

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

MEETING OF THE
BOARD OF DIRECTORS

OPEN SESSION

Tuesday, April 14, 2015

9:07 a.m.

Legal Services Corporation
3333 K Street, N.W.
Third Floor
F. William McCalpin Conference Center
Washington, D.C. 20007

BOARD MEMBERS PRESENT:

John G. Levi, Chairman
Martha L. Minow, Vice Chair
Robert J. Grey Jr.
Charles N.W. Keckler
Harry J.F. Korrell, III
Victor B. Maddox
Laurie Mikva
Father Pius Pietrzyk, O.P.
Julie A. Reiskin
Gloria Valencia-Weber
James J. Sandman, President, ex officio

STAFF AND PUBLIC PRESENT:

Lynn Jennings, Vice President for Grants Management
Rebecca Fertig Cohen, Special Assistant to the
President

Wendy Rhein, Chief Development Officer
Patrick Malloy, Grants Management/Legislative Fellow,
Executive Office

Justin Howell, Extern, Executive Office

Ronald S. Flagg, Vice President for Legal Affairs,
General Counsel, and Corporate Secretary

Mark Freedman, Senior Assistant General Counsel,
Office of Legal Affairs

Stefanie Davis, Assistant General Counsel, Office
of Legal Affairs

Peter Karalis, Graduate Law Fellow, Office of Legal
Affairs

Sarah Anderson, Graduate Law Fellow, Office of Legal
Affairs

David L. Richardson, Comptroller and Treasurer,
Office of Financial and Administrative Services

Carol A. Bergman, Director, Office of Government
Relations and Public Affairs

Wendy Burnette Long, Executive Assistant, Office of
Government Relations and Public Affairs

Jeffrey E. Schanz, Inspector General

Laurie Tarantowicz, Assistant Inspector General and
Legal Counsel, Office of the Inspector General

John Seeba, Assistant Inspector General for Audit,
Office of the Inspector General

Daniel O'Rourke, Assistant Inspector General for
Investigations, Office of the Inspector General

David Maddox, Assistant Inspector General for
Management and Evaluation, Office of the
Inspector General

Joel Gallay, Special Counsel to the Inspector
General, Office of the Inspector General

STAFF AND PUBLIC PRESENT (Cont'd):

Magali Khalkho, Director of Management Operations,
Office of the Inspector General
Roxanne Caruso, Director of Audit Operations, Office
of the Inspector General
Lora M. Rath, Director, Office of Compliance
and Enforcement
Sheila Mashhadishafie, Program Counsel, Office of
Compliance and Enforcement
Janet LaBella, Director, Office of Program
Performance
Evora Thomas, Program Counsel, Office of Program
Performance
Lisa Buffalo, Administrative Assistant, Office of
Program Performance
Eric Jones, Network Engineer,
Office of Information
Technology
Herbert S. Garten, Non-Director Member, Institutional
Advancement Committee
Frank B. Strickland, Non-Director Member,
Institutional Advancement Committee
Thomas Smegal, Non-Director Member, Institutional
Advancement Committee
Dianne Rouse, Office of Information Management
Jean Edwards, Office of Information Management
Hulett Askew, Friends of Legal Services Corporation
Alex Forger, Friends of Legal Services Corporation
Don Saunders, National Legal Aid and Defenders
Association (NLADA)
Robin C. Murphy, National Legal Aid and Defender
Association (NLADA)
Terry Brooks, American Bar Association Standing
Committee on Legal Aid and Indigent Defendants
(SCLAID)
Bev Groudine, American Bar Association Commission
on IOLTA/SCLAID
Dominique Martin, Law99.com

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1 PROCEEDINGS

2 (9:07 a.m.)

3 CHAIRMAN LEVI: This is the fifth anniversary
4 of this Board, and we were sworn in by Justice Kennedy
5 in April of 2010. So congratulations to all of you.

6 And on that note, let's call the duly noticed
7 meeting of the Legal Services Corporation to order.
8 And I'm going to ask Robert Grey to lead us in the
9 Pledge of Allegiance.

10 (Pledge of Allegiance.)

11 CHAIRMAN LEVI: Thank you. So do I have a
12 motion to approve the agenda?

13 MOTION

14 DEAN MINOW: So moved.

15 CHAIRMAN LEVI: Second?

16 FATHER PIUS: Second.

17 CHAIRMAN LEVI: All in favor?

18 (A chorus of ayes.)

19 CHAIRMAN LEVI: The approval of the minutes?

20 MOTION

21 DEAN MINOW: So moved.

22 MS. REISKIN: Second.

1 CHAIRMAN LEVI: All in favor?

2 (A chorus of ayes.)

3 CHAIRMAN LEVI: Anyway, first of all, thank
4 you all for last night. Just a terrific event. Jim,
5 wonderful remarks, and you did such a great job, I
6 thought, introducing both. And really, afterwards the
7 number of people that just came up to me who had such a
8 great time and enjoyed it so much.

9 And then to walk in our lobby and see these
10 justices from other parts of the country talking about
11 their Access to Justice Commissions together, and I
12 thought, well, there is the power of convening.

13 And if you think back to five years ago and
14 where we started and where we are today, and the number
15 of folks last night who were there who either had been
16 on the Fiscal Oversight Task Force or the Pro Bono Task
17 Force, and they've gone on to do other things, many of
18 them, but still remain interested in and connected with
19 the mission of LSC in powerful ways, those of you who
20 helped us put together and manage those two task
21 forces, really, what a credit not only to LSC but to
22 the profession, that we pulled together two really very

1 strong pieces of work.

2 So if you will recall, we did a strategic plan
3 early on in our tenure because the strategic plan was
4 in need of update. And if you look at our current
5 strategic plan, I think it has an end date of 2016.

6 So you know that strategic plans don't just
7 happen. We didn't know as much as we know now when we
8 had the strategic planning the last time, so we
9 actually did have a consultant.

10 But I think maybe we can do it without a
11 consultant because I've asked Father Pius and Gloria to
12 chair the strategic plan, and they both said yes. It
13 seems to me that the Delivery of Legal Services
14 Committee is a good place also for the strategic
15 planning to start rolling.

16 And I think -- well, I know that Father Pius
17 had a heavy hand in authorship the last time. Do you
18 remember that? And so maybe -- look. If you folks
19 tell us that we need a consultant again, of course.
20 But I think we don't. Do you all agree?

21 BOARD MEMBERS: Yes.

22 DEAN MINOW: Please save us from a consultant.

1 (Laughter.)

2 MR. MADDOX: They promised to use a low of
3 PowerPoint.

4 FATHER PIUS: Yes, the awkward icebreakers.

5 CHAIRMAN LEVI: Yes. Well, in any event, I
6 didn't want to begin that process until we were far
7 enough along in our 40th year that we didn't overwhelm
8 people here and that we didn't overwhelm our Board.
9 But I think we're reaching that point. In order to
10 come up with a new plan a year from now, I think it's
11 time to start that process. So I look forward to
12 working with you to establish a calendar.

13 The rest of the year, we've talked about the
14 end of the 40th. The California folks are very excited
15 about our coming, but they want to know more. So we
16 will have to spend some time planning these upcoming
17 meetings. But I would like to think that by the time
18 we get to California, we're seriously thinking about
19 our strategic plan. I don't know if that timing works
20 for you.

21 FATHER PIUS: Yes.

22 CHAIRMAN LEVI: And so for all of the

1 Committees and all of you on the Board, I just want to
2 say, at five years, I'm proud of what we've been able
3 to accomplish. I wish we'd been able to accomplish
4 more funding. That's something that is not completely
5 out of our hands, but it's certainly been a vexing,
6 vexing problem, and I feel that it requires all of our
7 energies.

8 And hopefully we'll be able to leave with some
9 structures in place a few years from now that the next
10 group will be able to carry on, and that will help them
11 be successful, and that eventually the power of our
12 convening will add enough voice to the need that we can
13 accomplish, if not now, soon greater funding for legal
14 services.

15 So with that, that's my report. Any members'
16 reports that -- Gloria and Julie, did you want to
17 say -- Gloria? Because you went to --

18 PROFESSOR VALENCIA-WEBER: On April 9th, which
19 was just shortly last week, I spoke at the Federal Bar
20 Assn's meeting on Indian law, which is the largest
21 gathering of federal bar sections, about 450 people.
22 And I was on a panel on the history of Legal Services

1 Corporation, and before that its ancestor, Legal
2 Services Program in the Johnson War on Poverty Office
3 of Economic Opportunity programs.

4 It was on a panel of tribal court judges and
5 tribal court prosecutors. And when we have our meeting
6 in July in Minneapolis, I'll present just a quick
7 numerical report on how many of those tribes are now
8 exercising the power under the Tribal Law and Order Act
9 and under VAWA.

10 You may recall that we had to issue a new reg
11 in order to comply with Congress's charge to us. And
12 so we will have a better picture of how that criminal
13 jurisdiction is being used and where in the country
14 some of our grantees might be called to exercise that
15 option to provide criminal defense.

16 CHAIRMAN LEVI: Julie?

17 MS. REISKIN: Yes. I attended the
18 medical-legal partnership summit, and it was
19 interesting. It was good to see and learn a little bit
20 more of some of the good work of our grantees in that
21 arena. And I think that's a real promising practice
22 that has a lot of expansion possibilities.

1 But the best part of it for me was a seminar I
2 went to given by Kate Marple, who's the manager for
3 marketing and communications at the National Center for
4 Medical-Legal Partnership, and she's at the George
5 Washington University.

6 I would like to arrange to have her either
7 meet with the whole Board or the Communications
8 Subcommittee, whatever our chairman thinks is most
9 appropriate. She gave a talk about messaging and why
10 legal aid is so invisible compared to health that I
11 think everyone needs to hear.

12 It was very illuminating and gives us some
13 really good things to think about. It was really
14 talking about the words we use and language we use in
15 communication. Again, I couldn't do it justice by
16 sharing it. And she's very willing to do that. It
17 could be by Skype or by a webinar. So if people are
18 interested, I'd like to set that up.

19 CHAIRMAN LEVI: Please do.

20 I probably should have said at least that we
21 have our landlord here, and we ought to recognize Tom
22 Smegal and Alex Forger and Bucky Askew. Any other

1 board members in the room?

2 MR. SMEGAL: Not yet.

3 CHAIRMAN LEVI: Not yet. Okay.

4 MR. MADDOX: Have we paid the rent?

5 (Laughter.)

