

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

COMMITTEE ON PROVISION
FOR THE DELIVERY OF LEGAL SERVICES

Friday, May 31, 2002

9:00 a.m.

Potomac III Room
The Melrose Hotel
2430 Pennsylvania Avenue, N.W.
Washington, D.C.

COMMITTEE MEMBERS PRESENT:

Ernestine P. Watlington, Chair
Douglas S. Eakeley (ex officio)
Maria Luisa Mercado
F. William McCalpin

BOARD MEMBERS PRESENT:

Hulett H. Askew
John N. Erlenborn
Edna Fairbanks-Williams
Tom Smegal

STAFF AND PUBLIC PRESENT:

Randi Youells, Vice President for Programs
Victor M. Fortuno, Vice President for Legal Affairs,
General Counsel & Corporate Secretary

STAFF AND PUBLIC PRESENT (con'd):

Mauricio Vivero, Vice President for Government Relations and Public Affairs
David L. Richardson, Acting Vice President for Administration, Treasurer & Comptroller
Laurie Tarantowicz, Assistant Inspector General and Legal Counsel
David Maddox, Assistant Inspector General for Resource Management
Catherine Sulzer, Deputy Director, Office of Government Relations and Public Affairs
Mattie C. Conray, Senior Assistant General Counsel
Alice Dickerson, Director, Office of Human Resources
Michael Genz, Director, Office of Program Performance
Robert Gross, Senior Program Counsel, Office of Program Performance
Joyce Raby, Program Analyst, Office of Program Performance
Glen Rawden, Program Counsel, Office of Program Performance
Monica Holman, Program Counsel, Office of Program Performance
Cynthia Schneider, Program Counsel, Office of Program Performance
Barbara Gibson, Program Counsel, Office of Program Performance
Ahn Tu, Program Counsel, Office of Program Performance
Linda Perle, Senior Staff Attorney, Center for Law and Social Policy (CLASP)
Frank Strickland, Attorney, Strickland Brockington Lewis, LLP
Robert Dieter, University of Colorado
Michael McKay, McKay Chadwell
Carolyn Olive, Client Presentation Panel Member
David Fraley, Client Presentation Panel Member
Jill Willett, Client Presentation Panel Member
Jackie Mason, Client Presentation Panel Member
Helen Neal-Pore, Client Presentation Panel Member
Bob Cohen, Executive Director, Orange County Legal Aid
A.J. Tavares, I-CAN! Project Manager
Kathy Bicking, Paralegal, S.W. Virginia
Alan Houseman, Director, CLASP

C O N T E N T S

	PAGE
1. Approval of Agenda	5
2. Approval of the minutes of the Committee's meeting of April 5, 2002	6
3. Panel Discussion - "Listening to the Voices of our Clients"	6
4. Office of Program Performance staff updates on three special projects:	51
1) Update by Cynthia Schneider, OPP Program Counsel, on LSC's contract for skills training with the National Poverty Law Center	53
2) Update by Monica Holman, OPP Program Counsel, on LSC's resource library (a.k.a. LARRY)	65
3) Update by Joyce Raby, OPP Program Analyst, and Glen Rawdon, OPP Program Counsel, on LSC's Technology Initiative	75
5. Report by Randi Youells, Vice president for Programs, on the state planning evaluation instrument and the innovations in government award application	113
6. Report by Randi Youells on development and publication of grant assurances	137
7. Consider and act on other business	158

MOTIONS: 5, 6, 158

P R O C E E D I N G S

CHAIR WATLINGTON: Good morning, everyone.

We'd like to get the meeting started here of Provisions of Legal Services this morning.

Before we get started here, I'd like for the president to introduce our guests we have here this morning.

MR. EAKELEY: Well, actually, this is before we get to the panel, but we just wanted to recognize and greet three of the President's nominees to the board of directors of the Corporation, Michael McKay from the state of Washington, Frank Strickland from the state of Georgia, and Robert Dieter from the state of Colorado, whom I've known for almost 38 years now when we turned up on the freshman swimming team together our freshman year in college.

CHAIR WATLINGTON: And before I get to the agenda, approval of the agenda, I'd like for us just to -- we don't have to stand, we can sit, and give a moment of silent prayer for the speedy recovery of our board member, John Brockerick.

■ He has really been a big asset to this
■ program, and consider him a good friend also, as you
■ may have been aware of his injuries. And he will be on
■ the telephone at the board meeting, I think, tomorrow.

■ But just a moment of silent prayer for his recovery.

■ (Moment of silence.)

■ CHAIR WATLINGTON: Thank you for that.

■ Now, we have board members -- I believe we
■ have enough for a quorum. We have -- Maria and Bill
■ are the committee members, and we have Bucky Askew and
■ Tom and Edna with us, and Doug, as the president of the
■ board, is always ex officio for every --

■ MR. EAKELEY: Chairman.

■ CHAIR WATLINGTON: Chairman. Right.

■ MR. EAKELEY: I don't see our president at the
■ moment, but he is here somewhere.

■ CHAIR WATLINGTON: Yes. Chairman of the
■ board. So I need approval of the agenda.

■ M O T I O N

■ MR. EAKELEY: So moved.

■ MS. MERCADO: Second. Sorry.

CHAIR WATLINGTON: It's been moved and seconded, the approval of the agenda, no changes. All in favor signify by saying aye.

(A chorus of ayes.)

CHAIR WATLINGTON: Disapproval, the same?

(No response.)

CHAIR WATLINGTON: The motion carries.

Next would be approval of the minutes of the committee meeting of April 5, 2002.

M O T I O N

MR. EAKELEY: So moved.

MS. MERCADO: Second.

CHAIR WATLINGTON: It's been moved and seconded, the approval of the minutes. All in favor state by saying aye.

(A chorus of ayes.)

CHAIR WATLINGTON: Disapproval, the same.

(No response.)

CHAIR WATLINGTON: The motion carries.

We are having a panel discussion of our clients. We're very glad to see them, and waiting very

■ anxiously to hear their report to the board on the
■ things that they are doing.

■ MS. YOUELLS: Thank you, Madame Chair. And
■ good morning, everyone. In February of 2000, I became
■ the vice president of programs for the Legal Services
■ Corporation, and Ernestine Watlington at that same time
■ was appointed by Doug Eakeley to be the chair of the
■ provisions committee.

■ And I traveled up to Harrisburg, where
■ fortunately I always live, with Mike Genz, and
■ Ernestine told me three things that she wanted to do as
■ chair of provisions. She said, A, I don't want you to
■ set me up, Randi. I always want to know what you're
■ thinking and what you're planning. I want to know what
■ the committee is going to discuss.

■ Two, I'd like you to talk about the provision
■ of legal services out in the field. I think it's time
■ we talk about what's happening day-to-day out in our
■ local communities, our states, and across the nation.
■ And three, could we please focus on clients during some
■ of those meetings.

And it was number three that brought me here today with this panel. Recognizing that this may be in fact the last board meeting and last provisions committee meeting that Chair Watlington will preside over, I decided that it would be fitting to end with a presentation by some clients from across the country, who will talk to you briefly today about their stories, about what brought them in contact with their legal services program, and about the impact and effect that legal services had on their lives.

These five people have become my friends over the last several months. I have known most of them since about 2001, which I started interacting with them at many events. And I thought that they would be wonderful presenters for you today. And they do present a wide cross-section of what is being done in legal services across our fine country.

Our five speakers today, and will be speaking in the order in which I am going to give you their names -- I will give you all of their names first and then call on them individually -- are Helen Neal-Pore

■ from Florida; Jackie Mason from Skippers, Virginia,
■ which she tells me is just right on the North Carolina
■ border; Carolyn Olive from Indiana; David Fraley from
■ Arizona; and Jill Willett from Nebraska.

■ I am going to turn it over and we're going to
■ start with Helen. And I would ask that after each
■ speaker has finished, perhaps we'll take one or two
■ questions and then we'll move on to the other speakers,
■ with time for other questions at the end. And that
■ will give everyone an opportunity to appear before you.

■ So I am proud to introduce Helen Neal-Pore,
■ who I first met in Florida when she made a presentation
■ at a client training.

■ MS. NEAL-PORE: Hello, and I'm honored to be
■ here. I'm very excited about being here.

■ My life changed through legal services, and
■ I'm probably one of the rah-rah girls. So I may be a
■ little rah-rah when I talk about legal services. But
■ if it wasn't for legal services, I don't think I would
■ be sitting where I am today, and I wouldn't be doing
■ the things that I'm doing out in the community.

I'm going to back up a little bit and tell a little bit about my story, how I even got to be a client of legal services. I was born into what you call a domestic violent home, where my dad abused my mom on the weekend. I grew up in that kind of home, and then looked for those kind of relationships. Entered and ended three marriages real quick. Abusive. Ended up in a battered women's shelter. And that is where I came in encounter with Bay Area Legal Services in Tampa.

When I first went to them, first I had two different attorneys at that time. The first one that I went to, that I had went through several divorces, and two of them were through Bay Area Legal Services.

The first one, I felt like -- kind of like a number. He was good. He did his little thing. But the second, the second divorce that I went through, changed my life, because this lady was so kind and she had such a rapport with me.

She even went to the point of telling me that, you know, hold off. Maybe you don't want to really do

■ this. Let's kind of work it through. And she let me
■ make decisions and make me -- gave me power that I
■ never knew I had to make choices in my life. Because
■ all my life I grew up with other people telling me what
■ to do and how to do it. But this later allowed me to
■ be a part of my procedures, a part of my divorce
■ process.

■ And after coming out of there, I ended up in a
■ battered women's shelter, which is also a collaborating
■ agency with Bay Area Legal. They have a Bay Area Legal
■ attorney right on site.

■ And that is the battered women's shelter that
■ is in Tampa that I ended up going into after my third
■ marriage, and ended up in that shelter and came out of
■ there on welfare and food stamps with three kids, and
■ feeling really sorry for myself. I also went into some
■ mental depression, and came out with anxieties, and the
■ psychologist and the Xanax and all that nine yards, and
■ feeling real hopeless.

■ And by the time I got to welfare and just
■ feeling really down, I decided one day after I got out

■ of the shelter I would go back and start helping the
■ shelter, helping the women in the shelter.

■ And when I went there, they asked me to be a
■ speaker on behalf of these ladies that were in the
■ shelter. So I was on a mission just to get rid of all
■ men, and I was excited and ready to just go just tear
■ it down.

■ But when I got in there, I learned something
■ that was so different. As I was speaking at USF one
■ day, a Bay Area Legal Services -- I guess she was the
■ director -- was sitting in the audience, and she came
■ up to me afterwards and she told me that I had said
■ something about stinking thinking and making bad
■ choices in relationships.

■ And she invited me to a class. And I was then
■ on my Xanax and feeling really bad and sorry for myself
■ and having a good pity party. I had a 38-year pity
■ party. I wasn't ready to get off the pot.

■ And she was telling me how this program could
■ change my life. And I was like, I have no money. I'm
■ on welfare. I get food stamps. There's no way that I

■ can afford it. Well, Bay Area Legal Services sponsored
■ me to go to this class because I was an ex-client of
■ theirs, two-time ex-client of theirs. And they
■ sponsored me.

■ That first day of class, my life changed. I
■ went into a class and I heard something. I heard that
■ everything that had happened to me in my past, all the
■ abuse, all the other things that had been dictated to
■ me, were not real. They were just thoughts. And here
■ I was letting old thoughts just keep me from moving
■ forward and being the woman that I could be.

■ Well, after six months of living this
■ understanding, I started my own company, called Life-
■ Changing Consultants. I got off of welfare and started
■ doing my own thing. And that was in 1996. And last
■ year, 1999, I was given the Florida Center for Human
■ Development, which is a non-profit that I was
■ umbrellaing under to do services in the community.

■ I now work in the jails. I go back. I help.

■ I send lots of clients to Bay Area Legal Services.
■ Because not only did they help me with my legal

■ services, they helped me with my life.

■ I am a better parent. I have better to give
■ my kids. I am a businesswoman. I am traveling all
■ over the world. I no longer qualify for legal
■ services, but I am not -- I sit on the oversight
■ committee, and I'm there as a client representative.

■ And I make sure that the Florida -- I guess
■ bar, I don't know what I'd call it -- our Florida
■ board, makes sure that we stay client-centered. And
■ when they say things that I feel will offend clients, I
■ have the permission to say, okay, I don't think that
■ will work.

■ So they listen to me, and they send me to
■ other places. So I am helping others, even though I'm
■ not getting -- and don't need the services myself. I
■ also recruit and get other people that need services.

■ I also do a lot of training with clients that
■ are still on the board and clients that are in the
■ counselors, and I help motivate them. Because with
■ this understanding, it's not just about keeping us on
■ welfare. It's about changing our life.

■ And I think with the Legal Services
■ Corporation, you can have that rapport. If I had an
■ attorney, I probably was paying a lot money at that
■ time, which I didn't have. And that's another thing.
■ I was able to get services that I couldn't afford with
■ \$240 a month and \$180 food stamps, myself and three
■ kids. There's no way I could have afforded a lawyer to
■ get out of those abusive situations that I was in.

■ So I'm very grateful for the Legal Services
■ Corporation. I'm very grateful for this board that's
■ going to continue to keep everything going, keep the
■ funds in there. And I know it's saying that maybe we
■ are helping poor people, but if it wasn't for giving
■ someone a hand up, then they can get a hand out to do
■ what -- they can give a hand out to help others.

■ So I really applaud legal services. I will
■ always be here as a representative. I will always be
■ here doing what I need to do to make a difference in
■ other people's lives. Because it's not just about,
■ like I said, the services. It's about being set free
■ to find out who you truly are.

■ And that's a person that can do anything. I
■ even did my adoption. I met a little girl when I was
■ in the spring, which was in '91, and I took care of her
■ because her mom went back into her abusive
■ relationship.

■ So not only did I get myself and my two boys
■ out of a situation, because of the legal services, I
■ was also able to get a little daughter. And now she's
■ 13. She was three years old at that time. So that's
■ been 10 years ago.

■ And then I was able, because of my empowerment
■ and thinking that I didn't need legal services any
■ more, I did my own adoption. So I'm very proud to say
■ that I was very empowered.

■ So I don't want you to think that it's just a
■ lot of people that are sitting out there that just need
■ and just using the services. There are a lot of us
■ that get up and we fly and we come back to give. Thank
■ you.

■ MS. YOUELLS: Any questions before we move on?

■ Our next speaker is Jackie Mason. She is the

■ most nervous of the six of us sitting up here, so be
■ real nice to her.

■ MS. MASON: Good morning, everybody. Like she
■ said, my name is -- can you hear me? Like she said, my
■ name is Jackie Mason. This is my first time on a board
■ like this. Thank you very much for the invitation to
■ express how I feel about what legal services have done
■ to help me in this past situation that I was in.

■ I am a single parent, and I do have one
■ daughter, who's here with me today. I've worked all of
■ my life, if not one job, then two jobs. Excuse me. I
■ lived in Colorado, and then I moved down here to
■ Emporia, Virginia. I had gotten sick and went into the
■ hospital. I had to take a medical leave of absence,
■ and then my doctor recommended for me to just -- to
■ quit my job.

■ After I quit my job, I decided to move closer
■ to my family, to move closer to home, because if
■ anything was to happen to me or happen, I wouldn't have
■ had no one there that I felt was close enough that
■ would help me to be able to take care of my daughter.

So after I had moved to Virginia, I lived with my sister and my brother-in-law in a two-bedroom trailer, which I was hoping would be temporary arrangements. After I moved down here was right after the September 11 situation, so there were -- the jobs were pretty much none, pretty much non-existent at the time, so which led me to go to get on welfare, to go to social services.

I applied for -- when you apply for social services in Virginia, they have three different caseworkers that handle. One handles cash assistance, one handles food stamps, and another worker will handle medical assistance.

The first time I applied for cash assistance, they said that -- they denied me, because they said that my car was worth more than the blue book value. So they turned me down for cash assistance.

Then I applied for food stamps, and then they said they needed verification from my previous employer, my last employer, and which I couldn't understand because my former employer said that they

■ did fax the information twice to them, but social
■ services said that they did not get it.

■ So then they turned me down for medical
■ assistance because of the car issue again. But they
■ did grant me Medicaid, at least for my daughter.

■ I was in a bad situation, pretty much getting
■ worse. Because I needed some help, I applied again a
■ second time. My food stamp worker told me that she did
■ call my last employer, and she was able to get the
■ verification of all the information, which made me very
■ upset because I'm like, she could have called me -- she
■ could have called them the first time and I at least
■ could have been receiving help with food, with food
■ assistance.

■ Then the Medicaid worker told me that because
■ I didn't get all the information verified and it
■ expires within 30 days, they took my daughter off of
■ Medicaid, which made me very upset. And I even
■ explained to her, why would you take her off of
■ Medicaid? I was only applying for myself. I wasn't
■ applying for her, because she's already receiving

Medicaid. She said it was nothing she can do about it and I'll just have to reapply.

