



Member Benefits Policy

I. Member Benefit-Related Definitions

"SDCBA": San Diego County Bar Association.

"Member Benefit Provider": A company or person ("vendor") who are approved to offer its goods or services to SDCBA members. There may be more than one Member Benefit Provider for a certain category of goods or services.

"MBP Applicant": A company or person ("vendor") that has applied for Member Benefit Provider status.

"Preferred Provider": A company or person ("vendor") that is selected and approved by the SDCBA as the exclusive provider of a certain type of goods or services to SDCBA members. Preferred Providers are also considered Member Benefit Providers.

"Board": The Board of Directors of the San Diego County Bar Association.

II. Member Benefits Generally

The SDCBA offers certain member benefits programs to its members through outside entities that provide products and services. These entities, once approved by the SDCBA, have the status of Member Benefit Providers and desire to offer some type of benefit (whether discounted pricing or value added products or services) to members of the SDCBA that would not otherwise be available to non-SDCBA members or the general public. In other words, SDCBA members can only secure the benefit through their membership with the SDCBA. Member Benefit Providers, through negotiated deals with the SDCBA, provide money or benefits directly to the SDCBA based on the purchase or usage of their goods or services by SDCBA members. In this instance, such money or benefits are utilized for the good of the SDCBA and its members.

III. Selection Process for Member Benefit Provider Status

A company or person may apply for Member Benefit Provider ("MBP") status to the SDCBA by completing the SDCBA Member Benefit Provider Application. The SDCBA can also solicit such applications. Once an application has been made, such entities are considered MBP Applicants.

The application itself should be submitted to the SDCBA's Executive Director. Said application shall contain information regarding the MBP Applicant's business, and shall describe in detail: (1) the special benefit to be offered to SDCBA members, and (2) the money or benefits to be offered directly to the SDCBA based on the purchase or use of their goods or services by SDCBA members. The application shall also contain a plan for said MBP Applicant to promote and market their goods or services to the SDCBA membership.

Each year, the SDCBA will review its current list of MBP partners to determine whether the membership and association are being adequately served and whether new MBPs should be considered for the following year. The SDCBA reserves the right to accept applications but hold them in abeyance.

If it is determined that new MBPs should be brought online, all applications will be reviewed and evaluated for appropriateness as outlined in this Member Benefits Policy and will be reviewed by both staff and the Board Member Benefit Vetting Committee.

In the some instances, SDCBA Staff may request that the application be vetted by additional Committees or another SDCBA entity. Instances may include, but are not limited to:

- A. Where there is a potentially controversial replacement of one Preferred Provider for another;
- B. Where the decision may have a significant financial impact on the SDCBA (revenue or expense); or
- C. Where the decision relates to other issues under consideration by the Board (e.g., the Membership Committee is considering a videoconferencing Preferred Provider, and the Board is in the process of considering videoconferencing equipment for the SDCBA facility).

IV. Memorialization of Agreements with Member Benefit Providers

The SDCBA shall be tasked with memorializing agreements with all Member Benefit Providers. The agreements may be memorialized in letter format or contract format, and should specify:

- A. The special benefit offered to the members of the SDCBA;
- B. The money or benefits provided directly to the SDCBA based on the purchase or use of their goods or services by SDCBA members;
- C. Any advertising or sponsorship commitments by the vendor;
- D. The process to ensure benefits are provided to only SDCBA members; and
- E. The duration of the agreement.

V. Categories of Goods or Services Not Appropriate for Member Benefits Provider Status

Certain types/categories of vendors are not appropriate as Member Benefit Providers. They include, but are not necessarily limited to:

- A. Vendors that offer goods or services that have questionable legality, or involve potential ethical issues or dilemmas; or
- B. Certain professional service providers that are very commonly found and utilized in the San Diego County legal community, such that there is no real benefit to the SDCBA members by choosing just one (or even several) as Member Benefit Providers (e.g., mediation services, etc.).
- C. Wealth managers who only offer individual wealth management services to members, vs. a menu of services that support a member's full practice.