6 CHAIRMAN LEVI: Dave? Have we paid the rent,
7 Dave?

8 MS. REISKIN: The check's in the mail. Right?

9 CHAIRMAN LEVI: Are they providing the
10 services that we're supposed to get from them and the
11 proper discount?

12 MR. SMEGAL: Yes, sir.

13 CHAIRMAN LEVI: Okay, good.

14 Jim?

15 PRESIDENT SANDMAN: Thank you, John. Good
16 morning. I'd like to start with some thank yous. I'd
17 like to start by thanking those who helped me prepare
18 my presentation, Patrick Malloy and Wendy Burnette Long
19 and Eric Jones. Thank you.

20 I'd also like to thank Justin Howell, who's
21 sitting in the back, who is an extern with us this
22 semester from Duke University Law school. Justin

1 helped me prepare my introductions of Justice Ginsberg
2 and Chief Judge Garland last night. Thank you.

3 So I'd like to report on --

4 CHAIRMAN LEVI: Both of you did really well.
5 We'll sign you up for introductions any time.

6 PRESIDENT SANDMAN: That was a labor of love,
7 I think.

8 I'd like to report on six items this morning,
9 first, to give an update on our communications
10 strategy. As you'll recall, the second goal of our
11 strategic plan is for LSC to be a leading voice for
12 access to justice and civil legal aid in the United
13 States.

14 Second, I'll report on some business process
15 improvements that we're implementing here at LSC
16 headquarters. Next I'd like to report on two
17 developments involving the Department of Justice's
18 Legal Aid Interagency Roundtable.

19 Next I'll report on where we stand on making
20 our 2015 Pro Bono Innovation Fund grants. I will then
21 report on an example of best practices that we
22 promulgate at LSC involving technology baselines for

1 our grantees. And finally, I'll give you a report on
2 the activities of our grantees for 2014.

3 As Carl Rauscher reported yesterday in a
4 briefing, we're doing several things with our website.

5 We currently have five different LSC websites. We are
6 in the process of integrating them all into one.

7 We plan to increase the search capability for
8 our website. It currently can be pretty difficult to
9 find information on our website, and we hope to promote
10 ease of navigation.

11 We plan to roll out our new website in July,
12 and I'd like to thank Carol Bergman and Peter Campbell
13 for spearheading this effort. I think you'll be very
14 pleased with the simplicity and appearance of our new
15 website.

16 We're doing many things with social media.
17 Social media provide a way for us to amplify our voice.

18 I think social media are a much better communications
19 device than a mere website, which is by its nature
20 passive. It requires people to come to it; whereas
21 when we can push information out through social media
22 and get other people to further our message, to

1 re-tweet or otherwise to retransmit it, we can reach a
2 much larger audience.

3 We have initiated a program of having daily
4 client stories, state by state, on Facebook, Twitter,
5 and LinkedIn. Every day you will find a new story
6 about a client success as a result of the work of our
7 grantees on these media.

8 We track the following of the stories that we
9 report. We track re-tweeting, the number of hits that
10 we have, and we're seeing very significant following of
11 these stories. Connecting these stories to a locality,
12 to a state, is very important to us because that local
13 hook is often much more effective in getting media
14 coverage than some national generic story. And
15 finally, we've started a new blog on our 40th
16 anniversary page.

17 We've had success recently in placing some
18 op-eds. John Levi had an op-ed in the Miami Business
19 Review in connection with our January Board meeting in
20 Miami. And two justices of the Michigan Supreme Court,
21 Justices Young and McCormack, recently published an
22 op-ed in the Detroit News that Carl Rauscher was very

1 helpful in preparing and placing.

2 We have some articles in the works. John Levi
3 will be publishing an article in the summer edition of
4 Daedalus. Daedalus is an academic publication. It is
5 the journal of the American Academy of Arts and
6 Sciences.

7 This is an illustration of our work to reach
8 new audiences, people outside the traditional legal aid
9 network, opinion-makers and thought leaders who may not
10 know anything about civil legal aid. But this is an
11 effort to educate them about what civil legal aid is,
12 about the crisis in access to justice, and why they
13 should care about it.

14 There's also going to be an article in the
15 July issue of the American lawyer focused on civil
16 legal aid authored by Susan Beck, who is one of the
17 leading reporters for The American Lawyer. I met with
18 Susan a couple of weeks ago.

19 My sense was that she feels a sense of almost
20 outrage about what the state of civil legal justice in
21 the United States is today, and she is determined to
22 focus a spotlight, or maybe a floodlight, on it. And I

1 think that she can be an important ally in helping to
2 reach the legal profession, which in my experience is
3 still woefully ignorant of the magnitude of the crisis
4 in civil legal aid today.

5 Finally, we have a number of speeches and
6 lectures and briefings going on. We're going to have a
7 briefing for Senate staff tomorrow. This is sponsored
8 by Senator Lamar Alexander of Tennessee. And we will
9 have four state supreme court chief justices -- the
10 chief justices of Texas, Tennessee, Kentucky, and
11 Florida, a bipartisan group of state supreme court
12 justices talking about the impact on their court
13 systems when the courts are overwhelmed with
14 unrepresented litigants.

15 This is a replay, a modification, of a
16 briefing that we had on the House side last May that
17 was very well received. A couple of Senator
18 Alexander's staff members did the unbelievable thing of
19 crossing over from the Senate side to the House side to
20 attend our briefing last year, and they were very
21 impressed and asked if we would do it again on the
22 Senate side. So we're expecting to have a good

1 audience there tomorrow.

2 CHAIRMAN LEVI: Jim, they came last night, I
3 believe.

4 PRESIDENT SANDMAN: Yes. Two of Senator
5 Alexander's staffers were at the Supreme Court
6 reception last evening.

7 I do what I can to get out and try to talk to
8 any audience that I think is worth reaching. I've
9 spoken twice recently at the Georgetown Law Center.
10 I'm developing kind of a side practice in talking to
11 law firms. And I spoke to the worldwide convening of
12 Dechert, a major law firm, in connection with their
13 annual pro bono awards in March. I spoke live in
14 Philadelphia, but it was videoed to all of their
15 offices worldwide.

16 I spoke to a group of senior partners at
17 Arnold & Porter on March 13th. I'll be speaking at
18 Hunton & Williams here in Washington in June, and to an
19 international convening of DLA Piper lawyers -- that's
20 a 4,000-lawyer firm -- in Chicago in July.

21 When I talk to law firms, my experience
22 confirms my impression, that the legal profession is

1 unaware of the magnitude in the crisis in legal aid.
2 When I cite the statistics, I can almost see the jaws
3 drop in the audience, and people come up afterwards to
4 tell me that they didn't know.

5 So if we think that the audience we need to
6 reach is just the American public, that they're not
7 aware of the magnitude of the crisis, I think it's even
8 worse. I think within the legal profession itself we
9 have our work cut out for us, and that's why I think
10 it's important to take opportunities like this to speak
11 to influential people in law firms and tell them what
12 we're up against.

13 I'll be speaking at the ABA National Summit on
14 Innovation in early May. We have a House briefing in
15 May, which as Carole reported yesterday will deal with
16 what legal aid does for veterans. We've been advised
17 that this is a very important issue to our
18 congressional supporters on Capitol Hill, and we will
19 have a number of panelists who will talk about what our
20 grantees are doing to provide legal services to
21 veterans. And I'll be speaking to the annual meeting
22 of the South Dakota state bar in June.

1 Carl Rauscher is also doing some outreach to
2 try to find speaking opportunities that may not come to
3 us. We've been in responsive mode in the last few
4 years, accepting invitations to speak but not trying to
5 instigate them.

6 Carl has made some headway in getting speaking
7 engagements in Atlanta and St. Louis with a variety of
8 audiences. He's been very strategic about trying to
9 identify opportunities where we might not be able to
10 reach not only legal audiences but broader public
11 audiences as well. Thank you, Carl.

12 And finally, we are using videos on our
13 website to communicate. We have videos from our
14 Technology Initiative Grant conference in January
15 currently on our website. We have the panel
16 presentations from our Miami Board meeting in January
17 on the website. And we have five interviews that we
18 recorded at our 40th anniversary conference last
19 September on our website.

20 We do find that the videos can be helpful in
21 triggering press inquiries, particularly the videos of
22 our judges and justices panels at Board meetings.

1 Those have been noticed by a number of reporters and
2 legal reporters, who find very useful information
3 there. And it's caused them to follow up with us and
4 to ask further questions and give us interview
5 opportunities.

6 We have a few things going on to try to
7 improve our business processes here at LSC. We are
8 working on what we call a new data portal. This will
9 be a way of allowing all of our people here at LSC to
10 access in one place all of the information we have
11 about our grantees.

12 As you've heard many times, we currently have
13 information about our grantees segregated and siloed in
14 many different places. That makes it very difficult to
15 reach, and it does not give us a complete profile of
16 all of the information we would like to know about our
17 grantees. Peter Campbell and our Office of Information
18 Technology are spearheading this effort and making good
19 progress on this.

20 We're also in the process of moving to a new
21 grants management system. The current grants
22 management system that we have is antiquated and very

1 cumbersome. It has been modified and customized over
2 the years to such an extent that it makes it impossible
3 for us to implement upgrades to the system that are
4 prepared by the original developer. It's just too
5 different from what they initially sold us for us to be
6 able to apply the upgrades to it.

7 We issued a request for proposals for a new
8 grant system. We received five responses. We expect
9 to make a decision about who our new provider will be
10 by June 1st and to roll out the new grants management
11 system in early 2016. I think this will have a huge,
12 long-term benefit to all of LSC. I think that this is
13 one of the most significant things that we're doing.

14 We have a project underway to standardize
15 protocols for visits by the Office of Compliance and
16 Enforcement to grantees so that we can systematize
17 things. We are looking at the process by which we
18 select grantees for visits, how we prepare for visits,
19 how we write our reports, and how we issue the reports,
20 so that there is consistency across what we do and that
21 the nature of the preparation and the reporting does
22 not depend on the identity of the particular team that

1 goes out to visit the grantee.

2 There are some very interesting things going
3 on with the Legal Aid Interagency Roundtable, and
4 you'll hear something about this at the White House
5 Forum this afternoon. I expect that the Attorney
6 General will be saying something about this. And I'd
7 like to report on two developments in particular.

8 First, the Legal Aid Interagency Roundtable,
9 LAIR, as it's called, has created a working group to
10 deal with self-represented parties in administrative
11 proceedings. A lot of attention has been focused in
12 recent years on self-represented litigants in judicial
13 proceedings, in court proceedings, but very little
14 attention on administrative proceedings.