So then after I spoke with a friend of the family and they told me that I can get -- I would be able to get a written statement from a licensed dealer to -- if I didn't agree with the value that they estimated my car at.

So I called my -- I reapplied for social services, and then I called my worker, and she did verify this information. I wasn't able to obtain information, so then I called her back again and asked her, is there any name, anyone that -- anyone has ever come to you to get this information that I can call? They told me, no, she couldn't help me with that. She couldn't give me that information.

So then they denied me welfare again. They denied me cash assistance. And then they did at least give me the food stamps.

So I just got upset over the whole situation and the way they treated me. They treated me like I didn't have any sense. They just -- they really --

■ they disrespected me and they said a lot of things I
■ didn't even go into that really made me upset.

■ So then I went and I called the number, after
■ they denied me again, and I called the number that was
■ on the denial letter, which was for a fair hearing, if
■ you need free legal advice, which is my worker,
■ Ms. Kathy Bicking, who is here today, who she is still
■ supporting me through all of this and everything I'm
■ going through now.

■ She told me to reapply again, and she did help
■ me to be able to obtain this written statement from a
■ licensed dealer. I took my car there and he estimated
■ the value and everything of it.

■ Well, the department did give me the -- after
■ that, they did give me -- they did give me my food
■ stamps. After I spoke to them, they did admit that
■ they did make a mistake and they did put my daughter
■ back on Medicaid. After that, they did put me back
■ on -- they did give me Medicaid, and I was able to
■ receive cash assistance.

■ They did give me my food stamps -- not just

■ did they give me my food stamps, but they gave me my
■ food stamps back from when I very first applied, which
■ was a little bit over \$1,000. And this is all within a
■ little over a five-month period that they did give me
■ everything back.

■ So I am just very -- I am very happy and
■ thankful because if it wasn't for the legal services,
■ I'm really not sure where I really would have been
■ today. I went through such hard times and I have
■ struggled so much through my life and trying to keep
■ myself together. I raised my daughter on my own. If
■ it wasn't for them, I really don't know what I would
■ have done.

■ I am so appreciative for them that even though
■ I was invited here today, I was like, I'm very nervous.

■ I'm not good at things like that. But for them, I
■ said I'll do it. I will take the time out, and no
■ matter how nervous I am, I'm going to do this for you.

■ Because that's how appreciative I am.

■ And they're still supporting me. Even though
■ my case is over, they're still here. They still

■ support me. If I call them up, listen, I need this,
■ because at the time I really didn't have anyone else
■ there but my sister, so they listened.

■ And I was so fortunate to have such a caring
■ and compassionate group that really worked with me. I
■ didn't think there was people out there who cared any
■ more and who will help you for free.

■ I never needed legal help before. I've never
■ even -- I always just heard, lawyers are very
■ expensive, and I just tried to stay out of trouble. So
■ I really never needed -- I never even heard of legal
■ aid up until that point, until I saw it on that denial
■ letter.

■ But now that I've been here and I've gotten to
■ know these people, I've been hearing exactly all the
■ things legal aid is into, my brain is just overwhelmed.

■ I had no idea it was so big, and the people that they
■ help, and the things that they offer. I never even
■ knew there was an organization out here like this
■ because I've never really had to rely on different
■ programs or anything like that for help.

■ So thank you very much for inviting me here
■ today and giving you my brief story of what happened to
■ me, how I got involved with legal aid.

■ MS. YOUELLS: Our third speaker is Carolyn
■ Olive, from Indiana. Carolyn is a little nervous, too.

■ MS. OLIVE: I've been around quite -- first of
■ all, good morning. And I've been around quite a few
■ years, but I'm still nervous.

■ I started off with the same situation as far
■ as a car. I was working, but I also needed and was
■ eligible for assistance from the food stamp office and
■ from welfare. I had an old car. They allowed me to
■ have this old car that I spent like \$75 every two
■ weeks, every payday, to have something done, or even
■ more.

■ So when the hospital that I worked at started
■ a credit union, I found out that I could get a new car
■ that was -- I would have to spend about \$50 or \$55, I
■ think, a month payment. So I went for it.

■ About six months after I bought the car, the
■ law came out that you -- we could only have a car of

■ \$1200 value. So they decided they wanted me to sell
■ this car, and I decided no, because I needed it to get
■ back and forth to work. It was a plain car, didn't
■ even have an FM radio, just an AM radio, a little
■ '72 Nova.

■ I had heard about welfare rights. A lady in
■ my church was the director of welfare rights in
■ Indiana. So I went to her, and she referred me to
■ legal services.

■ So after I was accepted as a client, we had
■ rounds, a few rounds. There was an attorney there, who
■ is now a judge, that I don't think that we got along
■ right off the bat. But we're good friends now, and he
■ is no longer with the program.

■ But anyway, to make a long story short, we
■ appealed the decision from the welfare department,
■ which gave me a few more months to be -- to receive
■ assistance. But we did lose the appeal.

■ But I was appointed to the board from welfare
■ rights organization. When I first became a member, a
■ client board member, on our legal services board of

■ directors, I knew nothing about what I was getting
■ into. So -- but I went, I think, out of commitment to
■ myself, to welfare rights, and later, as I grew into
■ the legal services family, and I choose to call our
■ program my family -- as I grew into the family, on
■ behalf of all other clients in the state of Indiana.

■ I became a board member in 1974 on the legal
■ services board. As I said, I knew nothing, and it took
■ me a while to grow, but I finally did grow. I served
■ on committees on the board -- the bylaws committee;
■ resource and development; the grievance, the client
■ grievance committee; the executive board committee;
■ client training committee. I am the past president,
■ one of the two clients who became president of the
■ board. I was the second client to become president of
■ our board.

■ In 1981, we went through retrenchment, as I'm
■ sure everybody here remembers retrenchment, which was
■ hard for us because we had to do a lot of cutback and
■ eliminations. And so it was hard for both the board
■ and clients in Indiana, and I'm sure it's everywhere

else.

In 1982, the clients asked for a line item in our budget to do client training, and our board let us have that line item. We started out doing two trainings a year, with the help of our staff and board members, attorney board members, and client board members. We also had state support there to help and direct us. And this turned out to be a real positive thing for the clients in Indiana.

We started out doing first local, our own local program, which was -- consisted of 59 states at the -- 59 counties at the time. And then we spread to the statewide program.

In 1998, our program started talking -- when we got word from the corporation, we started talking about the merger. There was a committee formed. There were client participation from all four programs in Indiana on this committee. It took us from 1998 to 2001 to finally come to a consensus, and we really didn't come to a consensus from all four programs.

The northwest program and our program decided

■ to merge almost immediately. We had resistance from
■ the other two programs, and it went on and on and on
■ and on. We had conference calls. We had committee
■ meetings, in-person committee meetings. And we worked
■ very hard. And the main thing is that clients were
■ allowed to help with the decision-making on this
■ committee.

■ In 2001, we were -- our LSOI, which is Legal
■ Services of Indiana from Indianapolis, was -- it was
■ decided that we would be the program to administer the
■ statewide the legal services program, which was good
■ because I know that our program were in tune with
■ clients, whereas a couple of the other programs were
■ not.

■ So we -- that's where we are right now. We
■ are -- we have merged. We're working through the
■ little small kinks. But we have statewide client
■ participation.

■ It seemed to be more of a power struggle from
■ a couple of the programs who wanted to be the big ass,
■ and I was reminded that -- and after I thought about

it, I remembered it -- one time it was such a big power thing going. I want to be -- you know, our program wants to be this and that.

And I stated that clients -- we really don't care whose name is on the door. All we want is a high quality of service all over the state of Indiana. And my thoughts were, from past experience, that LSOI program have always put clients first.

And this is where it's at now. We work together. We've had, as I said, two past client presidents and a non-attorney president, and since we have been -- or since we have merged, Mr. Johnson, who at one time was president, the committee and the board asked him if he would go a second term as being president -- a second time, not term, but a second time because I think there has been about three presidents since the last time he was. But he is now our non-attorney president again.

So I just wanted to say that I believe that without legal services there for clients, we wouldn't have an option. We would be run over, like put in the

■ middle of the street and trucks just come and run over
■ us. That's the way I see welfare departments,
■ trustees, and other state agencies, who have no thought
■ of our well-being.

■ But legal services being there for us has
■ helped us through these hurdles, through these hard
■ times and hardships. And speaking on behalf of
■ hopefully the clients on this committee and the clients
■ in Indiana, we truly appreciate and we truly need our
■ legal services.

■ Hopefully, that will -- legal services will
■ always be in existence. Hopefully, that you will
■ continue to want to hear from clients all over of the
■ good work that the legal services in our areas are
■ doing, have done, and hopefully will be able to
■ continue to do. Thank you very much.

■ MS. YOUELLS: Our fourth speaker is David
■ Fraley, from Arizona.

■ MR. FRALEY: Good morning, and thank you for
■ this opportunity to be here. I'm going to speak a
■ little different. I have not actually had the services

of a legal program helping me. I want to tell you a little bit about who I was and who I am now as a client member of Community Legal Services in Arizona.

I am David Fraley from Pierre, Arizona. For a number of years, I was in the produce industry. I owned many produce companies, had 900 employees cutting lettuce, harvesting onions, and doing various things for me.

My life took a change when a gentleman in Canada stole \$248,000 from me. But as a produce grower and shipper, I noticed that many of the migrant workers were mistreated, not in my company, but I felt it was very wrong. But I was successful. I had a six-figure income. I didn't have to really care about people, for the most part.

I owned a produce warehouse. In my produce warehouse, this little field trip from Head Start students used to come in. It was a nice thing to contribute to. It was a tax writeoff. It was something very, very convenient.

I was the business person who just really

■ didn't have a heart at one time. As my life changed, I
■ remembered kind of the background about Head Start. I
■ moved back to Phoenix, Arizona, and was introduced to
■ the Head Start program.

■ I saw a program that tried to help change
■ lives. It started with children. It was a federally
■ funded program that I took an interest in. And it
■ began to change me. The performance standards of Head
■ Start say you can be involved in something like that
■ for three years, so I jumped on and chaired Maricopa
■ County's \$15 million budget to take it from a program
■ that was in deficiency to last year's state -- or
■ national award-winning program, touching lives.

■ My next step was to be involved in Community
■ Legal Services, and the county had recommended me. It
■ was a transition that I was going through slowly. I
■ began to see the importance of legal services.

■ When I was in school, my main ambition was to
■ someday be an attorney, but I was too lazy to go to
■ school. I did two years of college and took nothing
■ but business law classes and everything that had to do

with law, but I didn't want to be -- I thought I'd find a state where all I had to do was be smart enough to go and take the bar exam and I'd be an attorney.

That's not the way it turned out. I became a produce bum that had a quarter million dollars stolen from him who had his own little pity party for a number of years, until my heart began to open up in realizing that there's hope out there for other people, self-sufficiency.

I stepped into legal services and have been the past treasurer of Community Legal Services, and I am first vice president this year. I took a very big interest in trying to change lives. Okay? I saw how it could be done.

I realize in the state of Arizona we don't have -- there's no access to justice if it wasn't for the funding that Legal Services gives us. We have no state funding whatsoever.

Some of the things that I've been able to do as an advocate and step out there is I know we can't really go against governments by any means, but there's

occasions when you see apartment complexes that decide not to be ran properly, and the management doesn't pay their bills, and the water is going to be shut off for 50 or 60 people. And that's not right.

In the state of Arizona, there is no access for justice for anyone to stand up to anyone if they don't have money. And that's what Community Legal Services does, and that's what legal services kind of means to me. I realize it's important to provide a service to many people, so since being involved with Community Legal Services, I have started my own nonprofit.

I once again, you know, am back onto the road to recovery, I guess you could say. In our particular program, you have six years on the board. That's it. It's not a lifetime. So I have this incredible urgency to make a mark and make a difference.

I'm in my fourth year now. I am currently running for the Arizona state legislature, House of Representatives, because I think our state does not have a clue as to the people that it needs to serve.

■ The 1990 census gave us a certain amount of numbers.

■ The 2000 census, we're going to be 40 percent higher.

■ The diversity of the state of Arizona, the
■ population growth, and the need -- thank goodness legal
■ services is there -- the need for it is going to
■ continue to grow. And I commend this board for
■ managing the money and putting it out there so that
■ people can be served. And I thank you.

■ MS. YOUELLS: Our last speaker is Jill Willett
■ from Lincoln, Nebraska.

■ MS. WILLETT: Good morning. It's an honor for
■ me to be invited to Washington, D.C. by the provisions
■ committee, and it's also an honor to be part of this
■ panel of my peers.

■ When I was asked to come, one of my directors
■ said, "Jill, you have a story to tell. Please tell it
■ with your heart and be honest so they can understand."

■ We are people with stories to tell, five
■ people, some with secrets, some with loss or tragedy,
■ others with failures. Yet though unique in our own
■ rights, we are all the same. At some point in our

lives, we all needed assistance with a legal matter, and our incomes fell into that so-called poverty realm where we were fortunate enough to have encountered one or more people who are part of a team of dedicated attorneys through legal services. It is because of these people we are here today.

Now my story. To God, I am His child. To my children, Megan or Bill, I am Mom. To my granddaughter Caitlin, I am Nanny. To my foster children, I am Jill, who keeps us safe. To Social Security, I am 507-82-7797, disabled. To the Bureau of Vital Statistics, I am Widow Willett.

To my deceased husband, I was his target. To statisticians, I am an abuse survivor number. To the board of directors, Nebraska Legal Services, I am a 12-year client member and quite often a thorn in their sides. To the lower income people of Nebraska, I am their voice.

I take pride in my many names. You see, each one helps you to know a bit about me, and collectively they make me who I am today. You may find it hard to

believe one would say they are proud of such names as widow, abused, or disabled. You must realize that even though I didn't ask for them all, without them I would not exist.

I am thrilled that this opportunity arose for the five of us and we can actually be before you, the national board. I understand there are new members present. And what better way to start a term than by actually seeing and hearing from those whose futures may ultimately be determined by some decisions that you will make.

I know that clients turn into numbers and numbers become statistics on all levels. By never putting a face with a number, or never knowing a person's name or hearing their story, it becomes easier for some to accept the escalating amounts of low income people whose voices desperately cry out for help.

Thus I ask, do we do enough to change their cries of sorrow into ones of hope? I pray that by hearing about our lives today and by putting faces with our stories, that when you see the number of cases in

the future, you will remember our voices. Perhaps you will remember me and the reason why I came here to speak.

We were each asked to talk about our lives and how legal services has been involved in it. But our stories belong to all the clients. It would be an injustice to the people of my state for me not to include them. I'm only one voice, one person from Nebraska, yet I speak for many.

I am a voice that speaks up and out for the clients of Nebraska Legal Services, and the attorneys that represent them. For the clients, my voice becomes theirs, and often, all too often, we all cry out in desperation together.

We do not need your pity and we do not merely ask for a handout because we are low income. I refuse to use the word poor. I, for one, am blessed. Blessed and poor do not belong together.

Recently I heard something that has touched me, and I find it to be a profound truth. It is as follows, and I quote: People don't care how much you

■ know until they know how much you care.

■ Today, because I care, I speak for those who
■ cannot, the victims. For those who have died due to
■ abuse by another. For those who are still living in
■ fear of being found and being abused again. And I cry
■ with those who are, sadly, being abused even as I
■ speak.

■ I do this because I have walked where they
■ walk. I have lived the same life they lived and are
■ still living. I was and I am them. I was the domestic
■ abuse victim who needed protection from a horrifically
■ violent man.

■ I needed to get away from him, yet I could not
■ for many years out of fear -- fear of being beaten or
■ verbally abused again, fear of the police not getting
■ there in time if I called for help. They were afraid
■ of him, too, and he knew it and used it to his
■ advantage. Out of that came the fear of nobody being
■ able to stop this man.

■ Then there was the fear of being broke and
■ homeless with two small children, the fear of the

unknown. If I tried to get away, would someone be there to listen to my pleas for help, and could they really help me to get away from him?

My biggest fear, and saddest of all reasons for staying, was the fear that he would take my life and also my children's, because our lives were at the mercy and in the hands of my abuser.

He made sure it stayed that way because he took it all -- our homes, our possessions, our businesses, everything. He even took the food out of my children's mouths. Not only did he take, he stole, too -- my dignity, my pride, my self-esteem. I let him steal it all in order to survive.

I did not ask to be abused, and I certainly didn't deserve it. I did try many times to get away from him, but he always found me and I paid dearly for it. When you are staring down the barrel of a loaded shotgun, there is little you can do but pray.

Often, it had to be a silent prayer, for if I prayed out loud for my life to be spared, I would suffer the consequences, which could range from being

■ pushed off a moving car on a deserted country road at
■ night to being made to go for days without sleep or
■ food.

