Dear Editor:

I have been a member of both ACA and CAC for 30 plus years. I have been president of CAC twice and also served as a national director to ACA. I feel like I need to weigh-in on the issue of straight-line membership. My approach is from a different perspective. I am extremely concerned about the continued existence of CAC. Please allow this letter to explain.

The history of the two organizations is that ACA has always required that in order to belong to ACA you must also be a member of the state unit. This was done to protect and to help the state units obtain members. ACA did not require that to be a member of a state unit you had to be a member of ACA, but CAC did. CAC changed its bylaws to allow members to belong to CAC without an ACA membership and everything has changed. This is referred to as straight-line membership.

Because of this change in our Bylaws, last year at the ACA Annual Convention, ACA changed its Bylaws to require that all members of a state unit must also to be a member of ACA. We are now required to be in compliance with ACA’s Bylaws. To be in compliance CAC will have to amend its Bylaws once again to eliminate the straight-line membership. All state units are required to be in compliance by this year’s ACA Annual Convention, i.e., July 13, 2011.

Recently, the past presidents of CAC, the current Executive Committee, our executive director, general counsel, and legal advocate met for the purposes of deciding whether or not to recommend that we comply with ACA’s directive. The meeting lasted all day and when it was over the recommendation was not to comply. I am deeply concerned about the consequences of this decision.

If we do not comply by July 13, 2011, the most probable outcome is that ACA will decertify CAC as the official California unit. Once CAC is decertified, we will have 90 days to come into compliance. If we do not, either one of two possible scenarios represent the most likely outcome. One scenario would have another state unit chosen to represent California. With over three hundred agencies in CAC, other state units such as Arizona, Nevada, or Oregon would love to have our dues revenue. California is one of the few states to have a full-time executive director and a full-time staff. We also have a lobbyist, a general counsel, and a legal advocate. We are able to maintain these employees because of our dues revenue. These other units do not presently have the revenue necessary to maintain this type of infrastructure.

A second likely scenario is that ACA could use our inaction to abolish state units and replace them with regional units. This is similar to CAC’s approach where we changed from chapters to regions. Decertification of CAC as the official California unit would be the perfect opportunity for ACA to abolish the state units and replace them with regional units.

Assuming that either of these two scenarios represents the most likely outcome, those agencies desiring to remain a member of CAC and ACA will have to pay a third set of dues. The agency would have to pay ACA and either the new unit which represents California or the new regional unit.

I do not think that the eight “demands” that we are making of ACA are reasonable. Moreover, we cannot measure the response to know if they have done everything the way we want them to. It is my feeling that after ACA has decertified CAC as a state unit we will, within the 90-day window, change our Bylaws to comply with ACA. If we do change them I am very concerned that CAC, as we know it, will survive.

ACA has made several moves to work with CAC by appointing our members to very important committees and ACA appears to want to work with us. Going to war over this is just not worth the hard feelings that will result.
Regardless of which side of the issue you favor, we are all concerned about the continued existence of CAC. Just recently there was a news article about Consumers Union seeking additional legislation in California regulating debt collectors. We need to maintain the strength and integrity of our California unit. Because of all this, I have requested that a Bylaw amendment putting our Bylaws back to the way they were before be voted on at the next membership meeting in April (L&L Conference). For the sake of CAC, I urge you to let your board members know that you wish to modify the Bylaws such that we are in compliance with ACA.

If you do attend the membership meeting in April, I would ask that you vote in favor of amending CAC Bylaws.

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