15 A lot of the matters that affect low-income
16 people have been in administrative proceedings. And
17 this is an effort to try to bring to that process some
18 of the thinking that we've seen brought to the judicial
19 process, and this working group is intended to develop
20 best practices.

21 We're fortunate to have the investment of the
22 Administrative Conference of the United States in this,

1 which is an advisory group that provides assistance to
2 all of the administrative agencies of the United
3 States -- Ron Flagg serves as LSC's liaison to this
4 group -- so that they can provide cross-agency
5 expertise.

6 The challenge otherwise is that every
7 administrative agency in the departments of the United
8 States has hundreds and hundreds of types of
9 administrative proceedings. And if you left it to
10 their own devices to try to deal with this problem
11 independently, it would be a bear. So I think this is
12 a very positive development, to bring cross-agency
13 perspective to bear on a problem for low-income people.

14 The other development that I think is very
15 encouraging is the convening by the Legal Aid
16 Interagency Roundtable of a conference at the
17 Department of Justice in May on the 20th and the 21st
18 to focus on research involving civil legal aid.

19 This is a vastly under-researched area. Not
20 nearly the resources that have been devoted to criminal
21 justice research have been devoted to civil justice
22 research. And the Legal Aid Interagency Roundtable

1 will be bringing together a group of academics,
2 funders, and government and private sector people to
3 talk about what the most important areas for civil
4 legal aid research area and how we might go about
5 funding them, with a particular focus on measurement
6 and evaluation.

7 MR. MADDOX: Jim, before you go on, can I just
8 ask a question?

9 PRESIDENT SANDMAN: Yes.

10 MR. MADDOX: What is our focus in that
11 roundtable discussion? Do we have a particular
12 position that we're pushing on the various agencies?
13 For a number of years we've talked about how legal aid
14 lawyers seem to have to spend a lot of their time doing
15 things that agencies ought to be doing in the first
16 place.

17 Is part of our focus getting them to dedicate
18 more of their resources toward eliminating that
19 problem?

20 PRESIDENT SANDMAN: Yes. That's certainly a
21 part of it. And part of our focus also is getting them
22 to spend more of their own money and less of ours on

1 these issues.

2 This is an example of the benefits of our
3 quasi-governmental status. As you know, under the
4 Legal Services Corporation Act, we are not a government
5 agency. But nevertheless, the Legal Services
6 Corporation has a seat at the table at the Legal Aid
7 Interagency Roundtable -- I'm a member of the
8 roundtable -- and that's because of our
9 quasi-governmental status.

10 I think that's very, very valuable, and I can
11 speak up about issues exactly like that, trying to
12 identify systemic problems, processes that are not
13 working well that, if they were corrected internally at
14 administrative agencies, could be enormously beneficial
15 to low-income people and require less attention by
16 legal aid lawyers.

17 We are proceeding with our next round of Pro
18 Bono Innovation Fund grants. This year we have a fund
19 of \$4 million appropriated by Congress for Pro Bono
20 Innovation Fund grants. That compares to about -- to
21 exactly \$2-1/2 million last year.

22 What we've done this year is to initiate a

1 process a little different from what we did last year.

2 Last year we just solicited applications, and we got
3 79 of them. This year we decided to have a preliminary
4 process where we solicited letters of intent so we
5 could do a preliminary review of the ideas that people
6 were contemplating for funding and make some cuts, and
7 not make everybody go through the process of submitting
8 a full application, and not submit our staff to the
9 burden of having to review full applications.

10 So this year we got 59 letters of intent from
11 38 states. Now, that's fewer than the number of full
12 applications that we received last year. I don't think
13 that's really surprising. One of the conclusions from
14 our experience last year was that the odds of getting a
15 Pro Bono Innovation Fund grant were not high. We made
16 11 grants last year against 79 applications.

17 They were large grants. These are grants that
18 people use to hire people, as contrasted to technology
19 initiative grants, where they often use the money to
20 purchase things. People are more expensive than
21 things. And I think that some of our grantees may have
22 taken the lesson, that if the odds are not that good,

1 they should be more selective in their applications.

2 The total dollar value of the letters of
3 intent that we received was almost \$12-1/2 million.
4 The average request was \$210,000. Now, keep in mind
5 that your average technology initiative grant is less
6 than \$100,000. It's about 85- or \$90,000, which
7 illustrates the point that people are using these
8 grants to hire people, not to purchase things. And the
9 total available for grants, after we pull out a reserve
10 for our administrative expenses, is \$3.8 million this
11 year.

12 So after reviewing the letters of intent, the
13 59 letters of intent that we received, we invited full
14 applications from 25 projects across 21 states. And
15 the total dollar value of those is \$6.2 million, the
16 average request almost \$250,000. So we expect to be
17 making decisions about these later this year, and
18 certainly to have the money out the door by the end of
19 the fiscal year on September 30th.

20 Next I'd like to give you an example of
21 something we do to promote best practices among our
22 grantees. We issued in 2008 a publication called,

1 "Technologies That Should Be in Place in a Legal Aid
2 Office." And this is very specific advice about what
3 technology every legal aid office should have.

4 In a way, it's not really a best practice.
5 It's a set of minimum practices, what everybody should
6 have as a baseline, although it does go beyond that and
7 make recommendations for additional things that
8 grantees could do.

9 This was seven years out of date, which in
10 technology terms is an eternity, and a number of things
11 have happened since then -- a lot of developments in
12 mobile devices, social media, cloud computing,
13 security, knowledge management, web and
14 videoconferencing. And we needed to update to reflect
15 recommendations of our Pro Bono Task Force.

16 So we just put out this update. I think this
17 is a unique resource. I don't think anyone else in the
18 field of legal aid is doing this. But more
19 importantly, I think that this is a model for what the
20 nonprofit world can be doing generally, and I think
21 that what we recommend is of applicability to all kinds
22 of nonprofit organizations and not just legal aid

1 organizations.

2 Although these might be just minimum standards
3 for our grantees, I think they're a best practice for
4 LSC itself. This is what I think a funder should be
5 doing as a best practice to provide guidance to its
6 grantees. And I'd like to thank Glenn Rawdon and Jane
7 Ribadeneyra and David Bonebrake and Peter Campbell for
8 their work on this.

9 We recently received reports from our grantees
10 about their activities in 2014. And what we saw was a
11 leveling off in terms of cases closed. We're not
12 really seeing a decline any more. You will see a
13 slight decline here between 2013 and 2014, but the
14 reason there is that we have two programs that have not
15 fully reported their numbers for 2014.

16 One of them is implementing a new case
17 management system and has had some glitches that have
18 prevented their getting their information to us.
19 Another still owes us some information on their pro
20 bono cases for last year.

21 If they were to report for 2014 numbers
22 similar to what they reported in 2013, we'd see a cases

1 closed number about equal to or a little bit above what
2 we had in 2013. As you'll see, the scale on the Y axis
3 here is exaggerated. It only goes from 700- up to
4 950,000 cases, so it tends to magnify the size of the
5 differences from one year to the next.

6 This slide compares funding to cases closed.
7 There are two different scales here. Cases closed are
8 expressed in thousands, funding in millions, but it
9 tends to work. The numbers seem to correlate this way.

10 So the blue line is cases closed, the green is
11 funding, but the dark green being LSC funding and the
12 light green being non-LSC funding.

13 And as you can see, there is generally a
14 correlation between funding and cases closed. Total
15 funding did go up last year. We did not see an
16 increase in cases closed last year equal to the
17 increase in funding, but I don't think that's
18 surprising.

19 I think there's always some lag period between
20 increases and decreases and the effect on cases closed.

21 It takes a while for programs to staff up. And I have
22 some further detail on this in a minute.

1 We look carefully at pro bono cases because
2 that's been a focus of ours in recent years. Pro bono
3 cases closed last year were a little up from last year,
4 very much in the same range as we've seen over the past
5 few years, but if you look at the percentage of total
6 cases closed attributable to pro bono cases, we're
7 seeing a continuing increase.

8 Last year 10.7 percent of all cases closed
9 were attributable to pro bono work compared to 10.4
10 percent the year before, 9.9 the year before. You see
11 a progression here, and I don't think that that's an
12 accident.

13 We look at the types of cases that our
14 grantees handle, and there's a fair amount of
15 consistency, a lot of consistency from year to year in
16 the types of cases that our grantees handle. Family
17 law is routinely the largest category of cases; it's
18 typically around 35 percent. It's varied between 32
19 percent last year and 35 percent over the last four
20 years.

21 The second largest category of cases closed is
22 routinely housing; that overs around 25 percent. It

1 was up to 28 percent last year. And the next largest
2 category is all other, which we can provide a further
3 breakdown on.

4 We look also at the type of work that was
5 done. And it's a little difficult to read,
6 particularly in the back of the room, but what this
7 shows is that once again, counsel and advice accounted
8 for by far the largest category of work done for
9 clients; 60.3 percent of all cases closed last year
10 were closed with counsel and advice. That's very
11 similar to what we've seen over the last few years.

12 This is something I think we need to take a
13 close look at. The majority of the matters that our
14 grantees handle are not full case representation in the
15 way that a litigator in private practice would consider
16 a case to be handled. It's counsel and advice.

17 I think we need to figure out a way to assess
18 the extent to which counsel and advice makes a
19 difference. Does it work? Does it have an effect on
20 outcomes? This is hard to do because often, the
21 contact with clients in a counsel and advice
22 circumstance is very limited.

1 It may be a half-hour telephone conversation
2 or a meeting. Simply locating the client after the
3 fact can be hard. Determining cause and effect
4 relationships, whether the outcome in the case was
5 attributable to the intervention of the counsel and
6 advice, can be hard. But the difficulty of the task I
7 don't think should deter us from trying to pursue it.

8 This graph shows the mix between LSC funding
9 and non-LSC funding. And as you can see, total funding
10 from all sources was up last year to \$912 million.
11 That's the highest number since 2011, but still not as
12 good as the total in 2010.

13 LSC funding accounted for 39.6 percent of
14 total funding, on average, for all of our grantees last
15 year, which is in the same range as we've seen over the
16 past three years, but down from where it was in 2011
17 and before.

18 CHAIRMAN LEVI: If you took our New York, and
19 next year New York is getting a really big number --

20 PRESIDENT SANDMAN: Yes.

21 CHAIRMAN LEVI: I can't remember what the New
22 York number was last year. I don't know if anything

1 does. But the judicially funded stuff is a big number
2 now.