■ At times, I was forced to watch him clean the
■ guns or sharpen the hunting knives while threatening to
■ use them all on us, demanding that I tell him which
■ child should I watch first to die at his hands.

■ He also would put full trash bags onto my lap
■ and set them on fire. When he would finally let me up,
■ he would rape me as I would try to get out of my
■ burning nightgown. A thrill to this man was to buy
■ beautiful gowns, force me to put them on, only to have
■ him tear them off of my body and rape me time and time
■ again.

■ One night I knew for certain that if I didn't
■ run, it would be my last day on earth and I would wake
■ up in heaven. At that time, it didn't seem like too
■ bad of a deal, considering my other option. However,
■ my children needed to live and be free of him.

■ So we ran with only the clothes on our back, a
■ small amount of cash, and a nearly depleted credit card

■ that I had hidden from him. I told no one in my family
■ out of fear that he would kill them all, yet three
■ weeks later, after running in and out of seven states,
■ well over 2,000 miles, I received a call from the
■ sheriff in my home town.

■ He had the phone number of the home where we
■ were staying, all the while feeling we were safe. He
■ told me, "Come back to Nebraska. He's going back to
■ prison." That was all, and he hung up.

■ My husband knew exactly where we had traveled,
■ where we had stayed. He knew everything, including the
■ phone number. That was the kind of man I was married
■ to. He had access to money, which bought him
■ connections.

■ It wasn't until he was murdered that I found
■ out the depth of his connections and whom he was
■ associating with, and I still don't know it all. Six
■ years later, there's still unanswered questions. For
■ instance, where is the death certificate and why
■ haven't they found out who killed him? Why do the
■ investigators in Iowa say, "Let it go, Mrs. Willett"?

■ But I have his son, and there is still that fear
■ present, the fear of uncertainty and the unknown.

■ The only thing that I am certain of beyond a
■ shadow of a doubt is, had he not been arrested that
■ night, he would have had me killed all those states
■ away from him, and probably would have gotten away with
■ it.

■ I can praise God and say that when I went home
■ and reached out for the help of Legal Services
■ Corporation, the hand of an extraordinary man, my
■ attorney, was extended back to me to assist me in my
■ legal needs and to help me become who I am today, a
■ survivor.

■ It was me driving the car on the moonless
■ night of April 1989 that, when cresting a hill in the
■ middle of nowhere, I encountered a herd of cattle. The
■ last thing I remembered was one cow flying onto the
■ hood of the car facing me, and thinking, My God, help
■ me, as it come up through the windshield. Later, I
■ found out seven cows died that night.

■ I was told they transported me to a small-town

■ hospital, with the ER inadequate at treating my
■ injuries. I vaguely remember hearing a doctor telling
■ the deputy my neck was broken and I needed to be
■ transported to a larger hospital with a trauma unit.

■ The final diagnosis: A traumatic brain
■ injury, and vertebra C3 was broken. I would be
■ paralyzed. Life as I knew it was over. At 30 years
■ old, I became disabled.

■ For years, I was in and out of hospitals and
■ rehabs, trying to relearn everything that in an instant
■ was gone. Back into my life came that same attorney
■ from legal services with the same determination to get
■ me through yet another round of battles and another
■ life crisis facing me.

■ Three years later, after numerous appeals and
■ denials of a federal judge for my disability case, I
■ was denied due to pending litigation. The document
■ stated, "Judge's decision final." Yet my attorney's
■ determination prevailed, and we appealed against his
■ decision. Another federal judge agreed to hear my
■ case, and I was awarded my full disability.

Through it all, I kept going back to something my attorney had told me years earlier, to never give up, Jill. I didn't, and neither did he. That alone speaks a lot about this man.

Today, my scars on the outside are gone. What is gone is on the inside. My brain injury was followed by two more, just as serious. You can see I am now paralyzed.

What you can't see, and most often you can't tell, is I am disabled. I have hidden it well, not out of embarrassment, but out of choice, one that says I will not be labeled or succumb to limitations society wants to put on the disabled.

The mental scars are still in the healing process. In their place, there is joy, laughter, and finally peace. At times there are still tears, but they are cleansing to my soul. I have forgiven him in order to go on and live my life. My therapy is in telling my story.

The attorney for Nebraska Legal Services is there, still fighting the cause. The woman in the car

wreck that night is gone forever. Now in her place is a better, stronger, more determined woman.

So much of the credit I give to my attorney, my friend, Pat Carraher, for you see, once again, he has helped me become who I am today, a voice, a voice willing to try in any way I can to do my part in giving back to legal services by using my life's story and my voice to help those who cannot help themselves by never giving up.

Thank you very much for giving me this opportunity to speak.

MS. YOUELLS: There was a sixth client who wanted to join us today, and she is the parent of a disabled child who became suddenly ill. She did ask me to put her story in front of you, and you will find that we have given you her story and a picture of her children, Ms. Patricia Bryant from Georgia. So I would urge you at your leisure to read that. She wanted me to convey to you her very deep sadness at not being able to talk to you today.

Madame Chair, we will take questions if you

■ would like to ask questions.

■ CHAIR WATLINGTON: I am just overwhelmed. You
■ know, this is what the board and other people,
■ corporate lawyers, recognize why they are doing what
■ they do and how they are committed. Because each
■ story, you know, you just can't say anything about it.
■ Each story tells its own story.

■ But if the board members will say anything. I
■ don't know if they are speechless. I don't think I've
■ ever seen them as speechless as they are, with the
■ expressions on their face. It's amazing that they --
■ any comments and questions?

■ MS. FAIRBANKS-WILLIAMS: You said that you
■ were denied pending litigation. Were you paid back for
■ all those years that you waited?

■ MS. WILLETT: Yes. Yes, I was.

■ MS. FAIRBANKS-WILLIAMS: And does your welfare
■ take money from the settlement that you get? Do you
■ have to pay back?

■ MS. WILLETT: No. I wasn't on welfare.

■ MS. FAIRBANKS-WILLIAMS: You were not on

■ welfare?

■ MS. WILLETT: No.

■ MS. FAIRBANKS-WILLIAMS: Because some of the
■ states are having you sign papers now to pay back if
■ you come into --

■ MS. WILLETT: Nebraska does do that.

■ CHAIR WATLINGTON: I think all states do that.
■ They always get their money up front.

■ MR. EAKELEY: I just wanted to say thank you
■ for a moving, informing, and inspiring presentation.

■ MS. MERCADO: And I think that the point is
■ well taken that one of the panelists said that not only
■ as a legal services community, but I think that society
■ at large is very keen on demographics and statistics.
■ You know, how many cases did you all do? How many
■ cases -- how many clients do you represent and dollars
■ per capita and you doing in the resources?

■ And the fact is that we're not even
■ representing 10 percent of the poverty population in
■ this country, you know, that there are millions of
■ other people just like you who are isolated, you know,

■ who desperately need legal justice and aren't getting
■ it, and that you're the lucky few that are getting it
■ and have gotten it.

■ And I think it's wonderful that you've taken
■ back by giving back to the community through your
■ advocacy and your work that you do on behalf of clients
■ because, in fact, they have no one to advocate for them
■ aside from that.

■ I mean, with all the different restrictions
■ that we as legal services, not only the board but as
■ the clients, members on the different boards, on the --
■ you know, the staff from legal services, I mean, a lot
■ of the work that can be done on the advocacy to
■ increase those resources, to limit some of those
■ restrictions, so that you can assist a broader group of
■ people.

■ You know, the stories can be told, and I would
■ hope that they bring you to your different halls -- the
■ legislatures and Congress to tell them. Because I
■ think it's very easy to disregard a number. So thank
■ you.

MR. ASKEW: A number of you said you were nervous. That wasn't evident. Up here, it certainly -- and it didn't diminish the power of what you had to say.

I'm curious, Mr. Fraley, you are no longer in the produce business?

MR. FRALEY: No. I'm no longer in the produce industry. I do have other companies. One of the things I did during my period of running for the legislature, believe it or not, is I took on the management of an 18-theater movie theater with a chain in Arizona. Because I am not the most important thing there. They run by themselves.

So it allows me to get out and kind of be an advocate for things that I believe in. My state is growing, and it's time for the eyes to be open to the diversity that we now have in our state and the population growth. We have two new legislative positions, congressional positions, coming up, you know, this next election. So I'm hoping we get good voices in there.

MR. ASKEW: Good luck. Does your program represent migrant farm workers?

MR. FRALEY: Yes, we do. We have the statewide migrant farm worker -- one thing that I didn't speak on -- I kind of rushed because I knew Jill's story was incredible and that's where we wanted to get to, or at least I wanted to hear it again.

But one of the things that we've done that's been very important with the -- in conjunction with the migrant farm worker program is working on the taxes, the problem with the earned income credit for our Hispanic or agricultural migrant workers along the border, being misconveyed to them and putting them in a lot of tax liability.

So we've done some education on that. We're working with our Yuma office on doing community outreach and collaborations with just everyone we can to get people together so they understand how to do their taxes so they don't put themselves in trouble and basically get ripped off from, the notorios that they have down there.

MR. ASKEW: Ms. Mason, you mentioned the person who represented you in your matter. Is she -- she's here today, isn't she?

MS. MASON: Yes. She's here today.

MR. ASKEW: Would you like to introduce her to us?

MS. MASON: This is Kathryn Bicking. And my daughter is also here.

(Applause.)

MR. ASKEW: Are any of the other lawyers or paralegals here who worked with you?

CHAIR WATLINGTON: And what's good about that, Bucky, is the fact that she's a paralegal, too. Because they add a lot to legal services programs as well as the attorneys.

MS. YOUELLS: Well, and before she ran off to Virginia, she did work in Iowa. So I'll just say that.

CHAIR WATLINGTON: And I just wanted to say to the gentleman from Arizona, they have a wonderful director.

MR. FRALEY: That's just what I was whispering

■ to Randi right now. I would like to introduce Lillian
■ Johnson. My director is here in support of me, and she
■ is just a tremendous -- that's part of my advocacy, is
■ protecting her.

■ (Applause.)

■ MR. FRALEY: We must keep her in Arizona.

■ CHAIR WATLINGTON: Absolutely. She's a
■ wonderful director.

■ Any other comments?

■ MS. YOUELLS: I would suggest we take a break,
■ and then move to the rest of the program.

■ CHAIR WATLINGTON: And then move into the
■ other program? That's a good idea.

■ (A brief recess was taken.)

■ CHAIR WATLINGTON: Be seated, please.

■ Now I'll introduce Mike Genz. He's going to
■ give us a report on the Office of Program Performance,
■ a staff update on three special projects. So Mike,
■ you'll introduce the panel and take it from here.

■ MR. GENZ: Good morning, Madame Chair, members
■ of the board. I am honored to introduce these three

■ projects today.

■ The first panel remarkably demonstrated the
■ importance of high quality legal services. These fine
■ people, their lives were greatly affected by high
■ quality representation, as was the lives of those
■ around them.

■ But as board member Maria Luisa Mercado
■ pointed out, they are a member of the lucky few. Not
■ everybody gets that full representation, has those
■ wonderful effects. So that emphasizes the importance
■ of the board's Strategic Directions goals of greatly
■ increasing representation and assuring high quality
■ representation.

■ So this panel includes three presentations
■ that are directly designed to do that, coming straight
■ out of the Strategic Directions.

■ First, the Strategic Directions document
■ called on us to promote training for assuring high
■ quality representation. Cindy Schneider will be
■ describing an important new effort of new lawyer
■ training that we're funding.

Second, the board implored staff to search out and find those really good programs among our -- there's really good projects and efforts and ways of doing things among our 176 programs, and disseminate information about them. Put them up on the web so that they can be -- so that others can look at it, examine, and see the utility for their projects. Monica Holman will introduce the LSC Resources Initiative that's designed to do just that, and the progress that we're making on it.

Third, Strategic Directions had as its second major strategy harnessing technology to address access and high quality. Joyce Raby and Glen Rawdon will describe our project on the Creating Technology Initiatives grants program to do just that.

And we're going to have a firsthand example of the first project to finish. Bob Cohen, the executive director of the Orange County Legal Aid, will be presenting I-CAN! As I think everybody knows, there's also going to be a demonstration today and tomorrow outside for us to see firsthand what that's doing and

■ how that's integrated into their program.

■ Allow me to introduce Cynthia Schneider on the
■ training.

■ MS. SCHNEIDER: Thanks, Mike. Good morning,
■ Madame Chair and members of the board. I would like to
■ briefly fill you in on what has been happening on LSC's
■ contract with the National Center on Poverty Law.
■ We've reported on this contract in our, I believe,
■ monthly board reports, but Randi thought it would be a
■ good idea to do an oral presentation at this time to
■ tell you about the exciting developments with this
■ contract.

■ LSC entered into a contract with the National
■ Center on Poverty Law back in August of last year.
■ NCPL is an organization based in Chicago. It was
■ formerly known as the National Clearinghouse for Legal
■ Services, but reorganized several years ago now and do
■ more than just publish the Clearinghouse Review.

■ And some of you may be familiar with the
■ Clearinghouse Review, but it's a law journal that's
■ devoted solely to poverty law and policy issues. And

■ it has been, I know, published at least since when I
■ became an attorney, which now has been -- I hate to
■ admit it -- many, many years ago. And they are still
■ going strong.

■ Under the contract, the first part of the
■ contract was for LSC to gather the names of attorneys
■ that have joined legal services programs within the
■ last three years. And those attorneys were going to
■ be -- were going to receive a subscription, a year's
■ subscription, to this law journal.

■ When i started in legal services, the journal
■ was distributed without charge to legal services
■ lawyers throughout the country.

■ MR. EAKELEY: That's when it had federal
■ funding.

■ MS. SCHNEIDER: That's right. Exactly.

■ MR. SMEGAL: If you need another set, I think
■ I've got the full set back to 1984.

■ MR. EAKELEY: I've got it back to -- not quite
■ that --

■ MS. SCHNEIDER: Excellent. We'll know where

■ to find a hard copy. And I know when I was a young
■ lawyer, we certainly looked forward to our monthly
■ journal because it was so full of information about
■ developments in poverty law, and then just articles.

■ For example, the most recent one has an
■ article on tax hurdles for low income workers, housing
■ discrimination against victims of domestic violence.
■ There's an excellent article in here about the
■ practice -- or about rural pro bono programs. This is
■ incredibly valuable to the legal services practitioner.

■ And so we gathered at LSC the names of these
■ young lawyers, and they are now getting a free
■ subscription. There's 684 attorneys that are getting a
■ subscription to this journal.

■ They also received the password to the
■ National Center on Poverty Law's website. And this
■ plugs them into all of the journal articles that have
■ been published over the years, as well as they have
■ access to the NCPL's poverty law library, which
■ includes pleadings, briefs, in just a variety of areas.

■ Again, back in the old days, I would have to

■ send in and get hard copies of all these pleadings and
■ briefs. But now, through technology, it's all
■ available on the Internet.

■ The second part of the contract involves
■ onsite poverty law research training for programs.
■ Again, because of the amount of the contract, we had to
■ limit the number of sites, and it was limited to ten
■ sites.

■ LSC solicited from programs around the country
■ who would be interested in this, and then we chose the
■ ten sites. And they are programs in Mississippi,
■ Michigan, Iowa, the Native American program in Arizona,
■ DNA, Tennessee, Puerto Rico, South Dakota, and Alabama.

■ Five training sessions have already been held.
■ The other five will be held between now and September.
■ What the training consists of is how -- through the
■ Internet, how to obtain information on poverty law.
■ Most programs now, you know, have access to LexisNexis,
■ which is the legal research ability through the
■ Internet.

■ But this is specifically focused on what is

free out there on the Internet in the areas of poverty law; also, how you can access state-specific information and other information from the former national support centers in the various areas of poverty law.

There's a charge for when an attorney uses the LexisNexis computer ability to do legal research. What NCPL is training on under this contract are all those free things that are out there, and it's how to access all that free information on poverty law.

The one nice thing, even though -- that happened as a result of this contract, even though we had to limit it to ten sites, this generated so much interest some programs have gone ahead and on their own arranged to have NCPL come to their state to do training. For example, in Texas, recently NCPL did a training on poverty law research, and this training, I think, was attended by over -- yes, 200 people.

MR. EAKELEY: Cindy, I'm sorry. Just pausing there for a moment, are there training materials that will come out of the ten sites that can be replicated

■ and used in other states?

■ MS. SCHNEIDER: Yes. Yes, that's the other
■ aspect of it. The information or how to do it is going
■ to be part of NCPL's website. So that information will
■ then be made available to this broader audience.

■ MR. EAKELEY: I just -- I think one of the
■ unintended consequences of the federal -- of the
■ elimination of federal funding for regional training
■ centers is to create this void in terms of capacity to
■ train, and the demand is so great.