VI. Preferred Provider Status

Preferred Providers are any company or person selected and approved by the SDCBA as the exclusive provider of certain types of goods or services to SDCBA members. Preferred Providers are also considered Member Benefit Providers. Once selected as a preferred

provider, the company or person(s) may hold themselves out as “endorsed” by the SDCBA. A company, person, or existing Member Benefit Provider cannot apply for Preferred Provider status. The SDCBA will solicit companies, persons or existing Member Benefit Providers to become exclusive partners with the SDCBA as a Preferred Provider. Several factors will be considered when determining if a company, person or existing Member Benefit Provider would be appropriate for Preferred Provider Status. These include, but not limited to:

- A. The quality of the product or service offered;
- B. The reputation of the company, person or Member Benefit Provider;
- C. The scope of the current relationship and commitment of the company, person or Member Benefit Provider to the SDCBA (i.e., whether it currently sponsors SDCBA events/campaigns; whether it is an existing SDCBA print or web advertiser, etc.);
- D. The benefit provided is of significant interest to a wide spectrum of the SDCBA membership.

VII. Expectations for Existing Member Benefit Providers and Preferred Providers

Member Benefit Providers and Preferred Providers are expected, at their expense, to promote their goods and services, and the agreed-upon special benefit, to SDCBA members for their consideration. The SDCBA also will promote Member Benefit Providers and Preferred Providers through its website, and coordinate with Member Benefit Providers and Preferred Providers to promote their goods and services, and accompanying special benefit to SDCBA members. The initiative to do such promotion must come from the Member Benefit Providers and Preferred Providers themselves.

Member Benefit Providers and Preferred Providers are expected to consider promoting their goods and services, and the special benefit they offer to SDCBA members, through advertising in the SDCBA publications (the annual directory, Bar Report, and San Diego Lawyer), and through sponsorship of or participation in SDCBA events.

The SDCBA shall review existing Member Benefit Providers and Preferred Providers in the year prior to the expiration of each Provider's agreement, and earlier if deemed necessary or prudent, to determine:

- A. Whether the SDCBA membership is purchasing the goods or utilizing the services;
- B. Whether the SDCBA membership is actually receiving true value or benefit from the relationship;
- C. Whether there has been a monetary benefit (or other benefit) to the SDCBA from the relationship;
- D. Whether the Member Benefit Provider or Preferred Provider has been promoting its goods or services to the SDCBA membership;
- E. Whether the Member Benefit Provider or Preferred Provider has taken steps to proactively communicate with the SDCBA Staff or the Membership Committee regarding its promotional campaign, success, ideas, etc.

The Member Benefit Providers and Preferred Providers shall keep track of the purchase of their goods and utilization of their services by SDCBA members, and provide such figures to the

SDCBA quarterly and upon request.

The Staff of the SDCBA shall maintain member benefit records, which shall include:

1. All original proposals;
2. Documentation on the decision (and decision date) on the proposals; and
3. Any and all documents, including letters and contracts, memorializing the agreement between the Member Benefit Provider and the SDCBA.

Approved by the SDCBA Board in October 2008.

VIII. Process to Consider and Approve Member Benefit Provider Proposals

Each year, the President will appoint a Member Benefit Provider "Vetting t Team". The Vetting team will be comprised of one board member from each class. The Vetting Point team should have big firm and small/solo practitioner perspective.

When SDCBA receives a proposal from a vendor, staff will assess the proposal and may meet with the vendor to get additional information. Once the staff believe that the proposal may be viable, they will email the name of the potential member benefit provider to the Member Benefit Provider "Vetting Team". At this point in the process, the team will be asked to provide immediate feedback, if they have heard anything positive or negative about the proposed member benefit provider and if there is a reason the SDCBA should not explore a partnership. Negative feedback would include, but is not limited to general reputation issues, or if they personally know of someone who had a bad experience with the vendor. If they have not heard anything that would impact the SDCBA's ability to move forward, staff will proceed with a vetting process that includes contacting the Better Business Bureau, other clients and/or other Bar associations, etc. and will begin discussing the proposal with the proposed member benefit provider.

Once the proposal has been reviewed and the staff and the proposed member benefit provider agree on the scope of the benefit, staff will forward the information on to the team. The team will be given seven days to respond. The team's primary role is to identify any potential problems they may see with the proposed concept rather drafting the final contract agreement. Once the team approves the benefit, staff will finalize the contract or letter, pursuant to SDCBA's policies on contracting.

Leadership's role is to provide oversight and input. The staff will take the laboring oar and will be lead contact and negotiator with the proposed member benefit provider, unless it makes more sense for a board member to take the lead (e.g. the board member has a relationship we can build on).

The proposals will not go to the membership committee or the Board for approval. However, if the team or the Executive Director feels there is a controversial or other reason to have the matter go before the membership committee or full Board, it will be placed on the next Board agenda.

Revised by Board November 2010.