3 PRESIDENT SANDMAN: Yes. Averages can distort
4 reality, and there are some states that are very
5 generous in funding legal aid. Entirely because of the
6 advocacy of Chief Judge Lippman in New York, state
7 funding there has gone up considerably since he became
8 chief judge.

9 It's moved from zero the year before he became
10 chief judge to I believe it's \$85 million this year. I
11 think last year it was \$70 million. So we to get into
12 this number in more detail. This may give you a
13 misimpression of what's going on nationally because of
14 a few positive developments in just a few states.

15 MR. MADDOX: Jim, I'm sorry. Could you go
16 back to the last line just for a moment?

17 PRESIDENT SANDMAN: Yes. Oh, sorry.

18 MR. MADDOX: The next one. There. So the
19 cases closed number for counsel and advice, that's 60
20 percent of -- was it roughly 750,000 cases closed?

21 PRESIDENT SANDMAN: Yes.

22 MR. MADDOX: And counsel and advice can

1 involve half an hour of telephone conversation?

2 PRESIDENT SANDMAN: Yes.

3 MR. MADDOX: So then there's maybe 150,000 or
4 200,000 other cases in all the other categories? Is
5 that right?

6 PRESIDENT SANDMAN: It's going to be more than
7 that. But one thing that this doesn't capture is the
8 number of hours that are being spent on the matter.
9 And our grantees tell us that they spend a lot of time
10 on the matters where they're providing much closer to
11 full representation.

12 MR. MADDOX: Sure.

13 PRESIDENT SANDMAN: So without an hours count
14 to correlate with this, you're not getting a full
15 impression.

16 MR. MADDOX: Is that something you're working
17 on to try to get a better picture of?

18 PRESIDENT SANDMAN: Yes. And that's really
19 hard.

20 MR. MADDOX: Hard to do. Sure.

21 PRESIDENT SANDMAN: Yes. As Steve Hanlon
22 reported from SCLAID the other day, in the context of

1 public defender cases, they got them to record their
2 time. Getting lawyers to record their time is tough.

3 MR. KORRELL: Do you have a sense of
4 why -- oh, I'm sorry. Go ahead, Charles.

5 MR. KECKLER: Yes. I could point out that we
6 have a regulation that says they should record their
7 time, 1635, but --

8 PRESIDENT SANDMAN: Yes. It's the level of
9 detail that is the problem.

10 MR. KECKLER: Yes. In quarter-hours. But
11 anyway, I was going to talk about something else, but
12 the relevant point is that if that's a serious matter,
13 we can revisit 1635 and strengthen that regulation.
14 That's a thing we can do.

15 But I had another question about two things
16 that you pointed out, which one is the new funding in
17 New York. And then thinking about that in the context
18 of the research conference coming up at the Department
19 of Justice and what's needed in civil legal aid, a
20 question that I've had for a long time, which is a hard
21 question to answer, is what is the difference it makes
22 in the overall delivery of justice, of civil justice,

1 the different levels of funding.

2 I think that there's now, especially with the
3 greater funding in New York and so on, there is
4 significant differences between jurisdictions in the
5 level of support for civil legal aid. Here in D.C.
6 there are a lot of different non-LSC-funded
7 organizations. How much difference does that make to
8 civil justice here in the District vis-a-vis a
9 comparable city where there's much less support, or New
10 York, where there's lots of funding vis-a-vis another
11 state?

12 I think that's a very important question
13 because that's the central policy question behind
14 levels of funding. So if they can make any purchase on
15 that comparative effect at a macro level in the general
16 delivery of justice, that would be extremely valuable.

17 PRESIDENT SANDMAN: Well, I believe I've seen
18 information from New York that shows that their
19 additional expenditures are making a difference. The
20 number, I recall, is that a few years ago there were
21 2.3 million self-represented litigants in the state
22 courts of New York, and that last year the number was

1 down to 1.8.

2 MR. KECKLER: Right. That's a great step, and
3 to look at that vis-a-vis another state, to talk about
4 self-representation. But then I was thinking the real
5 nub of it would be then to look at case outcomes and
6 whether or not that representation has really improved
7 the lives of the people in poverty who are in the
8 courts vis-a-vis another jurisdiction.

9 Do that kind of comparative -- it's not a
10 controlled experiment, but it's a quasi-experimental,
11 almost, sort of structure.

12 CHAIRMAN LEVI: And I do remember, Charles,
13 but I don't know its methodology -- they came up that
14 they were saving \$6 for every one. I don't know how
15 they figured that, but -- Harry and then Julie, and
16 then Jim is still in his report.

17 MR. KORRELL: On the timekeeping piece, it
18 does surprise me every time to hear that it's hard
19 because I record my time in six-minute increments. And
20 for many clients, I record the tasks that I am
21 performing. You're familiar with the task codes. It
22 drives lawyers nuts, but when our clients demand it, we

1 do it.

2 As a result, you can go through a bill, a
3 matter that lasts a week or an hour or one that lasts
4 months or years, and you could find out to the
5 six-minute increments what people did, descriptions of
6 what they did, and task codes so you can find out how
7 much work was spent on counseling with a client,
8 meeting with witnesses, looking at documents, writing
9 briefs.

10 It just seems like in the rest of the legal
11 world, that's fairly common. Is it a cultural issue?
12 Those tools are available for our grantees.

13 PRESIDENT SANDMAN: They are. There are some
14 timekeeping tools, particularly technology tools, that
15 may not be available to them because of cost. But we
16 can follow up on this.

17 MR. KORRELL: I still use a piece of paper and
18 write it down.

19 (Laughter.)

20 PRESIDENT SANDMAN: This stacked bar graph
21 shows the -- yes. I'm sorry?

22 MS. REISKIN: Yes. As you're thinking about

1 outcomes and studies and all of that, one area that
2 just struck me where we might be able to do some
3 comparison is housing because housing is one area where
4 we seem to have programs that do full representation
5 and advice and counsel, and there should be some
6 publicly available data about evictions, foreclosures.

7 And so that just might be an area that would be
8 relatively low-hanging fruit in terms of a study.

9 PRESIDENT SANDMAN: Thank you.

10 This stacked bar graph shows all of the
11 different sources of non-LSC funding over the past
12 number of years. Non-LSC funding, as you can see, was
13 at the highest level last year of any year shown on
14 this graph, although it's roughly in the same range as
15 some prior years.

16 I know it can be difficult to read the
17 numbers. I will provide this by email afterwards, and
18 I'll send a copy to Don Saunders for NLADA to post.
19 But one of the things that's noticeable here is that
20 private funding -- that's the orange, three from the
21 top -- was up last year to \$74 million, which is a
22 significant increase, particularly if you look back to

1 2011.

2 You'll see the continuing erosion in IOLTA
3 funding. That's the green. It's gone from almost \$112
4 million in 2008 down to \$47.8 million last year. And
5 state funding has been up generally. That was \$168-1/2
6 million last year, down nominally since 2013, but I
7 think there's a lot of unevenness across the states in
8 the level at which they support funding for civil legal
9 aid.

10 MS. REISKIN: Jim, where in that chart is cy
11 pres and attorney fees?

12 PRESIDENT SANDMAN: That would be in other,
13 the light blue that's the second from the top.

14 This graph shows the distribution of our
15 grantees in terms of the extent to which they are
16 dependent on LSC for their funding. And what it shows
17 is that by numbers, 65 percent of our grantees get less
18 than half of their funding from LSC.

19 But you do see that there's also a not
20 insignificant number that get more than half of their
21 funding from LSC. I think it's very important to keep
22 these numbers in mind. Congress expects no less of our

1 oversight of a grantee that's at the left end of this
2 chart than they do of a grantee that's at the right end
3 of this chart. A dollar of taxpayer money is a dollar
4 of taxpayer money.

5 But nevertheless, we need to be pragmatic. If
6 you're a grantee down at the left end of this chart
7 getting less than 30 percent of your funding from us, I
8 think we just need to be aware of how much we can
9 impose on them.

10 So if we have grand ideas about doing
11 particular types of training or imposing requirements
12 on them, we need to think about what other grantees
13 might be imposing, too, and how what we're doing
14 relates to the requirements that they're subject to
15 from other grantees. This is particularly important
16 with reporting requirements. We don't want to put our
17 grantees in the position where they spend more time
18 reporting what they do than doing what they do.

19 This has been a dramatic change over time.
20 Back in 1980, our grantees, on average, got 88 percent
21 of their funding from the Legal Services Corporation.
22 So I think this sends a message in terms of the

1 importance of our sensitivity to funder/fundee
2 relations and what our role should be in dealing with
3 our grantees. We don't own them. They're not
4 franchisees. They're grantees.

5 So my final slide shows staffing over the past
6 few years. And you can see, we inched up last year.
7 This is good. We seem to have stemmed the decline that
8 we saw over the prior three years. Lawyer count was
9 up. Paralegal count was up. Other staff was down, but
10 total staff was up a little bit from 2013, up from
11 about 8,580 to 8,712. And I do hope, if we're able to
12 sustain this, that next year we would see a
13 corresponding increase in cases closed.

14 That completes my report. I would like to say
15 that I recently completed four years of service with
16 LSC. I'm very grateful to the Board for bringing me
17 here. I love my job. I love the mission of LSC. I
18 hope to be with you, and maybe with your successors,
19 for a long time. Thank you.

20 (Applause)

21 MS. REISKIN: Jim, you forgot to mention
22 something important, which is, I heard, that you're

1 getting an award next month from the local bar
2 association?

3 PRESIDENT SANDMAN: Yes.

4 FATHER PIUS: Well, say a little more.

5 PRESIDENT SANDMAN: It's June, actually. I'm
6 getting the Justice William Brennan Award from -- well,
7 maybe Ron could say something. I don't --

8 MR. FLAGG: Jim is being characteristically
9 modest. He's getting the William Brennan Award, which
10 along with the Marshall Award, which is given in
11 alternate years with the Brennan Award, is the highest
12 award the D.C. bar bestows on a member of the bar for
13 public service. And the list of prior awardees is
14 quite impressive. And Jim is very deserving, and we're
15 lucky to have Jim and lucky to have somebody of his
16 caliber.

17 MR. MADDOX: Jim, just a quick question.
18 Yesterday Bob Henley asked me if we had any insight
19 into the degree to which our Fiscal Oversight Task
20 Force has been implemented. Do you have any thoughts
21 on that, and can you share them with us?