■ And I would hope maybe that the new board
■ could take another look at the need for training, the
■ value derived from training, and perhaps persuade the
■ Administration and the Congress that this is an area,
■ as with technology, that it would be wise to fund.

■ MS. SCHNEIDER: Yes. And that was some of the
■ reason why we went forward with this contract because
■ there is a tremendous gap out there as to training
■ needs of programs.

■ And it was felt that this was one area which
■ is just, you know, how to -- this training is not on

■ substantive law per se. It's, you know, just how to
■ find all the information that's out there. So it is,
■ in its own way, filling that gap, and there is this
■ tremendous need.

■ The final aspect of the contract is that the
■ National Center for Poverty Law is preparing a new
■ attorney manual. And it will be completed by September
■ 2002. They are on target, on schedule.

■ This manual will cover relevant areas of
■ poverty law practice, including health, welfare,
■ housing, family law. It will discuss issues particular
■ to a special population. Therefore, they'll have
■ sessions on the low wage earner, on immigrants,
■ domestic violence victims.

■ It'll also cover -- give poverty law research
■ tips, much like the poverty law training, research
■ training, they're currently doing. And then there'll
■ be some part of it for practice areas, skills building.

■ So it's going to -- the idea is that this is
■ going to be both a desktop manual that will be
■ particularly of use to the new legal services worker,

■ both paralegal and attorney, to give them some exposure
■ to these areas of poverty law because again, that is
■ what is missing in all the training that's occurring
■ these days.

■ Our grantees certainly avail themselves of
■ trainings that are put on by the bar associations
■ around the country. But those trainings don't focus on
■ poverty law. And there's not -- again, with the loss
■ of the national support center and the federal funding,
■ there's not much of that going on any more.

■ So this manual will be distributed hard copy
■ to everyone in legal services -- or to new attorneys,
■ I'm sorry. And then it will also, though, be available
■ on NCPL's website. So again, anyone can have access to
■ that information.

■ CHAIR WATLINGTON: Maria?

■ MS. MERCADO: Yes. I was just going to make a
■ point that even though a lot of our staff attorneys and
■ paralegals in the field might attend state bar
■ functions, the reality is that when they are looking at
■ their tight budget, the one that constantly keeps

■ getting cut is that attorneys, unless it's a mandatory
■ requirement by their state bar, don't get the
■ additional state bar training even if it isn't relevant
■ to poverty law. And so there's still the void either
■ way.

■ MR. EAKELEY: The Practicing Law Institute is
■ still giving fellowships to legal services lawyers for
■ their training programs, but they're not focused on --

■ MS. SCHNEIDER: That's right. LSC had a role
■ in the preparation of the new attorney manual in that I
■ was part of the committee that reviewed the outline of
■ the content of the manual. And so we were part of the
■ design.

■ The manual actually will be written by a very
■ impressive array of experienced legal services
■ practitioners from around the country. I just saw the
■ list, and --

■ MR. SMEGAL: They're not all with NCPL?

■ MS. SCHNEIDER: Oh, no. No. They're from --
■ some from the former national support centers, some
■ from -- currently employed by legal services programs.

■ But the coordinator, the editor of the manual, is at
■ NCPL.

■ So as mentioned, the opportunities for poverty
■ law training are so limited around the country. And
■ this is again especially true for the new lawyer, the
■ new paralegal, just joining a legal services program.

■ The contract with NCPL is an attempt to
■ provide legal services workers with this body of
■ information that can both improve their skills and
■ improve their knowledge. And in my opinion, LSC's
■ relatively small investment will result in a major
■ benefit to clients throughout the country.

■ And later, you may hear about our current --
■ one of our technology grant proposals, one aspect of
■ it, which hopefully is going to build upon this
■ contract that we have with NCPL. And that's how to use
■ technology more in actually doing the training.

■ MR. SMEGAL: What's the grant for this?

■ MS. SCHNEIDER: Pardon?

■ MR. SMEGAL: How much was the grant?

■ MS. SCHNEIDER: The grant for the contract

with NCPL was \$101,000.

MR. SMEGAL: Now, is there provisions made for updates or anything like that, or is this a one-timer?

MS. SCHNEIDER: The contract was a one-timer.

But they are already making plans on how they can keep it current. And certainly that's in the works. And we have been discussing with them that we may be able to enter into another contract to -- for at least, you know, an update within the next year or so. But that would be very small.

MR. SMEGAL: Have you got the list of those who are participating, the editorial group?

MS. SCHNEIDER: Yes, I do.

MR. SMEGAL: May I see that later?

MS. SCHNEIDER: I could make that available to -- uh-huh. Certainly.

CHAIR WATLINGTON: Bucky had a --

MR. ASKEW: That's what I was going to ask, is there a term to the contract or if it will be renewed.

But I guess the answer to that is no.

MS. SCHNEIDER: No. No. The contract ends --

the work is to be done by the end of this fiscal year, end of September 2002. And they are on contract, which is -- or on target to fulfill all the provisions of the contract.

MS. MERCADO: Although, I mean, conceivably you would need to train all the different states on the different areas. Now, I know some of them might because they might have IOLTA or some other additional money to do their training.

But the reality is that young staff attorneys and paralegals need the training in all our programs nationwide. It doesn't matter what it is. That really ought to be one of the line item budgets that we look at for training for our budget.

I mean, I understand that we don't have as much role in that at this point; but certainly that the staff or the new board ought to be looking at that as a provision that will be provided for anyway in funding.

Because I know that was for a special grant.

MS. SCHNEIDER: Yes. Which I was very grateful to John McKay for doing that.

MR. EAKELEY: Yes. Good project. good report.

MR. GENZ: Thank you, Cindy.

Next, Monica Holman on the Resources Initiative. Monica?

MS. HOLMAN: Thank you and good morning, Madame Chair, members of the board. Thank you for this opportunity to allow me to share some of the work I've been doing for almost a year now. This has been a pretty exciting initiative, and I'm thankful for the opportunity to share with you.

I'm also thankful for your efforts that led to the creation of this initiative. In January of 2000, you adopted Strategic Directions, which called for increasing the provision of legal services to eligible individuals.

In response to that, one of the things that the Office of Program Performance has done is creating the LSC Resource Initiative. Some of you may have seen it referenced as the Information Management Initiative, and even though we have a new name, I can assure you

■ that the work has been very good and the project has
■ really evolved over the past year.

■ The LSC Resource Initiative, LRI, or LARRY, as
■ it is affectionately called, is an information
■ management project where we are collecting best
■ practices, innovative techniques, articles, information
■ developed by our field and by other members in the
■ legal services community. And we are going to make
■ that information available on a website.

■ We will also be linking to existing sources of
■ information and partnering with organizations that are
■ engaged in similar endeavors. We don't want to
■ duplicate efforts that are already occurring in the
■ field, and we want to utilize the resources that are
■ currently available.

■ Some of the organizations that we've worked
■ with to date are AARP, National Legal Aid Defender
■ Association, Management Information Exchange, and we've
■ sat down with representatives from those and other
■ organizations to discuss the progress and direction of
■ this initiative.

One of the things that I'm looking forward to is partnering with MIE and AARP at the next NLADA conference in Milwaukee, and that will be to host a best practices session there at the conference.

Essentially, this initiative is our opportunity to share success stories. We're showcasing projects and making information available to not only LSC programs but to the entire legal services community. We want users to look at this website and get ideas, view best practices, learn from peers, and replicate innovative ideas.

To date, we've made a lot of progress. One, we've established a committee of OPP staff members, and the committee essentially serves as the advisory board.

The committee also directs the direction of this project and essentially makes decisions as far as what will be included on the website and what the initiative will encompass.

We've developed a data collection form for staff which is used in site visits and when communicating to programs to capture practices that are

■ occurring in the field. And now we have a consistent
■ mechanism for that information to be reported back to
■ the committee and then ultimately shared and included
■ on our website.

■ We've developed a questionnaire that has gone
■ out to all LSC programs to solicit information for
■ inclusion on the website.

■ We're gathering information from application
■ narratives, and we're in the process of developing
■ abstracts so all the information we get is condensed
■ into a short format that is available on our website.
■ And there will be a demonstration of that so you can
■ see exactly what an abstract consists of and the type
■ of information we are making available through this
■ initiative.

■ We are currently in the process of finalizing
■ a protocol, and the protocol will reflect the internal
■ approval process for information that is included on
■ the site.

■ And finally, we have developed a prototype of
■ the website, which I will demonstrate for you now.

■ However, before the demonstration, just a little
■ personal appeal. I just want to let you know how
■ excited I am about this project. There's a wealth of
■ information out there, and now we are making the
■ information that we have at LSC available to all
■ programs and available to the legal services community
■ at large.

■ I think that it's a shame that information
■ exists and everyone doesn't have access, and access to
■ the information will allow all of us to be more
■ efficient, and I think it will increase productivity
■ and allow for more clients to be served.

■ MR. EAKELEY: Well, we share your excitement.

■ It's been almost ten years coming.

■ CHAIR WATLINGTON: We've got to do some
■ moving.

■ MS. HOLMAN: There's a handout coming around
■ that kind of gives a brief synopsis of the project.

■ Okay. What you see here is the home page of
■ the resource library. Bear with us; the site is still
■ under construction, and there are a lot of

■ modifications that need to be made.

■ As you can see, we do have the welcome message
■ and a note to visitors available here. And these are
■ the various categories of information. We plan to
■ expand these categories, but we wanted to focus our
■ efforts on three initial categories -- intake, legal
■ work supervision, and pro se.

■ We also have developed an innovative practice
■ area which contains projects that don't fit into these
■ three areas but we felt were important enough to share
■ them immediately.

■ Through the site you will see a search
■ capacity. So once you access the site, you will be
■ able to look for any particular topic of int.

■ A program or anyone having access to the site
■ would also be able to submit information to us. So if
■ you have a project or an initiative that you want to
■ share for possible inclusion, or if you just want to
■ let us know about what you're doing in your program,
■ you have the ability to submit information through this
■ site. And I don't believe that's operational as of

■ yet.

■ Under the innovative practice area, currently
■ we have disaster relief, domestic violence, housing,
■ and a tax center.

■ One of the things that's timely about this, we
■ did receive information from a project in New York
■ City, and this project is in response to the events of
■ September 11. And also, through the abstract, you can
■ go directly to the site and have direct access.

■ And essentially, this talks about Law Help,
■ which is an online legal referral and information
■ service. And it provides assistance to those who may
■ be experiencing problems due to the events of
■ September 11.

■ Here we have the intake service area. And we
■ have various categories, and these categories are also
■ listed on the handout that you should have received.
■ An example, "LSC: Other Standards." One of the things
■ you will be able to access from the site will be
■ program letters and any information that LSC has
■ developed.

Here you can actually access a program letter that went out that gives the characteristics of a telephone intake system. And so this document would be accessible directly from the site.

One of the nice things about this, a user also has the ability to review any abstract that is available. All you have to do is hit the "Review Abstract" button, and then you can provide any comments.

If it's a procedure or a policy that you've tried and it worked, or you had to modify it, these comments can be included here. And this goes directly to LSC, and we can review it and choose to post comments if they are appropriate for the site.

Legal work supervision: An example, procedures and protocols. Camden Regional Legal Services, the example I've selected.

And here's an abstract. And essentially, this contains information on conducting staff evaluations. If a program is interested in using these forms, you can actually download the forms from the site and use

■ them within your individual program.

■ Pro se projects: We have several projects
■ here. This is Neighborhood Legal Services Association,
■ and this is a program that operates a pro se custody
■ clinic in two rural counties in Pennsylvania. And if
■ you want more information, you do have the contact
■ information available for this information, and once
■ again, the review feature.

■ One of the things I like about this, and I
■ mentioned it earlier, we do want to collaborate with
■ other organizations, and we want to utilize information
■ that already exists. So you can link to a variety of
■ other websites through this site.

■ For instance, if you're interested in intake
■ or hot line, we have a host of sites that may be of
■ interest. If you're interested in accessing the legal
■ hot line bulletin, for instance, that's been developed
■ by AARP, this will take you directly to the site and
■ you can access any one of a number of issues.

■ Pro se: American Judicare Society may be of
■ interest. And here you can directly access the forum

■ that is available. Our connection is a little slow.

■ Also, we plan to link to the websites of a
■ number of different organizations within the legal
■ services community. And from the site, you will be
■ able to link to the websites of other organizations, I
■ believe.

■ I was going to take you to a couple of other
■ sites, but given the delay time, I think I will
■ reconsider that.

■ And this will be part of the overall LSC
■ website once it is fully operational. And lastly, you
■ can connect to information on all of the LSC programs
■ from the site.

■ So this is just a brief demonstration of what
■ the sit currently includes and what the site will
■ include in the future. So I hope to have a site that
■ is accessible at least to LSC programs probably by some
■ time in July, and then a month to two after that we
■ plan to make the site available to the public at large.

■ One of the things that has been very helpful
■ to us, and I ask for everyone's assistance, is the

■ gathering and collection of information. If you have
■ information or you know about projects or innovative
■ initiatives that are occurring, those are the things I
■ need.

■ Even if you know about good resources in the
■ field, people that I should connect with, people that
■ might be engaged in similar endeavors, please assist.
■ On the handout, there is my phone number and an e-mail
■ address. Use them. Get information to me. I never
■ get too much.

■ Questions?

■ CHAIR WATLINGTON: Any?

■ MR. ASKEW: When do you expect to have this
■ developed?

■ MS. HOLMAN: It should be available for LSC
■ programs by July, and I'm hoping to have the internal
■ approval protocol finalized by that time. And then
■ we'll be able to make it available to the public at
■ large, I'm thinking, late summer.

■ MR. GENZ: Okay. Thank you, Monica.

■ Now the tag team of Glen Rawdon and Joyce Raby

■ begins. I hope the last two presentations and the next
■ two demonstrate that we practice what we preach in
■ terms of state planning and coordination with our
■ partners. All of these efforts involve working
■ together as partners to accomplish our goals and the
■ goals of our partner organizations.

■ MR. RAWDON: Good morning. I'm glad to be
■ back here for the third year in a row talking to you
■ about the Technology Initiative grants. I am very
■ gratified that Congress has still appropriated money
■ for this particular project that we've been doing,
■ essentially in light of some of the other programs,
■ like with the Department of Commerce TOP program and
■ the other SJI that are getting zeroed out, or at least
■ initially, for funding.

■ I think that that says a lot for the Legal
■ Services Corporation, that people recognize what we've
■ been doing with the Technology Initiative grants, and
■ that it's a continuing budget item.

■ What we are going to do is review, because
■ we're in the process now for the third year. And so

■ we're going to kind of review the program for you and
■ bring you up to date on where we are on this year's
■ applications.

■ As you'll remember, the main purposes that
■ we're trying to do with this grant program is to
■ promote LSC's goal of 100 percent access for our
■ targeted client community. As someone stated earlier,
■ we do not reach all of the eligible clients, and so by
■ using technology, we're trying to expand this access
■ through the traditional delivery of legal services
■ through our programs that we're doing.

■ And then the second goal is also to think of
■ new and innovative uses for technology to reach the
■ segment of the population that we can't reach with
■ traditional services, or which can help themselves if
■ they had more tools, freeing up our traditional
■ services for more extended services.

■ Now, the funding is we have 4.4 million this
■ year. And if you'll remember, the first year we had
■ 4.25 million and the second year we had 7 million.
■ This year we're finishing out the three-year project

■ that we had with 4.4 million.

■ The different project categories that we have
■ for this funding are: innovation projects, integration
■ projects, statewide projects or statewide websites, and
■ national projects. And we're going to cover those now
■ in detail to give you a little more information about
■ what those entail. The grant term for these projects
■ can be up to three years.

■ Now, under innovation, we want to increase the
■ amount of pro se client information that's available.
■ We also want to have more technology support for
■ clinics because if we can use technology to do all
■ these great clinics that we've been doing in the past,
■ but have been doing them in person, with technology we
■ can reach more people and we can reach them at their
■ convenience. In other words, these can be posted on
■ the web so that any time they want to see one of these
■ good pro se clinics, they will be able to do that.

■ Also, pro se pleadings. You'll see something
■ about the I-CAN! project when we finish here, Bob
■ Cohen. This is exactly what we've been doing with

■ that. Using document assembly techniques, the clients
■ themselves are able to do their own pleadings.

■ And then we also want to use technology
■ support to more fully involve the pro bono attorneys so
■ that we can recruit and use more of them, such projects
■ like we might be able to have them do remote
■ presentations by video that will encourage them to
■ participate so that they don't have to leave their
■ offices.

■ And we give special considerations for
■ partnerships with the state courts in this because we
■ think that pro se cannot go forward without the
■ cooperation and the support of the state court systems.

■ And the maximum award in this category is 175,000.

■ Now, integration projects. Integration is a
■ little different. With all the mergers and
■ reconfigurations, we realized that a lot of times our
■ programs are going to need some help.

