OF MEMBERS**

After members, if any, have been admitted to the corporation, amendment of the Articles of Incorporation may be adopted by the approval of the Board of Directors and by approval of the members of this corporation.

##### **SECTION 3. CERTAIN AMENDMENTS**

Notwithstanding the above Sections of this Article, this corporation shall not amend its Articles of Incorporation to alter any statement which appears in the original Articles of Incorporation and of the names and addresses of the first Directors of this corporation nor the name and address of its initial agent, except to correct an error in such statement or to delete either statement after the corporation has filed a "Statement by a Domestic Non-Profit Corporation" pursuant to Section 6210 of the California Nonprofit Corporation Law.

#### ARTICLE 13. PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS

##### **SECTION 1. PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS**

No member, Director, officer, employee, or other person connected with this corporation, or any private individual, shall receive at any time any of the net earnings or pecuniary profit from the operations of the corporation, provided; however, that this provision shall not prevent payment to any such person or reasonable compensation for services performed for the corporation affecting any of its public or charitable purposes, provided that such compensation is otherwise permitted by these Bylaws and is fixed by resolution of the Board of Directors; and no such persons shall be entitled to share in the distribution of, and shall not receive, any of the corporate assets on dissolution of the corporation. All members, if any, of the corporation shall be deemed to have expressly consented and agreed that on such dissolution or winding up of the affairs of the corporation, whether voluntarily or involuntarily, the assets of the corporation, after all debts have been satisfied, then remaining in the hands of the Board of Directors, shall be distributed as required by the Articles of Incorporation of this corporation and not otherwise.

Dated : June 21, 2001

Certified by:

\_\_\_\_\_  
John Doe, Secretary

## Appendix D. Sample budget

### REVENUE

(financial contributions)

		Year 1	Year 2	Year 3	Confirmed	Total
				* un- certain		
<b>Government grants</b>						
a) source	State Community Support Prog.	10,000	8,000		yes	18,000
b) source	County Mental Health Agency	30,000	20,000		yes	50,000
	<b>sub-total</b>	<b>40,000</b>	<b>28,000</b>			<b>68,000</b>
<b>Foundations/non-profit grants</b>						
a) source	Community Foundation	9,000	4,000	2,000		15,000
b) source	Goodvibes Foundation	25,000	30,000	35,000		90,000
	<b>sub-total</b>	<b>34,000</b>	<b>34,000</b>	<b>37,000</b>		<b>105,000</b>
<b>Private sector contributions</b>						
a) source						
	<b>sub-total</b>					
<b>Donations</b>						
	Public & volunteer contributions	2,500	3,000	3,000		8,500
	Board of directors' contributions	5,000	5,000	5,000	yes	15,000
	<b>sub-total</b>	<b>7,500</b>	<b>8,000</b>	<b>8,000</b>		<b>23,500</b>
		-----	-----	-----		-----
<b><u>TOTAL REVENUES</u></b>		<b><u>81,500</u></b>	<b><u>70,000</u></b>	<b><u>42,000</u></b>		<b><u>196,000</u></b>

### EXPENSES

#### **Human Resources**

- Program coordinator		29,000	30,000	31,000		90,000
- Outreach worker (part-time)		8,000	9,000	11,000		28,000
- Admin. Support		4,000	4,000	4,000		12,000
- Benefits (15%)		6,300	6,450	6,750		19,500
- Consulting		2,600	990	743		4,333
- Training		600	200			800
	<b>sub-total</b>	<b>50,500</b>	<b>50,640</b>	<b>53,493</b>		<b>154,633</b>