22 PRESIDENT SANDMAN: Oh, yes. Lynn Jennings

1 has an implementation chart that we'd be happy to
2 provide. It has had a very significant impact in a lot
3 of ways. You can see it in our special grant
4 conditions, our fiscal-related special grant
5 conditions, in our grant terms, and you can see it in
6 particular in actions we've taken with regard to
7 specific grantees, one in particular recently. I think
8 we're in a completely different place in our fiscal
9 oversight now from where we were four years ago.

10 MR. MADDOX: Is our implementation of that
11 largely complete? Is it basically up and running?

12 PRESIDENT SANDMAN: Yes. There are still some
13 things ongoing and will be ongoing.

14 MR. MADDOX: Right.

15 PRESIDENT SANDMAN: But yes, the vast majority
16 of the recommendations have been implemented. And we
17 can provide the table on that.

18 PRESIDENT SANDMAN: Thank you.

19 CHAIRMAN LEVI: Martha and then someone else.
20 Harry? And was there somebody?

21 DEAN MINOW: This is a splendid report, and
22 your leadership continues to just set the highest

1 standards of integrity and vision. And I am very
2 delighted to see the proactive role about speaking
3 because you're a great speaker, and getting the message
4 out is great.

5 I had two specific questions. One is on the
6 best practices in technology. I think that's a great
7 initiative. I'd wonder about keeping it current
8 because, as you said, a year is an eternity in this
9 field, particularly the security issues.

10 If we say something about minimum standards,
11 and the security protocols are changing so rapidly, I'm
12 not worried about liability, but I am worried about
13 accuracy and best practices on that front. And how do
14 we deal with that?

15 Is there some pro bono help we can get on
16 that? You can spend a whole lot of money on getting
17 security advice, but particularly dealing with data and
18 other issues, I think there are some very sensitive
19 issues, I can say, as someone who manages 26 clinics.
20 And it's something very hard to stay on top of.

21 The second is, I wonder if at some point we
22 can do a closer analysis of the case load on family

1 cases. So the distinction between intra-family and
2 family versus state is so profound both in terms of the
3 stakes and in terms of the resources that are
4 necessary.

5 I think it would be very helpful for us to get
6 some finer-grained information, and maybe the
7 Performance Committee could actually look into that and
8 see who's doing best practices, their relationship,
9 with domestic violence.

10 That's an area, since it is the largest share
11 of the work that we do, we don't talk about it as much.

12 We talk much more about other matters. It's not as
13 sexy, but it's really important.

14 CHAIRMAN LEVI: Harry and then Charles and
15 then Gloria.

16 MR. KORRELL: I think the speaking tour, the
17 law firm speaking tour, is terrific. I'm on the board
18 of the King County Bar Foundation, where we raise money
19 to support the bar's pro bono programs. And one of the
20 things that I've discovered in doing this is that there
21 is just so much noise. And it's noise about something
22 important, which is legal aid.

1 The law firms are exhausted. There's an
2 alphabet soup of organizations that are asking for
3 money, and that's just the legal aid stuff. Then
4 there's also the education programs and all these other
5 programs. And the law firms are really inundated and
6 exhausted by the requests that come in on a weekly
7 basis, sometimes a daily basis, to sponsor a table
8 here, donate money there, serve on this.

9 I don't expect an answer, but obviously it's a
10 challenge, and a big one, for LSC to try to rise above
11 that and really communicate the magnitude of the
12 problem because it's going to get drowned out by the
13 conversations locally.

14 I don't know how you do that, but it strikes
15 me as very important to get above that din because
16 managing partners and partners in charge of various
17 offices spend a huge amount of their time just fielding
18 requests for philanthropy. And I'm not sure how you're
19 going to do it, but it seems very important to me.

20 MR. KECKLER: Picking up on Martha's comment,
21 one thing that many organizations do in strategic plans
22 that we did not do, and still might not do, is to look

1 at one of the substantive areas that we deal with and
2 make out a particular priority and focus of research
3 and impact during the forthcoming five years. So
4 family law is one that might be considered, and housing
5 is another.

6 That's one thing to think about, so first, the
7 question of whether you want to pick a priority area,
8 and secondly, what that might be. And so that's
9 something that Gloria and Father Pius might communicate
10 with and think about that as we move towards the
11 strategic plan.

12 But family law is certainly one that is one
13 where we could think about focusing on making a
14 particular difference.

15 PROFESSOR VALENCIA-WEBER: Yes. And tying the
16 two comments together, the family law area, even if we
17 don't decide to make it a focus group for our strategic
18 planning, I think that a finer collection and analysis
19 of data would be important, particularly with regard to
20 what we do and its impact on children.

21 There are an increasing number of foundations
22 and private donors across every class of citizen in our

1 communities for whom children are a key focus in terms
2 of what we can do for them. Some of them are the
3 children of the clients who would receive the services,
4 but many of them are simply good-hearted people who
5 say, if we're going to have a future as a society, we
6 have to invest in children now.

7 And so whatever we can do to tie what we do
8 and its impact on the children in those families,
9 whatever the outcomes, whether resolution of domestic
10 violence, foster care, ultimate adoption, that
11 presumably moves a child to a better future, we need to
12 have some kind of data to approach organizations and
13 donors who traditionally have not been giving to legal
14 aid.

15 CHAIRMAN LEVI: Any other? Thank you very
16 much, Jim.

17 That brings us to the Inspector General.

18 MR. SCHANZ: Yes, sir. And with me today is
19 Dave Maddox, the Assistant Inspector General for
20 Management and Evaluation.

21 To start with, I'd like to commend Jim.
22 That's quite an impressive activity report. And mine,

1 of course, will be oral. And I'd like to thank my
2 whole staff for providing the expertise for me to
3 present this report.

4 We've been dealing quite heavily with
5 Congress. In fact, you know that's true because I was
6 walking through the halls of the Senate building, and I
7 heard somebody behind me say, "That looks like an IG."

8 Okay. Well, I used to know people who worked in that
9 building when I was with the Justice Department. And
10 lo and behold, it was our chairman, John Levi.

11 (Laughter.)

12 MR. SCHANZ: So as auditors and accountability
13 experts and investigators, we have validation from our
14 chairman that in fact, yes, I am dealing with Congress
15 on a fairly regular basis.

16 What we did, we met with the Senate Approps
17 and the House Approps, and we talk about our budget, of
18 course, or the LSC budget. But inevitably, during any
19 conversation I have on the Hill, how is LSC doing?
20 They want to know that, especially with a lot of new
21 staffers.

22 And I am always happy to report that in my

1 seven-year tenure as an Inspector General, I see things
2 improving, on the upswing, pretty much in every area of
3 what LSC does -- our grants, our Management, our
4 oversight, our Board, et cetera, et cetera.

5 So it's an easy visit for me on the Hill, and
6 I'm very much curious as to why the new staffers are
7 still so interested in LSC because I think our past
8 history has been pretty much resolved or mitigated.

9 So I am of the open, when I speak on the Hill
10 or meet with the people, that I can say, oh, no. This
11 is a great organization. What you know from the
12 past -- and they're all new because of the past
13 election, so they're dealing with past history and I'm
14 dealing with the present, dealing in the now. And I
15 can honestly say that we've improved so much that I
16 feel like I'll be out of a job soon. Not really.

17 (Laughter.)

18 MR. SCHANZ: But one of the things they're
19 always asking about right now is IG access to records.

20 And I can tell them that we have had no problems
21 getting access to records. There are three agencies
22 that have had, and they've been fully ventilated in the

1 newspapers.

2 But since my first year here, I've been able
3 to deal with this Board and with the prior Board and
4 get complete and unfettered access to records, which is
5 precisely what the IG statute requires. So we're doing
6 what we need to do. There is no hide-the-ball
7 mentality any more. I believe that the grantees
8 respect this IG -- OIG -- and we're just moving forward
9 on all cylinders.

10 So they do question some of the things that
11 some of my colleagues have gotten into problems with,
12 which is the integrity committee of the CIGIE, Council
13 for Inspectors General for Integrity and Efficiency.
14 There's been some bad actors, and it leads to the old
15 adage, one bad apple.

16 So there is legislation on the Hill right now.

17 It's in the Senate. It's called the IG Empowerment
18 Act. My counsel can speak a lot more authoritatively
19 on that, but I'll give you the CliffsNotes version.

20 What it does, it provides for testimonial
21 evidence for IGs. And this is still being played out
22 and percolating through the Hill. The Department of

1 Justice OLA thinks it's a very bad idea. Several of my
2 colleagues think it's a very good idea. So that's
3 still playing out.

4 What the Empowerment Act does provide, though,
5 is also an enhanced integrity committee by CIGIE to
6 deal with some of the bad actors. And I can count on
7 one hand the IGs that abuse their position, which I
8 just -- I won't get into it because I'll get too upset.

9 I don't understand it.

10 But as far as congressional oversight now of
11 the CIGIE community and the IG, they're asking for
12 quarterly reporting on open recommendations from the
13 agency. So we've reported. We do that now. I will
14 mention that the semi period ended March 31st, so we're
15 going to be capturing the data of what we've done in
16 the last six months and provide that to the Hill.

17 But in addition to that, and this comes from
18 Senators Grassley and Johnson from Wisconsin, they want
19 to know where we are on open recommendations on a
20 quarterly basis. So our semiannual has essentially
21 turned into a quarterly report. As I said, the formal
22 semiannual period ended on March 31st.

1 A couple other things I want to talk about.
2 We, the IG community, held our annual meeting with GAO.
3 And this is quite detailed. We talk about
4 cross-cutting issues with GAO and with the IG community
5 and the high-risk list that you may have heard about.
6 We are not required to provide that; that comes from
7 the GPRA. But we do keep a high-risk list, and you'll
8 see that in our strategic plan, which is when I'll turn
9 this over to Mr. Maddox.

10 We continue to work with Management on
11 policies and procedures. I mentioned in Miami that the
12 development of policies and procedures is not done in a
13 vacuum in this building. We have significant input
14 into most things that come out of Management.

15 One of the most recent examples is the grant
16 assurances. We make sure that that covers what the
17 grantees need to report to the OIG, and when they have
18 to report, and ethics and conflicts of interest. We
19 provided a lot of information to Management.

20 Interestingly, and this is more of a personal
21 matter, Congress has also asked for a survey on IG
22 salaries. And I am not happy to report but I can tell

1 you that I'm at the very low end of that scale.