■ When you have got three programs that are
■ coming together with disparate types of technology,
■ they may need some special assistance from us so that

■ these three systems can be merged into one unified
■ system so that they're not wasting a lot of time, that
■ they'll be more efficient in serving the clients. So
■ we have this category for those types of projects.

■ And especially a seamless intake system: We
■ want the clients not to have to go through lots of
■ bells and hoops and whistles to get into the system.
■ So we look at integration projects that will take
■ multiple intake systems that we might have now and, for
■ the client, turn them into one unified system so that
■ they can get services without having a lot of obstacles
■ placed in their way.

■ And electronic filing: We are being very
■ involved with the court filing process. We are getting
■ involved with XML, so that when e-filing is adapted by
■ the various state courts, we will be able to take all
■ the technology innovations that we've done for document
■ assembly and such and be able to have our clients and
■ our advocates participate in e-filing.

■ And we want to be able to track and analyze
■ program performance indicators so that we can see how

■ that we're doing. And again, we'll have special
■ considerations for partnerships with the state court
■ systems. And the maximum award in this category is
■ \$100,000.

■ Now Joyce is going to talk to you about some
■ of the other project categories.

■ MS. RABY: And I was here last year, so I
■ guess I should say that I'm also grateful to be back
■ for a second time to participate in this program and to
■ be here before the board.

■ A lot of the statewide projects are similar to
■ the integration category in that we are looking to
■ implement intake systems, case management systems on a
■ statewide basis. We're also looking to -- okay. Well,
■ that's nice. That's a little -- also developing
■ integrating of electronic filing. You'll see a lot of
■ duplications here -- partnerships with state and local
■ court systems, state bar associations, and projects
■ embraced by the state planners.

■ Often the key difference in this category
■ would be the implementation of a state plan that

includes a technology component. The maximum single award in this -- there we are -- this is obviously a much bigger project. There are a lot fewer of these.

The statewide website projects: We implemented that last year for the first time. There we go. In the first round of the Technology Initiative Grant program, there were two templates that were developed. They were funded at -- and Glen probably knows this better than I do --

MR. RAWDON: Minnesota and Ohio.

MS. RABY: Oh, I was thinking more in terms of money.

MR. RAWDON: We did \$175,000 each.

MS. RABY: Okay. These grants serve the entire states. All of the LSC programs in the state must participate in the statewide website. The applications must include a plan for how the website is going to be maintained once the grant term has expired.

But by developing the templates in the first year, we were able to do all of these grants. Clients, advocates, pro bono attorney providers, the total

■ maximum amount here at the bottom -- hello? Well,
■ apparently I can't use the -- oh, there we go.

■ So for a maximum single award of \$50,000, we
■ were able to take the template information that we
■ developed in the first year and actually implement it
■ much broader without having to make that investment of
■ \$175,000 in every single state.

■ A new category this year is the statewide
■ continuation grants. There were a lot of grants that
■ needed some assistance with staff retention and
■ additional content development.

■ We also got calls from states that came up --
■ once they sort of started the process and began
■ implementing the statewide website, they also
■ discovered that there were things they could do beyond
■ the original plan, either partners that they hadn't
■ contacted before who came on board, or there was
■ content that they wanted to be able to continue to
■ develop.

■ So we created a very small single award of
■ \$25,000 for one year only to sort of be that extra

■ money to kind of push the project beyond what they had
■ originally planned. It was an opportunity to really
■ make sure that folks got a chance to do everything they
■ wanted to do with regards to the websites.

■ And you'll see from the numbers that come in,
■ when we talk about the number of applications we
■ received this year, this particular project, the
■ statewide websites and the continuation projects, have
■ been very popular. And we're really reaching
■ saturation around the country. It's pretty exciting.

■ We talked a little bit about national
■ projects. I kind of want to briefly go over those.
■ I'll just go ahead and put all these up here because
■ it's easier than having to tap every time.

■ We talked a little bit -- Cindy talked about
■ skills training and using technology to expand the
■ reach of the scope, to do more outreach, to be able to
■ use technology either through video conferencing,
■ through providing information available on the web,
■ getting people hooked in to materials, to chat rooms,
■ to sessions, to classrooms, using -- we've gotten a

■ couple of different applications this year we'll be
■ looking at to implement some bigger, broader-scope
■ training in terms of legal skills.

■ We're going to be piloting -- or possibly
■ could be piloting some XML standards for sharing client
■ intake information. That kind of goes -- speaks to the
■ electronic filing in terms of being able to take
■ information we have about clients, and then working
■ with court systems to be able to take that information
■ and feed it through electronically directly into their
■ systems, and how we might be able to share that
■ information among programs.

■ We're also looking at doing -- the possibility
■ of doing a small case management industry review. I
■ think we're considering the possibility of providing
■ some information to all our grantees. Every time a
■ program wants to consider doing something new in
■ technology, whether they want to implement new case
■ management or they want to implement some particular
■ kind of technology, we do maybe a review of the
■ industry to see sort of where it is and make all that

information available so each and every program isn't having to do that research, that that information can be provided objectively to everyone.

And also, we're looking at the possibility of using some mapping software tied in to -- and I think you referred to it earlier in one of the things -- tied in to some of the geographic information about clients to really sort of get a better picture of where our clients are, where are we serving well, where are we not serving well, what kind of needs do we have. The maximum single award for that is 250,000.

MR. RAWDON: Now that the grants are in, and we'll talk about -- we have 98 grant applications, and we'll talk about how they're divided. But now we start the review process. And I wanted you to see the different categories.

We look at the project purpose, in other words, what they intend to do, how that's going to further our purpose, how that's going to help the client. What need is that going to address?

Then we need to look at the innovation. In

■ other words, is this something new? We realize lots of
■ people want to just upgrade their computers, but that's
■ not really very innovative. So people that get out
■ there and think of new ways to serve clients with
■ technology, we want to reward them in this innovation.

■ Also, the project feasibility: We want these
■ projects to work. And so we want to look at the grant
■ applications and be sure that these are actually going
■ to succeed.

■ The replication potential: Is this just going
■ to benefit one program in one state, or is this
■ something like the statewide websites that, once we do
■ it, then for a lot less money we'll be able to expand
■ this around the country to any program that's
■ interested.

■ Community involvement: We want to see them
■ going out and getting partners with other community
■ organizations -- with bar associations, with the state
■ courts -- so we give them extra points for their
■ community involvement.

■ And also in this category is other funding.

■ Unlike some programs, we don't require matching funds,
■ but we do encourage them to go out and find other
■ funding partners.

■ And so the more invested the community is in
■ this, by investing their dollars and their time and
■ their resources, the more points we'll give them when
■ we review these applications.

■ Also, reducing disparities: We still believe
■ that there is a digital divide. And we want to look
■ for projects that address these types of digital
■ divides. One of our statewide projects we have in is
■ from Alaska, where they're looking to put in some
■ centers in six of the remote state court centers that
■ they've got there.

■ I don't think anybody would disagree with the
■ fact that Alaska has a lot of territory to cover. So
■ if they can look at projects like this to increase the
■ access to these resources, that's what we'll give
■ points for, reducing disparities.

■ And also is evaluation of the documentation:
■ It's very important that we evaluate these projects.

■ Bob Cohen, who's going to be talking next, has the
■ evaluation of I-CAN! that they just completed. And so
■ you can see how an independent evaluation team reported
■ on this. We want all of our grants to be having an
■ evaluation component and documentation so, one, we can
■ see how well it worked, and two, we can let the other
■ programs know about this through the documentation.

■ Now, the applications: We've had 98 that were
■ accepted, for a total request of 12.3 million, with
■ total project budgets -- that means the other outside
■ funding -- of \$22.6 million. Now, if it was up to me,
■ I'd fund them all. But Mike tells me I can't have
■ anybody else's budget to do this. So we'll be
■ whittling this down to our 4.4 million.

■ We had 47 states, territories, independent
■ entities, whatever we call all of them, that applied,
■ which is really expanded. If you'll remember from one
■ out to 2002, that is a really big increase on the
■ interest around the country.

■ We've had 28 states or territories with
■ multiple entries. And in the different categories, in

■ innovation, we've had 17 applications. In integration,
■ we've had 16. Statewide projects, we had 16.

■ Statewide websites -- and you remember last
■ year, we had the two that we started with, then we had
■ 28 more. Now we've got another 13. If all these are
■ funded, we'll have over 40 states in three short years
■ with statewide websites.

■ That means there will be one place in the
■ entire state that a client can go and find out all the
■ pro se information, all the referral information. Our
■ partner agencies can go here. These are working with
■ the state planning committees. They have state owner
■ committees. They are much broader than just legal
■ services.

■ And all this has been done with these programs
■ so that when these grants are finished, just from the
■ end of these three years, like I said, at least 43 of
■ the different states will have one control resource for
■ clients to go for legal information and learning how to
■ get access.

■ In the statewide continuation, we've had 24

■ grant requests. As Joyce said, that was to help them
■ with the implementation that they started last year.
■ And if they're making good progress but they need a
■ little bit more money to get them what they want to,
■ they'll have this. And then we have 12 projects in the
■ national category.

■ Now, to review these 98, here's the process
■ that we're going to have. We've identified the
■ reviewers so that we have review panels of people from
■ around the country, some of them legal services, some
■ that have been recruited from the ABA, lawyers, and
■ some that we recruited from other nonprofits that work
■ with technology. So this is a broader review panel
■ than just legal services.

■ We are going internally to review the
■ statewide website grants and the national proposals,
■ and then the other statewide innovation and integration
■ will be reviewed by the reviewers. That's hard to all
■ get out.

■ We start that process next week. Every
■ afternoon next week and into the next week, Joyce and I

■ will be doing online review panels of these reviewers.

■ We started this with the first year. Rather than
■ bringing everybody in here at great expense and having
■ five days' worth of meetings, we do these online so
■ that we can -- it's easier to recruit the reviewers
■ when they don't have to leave their offices or their
■ homes to do these reviews.

■ When this is finished, we have an online score
■ sheet that they are doing so that we'll have their
■ project scores under those categories that I showed
■ you. And at the end of each review panel, we'll ask
■ them to rank each of the grants in their estimation of
■ whether or not they'll be funded.

■ After this is done, we'll review all of that
■ and work with Mike and with Randi to come up with the
■ slate that we think would work well. But oftentimes, if
■ we see something in a grant that we don't think is
■ feasible or we can't quite fund it all -- because when
■ you've got \$12 million worth of requests and only
■ 4 million to give out, you can't fully fund
■ everything -- then we'll go back and negotiate with the

■ programs on seeing if maybe this can be scaled down, or
■ a portion of this could be funded, and we can't fund
■ that. And then when we get a full slate ready, then
■ we'll go to John with our recommendations for the
■ funding on all these different ones.

■ This isn't something that's just done by Joyce
■ and myself and Randi and Mike, though. We also are
■ involved in the state planning team, and OPP may --
■ everybody has a voice in this. We have meetings where
■ we look at not only the technology considerations but
■ the statewide planning efforts. How does this fit with
■ the statewide plan?

■ When we finish, we hope to have faster,
■ seamless intake, more access to advocates with less
■ travel. I mean, time is important. Time is money. So
■ anything that we can do to keep clients from having to
■ spend their limited resources getting to offices, the
■ better.

■ We'll have improved self-help information.
■ We'll have increased court assistance. A lot of these
■ are partners with the court so that the court will also

■ gain time from this effort by helping the pro se.

■ Our advocates will be better trained and
■ better informed. We'll have more pro bono attorneys,
■ and we'll have a very efficient use of resources. This
■ is what we're trying to accomplish with this.

■ I'm really excited, like I said, to see the
■ growth in the application process. And you're welcome
■ to -- we'll send you a CD-ROM if you'd like to read all
■ 98 applications with us. But -- and I say that
■ jokingly, but if you're really interested in seeing
■ some of them, we'll be more than happy to send you a
■ CD-ROM that has all the applications on them.

■ It's just really, to me, been very encouraging
■ to see our programs embrace the technology to help the
■ clients, and for the program to grow so much.

■ MR. EAKELEY: Have the quality of the
■ applications improved?

■ MR. RAWDON: They've improved a lot, Doug. I
■ mean, many times in the first year it was more a
■ concept paper than it really was a full-fledged grant
■ application. And now we'll find detailed budgets.

■ They've got all the hardware that's laid out there. I
■ mean, they really -- you can tell how much work --
■ that's why it's so hard for me -- I don't want to turn
■ anybody down. You can tell how much hard work has gone
■ into these applications.

■ MR. EAKELEY: Just anticipating, what can we
■ tell the Congress about the still-unmet need for
■ technology, innovation enhancement, and coordination
■ that we're not able to fund yet, but if we could fund,
■ would produce by way of results?

■ MR. RAWDON: Well, I think all you have to do
■ is to look at the applications that we're not able to
■ fund this year. And I've read through the summaries of
■ every application already so that I know what they're
■ trying to accomplish.

■ And again, if I could, if we had the money,
■ I'd recommend funding them all. And so if Congress
■ sees that, you know, we've got 4.4 this year; if we had
■ the 12 million, I mean, it would be multiplied at least
■ threefold in what we'd be able to accomplish with these
■ good projects that mean so much for clients.

■ So many of the programs want to get remote
■ access centers. That's something -- since we can't put
■ an office -- since the '96 funding cutbacks where we
■ had to close offices, having these remote sites where a
■ client can go in, get access not only to the Internet
■ an information, but then pick up a phone and talk to
■ the legal services attorney and look them in the face
■ with the videoconferencing center -- if we could just
■ do that so that, you know, like our vision in South
■ Carolina that we have, that every county will either
■ have an actual office or a virtual office.

■ If we could do more of that. If we could
■ expand on our partnerships with the courts so that
■ attorneys could appear remotely by video and save all
■ that time. And not only that, Doug, but when I worked
■ a lot with Paula Hannaford at the National Center for
■ State Courts and Denny Tevin at SJI, the courts are
■ really concerned about pro se clients. They are a big
■ sap on the resources. And Bob can tell you more about
■ that, what he's learned in Orange County and the
■ district attorney's offices.

■ We're making very new partnerships because
■ they've recognized how much of their staff time and
■ resources are done -- the money we're investing here
■ not only helps our clients, it helps the courts. And I
■ would think that would be very important to Congress,
■ to do something that with the limited court resources,
■ we can expand those through the technology that helps
■ the large number of pro se clients that are descending
■ upon the courts nationwide.

■ MR. EAKELEY: A great segue for Bob Cohen
■ also, by the way. Excellent. Do we take our seats,
■ Bob, or are you going to --

■ MR. COHEN: No. Another slide show.

■ We have an I-CAN! kiosk that we brought out,
■ and this is the trailer for the I-CAN! show. So you're
■ welcome to go out and try it out for yourselves.

■ I am the director of the Legal Aid Society of
■ Orange County. We provide legal services throughout
■ Orange County and southeast Los Angeles County under
■ the name of Community Legal Services.

■ Our service area, Orange County, is actually

about 200,000 larger in population than the city of Chicago. So we're talking about large areas. L.A. County, for that matter, is a couple of million larger than the city of New York.

When you think of a legal services program, I think it's important to put in perspective how services are provided. And we do this explicitly, but I think to some extent every program does this same -- has this same triage: an intake system.

Ours is a hot line which provides services through staff paralegals and law students, who are supervised by attorneys right there on the spot. It does -- determines eligibility, provides advice and counseling, makes referrals to numerous programs -- we have about 350 programs in our referral database -- and makes referrals to the private bar through our lawyer's referral service, and schedules more in-depth services.

Now, those in-depth services that we provide, traditionally the self-help services are less available than the hot line advice because they're more expensive to provide and they require more of an investment of

resources on our part.

And of course, for all programs, the hardest resource to get if you're a member of the client community is that in-depth service where you are fully represented. I believe nationwide the statistic that we use is 80 percent of our client community cannot obtain access to legal services. We wind up, in general, serving the 20 percent that can.

And you can see there in tier 2, under self-help, our I-CAN! kiosk. Well, I-CAN! can really change the situation very significantly. Think for a moment of the possibilities. Our server can serve -- and A.J. Tavares, who's our project manager, will correct me if I'm wrong because I don't know very much about technology at all -- but I think it can serve about 700 people simultaneously.

Now, the goal is to find those 700 people who need that service to use our services simultaneously. I-CAN!, which stands for the Interactive Community Assistance Network -- it's a kiosk and web-based system. We've learned from our evaluation, we've

learned from the statistics that we've been keeping, but 80 percent of our client community that accesses the system does so through the kiosks.

The kiosk part of the program really is much more effective in addressing the problem of the digital divide. The kiosks that are most used are in our courthouse, courthouses, and in the district attorney's office.

Now, that came as a surprise for us, and as Glen mentioned, you know, the first module we wanted to do was domestic violence assistance. Because it's so complicated -- it's about six forms within one module -- and it can take anywhere from a half hour to two hours to go through it, we wanted to be less bold and we first addressed a need of the court, which is answer to complaint for parental obligations.