*continued*

<b>Property and Equipment</b>				
- Rental Office	2,600	2,600	2,600	7,800
-Utilities	380	350	350	1,080
- Technology (computer)	150	150	150	450
- Equipment (fax, computer time, etc)	150	100	100	350
<b>sub-total</b>	<b>3,280</b>	<b>3,200</b>	<b>3,200</b>	<b>9,680</b>
<b>Materials and supplies</b>				
- Office supplies	450	250	150	850
- Project supplies	3,600	2,500	1,000	7,100
<b>sub-total</b>	<b>4,050</b>	<b>2,750</b>	<b>1,150</b>	<b>7,950</b>
<b>Communications</b>				
- Postage/courier	300	200	200	700
- Phone/fax	150	100	100	350
- Photocopy/printing	200	200	250	650
- Technology access (Internet)	220	220	220	660
<b>sub-total</b>	<b>870</b>	<b>720</b>	<b>770</b>	<b>2,360</b>
<b>Production and dissemination</b>				
- Promotion and distribution	400	150	600	1,150
- translation into Spanish	300		600	900
- Evaluation			2,500	2,500
- Workshop presentation	1,200	600	1,000	2,800
<b>sub-total</b>	<b>1,900</b>	<b>750</b>	<b>4,700</b>	<b>7,350</b>
<b>Travel and Transportation</b>				
- Transportation	3,800	1,400	600	5,800
- Hotels	1,000	500	200	1,700
- Meals	680	300	100	1,080
<b>sub-total</b>	<b>5,480</b>	<b>2,200</b>	<b>900</b>	<b>8,580</b>
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<b><u>TOTAL EXPENSES</u></b>	<b><u>78,730</u></b>	<b><u>61,410</u></b>	<b><u>50,413</u></b>	<b><u>190,553</u></b>

## Appendix E. Sample press release

*New Orleans Mental Health Consumer Alliance  
128 Lafayette St., New Orleans LA 62503  
(325) 555-7511*

FOR IMMEDIATE RELEASE  
COVERAGE INVITED

Contact: Steven Jones, ext. 2

### New Orleans, Louisiana

The city's newest center for consumers of mental health services will hold an open house from 2 p.m. to 6 p.m. on Feb. 26.

Solid Ground Consumer Center, located at 3119 Spring Garden Street, is a project of the New Orleans Mental Health Consumer Alliance (NOMHCA). It offers people with mental illnesses a place to find companionship, support, recreational activities, and health screenings. The center is open from noon to 8 p.m. Tuesday through Saturday and has been averaging as many as 35 visitors a day since it opened on December 15. Many of the people who visit the center are homeless or live in shelters.

"We're very happy to have this center opening in the Spring Garden neighborhood," said Elaine Smith, executive director of the NOMHCA. "We think it is a very important service that we can offer mental health consumers in that part of the city."

Jessica Williams, manager of the center, said she and her four-person staff are looking forward to the open house and to becoming better known in the neighborhood. "People can come here to attend 12-step meetings, to learn about HIV and AIDS, to have a health screening, to shoot some pool or play ping pong, or even to hear a poetry reading," she said. "We welcome all people who have a mental illness and who are looking for someplace to go where they can find friends and support."

NOMHCA is managed and staffed by people who have been diagnosed with mental illnesses. It also operates consumer centers in North New Orleans, Northeast New Orleans, and the western suburbs.

## Appendix F. Helpful contacts

U.S. Small Business Administration  
409 Third Street, S.W.  
Washington, DC 20416  
(202) 205-6744  
<http://www.sba.gov>

Service Corps of Retired Executives  
409 3rd Street, S.W.  
6th Floor  
Washington, DC 20024  
(800) 634-0245  
<http://www.score.org>

National Council of Nonprofit Associations  
1900 L Street, NW, Suite 605  
Washington, DC 20036-5024  
(202) 467-6262  
<http://www.ncna.org>

Robert Wood Johnson Foundation  
PO Box 2316  
Princeton, NJ 08543-2316  
(609) 452-8701  
<http://www.rwjf.org>

Social Security Administration  
6401 Security Blvd.  
Room 4-C-5 Annex  
Baltimore, MD 21235-6401  
(800) 772-1213  
<http://www.ssa.gov>

Equal Employment Opportunity Commission  
1801 L Street, NW  
Washington, D.C. 20507  
(800) 669-4000  
<http://www.eeoc.gov>

ADA hotline: (800) 949-4232

National Mental Health Association  
1021 Prince Street  
Alexandria, VA 22314  
(800) 969-NMHA  
<http://www.nmha.org>

Bazelon Center for Mental Health Law  
1101 15th Street NW, Suite 1212  
Washington, DC 20005  
(202) 467-5730  
<http://www.bazelon.org>

United Way of America  
701 N. Fairfax Street  
Alexandria, Virginia 22314-2045  
(703) 836-7100  
<http://www.unitedway.org>

Center for Psychiatric Rehabilitation  
Boston University  
940 Commonwealth Avenue West  
Boston, MA 02215  
(617) 353-3549  
<http://www.bu.edu/sarpsych/>

Martin-Werbelow & Co.  
300 N. Lake Ave. #930  
Pasadena, CA 91101  
(626) 577-1440