2 There are some IGs, particularly in the
3 financial institutions, that make significantly more
4 than any of us sitting around the table. And they're
5 trying to get a handle on, is there equity within the
6 community? And I can answer that without a survey.
7 The answer is no. But Congress has turned an eye
8 towards that also.

9 So with that, I'll conclude my portion of the
10 report and turn over to Dave Maddox, who's going to
11 discuss the strategic plan, the draft strategic plan,
12 that is in your Board book at page 225.

13 CHAIRMAN LEVI: Are there any questions at
14 this point from the Board before the -- no? Okay.

15 MR. D. MADDOX: Thank you, Jeff. I'm here to
16 just briefly introduce the draft OIG strategic plan for
17 the years 2015 through '19. It is -- uh-oh.

18 MR. SCHANZ: And for the record, this is why I
19 provide my report orally.

20 MR. D. MADDOX: The draft was entirely
21 internally developed, so no use of consultants, across
22 the five units of the Office of Inspector General.

1 AT THIS development stage, we are requesting
2 stakeholder feedback for ways to improve our
3 plan -- from the Board, from Management. We're
4 reaching out to the Department of Justice OIG as a peer
5 organization. Subsequently to that round of comments
6 and consideration, we will post to the OIG website for
7 additional stakeholders and comments from the public.

8 The strategic plan, of course, is the
9 highest-level OIG planning document that provides our
10 approach to implementing the IG Act at LSC. It guides
11 future work planning on our risk assessments, maintains
12 flexibility for future stakeholder requests and
13 shifting priorities. Annually, it is complimented by
14 an annual work plan as well as operational unit
15 priorities.

16 Considerations going into the OIG strategic
17 plan are, of course, statutory requirements; OMB
18 guidance on effective working relationships between
19 agencies and OIGs; IG community strategic planning best
20 practices.

21 We did an extensive review of OIG strategic
22 plans. We also did an extensive review of LSC

1 documents, including the LSC strategic plan for 2012 to
2 '16; the Fiscal Oversight Task Force report; GAO
3 reports on LSC; LSC's risk matrix; and the human
4 capital management plan. Ultimately, we relied on our
5 professional experience, including past OIG strategic
6 plans, risk assessment, standard products, and results.

7 The plan's elements include mission and vision
8 to serve as an independent resource to protect the
9 integrity and improve the efficiency of LSC and its
10 grantees' programs. Statutory requirements, of course,
11 come right out of the IG Act as well as LSC's annual
12 appropriation.

13 Core values that we determined as the five
14 guiding principles to fulfilling our responsibilities
15 include accountability, integrity, professionalism,
16 communication, and teamwork.

17 The heart of the plan are the goals and
18 objectives and strategies. We have two goals, seven
19 objectives, and 33 strategies. I won't take your time,
20 but I will read the two goals that we have produced.

21 The first is to promote LSC's effectiveness by
22 delivering high-value OIG products as a tested advisor

1 that identifies areas for improvement and successfully
2 communicates those to stakeholders. Our second goal is
3 to advance excellence in OIG performance by effectively
4 managing and leveraging our human resources and
5 information management systems.

6 In terms of our relationship to the LSC plan,
7 of course, the OIG has a supplementary mission to LSC.

8 LSC major management challenges: This is an IG
9 community practice required by many IGs by law -- not
10 in our case -- but identifies high-risk management
11 areas to guide future OIG work planning and reporting.

12 We also included environmental impacts, to
13 identify external factors that will impact the degree
14 to which we can meet our strategic goals going forward
15 so that we can better plan to manage these factors
16 ourselves.

17 This is a very quick and brief introduction to
18 a draft plan. We very much would appreciate your
19 thoughts and feedback on ways to improve it, either
20 individually or collectively, however you would like to
21 give those to us.

22 We've initially assigned a May 8th date.

1 There's not a real driver for that, so if you all need
2 more time, we would appreciate it. If you'll direct
3 your comments to me, I would appreciate it. Any
4 questions? Father Pius?

5 FATHER PIUS: Dave, could you send the draft
6 at least to me? I don't know about the rest of the
7 Board, but could you at least send the draft plan to me
8 just so I can have a look at it?

9 MR. D. MADDOX: Sure.

10 MS. REISKIN: It's in our book.

11 FATHER PIUS: Oh, it's in here? I'm sorry.

12 MS. REISKIN: It would be great to have just
13 the plan in one document separate so that -- no. It's
14 under the Board report. It's on page --

15 MR. D. MADDOX: It's on page 226 to page 239
16 in the Board book.

17 FATHER PIUS: Got it. Thank you.

18 MR. D. MADDOX: If you'd like an electronic
19 version, easier to comment on, certainly.

20 MS. REISKIN: Yes. It is. Separate.

21 MR. SCHANZ: Well, that concludes the IG
22 report in open session. Of course -- yes?

1 FATHER PIUS: Actually, it's nothing that you
2 talked about, but something I forgot to ask earlier,
3 two questions that we're going to consider as a Board,
4 but I don't remember if we got OIG input.

5 The first was the revision to the list of
6 federal statutes that deal with fraud, waste, and
7 abuse. Did the OIG have a role in -- you guys looked
8 at that and helped to provide the input on that, and
9 you're comfortable with the list that we've provided in
10 there?

11 MR. SCHANZ: Yes.

12 FATHER PIUS: And then the second would be
13 with regards to -- partly because this stems from an
14 issue with the OIG is the subgrant issue. Right now
15 we're just putting it out for comment. But has the OIG
16 weighed in on the proposal that we're putting out for
17 comment, and are you planning, at least, to provide
18 some comment on the subgrant issue? So those two
19 questions.

20 MS. TARANTOWICZ: This is Laurie Tarantowicz,
21 counsel to the OIG. We received a draft of the
22 subgrant rule a little bit late in the process, and we

1 didn't have time to give -- I gave some informal
2 comments to OLA, was able to do that. We do plan to
3 take a look at it and give some comments in the formal
4 comment period.

5 MR. SCHANZ: And in closed session, to pique
6 your interest, we will talk about -- we provided a
7 subgrant report to Management based on our analyses.

8 DEAN MINOW: I notice in the strategic plan
9 the risk matrix. And I wondered if there are ways in
10 which you might be thinking about some proactive
11 sessions, as you have done with fraud, to deal with
12 risk more generally.

13 MR. SCHANZ: That's an excellent question, and
14 the answer will be yes. We will consider that. And of
15 course, it's going to vary by grantee, but we can put
16 out the factors that would lead us to red-flag a
17 grantee.

18 CHAIRMAN LEVI: And finally, with strategic
19 plans, they often end up on the shelf. Do you guys
20 have a program where you look at it every so often and
21 assess how you're doing as against your goals? Is that
22 something we should expect to hear from you in future

1 reporting?

2 MR. D. MADDUX: We look at the strategic plan
3 each year as we go through into our annual planning.
4 One of the items, initiatives -- as I said, there's 33
5 in the report -- one is to better OIG performance
6 measures as one of the items we think we can improve
7 on. So yes.

8 FATHER PIUS: I think I mentioned this maybe
9 the last time, but one thing that would be helpful is
10 once you come up with the final one, especially Jeff,
11 is to even reference that in your annual
12 self-evaluation to the Board, is to tie that a little
13 bit to this strategic plan. I think that would be
14 helpful for us as a Board to keep these things
15 together.

16 MR. SCHANZ: We heard you loud and clear in
17 Miami and are working towards that, yes.

18 CHAIRMAN LEVI: Thank you.

19 MR. SCHANZ: Thank you.

20 CHAIRMAN LEVI: Mr. Grey, it's the Finance
21 Committee's turn.

22 MR. GREY: Thank you, Mr. Chairman. The

1 Finance Committee met yesterday, one of the more deeply
2 discussed committee meetings, I think, of the Board.
3 And Father Pius agrees with me, I see.

4 Anyway, we were brought up to date by the
5 Treasurer on the current expenditures of LSC's revenue
6 base. And we were asked to consider a revised
7 consolidated operating budget, which we recommend to
8 the Board that it adopt.

9 In addition to that, we heard reports on the
10 FY '16 and '17 appropriations by Carol Bergman. We
11 continue, I think, to be vigilant, in our discussions
12 with those on the Hill that are most interested and
13 responsible for our funding.

14 I think Carol's report gives us a window into
15 understanding what work we have to do and those that we
16 need to talk to in order to be sure that we're on the
17 same page with those that are responsible for our
18 budget. We did not hear any public comment, and we did
19 not consider any other business.

20 M O T I O N

21 MR. GREY: So the action item would be the
22 consolidated operating budget for FY '15, which is in

1 the book.

2 CHAIRMAN LEVI: And that's in front of us. It
3 doesn't need a second. It doesn't need a motion. All
4 in favor?

5 (A chorus of ayes.)

6 CHAIRMAN LEVI: Opposed?

7 (No response.)

8 CHAIRMAN LEVI: Thank you for your report.

9 MR. GREY: Thank you.

10 CHAIRMAN LEVI: Any questions for Mr. Grey?

11 (No response.)

12 CHAIRMAN LEVI: The Audit Committee. Any
13 action items?

14 MR. MADDUX: There are no action items, Mr.
15 Chairman. The Committee received a briefing from the
16 Inspector General and his staff on April 3rd regarding
17 some followup questions that came out of our Miami
18 meeting and also concerning the Inspector General's
19 work plan.

20 We met yesterday and received a briefing by
21 the Inspector General. We received a Management update
22 regarding risk management from General Counsel. We

1 received a briefing from the Office of Compliance and
2 Enforcement regarding referrals from the OIG. And we
3 had a closed session in which other matters were
4 discussed.

5 We also received an update on the 403(b) plan
6 performance, which is doing well. And there are no
7 action items for the Board.

8 CHAIRMAN LEVI: Thank you. Questions for Mr.
9 Maddox?

10 (No response.)

11 CHAIRMAN LEVI: Ops and Regs.

12 MR. KECKLER: Thank you, Mr. Chairman. The
13 Operations and Regulations Committee met on Sunday. We
14 have three regulatory actions to bring before the
15 Board. Before doing so, I wanted to mention two other
16 items.

17 The comment period on the agricultural and
18 migrant farmworker population data has been extended.
19 The Board last time approved a 45-day comment period.
20 It was extended by 30 days and will close on April
21 20th. And we expect to have further information at the
22 next meeting on that methodology and those adjustments.

1 Secondly, there was a public comment received
2 from John Meyer expressing a number of concerns.
3 Management is aware of these concerns and briefly
4 responded.