Well, that complaint about 80 percent of the time goes by default. And the district attorney's office was the office that took the defaults. And we chuckled among ourselves. We said, we're going to be changing someone's life in the district attorney's

office. They're not going to get those defaults any more.

And we did. But we were really surprised by the reaction. The reaction was, how can we help you build more modules? This is great. We don't want to take defaults. We want to get people involved with their families, with their kids, and they are more involved if we get them involved from the get-go in the court. So our new partner became the district attorney of Orange County. And we were just thrilled.

The I-CAN! -- to go on, I-CAN! is going to have about a dozen services available in a few months.

Right now, the top services are fee waiver, which shows that our clients are using the service, that gets you into court regardless of what other matter that want to assert or defend without paying a fee as long as the court signs off on the waiver. And that services has not been up the longest, but it has -- it has been used the most.

I wanted to tell you about the components of I-CAN! because when we were testing the system, as Glen

mentioned, it was a concept at first. And when you try to describe a concept to folks without being able to show it, they sometimes were wondering, what? There's a talking head and it's on the left side of the screen and the talking head will read the screen. And the people -- this guy's been in legal services too long.

But as you can see through this, that there's a touch screen and -- oops, went the wrong way -- well, we can use this. There's a touch screen and you can -- the computer is saying I'm taking too much time with my presentation. There's a touch screen, and the talking head will read what's on the screen.

We've discovered that a large segment of those who use the system use it with the talking head as opposed to reading it themselves. And that enables them to fill out the forms.

One might speculate that this system enables folks who otherwise could not use a self-help system to do so because it eliminates a barrier that is reading and analyzing the law to make your decision. Our video guide, in this case Marie, will speak it to you. And I

■ think about 64 percent of those who use the system use
■ Marie.

■ Let me just back up one. Glen mentioned to
■ you -- oh, the other components of I-CAN! are a tour of
■ the court. We call it a tour. It takes you through
■ how you find the court to what's your hearing like.
■ And this one we just put up for small claims, but we've
■ done these for all of our modules.

■ This is also the same technology that can be
■ used for public access cable. So when we get through
■ with doing all our modules, all our court tours, we're
■ going to be running these on all 12 public access cable
■ stations in Orange County and others throughout
■ California so that folks in the community will be able
■ to see this new way that they access the service.

■ The other thing, this safety plan that we did,
■ this is -- we first copied it from Richard Zorza and
■ then changed it a little bit, so we have to give
■ Richard credit here. This goes with domestic violence.

■ (Computer presentation given.)

■ MR. COHEN: And that may be the most important

■ bit of advice that we give on the safety plan because
■ when you're in a stressful relationship, you may not
■ think that -- fighting in the kitchen is a very
■ dangerous thing to do.

■ Glen had mentioned to you geographic
■ information systems. I just wanted to briefly show you
■ how we used it. This was based on the 1990 census. We
■ asked our database two questions. We integrated this
■ with -- I think it was Census 2000, which was a census
■ program that will answer any kind of census question
■ and map it for you, and also allow you to use your own
■ database to make comparisons.

■ And the question we asked here is, show us
■ poor people and show us clients served. And you can
■ see that poor people came up in red. Clients served
■ came up in blue.

■ We weren't -- when we analyzed this ourselves,
■ we weren't too concerned about this area. It's a
■ university area. We weren't too concerned about this
■ area. That also is a university area. We were very
■ concerned about this area. This is a Vietnamese and

■ Asian language-speaking area, moreso than other areas.

■ And you can see how valuable geographic
■ information systems are as a planning and reporting
■ tool. That tells us what we should be doing that we're
■ not doing. And because of that, we started the
■ Vietnamese language outreach program.

■ Now, we've adopted this system for I-CAN! And
■ we'll be able to tell you how I-CAN! is used,
■ especially after the new census materials come out.

■ And I recommend to you -- of course, I would -- our
■ evaluation, which was done by the University of
■ California. It tells us a lot, not only how well the
■ system has worked in the community, but how people use
■ technology. It has some very interesting insights.
■ And we have copies for you, and you're certainly
■ welcome to it.

■ You can see here how the usage pattern of
■ I-CAN! is spreading out through the county. What I was
■ most interested in myself was fee waiver because fee
■ waiver tells us how our own client community is using
■ this system.

■ And what I've seen from looking at the charts,
■ and a few of them are in here, that domestic violence
■ does not map like our client community. It maps --
■ it's all over. When you get into fee waiver, it maps
■ more like our client community. And you just learn so
■ much by looking at these little maps of how people use
■ the services that are available.

■ Questions we asked that were at the heart of
■ our evaluation, and two questions that you really have
■ to ask in creating any system: Is it helpful, and was
■ it used? So the way we asked these questions: Was
■ I-CAN! easy for you to use, and was it helpful? And
■ the way these responses came back were quite credible.

■ You can see folks really liked I-CAN!

■ Now, they have some of the interviews in our
■ evaluation, which will give you some insights into what
■ peoples' reactions were. But the system -- folks found
■ it helpful and folks found it easy to use.

■ When we started this idea back in Orange
■ County -- and I got to tell you, I think you'll find
■ this everywhere you start a technology project; there

■ will be those who will say, "This is wonderful, this
■ will really work well," and those on the other end of
■ the spectrum that say, "You just don't understand what
■ the client needs are and you're just way off base
■ here."

■ And you can expect that. That's okay. And
■ you have to prove to those people at the other end that
■ you're going to do something useful for them. But the
■ one story that we had was when we went with a
■ particular domestic violence assistance provider, in
■ frustration, they said, "You don't understand. Our
■ clients have bandages on their fingers. You expect
■ them to use a kiosk?" And now, having had the kiosk up
■ and seen people with bandages on their fingers use it,
■ we can say, "Yes, they will use it." So that's good to
■ know.

■ The other thing that you would probably be
■ interested in, and we put up our first module November
■ of 2000. But we didn't put in a tracking software
■ until May 1, 2001. So we know exactly what's happened
■ that point forward.

■ We think there were over a thousand users
■ before that point. But you can see -- and new modules
■ are coming up all the time. Fee waiver, I forgot
■ exactly when that came up. But you can see how it's
■ really taken off as a module that is being used by our
■ client community.

■ You can also see how unlawful detainer, which
■ has just been up a month -- you know, eviction defense,
■ we think this will be one of the modules that best
■ meets our client needs. We always have folks who need
■ to get into court with eviction matters, and there's
■ just not enough resources available for them.

■ One of the striking things about this -- and I
■ wish we had more money, like everyone else -- is that
■ when we put the module up in Spanish, it was as easy to
■ use, or almost as easy to use, and as helpful, and it
■ rates as helpful, on our evaluation.

■ When we put it up in Vietnamese, one module in
■ Vietnamese -- and we have to thank our district
■ attorney for paying for that; he wanted to see if it
■ would work -- it got more use in Vietnamese than it

received in Spanish. And we have the Vietnamese model out in the hallway for you to take a look at.

But you can see -- and we have not done our community education campaign yet, I'm embarrassed to say. Most of the use here is from people just looking for help or calling us, and, you know, it will catch on a lot more as we -- time to go?

MR. GENZ: Time to wrap.

MR. COHEN: Okay. That's all the support that we have. And you can see where it's coming up in the next -- and the sequel will be e-filing. We have an e-filing module that we're ready to do.

I'm sorry to have taken up so much time. We have for you some of our press materials, and with a little demo of I-CAN! And we have our evaluation.

MR. TAVARES: Bob, one point I would like to mention that Bob didn't touch on is when going through the slides about the different pieces that were important to Legal Services Corporation collaboration with multiple units, the use of that now -- integration with the court systems, being able to directly serve

■ pro se litigants to increase the efficiencies within
■ the courts -- all of those items, you could almost put
■ I-CAN! next to them and say, "Check. Got that. Check
■ on that. Check on that."

■ So one of the things that I hope you folks can
■ feel proud of is in addition to helping our client
■ population, which of course is our primary mission, our
■ secondary mission and secondary set of goals and
■ objectives have also been met simultaneously with a
■ single program.

■ And I think that hopefully what you folks can
■ take away from that is, we can do both. We can do what
■ we need to do to help our client community, and we can
■ do what we know we need to do that's best for us.

■ MR. EAKELEY: Well, thank you.

■ MR. SMEGAL: I have a historical question,
■ Bob. Back in the Reagan board days, I had the --

■ MR. COHEN: Oh, no.

■ MR. SMEGAL: -- I had the opportunity to come
■ and give you a check to do a survey or a comparison
■ between the delivery of legal services with lawyers in

■ your program, and pro bono lawyers, and some third
■ category I forget -- maybe vagrants or something.

■ I'm curious. There was a report that you
■ rendered. I don't recall seeing it. But in any event,
■ has that ever had any lasting effect? Have we ever
■ done anything with that data? "We" being Legal
■ Services.

■ MR. COHEN: Well, we refer --

■ MR. SMEGAL: And I know it's a long way back.
■ It's 15 years ago.

■ MR. COHEN: I know. We refer to it every now
■ and again to show that by comparison, the legal
■ services programs are doing a great job, and that it's
■ not that simple a matter for the private bar to come in
■ and start doing cases and expect to make money on them.

■ MR. SMEGAL: Thank you.

■ MR. ERLNBORN: This may be a little strange
■ question, but one of our professional opponents that
■ are in the Congress is very upset when he reads about
■ I-CAN! because the kiosks give information to somebody
■ who may not be eligible, income eligible.

How would you answer that?

MR. COHEN: Yes. There's a few answers. But the basic way we address that problem, through our partnerships with the courts, with the libraries, is to offer up the system like one would offer up a community education presentation, but only provide -- we only provide in-depth assistance if someone comes to us with more pressing matters or more complex matters when that person is client-eligible and has been screened.

The approach that we rejected was screening before letting someone use the system because that would limit our partnerships with the community. And we think we've done far more for our client community than we could had we taken a much more restrictive approach.

We've also brought in the other agencies in being supportive of this system that would have had more difficulty if we had restricted it in that way. But you can see that the majority of users -- and I think it's not quite two to one -- but the little analysis we did was 1.5, 1.6 to one are client-eligible

■ legal services persons.

■ MR. ERLNBORN: Do you have any financial
■ support from others in the community?

■ MR. COHEN: Oh, very much so. The courts have
■ supported this. As a matter of fact, we even receive
■ financially. They have paid for our entire work with
■ e-filing, and have paid for modules. The district
■ attorney has paid for modules. And even Disneyland,
■ through the community services award, has paid for some
■ of this work.

■ So we have support in a broad-based way. And
■ I think the community has to view the system as their
■ system. And we have our own part of it in how we
■ integrate it into our service structure.

■ And as you see from looking at the evaluation,
■ it really must be integrated into the service structure
■ for it to work in its most effective way. But I think
■ that part of it is exclusively with LSC-funded clients.

■ MR. TAVARES: By the way, about 40 percent of
■ the finance we receive support is from LSC. The
■ remaining 60 percent of the funding comes from other

■ sources.

■ MR. ERLNBORN: Hard to understand that. But
■ was it 40 percent is LSC and 60 other?

■ MR. RAWDON: Forty percent is LSC and 60 --

■ MR. TAVARES: Right. And those would be the
■ administrative offices of courts, the local cities, the
■ courts themselves, and other funding.

■ CHAIR WATLINGTON: Mike?

■ MR. GENZ: Thank you, Bob. Thank you, A.J.,
■ for that excellent presentation. All we can do is
■ provide the opportunity, but folks like Bob and A.J.
■ have to do the actual work and we really appreciate the
■ excellence of it.

■ MR. COHEN: I just want to say that I very
■ much appreciate working with you, with Glen, with
■ Joyce, with Randi. The staff of LSC has been so great
■ and inspirational in allowing us to do this. So we are
■ really indebted to you for making this possible.

■ MR. EAKELEY: He's going to ask you for more
■ money.

■ MR. GENZ: They already have, in fact. It's

■ in the works.

■ I understand, Madame Chair, there's a five-
■ minute break coming up. If I may have a moment before
■ that, I want to announce that Cindy Schneider and
■ Anh Tu have been promoted to the status of senior
■ program counsel. That's in recognition of their
■ extraordinary work and their leadership. And helping
■ the leadership in the future will be their role.

■ CHAIR WATLINGTON: And they are both here
■ today.

■ (Applause.)

■ CHAIR WATLINGTON: So we'll take a five- or
■ ten-minute break here until we go into the other part
■ of the agenda.

■ (A brief recess was taken.)

■ CHAIR WATLINGTON: This part of the program,
■ we'll turn it over to Randi. She'll do the indication,
■ and I'll move over here.

■ MS. YOUELLS: I'm conscious of the fact that
■ we break at 12:30. I have three items that I would
■ like to briefly discuss with the board before we break

■ for lunch.

■ I want to talk a little bit about the
■ innovations in government award application that LSC
■ has made for its state planning activities. I want to
■ talk some about the state planning evaluation
■ instrument that we were in the process of developing.
■ And then I want to talk a little bit about grant
■ conditions.

■ I'm going to start with the innovations in
■ government, American government, program. And I'll
■ wait for the slide show to come up, and then I'll just
■ take you through it.

■ The reason I'm taking you through this
■ application is LSC recently made the decision to apply
■ for an innovations in government award. And in
■ preparing the application, we had to go back and
■ actually trace down some of the deliverables for state
■ planning to try to figure out how we know that we've
■ had some impact upon the delivery of the legal services
■ system in the United States. And the information that
■ we acquired was so extraordinary, I thought I'd run

■ this through. It will only take about ten minutes.

■ The innovations in American government award
■ is a program of the Institute of Government Innovation
■ at the JFK School of Government at Harvard. It's
■ administered in partnership with the Council for
■ Excellence in Government, and it's funded by the Ford
■ Foundation.

■ The purpose is to identify and celebrate
■ outstanding examples of creative problem-solving in the
■ public sector. All units of government -- federal,
■ state, local, tribal, and territorial -- are eligible
■ for recognition and awards.

■ We have applied under federal, but Bob Cohen,
■ who you just heard talking about I-CAN!, has applied
■ under the local category. So we really do have two
■ applications pending.

■ There are four criteria: originality of the
■ approach; effectiveness in addressing important
■ problems; value of services to clients; and the
■ potential for replication. There have been 297 awards,
■ and they award, at this point, \$17.7 million.

■ We've applied. They will choose 100
■ applicants as semifinalists in the fall of 2002. Then
■ they will have fifteen of those people narrowed down as
■ finalists. And then they will announce winners.
■ Winners receive \$100,000, which is one of the
■ incentives for dealing with the extensive application
■ process.

■ And I want to credit Alice Dickerson of our
■ office of human resources for turning me onto this
■ application. She's the one who discovered it, and
■ she's the one that lit a fire under me and suggested
■ that LSC needed to go for this money at this particular
■ time.

■ We decided to nominate -- or apply under our
■ state planning initiative. As you know, state planning
■ is our comprehensive strategy to help more low income
■ Americans access the civil justice system by catalyzing
■ innovation and partnerships to expand legal services in
■ every state.

■ We launched state planning actually in 1995,
■ but to be eligible for this award, we decided we

■ launched it in 1998 when we re-launched it. And the
■ initiative was created under the strategic plan
■ developed by this board of directors. And the two
■ goals were access and quality.

■ One of the things that's most interesting as
■ we've prepared the application is it showed that once,
■ although we were merely a funding agency, it
■ transformed Legal Services, LSC. We always thought of
■ it as transforming the community. But we realized that
■ LSC had been transformed, that we're an equity partner
■ with our state justice community. So we play a
■ different role than we used to play.

■ It required our LSC grantees, as a condition
■ of continued federal funding, to establish communities
■ of justice in every state. And the application asked
■ us to identify core elements, such as joining with
■ stakeholders to establish statewide systems, utilizing
■ technology, self-help materials, new intake systems,
■ and multicultural staff to reach underserved clients.
■ And we asked our grantees to prove that their
■ geographic boundaries are as effective now as when they

■ were first developed 30-some years ago, or to actually
■ proceed to redraw them.

■ We also asked them to collaborate with groups
■ historically considered competitors, such as other
■ nonprofits, or unlikely partners, such as judges,
■ legislators, or bar leaders. And we asked them to use
■ existing resources to address funding crises. I love
■ those chimes.

■ As we said in our application, initially most
■ grantees responded poorly to the state planning
■ initiative. We had to act quickly to obtain buy-in.
■ We had to work with a wide variety of partners. Our
■ application points out that this is not LSC's
■ initiative. This is an initiative by many partners in
■ the community.

■ And we did so by highlighting some of the
■ initial successes in state planning. We did so by
■ highlighting state planning at board meetings, local
■ events, and national conferences. We recognized
■ exemplary planning out in the field when it occurred.
■ And we developed technical assistance funds to fund

creative planning projects and the technical assistance technology dollars.