5 The three items that we're going to bring to
6 you today: The Committee has recommended a notice of
7 proposed rulemaking for 45 CFR 1627 and some related
8 regularly provisions. That's the subgrant rule.
9 You'll find information on that rule beginning at page
10 17 of the Board book. This is a longstanding issue
11 that's gone through a number of iterations.

12 M O T I O N

13 MR. KECKLER: The Committee has recommended
14 publication for comment of a notice of proposed
15 rulemaking. The Committee has recommended it, so if
16 there's not any further discussion --

17 CHAIRMAN LEVI: Yes. All in favor?

18 (A chorus of ayes.)

19 CHAIRMAN LEVI: Opposed?

20 (No response.)

21 MR. KECKLER: Thank you, Mr. Chairman.

22 The other notice of proposed rulemaking that

1 the Committee has recommended to the Board is a
2 revision to 45 CFR Part 1628 involving recipient fund
3 balances, which expands the potential for recipients in
4 extraordinary and compelling circumstances to maintain
5 larger carryovers. And you will find that rule, the
6 discussion of it, beginning on page 49 of your Board
7 book, and the rule itself, or the notice, rather, of
8 the proposed rulemaking, beginning at page 60.

9 M O T I O N

10 MR. KECKLER: The Committee has recommended
11 the matter to the Board.

12 CHAIRMAN LEVI: All in favor?

13 (A chorus of ayes.)

14 CHAIRMAN LEVI: Opposed?

15 (No response.)

16 MR. KECKLER: Thank you, Mr. Chairman.

17 Finally, the Committee considered a Final Rule
18 for 45 CFR Part 1640, which is a revision of our rule
19 involving applications of federal laws on waste, fraud,
20 and abuse to LSC recipients, in which we will create a
21 dedicated list of such federal laws applicable to our
22 recipients and then use that as the basis for our

1 regulation. You will find that beginning on page 72 of
2 your Board book.

3 During discussions regarding that rule and
4 after receiving some public commentary from the NLADA,
5 we made a small revision to Management's draft. That
6 revision should have been sent to you by email.

7 There was a typo that was corrected, and in
8 addition, the clarification that was made is on page 78
9 of your Board book, and it's at the bottom of that page
10 regarding Section 1640.2(a). And it changes the
11 following language.

12 The sentence says, "The list may be modified
13 with the approval of the Corporation's Board of
14 Directors." The Committee approved a clarification
15 that, "The list may be modified with the approval of
16 the Corporation's Board of Directors at a public
17 meeting."

18 M O T I O N

19 MR. KECKLER: With that change, the Committee
20 has recommended the adoption of this as a Final Rule to
21 the Board.

22 CHAIRMAN LEVI: All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN LEVI: Opposed?

3 (No response.)

4 CHAIRMAN LEVI: Thank you.

5 MR. KECKLER: Thank you, Mr. Chairman. That
6 concludes the report of the Operations and Regulations
7 Committee.

8 CHAIRMAN LEVI: Thank you. Questions for
9 Charles?

10 DEAN MINOW: How do you have the patience and
11 attention to detail that's so excellent here?

12 CHAIRMAN LEVI: And even remember the numbers?
13 It's really quite remarkable.

14 (Laughter.)

15 CHAIRMAN LEVI: Thank you.

16 Martha, Governance and Performance.

17 DEAN MINOW: We don't have an item for action.
18 We had a very good update about continuing GAO no
19 problems -- love that kind of report -- and also a good
20 update on the possibility of outside funding for
21 research and other kinds of outside grants.

22 Jim Sandman reports on the evaluations that he

1 conducted of our Treasurer, and as I think none of us
2 are surprised, the report on Dave was excellent; report
3 on the Vice President for Grants Management, and I
4 think all of us stand in awe of what Lynn has done,
5 including implementing the Fiscal Oversight Task Force
6 recommendations, but many, many other fronts, including
7 the Pro Bono Task Force elements, and basically keeping
8 the place going and getting better all the time; and
9 also an evaluation of the Vice President for Legal
10 Affairs, and I think we all join together in great
11 admiration for what our great lawyer and advisor has
12 done to clean up the backlog and also so ably represent
13 the organization internally and externally.

14 So three great leaders. I think that maybe we
15 all could applaud. What do you think?

16 (Applause)

17 DEAN MINOW: Finally, I think that we are
18 grateful to Ron and his team for putting together the
19 sources of authority governing LSC Board actions. And
20 I would just like to note this is a very good down
21 payment on an activity that we need to undertake for
22 ensuring smooth and easy transition and succession for

1 our Board and for any senior staff. And I think this
2 is a very good start. I think that topic represents a
3 major going for this Committee going forward.

4 CHAIRMAN LEVI: I agree with that.

5 DEAN MINOW: That concludes my report. Thank
6 you.

7 CHAIRMAN LEVI: Questions? Observations?

8 (No response.)

9 CHAIRMAN LEVI: Institutional Advancement. I
10 don't believe we have any action items for the
11 Board -- I'm sorry. Oh, we do have that, yes, the
12 Minnesota charitable.

13 So our Committee met. We heard about the
14 fundraising efforts, the grants proposals to certain
15 foundations, the successes of our efforts and our
16 continuing efforts in the 40th anniversary campaign,
17 and the fact that we've to date raised over -- isn't
18 that a public figure -- over \$4 million. And that's 4
19 and 40. I don't know. But anyway, it's very exciting,
20 and keep growing it.

21 M O T I O N

22 CHAIRMAN LEVI: But we do have an action item.

1 I guess we have to approve as a Board the registration
2 in Minnesota. It's in your Board book at 214.

3 So could I ask for all in favor?

4 (A chorus of ayes.)

5 CHAIRMAN LEVI: Opposed?

6 (No response.)

7 CHAIRMAN LEVI: And that concludes our report.
8 The Delivery of Legal Services Committee.

9 FATHER PIUS: Thank you. The Delivery of
10 Legal Services Committee met -- when did we meet?
11 Monday, I think. These dates run together. As most of
12 you, I think, know, with the revision of the charter
13 and the change of the name, we changed, really, the
14 focus of the committee to focus on delivery of legal
15 services.

16 And the charter changes envisioned some
17 ongoing reports from management on their assessment of
18 the quality of legal services provided by our grantees,
19 so the first of which we had at this meeting.

20 So I was very pleased with the report that we
21 got from Management with the details that we have, I
22 think for the first time really going into some of the

1 assessments of the grantees and the status of some of
2 these. And it's the beginning of a process.

3 So I think there was some feedback on the kind
4 of information that we would want in the future and
5 when. But I would appreciate, too, just from the
6 members of this Board, if you have some time or if you
7 have some response about more detailed information that
8 you would like to see, at least we can provide a portal
9 in which to follow what has become known as the Korrell
10 rule, that we could just make sure that the members of
11 the Board get the information that we think that we
12 need in a way in which Management can realistically be
13 expected to provide it.

14 So any feedback from Board members on the
15 reports that we received, the way future reports would
16 go, either send it to Gloria or myself, and I think we
17 would appreciate that very much.

18 No action items from the Committee right now.

19 And then as we move forward, we'll be taking on the
20 role, probably through the Committee, of the strategic
21 planning, and so we'll get some more information on
22 that when we've had a chance to think about it.

1 CHAIRMAN LEVI: Any questions for Father Pius?

2 I realized in Institutional Advancement I should have
3 given Julie a minute to report on the Communications
4 Subcommittee, if you would like, or do you want to do
5 it at the new business? Do it right now.

6 MS. REISKIN: We had a great briefing on the
7 communication efforts. I think the stories is
8 probably, to me, the most significant thing. The
9 analytics are looking great. And we will hopefully be
10 able to have, next meeting, hearing from Ms. Marple on
11 how we can continue to improve that. But I think it's
12 all good news on that front.

13 CHAIRMAN LEVI: Thank you, Julie.

14 Report on implementation of the
15 recommendations of the Pro Bono Task Force. I assume
16 this is Ron and Lynn. Is that correct? We heard a
17 little of it from Jim, I think.

18 MS. JENNINGS: That's right. He kind of stole
19 my thunder. This is Lynn Jennings, Vice President for
20 Grants Management.

21 With regard to implementation of the Pro Bono
22 Innovation Fund, I really have very little to add other

1 than our continued thanks to Mytrang Nguyen, who really
2 got this program up and running. And we have augmented
3 the team with Alla Polyakova -- I hope I got that
4 right -- and Meredith Horton.

5 We have also had the benefit of Maureen
6 Syracuse's expertise during this process. And we've
7 also worked with our friends at DLA Piper on this as
8 well, and they will continue to serve as reviewers for
9 applications in the next round of grants.

10 Mytrang and Meredith are going to the Equal
11 Justice Conference in Austin next month, and they will
12 be meeting with our initial round of grantees there to
13 see how things are going. I'll be participating in
14 some of that meeting. And they're also holding a
15 session with Lisa Dewey and Annie Helms from DLA Piper.

16 Yes, Martha?

17 DEAN MINOW: Do they have a reporting
18 requirement?

19 MS. JENNINGS: Yes. We have a set timeline
20 for them based on whether they're an 18-month grantee
21 or a 24-month grantee. And based on that, I think it's
22 every six months. And so Mytrang and Alla and Meredith

1 are working on that.

2 DEAN MINOW: And will we do some public
3 announcement about what they've accomplished and/or
4 analysis?

5 MS. JENNINGS: Yes. And in addition, we are
6 in the process of reviewing applications for the
7 evaluation. We put out the request for proposals, and
8 we have about seven or eight responses to that. And
9 we'll be reviewing and interviewing some people in the
10 next month, and hopefully in the month of May engage an
11 evaluator. But through constant communication with the
12 initially round of grantees, if there is significant
13 progress made, we will provide an update on that.

14 With regard to the committees of the Pro Bono
15 Task Force report, I think Ron and I, since we've made
16 significant progress on a couple of programmatic items
17 here and regulatory items, we can now turn our
18 attention to some of the other activities that were
19 part of the followup.

20 DEAN MINOW: That's great. Well, I know you
21 got the Innovation Fund up and running so quickly last
22 year, there wasn't time to have evaluation alongside.

1 But as we do a next round, I wonder about how
2 evaluation will be treated.

3 MS. JENNINGS: Yes. We will be doing it.
4 They do submit an evaluation plan with their
5 application. But this is a third party independent
6 evaluator, and so we'd like to see how this goes.
7 Right.