We also within LSC worked aggressively to calibrate our units so that every program effort advanced state planning. We also changed the competition process so that competition also assessed program quality focused on the efficacy of statewide systems and collaboration with other agencies.

As a result, and this again comes from our application, LSC grantees have now evolved and we have 170 carefully chosen nonprofit corporations serving poor clients in every jurisdiction. That's down almost 100 from 1998.

More than 43 million low income Americans are potentially eligible for federally funded civil legal services, but only one in five receives assistance. And that was something that we put in our application to point out one of the reasons we went through with state planning. We didn't just pull it out of our hat.

It was in response to escalating need.

And then again, from our application, we point

■ out that Congress created LSC to address the need to
■ provide equal access to the system of justice in our
■ nation. And despite this commitment, the federal civil
■ justice investment has plummeted since then, while the
■ eligible client population has swelled.

■ Before state planning, no consideration had
■ been paid to whether initial program designs had
■ adapted to meet the needs of today's clients. State
■ planning was one of the tools we used to force
■ federally funded programs to address core obstacles to
■ equal justice.

■ And then in our application, we enumerated
■ what we identified as those core obstacles to equal
■ justice. Of course, insufficient funding: Our funding
■ in equal dollars is less than we received in 1980;
■ outmoded delivery systems, with an over-reliance on
■ costly in-person client consultations that exacerbated
■ an access crisis created by the insufficient funding.

■ Changes in the client community: In 1990, 6.5
■ million Americans spoke little or no English. Today,
■ that number has risen dramatically to 10.5 million, and

people believe that's a conservative estimate. And we also point out that language and cultural barriers are isolating many of our clients, and it's hard to come in to in-person offices, which are why programs like I-CAN! are so important.

And in our application, we also point out that in the last decade, there have been changes in the law which have caused caseload shifts that require our staff to develop quickly new expertise in new areas that we hadn't previously done. We didn't do tax when I joined legal services in 1970.

And then we go through the application -- where that came from, I don't know -- then the application asks us to identify significant achievements. We said the strongest legacy has been in fostering cooperation among the various stakeholders. And again, our application repeats over and over again that we didn't do this alone.

In 1998, ten states had designated state planning bodies dedicated to strengthening legal services. Today, 36 states have such bodies. Many are

■ appointed by the courts. Many are appointed by the
■ bar. The ones that don't have them, many of them are
■ in the midst of creating one. And that's an important
■ development, I believe.

■ In 2001, there was \$67.1 million appropriated
■ or given to legal services from other sources other
■ than LSC, almost two times that appropriated in 1997.

■ And additional accomplishments: Thirty-three
■ grantees have used LSC funds to implement comprehensive
■ case management software and toll-free advice hot
■ lines, including 12 statewide systems.

■ Many grantees have reconfigured service areas.

■ And again, we point out that the number of grantees
■ has been streamlined from 262 to 170. To help grantees
■ manage geographically expanded structures, LSC has
■ awarded fifteen innovation grants for programs to help
■ expanded areas through videoconferencing.

■ It has required the creation of statewide
■ technology plans in every state. We have helped 28
■ states develop statewide legal services websites.
■ Other technology funded includes self-help legal

■ kiosks, virtual law offices, online training for
■ advocates, and a national legal services
■ troubleshooting network.

■ State planning benefits, however, as we point
■ out in our application, low income people. We didn't
■ do it because we wanted to do it for the sake of doing
■ it. We did it because not enough people had access to
■ legal services.

■ The principal societal benefit is preserving
■ respect for our civil justice system and adherence to
■ the rule of law. It has ameliorated geographical
■ inequities in service through redrawn program
■ boundaries and strengthened access.

■ And one of the side benefits is increasingly
■ we see that remote intake is offered at all sorts of
■ stakeholder offices -- domestic violence shelters,
■ churches, libraries, courthouses, and other public
■ services.

■ It has also improved access for the fastest
■ growing client subgroup, non-English-speakers. Twenty-
■ two percent of employees of LSC-funded programs speak

more than one language. We did some crunching of data to see how we were doing as a result of both diversity and state planning, and 22 percent now speak.

Self-help multilingual computer kiosks have overcome language barriers to help, for example, Native American Indians living on reservations, Vietnamese and Spanish immigrants in California, and other people who speak languages primarily other than English to enforce their legal rights without having to know how to speak English.

We also believe that the quality and effectiveness of advocacy is improving since we are emphasizing statewide training and cross-program advocacy. In addition, grantees now routinely partner with other service agencies to offer holistic approaches to solving client problems, as we've heard today. Legal services is often just not a legal services program.

And for me, one of the most telling things that happened is Bob Gross pointed out to me the other day that -- he was reading an advertisement for a job

■ in a legal services program somewhere in the United
■ States, and he said that one of the things that was
■ interesting to him is this was a state that several
■ years ago was slow to come to state planning, yet this
■ state in their advertisement for their executive
■ director said, this position is not only supposed to be
■ a program leader, but we anticipate that this person
■ will be a leader in the state justice community and
■ work with courts, the bars, judges, to advance equal
■ justice for low income citizens.

■ And we thought that that may in fact be the
■ biggest legacy. The part of the biggest legacy is
■ through four and five years of planning within the
■ legal services community, we have remembered that we
■ are all part of a broader equal justice community.

■ That's our nomination. We've nominated, as I
■ said, state planning for an innovations in government
■ award. And I said also, we've asked Bob Cohen to
■ nominate I-CAN! for one on the local level. So we're
■ crossing our fingers and we're hoping. It would be
■ nice to have the national recognition and it would be

■ nice to have the money, wouldn't it? So I just wanted
■ to share that with you.

■ I also want to talk a little bit about the LSC
■ evaluation instrument that we've been developing. And
■ Maria Luisa asked me a question last time, and we are
■ passing out a handout that tells you who is on that
■ design team.

■ But as you know, we have entered into a
■ contract with Grayson Associates, and they are
■ developing an instrument to help us evaluate the impact
■ of state planning upon our clients, upon our programs,
■ and upon our state justice communities.

■ That's another project that we didn't do
■ alone. We set up a design team composed of field
■ representatives, representatives from the bar,
■ representatives from the bench. And I must say that
■ that design team has worked incredibly hard and has
■ done incredible amounts of work, exceeding my ability
■ to cope with detail. I think you all know I have the
■ attention span of a two-year-old, and sometimes when
■ I'm sitting in two-day-long meetings and we're fighting

over the definition of a word, I have sometimes wondered what I've gotten myself into.

But it really has been a terrific project. Next month we will have the draft instrument set for release and public comment. The plan is that the design team will finish its initial work.

They will develop a draft instrument. We will spend the summer sending it out to a wide variety of people -- all of our programs, all of our stakeholder communities; we will put it on the web -- and ask them for comment on this evaluation instrument.

It will be tweaked again, and then it will be tested. We are going to take the instrument on the road to Ohio and Washington state in November of this year and see how it works. Right now it looks really, really good on paper, but sometimes things really good on paper are hard to use when you actually take them on the road.

We'll take them on the road. In December, the design team will meet again to figure out what they learned from the test on the road. And the idea is

■ that that evaluation instrument will be ready for use
■ next year. So that's our plan.

■ And I'm going to give NLADA a really -- I'm
■ going to thank them on the record for a really, really
■ nice article that appeared in the May 29th NLADA Update
■ just this week, yesterday, that describes better than I
■ could describe the LSC evaluation instrument.

■ And the headline says, "LSC Evaluation Draft
■ Set for Release in June," and then it goes on and just
■ outlines the history of this particular project, lists
■ who is involved, lists the field people who have been
■ working with us, and explains, as I have just explained
■ to you, what the process is.

■ So they did it better than I could ever do it,
■ and I think you all have access to the update, and I
■ would urge you to read that.

■ Are there any questions on those two, either
■ the innovations in government application or where we
■ are on the design of the instrument?

■ MR. ASKEW: When do you expect to have that
■ completed?

MS. YOUELLS: The instrument? We expect to have it completed and used at the end of this year. We expect to have a draft out for public comment in a matter of days. Next month -- and then that public comment will take a while. Then we'll test it in November, redraft it, so some time next year. And what we plan at that point is to have the state planning team actually begin to use it.

The other thing I will talk about, I guess, because it's not on the agenda but it just occurred to me, you will remember that we implemented the matters project, which was a way to capture the work of our programs over and above the work captured by CSR. That was an interim step as we developed performance measures through these evaluation instruments.

And we have received the first -- we are in the process of analyzing the first data that was received from that matters. It's taking a while because we received more than 12 million service categories through the first collection of data in the last six months of last year.

■ So some we're going to have to throw out.
■ Estimates we're going to discard. But we're still
■ going to have, hopefully, for you at the next meeting
■ some analysis of that data to show that the work that's
■ being performed by our grantees over and above closed
■ cases, which is captured by the CSRs, is remarkable.

■ And that matters project is capturing
■ community legal education and other services other than
■ closed cases. So that's going on simultaneously.

■ MS. MERCADO: And in there, you put in, as far
■ as our legal services staff in the partnering in doing
■ statewide justice communities, the collaborative effort
■ with the -- you know, the local state bars and other
■ agencies or providers of what I would call social
■ services of poverty services who constantly called upon
■ legal services attorneys and staff to assist on
■ different issues and questions. Again, it's not an
■ open case and it's not a closed case.

■ MS. YOUELLS: Right.

■ MS. MERCADO: But it is still time that the
■ individuals have to take. And I guess under the

■ broader headline of resourcing, networking, you know,
■ providing community, if you will.

■ MS. YOUELLS: Yes. In looking at the matters
■ data briefly yesterday, it was interesting to me
■ because things like clients served through community
■ legal education seemed to be estimates. And that might
■ not be hard data. We would have to think about how we
■ are going to use that.

■ But clients who were referred to other social
■ service agencies that were not captured through the
■ CSR, but referrals to other social service agencies and
■ collaborative efforts made by our providers, our legal
■ services grantees with other providers, that is hard
■ data. They actually have that. It wasn't estimates.

■ They were giving -- that figure was
■ inordinately high. Even I, who have been in legal
■ services for as long as I have, was -- I was impressed
■ and amazed by how high that was.

■ So I think we are going to see some really
■ good benefit from that. And hopefully, we'll be in the
■ position at the next board meeting to give you some of

■ that hard data.

■ MR. EAKELEY: Or give the next board some of
■ that data.

■ MS. YOUELLS: Or give the next board. Or I'll
■ just give it to myself.

■ MR. EAKELEY: I've been thinking for some time
■ that it would be interesting and potentially helpful to
■ do a before and after sort of review of what the
■ Corporation was doing ten years ago by way of
■ programmatic support and communication and what we're
■ doing now.

■ It just seemed -- the website, the Strategic
■ Directions, the training --

■ MS. YOUELLS: That's a good idea.

■ MR. EAKELEY: And to show how much is being
■ done with so little of the resources we have. We
■ distribute something like 96 percent of the funding
■ we're given. Of that remaining 4 percent, no more
■ than, what, 15 percent goes to programmatic support, to
■ go to the ultimate mission of the Corporation. The
■ rest is for administration and for enforcement and

■ compliance and OIG.

■ But what we're getting for those very few
■ resources now is really quite extraordinary, and I
■ think that it would be useful to this board and the
■ next board to see the progress traveled, or the
■ distance traveled, over this time period.

■ I think it would also be helpful to us and the
■ next board to just have an inventory of ongoing
■ projects with or without acronyms, so that we keep
■ things as straight -- and as the acronyms change or the
■ titles change, just to understanding what the ongoing
■ initiatives are, where they originated, what their
■ intended destination might be.

■ I think that's part of not just the legacy
■ bequeathed by this board to the next board, but
■ somewhat of a road map of where the future direction
■ might lie.

■ MS. YOUELLS: That's a very good idea. And if
■ you would like us to, we'll prepare that for the next
■ meeting.

■ MR. EAKELEY: I know it'll task everybody some

more. But I think that it's not an inappropriate moment to do that.

MS. YOUELLS: And it is true that we are running, as you know, a wide variety of programmatic initiatives right now. Even we get confused sometimes.

MR. EAKELEY: And I would not overlook or exclude -- I know you won't overlook state planning, but don't overlook or exclude competition from the process also.

MS. YOUELLS: No.

MR. EAKELEY: Because there are major interventions and cooperative endeavors in that process that provide learning and support.

MS. YOUELLS: That's true. There's the quality initiative, the diversity initiative. Yes. We will try to figure out what all of them are, and we will do a guide.

MR. EAKELEY: You almost need a dictionary to go with it.

MS. YOUELLS: You almost do.

Any other questions about those two? I did --

I do have available the people who will be making the decision, and without suggesting that you lobby them, I would make those lists available to you in case any of you know the people who sit on the decision-making of the innovations in government award.

MR. ASKEW: Do you try to generate letters of support or --

MS. YOUELLS: They have asked us not to at this point. They would like us to get into -- I think when we get to the semifinalist category, if we get there, then what happens is letters of support will have to be generated.

But there will be extensive interviews. They actually, when they go to the semifinals category, go onsite and they do their own data crunching and they spend extensive time interviewing. They'll be down to interview President Erlenborn and myself and the state planning team.

So apparently if you make it that far, there's a lot more work that has to be done. But I think it would be well worth it. I'd like to make it that far.

MR. EAKELEY: Randi, forgive me -- may I, Ernestine? Forgive me. I had to step out for a moment to confer with Victor, and thus missed the beginning of the second part of the presentation. I was here hiding behind that post in the first part.

MS. YOUELLS: Oh, okay.

MR. EAKELEY: This evaluation instrument is designed to evaluate the state planning process?

MS. YOUELLS: It's more than that, Doug. It's to identify -- it's to evaluate: What do the plans say? Did they do what they said they were going to do in the plan? How do we know -- what have been the measurable outcomes, for example, in terms of resources for clients, in terms of collaboration? And then, next year we will add outcomes for clients.

MR. EAKELEY: Okay. Well, that's where I was going. I mean, we talked about having benchmarks in terms of access and outcomes.

MS. YOUELLS: We will have access out of this. This instrument will take the first three. And one of the things that will be measured will be client access,

■ access to services. That will be -- at the end of this
■ process, there will be certain things related to access
■ and quality that will be measured. And then next year
■ we will fold in outcomes for clients that will build
■ upon that.

■ We had outcomes for clients, Doug, in this
■ year. It was just too much. the design team was just
■ overwhelmed with the task in front of them, and to
■ design an instrument -- the instrument as it is right
■ now, for those first things: What does the plan say?
■ Did they do what they said? And what have been the
■ measurable impact on client services in terms of access
■ and quality?

■ Right now it's 47 pages long, and it's going
■ to have to come down. So that has taken a while. But
■ it sets out performance -- one of the nice things about
■ an evaluation instrument is not only is it an
■ evaluation instrument that allows you to evaluate, but
■ it sets out very clearly expectations about performance
■ criteria.

■ So one of the things that the design team has

■ been working very hard in is, what is it we want our
■ state justice communities to do? What is it that
■ defines success? And then how do we measure that? So
■ yes, we want to improve access. Well, how do we
■ measure that we did indeed do that or not do that?

■ And that's been just more complicated than one
■ would have thought. But it's going along very well.

■ MR. EAKELEY: Okay. I just -- ultimately,
■ measurement of outcomes is so necessary.

■ MS. YOUELLS: Yes, it is.

■ MR. EAKELEY: And it will also, as we've
■ discussed before, I think enhance the Corporation's
■ ability to persuade the Congress that what it's doing
■ deserves to be funded at a significantly different and
■ higher level.

■ MS. YOUELLS: I agree with that.

■ Any more questions on those two? Now we'll go
■ to a topic that Bill McCalpin asked to be moved from
■ ops and regs to provisions, and that is the whole
■ matter of grant assurances.

■ And let me just give you a little background,

and then I think Mr. McCalpin has a couple of questions that he would like to ask me. I might not be the best person to answer them, at which point I'll make Victor and Mattie come up here.

But let me just tell you the process that we go through to develop grant assurances so that you understand the process, and then you can ask the questions that you have.

Grant assurances are the conditions that when we award a competitive grant to a program through competition. We publish the service areas; then people compete for those service areas. They submit a grant application.

When the decision is made that we are going to award the grant, for example, to the Legal Services Corporation of Iowa for the state of Iowa, then those grant assurances are the promises that that entity makes to LSC in exchange for the federal funds. So they are the things that they agree that they will do in exchange for the federal funds.

Grant assurances are changed almost every

■ year. But in the last several years, they have been
■ only slightly tweaked. We saw some massive change in
■ the early '90s, right around the restriction period,
■ and since then -- and I think I provided you
■ information at the last board meeting to show that
■ since then, there have just been minor changes.