8 MR. FLAGG: One of the principal
9 recommendations of the Pro Bono Task Force was that the
10 LSC review its private attorney involvement regulations
11 to see if they could be revised in a way that would
12 facilitate additional pro bono work. As the Board is
13 well aware, the regulations were in fact revised,
14 effective last December.

15 We have had quite a number of inquiries from
16 the field, both directly to us through the NLADA and to
17 OCE and OPP. We are trying to answer those inquiries
18 on as close to a realtime basis as we can, and have
19 come up with a website location where we answer
20 questions on an ongoing, rolling basis.

21 You can see at pages 243 to 248 of your Board
22 book what is currently posted on the website, which is

1 quite detailed responses to questions about the
2 implementation of the PAI regulation. Even as I speak,
3 Stefanie Davis and Mark Freedman of our office are
4 considering, with the assistance of OCE and OPP,
5 answering additional questions. And I'd also like to
6 thank Don Saunders and Robin Murphy of NLADA for
7 helping to shepherd the most frequently asked questions
8 to us and facilitate this process.

9 CHAIRMAN LEVI: Questions for Lynn or Ron?

10 (No response.)

11 CHAIRMAN LEVI: Anything further on that?

12 Jim? No? Thank you all.

13 Public comment?

14 MS. THOMAS: My name is Evora Thomas and I'm
15 an attorney in the Office of Program Performance. And
16 since I've last addressed this Board, I'm also now the
17 president of IFPTE Local 135. And it's in that
18 capacity that I want to address you today.

19 You will recall, Mr. Chairman, that at the
20 time that you first assumed the leadership of the Board
21 of LSC --

22 CHAIRMAN LEVI: Excuse me. Someone else has

1 joined you at the table. Can you identify yourself?

2 MS. EDWARDS: Hello. My name is Jean Edwards.

3 And I'm here to speak after Evora, so should I sit in
4 the back and wait?

5 CHAIRMAN LEVI: That's fine.

6 MS. EDWARDS: It's fine? Okay.

7 CHAIRMAN LEVI: Stay right there. Are you
8 together or separate?

9 MS. EDWARDS: Separate.

10 CHAIRMAN LEVI: Oh, okay.

11 MS. THOMAS: Yes. I wanted to just reflect
12 upon our early conversations at the time that you
13 became chairman of this Board and prior to many of the
14 other members having been appointed.

15 We engaged in numerous conversations regarding
16 the reasons why Local 135 came into existence and the
17 kinds of challenges that we hope to partner with LSC
18 Management and governance in resolving. And that
19 continues to be our goal.

20 Many of our members are people who have had
21 decades of experience in their commitment to the
22 delivery of civil legal services. I began as a Reggie

1 back in 1977 with a legal services program in New
2 Jersey. And although my career has not continuously
3 been as an LSC employee or as a legal services
4 employee, I've always remained involved in that
5 mission.

6 Many, many of the staff, particularly in the
7 Office of Program Performance, are career legal
8 services people. And in other offices throughout the
9 Corporation, employees have dedicated themselves to the
10 mission of LSC.

11 And it's with that spirit and that commitment
12 that we continue to proceed in two realms, first, in
13 the negotiating of a collective bargaining agreement.

14 We've been a long time in accomplishing that
15 goal, and in part that's attributable to the fact that
16 rather than beginning with a positional approach, we
17 elected instead to undertake this massive project with
18 an interest-based approach, meaning that both sides of
19 the bargaining table would put forth what they perceive
20 to be the issues of concern, and that we would try,
21 rather than an adversarial approach, one that said,
22 let's do what's going to be in the best interests of

1 the mission of LSC and all of its components, including
2 the staff. And we've done that over the past three
3 years.

4 We've evolved. We are now looking at other
5 types of issues that have a monetary implication, and
6 so that makes us a little bit more positional. But I
7 think that in regard to collective bargaining that we
8 are continuing to move forward. I'm optimistic that we
9 will see some resolution of an agreement this year.

10 The concern that brings me to the table today
11 has more to do with the other kind of bargaining that
12 we're doing, what we call labor-management, the
13 day-to-day issues that arise within the organization,
14 things that warrant negotiation because of the effect
15 that they have on employees and working conditions.

16 We began, after the union was organized, with
17 a biweekly labor-management meeting, where we attempted
18 to bring concerns. Management brought concerns to the
19 union and vice versa. The union brought issues of
20 concern that we learned about to that table as well.

21 It is through that component that we have also
22 seen efforts at implementation of things that we've

1 already negotiated, things such as the employee
2 performance plan. And we are chagrined at the
3 difficulty that has been experienced in the smooth
4 implementation of that plan.

5 We have attempted to work on a resolution of
6 those things, but find that as it currently stands,
7 what both labor and management design together is
8 meeting with difficulty in implementation. And we just
9 ask this Board to ask critical questions with regard to
10 what you perceive as being an important tool in the
11 operation of the organization.

12 We feel that rather than it promoting
13 productivity and quality work, that it is having a
14 debilitating, having a divisive, impact and that people
15 are feeling demoralized. We feel that it warrants
16 additional assessment and review before it is fully
17 implemented.

18 No one is naive enough to believe that LSC is
19 ever going to agree to an environment where some form
20 of evaluation doesn't take place, and we're not asking
21 that. We are, however, asking that an evaluation
22 system that is going to affect the employment record,

1 the income opportunities, the promotional opportunities
2 of employees be implemented so that it is, in effect,
3 done fairly, without any preferences or biases shown to
4 anyone, and that all of the managers are fully trained
5 to understand the system and to be held accountable for
6 its implementation.

7 With regard to other issues that are pending,
8 I don't want to belabor my time right now talking about
9 those. But I believe that we will be presenting our
10 proposals to Management, and I have every confidence
11 that our General Counsel, who is representing
12 Management with regard to those things, will hear us
13 and will respond accordingly.

14 Thank you, Mr. Chairman.

15 CHAIRMAN LEVI: Questions for Evora Thomas?

16 (No response.)

17 CHAIRMAN LEVI: Thank you for your service.
18 Appreciate your coming today.

19 And your name, again?

20 MS. EDWARDS: Hi. My name is Jean Edwards,
21 and I'm one of the ones that was working in the OIM
22 division, one of the ones that was let go. I worked

1 for Legal Services 27 years, and I just came here today
2 because for -- the reason why I came here is to let you
3 know how I was told that my job was over.

4 I was at home due to a death in my family. My
5 mother's sister had just passed away. And Traci
6 Higgins, the HR director, called me at home, and she
7 said, Jean, where you at? I say, I'm at home. She
8 said, well, Jean, this is how it is. I want you to
9 know as of today, your job is over with.

10 And I said, what? She said, yes, pretty much
11 so. You don't have to come to work tomorrow. And
12 we'll be sending you a Federal Express package with
13 severance pay. And you had 240 hours of vacation; you
14 will get paid for that. And then Sophia will be
15 sending you a package along with that.

16 So she said, yes. She said, Jean, it don't
17 have anything to do with your working. We don't have
18 no problem with you as far as your work. You're a good
19 worker. It's just that we are organizing OIM. The
20 name is going to change, and you are an administrative
21 assistant II, and we no longer need administrative
22 assistant II person.

1 So I felt that was really unfair for her to
2 even call me, unprofessional for her to even call me at
3 home and tell me something like that. But I feel that
4 that is retaliation as far as Traci Higgins because
5 Traci is a bully to people, and she feels that because
6 of title, she can say anything she want to say to a
7 person and they're just going to take it and walk away,
8 don't say anything.

9 But the incident I had with Traci before she
10 called me -- it was a year ago, but it still was an
11 incident -- that she came to my office. She asked me
12 do I mind giving my parking space up. I had a senior
13 parking space. Give my parking space up and piggyback
14 with another employee, Dianne Rouse.

15 And I told her, I've been on the waiting list
16 for years. Why should I give mine up to another
17 employee? And she took her hands and clapped in my
18 face like that (demonstrating) and say, it's not like
19 I'm asking you to kill your firstborn.

20 So when she made that statement, when John
21 Meyer came in, I reported to John Meyer what she did to
22 me. And later on that day she came back to me and

1 apologized what she did. I guess she thought about
2 what she did and everything, but that's not the point.

3 This is the HR director. And some people feel
4 because of their titles, they can do or say anything
5 they want to say to a person. But I had been here for
6 27 years. My evaluation, had good evaluation, never
7 had no problem. My coworkers, had no problem with
8 them.

9 Like Jim said, made a statement that he here
10 for four years, Jim, and you said you love your job? I
11 love my job. I been here for 27 years, and I love my
12 job. I love working with Legal Services. And for me
13 to get a phone call at home saying something like this
14 right here, it was really stressful.

15 And I really -- it was suspicious because Jim,
16 if you recall, we had a self meeting one time, and you
17 stated about the reorganization might happen soon. But
18 you said out of your mouth that no one would lose their
19 job.

20 And here I am sitting at home now. And I
21 really thank the union for the part that they played
22 and what they're doing. If it wasn't for them doing

1 the part that they did, I probably wouldn't even have
2 gotten as far as I've gotten it.

3 I'm at home on administrative leave. But I
4 love my mission with Legal Services, too. So I just
5 had to come here and just put that in there, say that.

6 Just because a person has a position, they should not
7 feel that they can just treat anybody any kind of way.

8 And with me, I went to Traci Higgins about a
9 sexual assault situation from a manager, a supervisor,
10 and I just feel that I've been retaliated on for me
11 speaking up. I've been blackballed for years with
12 Legal Services, but I still continue doing my work.

13 People ask me, how in the world can I come
14 here and knowing the way I've been treated and
15 everything? Because you treat a person the way you
16 want to be treated. And what goes around comes around.

17 So when it's time for the other person who treats
18 somebody wrong, when it's their turn, they better hope
19 and pray that they can accept the way they have been
20 treated.

21 So that's all. I just wanted to come here to
22 say that. But I really feel that it was unfair. Thank

1 you.

2 CHAIRMAN LEVI: Questions? Comments?

3 (No response.)

4 CHAIRMAN LEVI: Thank you.

5 Any other public comment?

6 (No response.)

7 CHAIRMAN LEVI: New business?

8 (No response.)

9 CHAIRMAN LEVI: We now have to have a motion
10 to close the --

11 M O T I O N

12 FATHER PIUS: So move.

13 MR. MADDOX: Second.

14 CHAIRMAN LEVI: All in favor?

15 (A chorus of ayes.)

16 CHAIRMAN LEVI: Thank you all.

17 (Whereupon, at 10:59 a.m., the Board was
18 adjourned to Closed Session.)

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