■ OPP, Office of Program Performance, under Mike
■ Genz shepherds that change process. And they put out a
■ notice that it's time to develop grant assurances, and
■ those go to the president, the vice presidents, the
■ directors of the other offices, and the office of
■ inspector general. And they get input into what grant
■ assurances people would like to have changed, and they
■ get suggested language for those changes.

■ I then review those. I review them with the
■ different vice presidents. The final decision is made
■ by the president. Once the president makes the
■ decision, then those become the grant assurances for
■ the following year.

■ And on May 3, I sent you a copy of the
■ proposed 2003 grant assurances that President Erlenborn

■ has approved, and I noted in this cover memo that they
■ were very similar to those for 2002. And then I noted
■ the changes in red.

■ So that's the process that we use to develop
■ grant assurances. And I'll now turn it over to you,
■ Bill. Hopefully --

■ MR. McCALPIN: Well, I'm grateful for your
■ response to a request I made because something came up
■ with respect to a grant condition, and it became
■ apparent that we hadn't looked at these for a very long
■ period of time. And I was interested in knowing what
■ the evolution was.

■ As I wrote our chair, I appreciate moving it
■ to this portion of today's agenda because of my
■ inability to participate later on. And I must say that
■ overall, I don't have any serious problems with these,
■ but I have a few.

■ The only serious problem I have, I think, is
■ I'm kind of overwhelmed and aghast by the sheer volume
■ of seven pages, 26 detailed provisions. And I can't
■ help but wonder whether, if we had paid more attention

■ to this over time, there might have been less
■ imposition on the programs as we went along. But it's
■ much too late in the game to worry about that.

■ MR. EAKELEY: To be consistent with our
■ priority to reduce the regulatory burden on the
■ grantees?

■ MR. McCALPIN: Right. Exactly. But I do have
■ just a couple of questions. Number 6, do we require
■ our grantees, particularly the PAI participants of our
■ grantees, to carry malpractice insurance?

■ MS. YOUELLS: Yes.

■ MR. McCALPIN: It doesn't say so in 6. And I
■ wondered whether we had such a requirement.

■ MR. GENZ: Mr. McCalpin, that's part of the
■ competition process, is we get that assurance from
■ their application.

■ MR. McCALPIN: Okay. So that answers my
■ question. It wasn't in the section. I just wondered
■ if it was part of the process.

■ The other thing about 6 is that it says,
■ "Agrees to provide high quality, economical, and

■ effective legal assistance as measured by generally
■ accepted professional standards, the provision of the
■ LSC Act."

■ Now, we all know that the LSC Act requires
■ adherence to a now outmoded set of professional -- the
■ predecessor to the current Model Rules of Professional
■ Responsibility. And as you know, probably in August of
■ this year, Ethics 2000 will be adopted by the House of
■ Delegates of the American Bar Association.

■ And I just wondered, what are the generally
■ accepted professional standards? What do we use there?

■ MR. GENZ: What we refer to in the competition
■ process is the ABA standards for the provision of legal
■ services, and the LSC performance criteria.

■ MR. McCALPIN: But those are not the ethical
■ requirements.

■ MR. GENZ: Oh, I'm sorry. I thought you were
■ referring to --

■ MR. McCALPIN: No. The ABA standards are not
■ the ethical requirements. I participated in drafting
■ those.

MS. YOUELLS: The language is "generally accepted professional standards," and by that we mean the performance standards. We certainly could incorporate Ethics 2000. We certainly could do that.

MR. McCALPIN: Yes. And it's too bad. We've been laboring for years under the fact that the Legal Services Corporation Act incorporates -- requires adherence to a now outmoded and superseded set of ethical standards.

MS. YOUELLS: Yes. That's a good point. We will change that. Thank you.

MR. ERLNBORN: Bill, would you yield for a moment? I'm just wondering what impact would there be relative to state ethical standards?

MR. McCALPIN: Well, by and large, John, the states adopt the ABA, frequently with modifications. But the ABA posits a proposed nationwide set of standards. They don't become nationwide. But they are all at the state level. You're absolutely right about that.

MR. ERLNBORN: What I'm thinking about is a

program in Florida where they were asked to produce the public filings in court, and the program refused to do that because the ethical standards in Florida would not allow them to do that.

And I don't know where they get their ethical standards. But if we have to follow all the states --

MR. McCALPIN: The Supreme Court --

MR. ERLNBORN: -- regarding things like that --

MR. McCALPIN: By and large, in the states the standards are promulgated either by the Supreme Court or the legislature. And obviously, a lawyer practicing in a state is going to have to follow what his own Supreme Court says or what the legislature has imposed on him as part of his licensure.

But aside from the reference to the provisions of the LSC Act, this number 6 doesn't say anything about ethics. And unfortunately, the statute is confused on ethics. So it seems to me you need to think about that.

The other thing is, in number 10, toward the

■ end, you say, "In the event that LSC determines that
■ records are unreasonably withheld, the applicant will
■ be responsible for all reasonable and necessary
■ expenses related to LSC's efforts to obtain the release
■ of such records."

■ But that would seem to impose that requirement
■ on the program even if the LSC is unsuccessful. In
■ other words, this is not the usual provision that you
■ have to succeed in order to recover your expenses; this
■ seems to require the program to pay it whether LSC is
■ successful or not.

■ MS. YOUELLS: I see it. I understand your
■ point, and we can make that adaptation. What 10 does
■ not do, of course, is refer go the presidential
■ protocol that tracks very closely how -- what happens
■ when a program believes we have asked for records that
■ we're not entitled to, and gives appeal rights to the
■ president.

■ So I think when they were developing this,
■ people were thinking that of course they would have to
■ be successful if the president would have made a

■ decision. But that's a point well taken.

■ MR. McCALPIN: I must say, I didn't have a
■ chance to go back and see whether there are any records
■ and information that programs are required to produce
■ under the IG Act as opposed to 504(a)(9) or whatever it
■ is. I just don't know what the expansion is here, and
■ I don't know whether we ought to tell programs, you
■ know, what is it, beyond everything that's in 504, that
■ they may be required to provide under the IG Act.

■ MS. YOUELLS: Is the IG here?

■ MS. TARANTOWICZ: I'm sorry. Mr. McCalpin,
■ could you repeat that, please?

■ MR. McCALPIN: Well, we have a requirement
■ here, number 11, that "The program understands and
■ agrees that nothing in these grant assurances in any
■ way restricts or limits the authority of the OIG to
■ access any and all records and information to which it
■ is entitled under the IG Act of 1978, as amended."

■ I just wondered, isn't there some way of
■ letting the program know what beyond 504 documents may
■ be required under the IG Act?

MS. TARANTOWICZ: I would agree that that would be a wonderful thing to do. I just don't believe that we could all come to an agreement on just what that list would entail.

MS. MERCADO: Now, wait a minute.

MR. McCALPIN: We've litigated that, it seems to me.

MS. MERCADO: Madame Chair?

CHAIR WATLINGTON: Yes?

MS. MERCADO: I really have difficulty in saying that in any kind of guidelines that you're going to have grantees comply with, that if they don't know what it is they're supposed to comply with and what it is that they're supposed to give you, and that's sort of at a whim, you know, on this week on this program in this state we're going to say that these factors are relevant, and in this other state it'll be something different, depending on what it is -- there have to be some guidelines for us to look at and say, aside from 504, that you're required to provide records under the IG Act as we understand, whether it's legislatively or

■ case law or federal guidelines that you have under the
■ IG Act, that these are the various different items that
■ a grantee has to be subjected to and has to comply
■ with. I mean, that's just basic, fundamental due
■ process.

■ MS. TARANTOWICZ: Well, I understand what
■ you're saying. I just -- the IG Act doesn't provide a
■ list of documents. It's not particular to LSC. It
■ provides certain access authorities to the IG in
■ general terms.

■ And by including number 11, we just meant to
■ make programs aware that the IG Act was out there and
■ that the IG has certain access authorities. I mean, I
■ don't think that there is anywhere we could point to
■ that has a -- that would provide us with a specific
■ list relative to LSC.

■ MR. EAKELEY: Laurie, does the OIG have a
■ protocol for access to information similar to one that
■ John Erlenborn released two months ago?

■ MS. TARANTOWICZ: No, we do not.

■ MR. EAKELEY: Have you considered that?

MR. McCALPIN: It seems to me this is what's led to the litigation.

MR. EAKELEY: I mean, I think that we're --

MS. TARANTOWICZ: Well, I think -- I'm sorry to interrupt.

MR. EAKELEY: No, no.

MS. TARANTOWICZ: I think that what's led to the litigation -- well, I think that there are different legal interpretations around about, you know, what the Corporation is entitled to. And that's what I mean when I said to begin with that I don't think we would all necessarily agree on the scope of the entitlement to access.

And I think that if we tried to do that, we wouldn't get the grant assurances out in time.

MS. MERCADO: Well, I would think that the IG would then at that point fall under the purview of whether or not they themselves acted in the best interest of governments in making sure that they are not wasting money in litigation that could have been avoided had there been some guidelines in some --

■ whether it's general or specific, of what the IG can or
■ cannot access to as far as records to grantees, and in
■ particular, as far as to confidences and privileges of
■ clients the grantees represent.

■ And you're saying that that can be different
■ things interpreted to different people. But there
■ still has to be something that they're interpreting
■ from.

■ And if the protocol isn't for legal services,
■ then are there some other agencies that are similar to
■ or that we can glean from, whether it's the IG for the
■ Department of Justice or somebody else, that we can
■ look at to see what it is that this particular IG for
■ the Legal Services Corporation is going to use as its
■ guide in trying to access information to make sure that
■ there isn't fraud, waste, or abuse of funds for the
■ government as far as legal services grantees are
■ concerned?

■ MR. EAKELEY: May I make this suggestion? We
■ have an inspector general's report at the board
■ meeting. We might want to take this up again at that

time. Unfortunately, LaVeeda will only be available by phone. But as vice chair, she is responsible for liaison with the OIG.

She and I have discussed the desirability, possibly -- well, she and I have discussed sitting down with the OIG to talk about the desirability of policies and procedures that might help provide a level of expectation among grantees and some policing of the potential for arbitrary action on the other for discussion purposes.

We converted the provisions committee into an ops and regs committee in part for Bill. We had actually tabled the issue of grant assurances at the last ops and regs committee. And the reason we had done that at the time was because Bucky had raised the very important issue of whether and to what extent the board should be engaged in a policy oversight review of grant assurances from time to time or as grant assurances change.

This raises a whole other section -- cluster of issues that we're not in a position to deal with

right now. But I think we need -- I think we could all benefit from clarification of the issues, and then a further discussion of them.

I was hoping we could get back to this other question that we left on the table last board meeting, which was the appropriate role of the board with respect to the grant assurance process.

MR. ERLNBORN: Well, that's what I was going to address. It seems to me the IG has whatever authority the law has given the IG. And our interpretation of that put into grant assurances seems to me to be unnecessary, and I don't know that we have the authority, and I think the IG would question our authority to make any interpretation of the law.

The IG is doing that in court in several cases, some already disposed of. But I don't see personally, and maybe I'm wrong, a role for this board to interpret for the IG what powers the law gives the IG.

MR. EAKELEY: I think we have an oversight responsibility with respect to the office of the IG,

■ just as we do of management of the Corporation. And
■ that oversight is to assure that policies and
■ procedures are consistently applied and followed, and
■ one of those is that the IG must remain independent and
■ free to pursue -- perform his or her responsibilities.

■ But there's still an oversight role. There's
■ still some policy and procedure implicated in access to
■ information, just as we've discussed with respect to
■ management.

■ I agree it doesn't belong in the grant
■ assurances. But I do think that it's just sort of
■ another piece of unfinished business, separate from
■ grant assurances, that I'd like to see and have asked
■ LaVeeda to return to.

■ MR. McCALPIN: I only have one other comment.

■ And I would suggest in paragraph 17 you end with, "any
■ other matter which may have a substantial impact." I
■ think a force majeure provision might be appropriate in
■ that section.

■ MS. YOUELLS: All right. Thank you.

■ MS. MERCADO: Which part, Bill? I'm sorry.

MR. McCALPIN: Seventeen.

CHAIR WATLINGTON: And those were the concerns that you wanted to address at this meeting?

MR. McCALPIN: I'm sorry?

CHAIR WATLINGTON: And those were the concerns that you brought up that you wanted to address?

MR. McCALPIN: Yes. I have a couple of editorial things which I'm going to take up separately with --

MR. EAKELEY: Can we talk about the policy issue for a moment? I don't know what role. It just seems to me that it was a long -- that at some point the board should have been involved in or advised of changing grant conditions rather than being just sort of -- and this was not deliberate. It was just something that gradually, over time, got further and further away from any board role.

MR. McCALPIN: My reaction is that what we're doing today is appropriate, that we're going to give a look at the grant conditions from time to time and offer our comments and suggestions.

MS. MERCADO: And I'm very grateful to Randi for sending us the whole pack of all those grant assurances over the last several years.

CHAIR WATLINGTON: Yes. I am, too.

MR. EAKELEY: Along with all the program letters.

MS. MERCADO: In the middle of all my trials, you try to have some light reading on the side.

MR. McCALPIN: Well, I do not believe that you have to put grant assurances out for publication and public comment, Federal Register, that sort of thing. but I think it's appropriate for the board to have a look at them and offer, to the extent particularly they may involve policy decisions. But beyond that, the board can make comments and suggestions.

MR. EAKELEY: Well, I think if there were to be a change in policy reflected in a change in grant assurances, the board should be notified in advance and be given an opportunity to comment or respond. Is that an unreasonable position?

MR. ASKEW: I would think once a year at an

operations and regulations committee meeting, whatever meeting is most appropriate to the issuance of the grants, you just give notice to the committee if there have been any changes. If so, what are they? And the committee could have a chance in its next meeting to review them before the grants are made.

CHAIR WATLINGTON: I thought that went under the ops and regs committee.

MS. MERCADO: It does.

CHAIR WATLINGTON: It did, yes. I remember.

MS. YOUELLS: That makes sense.

MR. ASKEW: I would also make one comment, if I could, on number 11. As Randi introduced this, she said these are promises that programs make back to us, really, what are they going to do with the money.

Well, 11 is really not a promise from the programs to us. It's more notice to the programs. And I'm wondering whether it's really appropriate for a grant assurance anyway, if it shouldn't be done in some other fashion other than grant assurance.

Because all they're doing is really saying

■ that they understand and agree. Well, that's neat
■ language for saying, we're giving you notice of this.
■ But they're not really promising us anything, unless
■ I'm wrong that we are putting a lot of other things in
■ grant assurances that aren't really their commitments
■ back to us.

■ MR. ERLNBORN: But Bucky, there's one thing
■ in grant assurances that I have a particular interest
■ in, and that is the agreement that if the program no
■ longer exists, it no longer exists LSC funding, it may
■ have property, real property, that was acquired with
■ LSC funds that should be returned, the property
■ returned or the value of the property.

■ And that is in the grant assurances, together
■ with, which is so important, an understanding or a
■ requirement that the program getting such funding for
■ real property must file, however it's done in that
■ state, and acknowledge the interest of the LSC so that
■ it cannot be passed on, cannot be deeded to someone
■ without notice being there that the LSC has an interest
■ in the property.

■ And if that is in the grant assurances, I
■ think it should be.

■ MR. ASKEW: Well, I think that's an
■ appropriate grant assurance. That requires programs to
■ make some sort of commitment and then take some action
■ based on that commitment, if those circumstances come
■ to pass.

■ This doesn't require a program to do anything
■ or to take any particular action. It's just simply
■ noticed. And I'm wondering if this should even be a
■ grant assurance.

■ MS. YOUELLS: Would it be reasonable if I
■ promise next week that I will sit down with the office
■ of inspector general and OPP and take a look at whether
■ or not there is another means to accomplish that goal?

■ MR. ASKEW: Right. I agree.

■ MS. YOUELLS: All right. I'll be glad to do
■ that.

■ CHAIR WATLINGTON: Bill, so that we've
■ addressed the grant assurances?

■ MS. YOUELLS: We'll have slide shows. It'll

be wonderful. Just like today, we'll have lots of slide shows on grant assurances.

MS. MERCADO: Only if you act out each grant assurance for the last 10 years.

MS. YOUELLS: I can do that. I can do that.

Are there any other questions I can answer on those topics, or any other topic that affects the offices that are under my domain?

MS. MERCADO: No. And again, thank you for putting all that together.

MS. YOUELLS: You're welcome.

CHAIR WATLINGTON: The only other thing on the agenda now is consider and act on any other business. Is there anything else, anyone?

(No response.)

M O T I O N

MR. McCALPIN: Move we adjourn.

MS. MERCADO: Second.

MR. EAKELEY: Aye.

(A chorus of ayes.)

CHAIR WATLINGTON: It's already -- so the

■ meeting is adjourned.

■ (Whereupon, at 12:43 p.m., the meeting was
■ concluded.)

■ * * * * *
■
■
■
■