

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

SUNSHINE ACT MEETING
OF THE PRESIDENTIAL SEARCH
COMMITTEE

OPEN SESSION

Thursday, February 27, 1997

10:35 a.m.

The Legal Services Corporation
750 First Street, N.E., 11th Floor
THE BOARD ROOM
Washington, D.C. 20002

BOARD MEMBERS PRESENT:

Hon. John T. Broderick, Jr. Chair
Hulett "Bucky" Askew
LaVeeda M. Battle

ADVISORY MEMBERS:

Julie Clark

OTHER DIRECTORS:

F. William McCalpin

STAFF PRESENT:

Victor Fortuno, General Counsel and Secretary

ALSO PRESENT:

John Isaacson
Alan Wichlei
Barbara Assante

Diversified Reporting Services, Inc.
1025 VERMONT AVENUE, N.W. SUITE 1250
WASHINGTON, D.C. 20005
(202) 296-2929

P R O C E E D I N G S

1
2 CHAIR BRODERICK: Why don't we start. We
3 received, I suppose -- I hope, all of us -- a fax
4 transmission from Victor on the 21st, which indicated
5 that we would be meeting this morning. And we received
6 from that fax a brief summary of what the meeting is
7 about.

8 So I guess what I would like to do is start
9 out by getting approval of our agenda this morning
10 before we start. We are in public session, and I
11 wonder if everyone has had a chance to briefly review
12 that. And if I need a motion to approve it, I would
13 like to solicit one.

M O T I O N

14
15 MR. ASKEW: This is Askew. I move its
16 approval.

17 CHAIR BRODERICK: Is there a second?

18 MS. BATTLE: I would second it. This is
19 LaVeeda Battle.

20 CHAIR BRODERICK: All those in favor?

21 (Chorus of ayes.)

22 CHAIR BRODERICK: All those opposed?

1 (No response.)

2 MR. McCALPIN: I'm not sure who has a vote and
3 who doesn't on this. I'm not part of the Search
4 Committee.

5 CHAIR BRODERICK: You are not, Bill, so I
6 assume that you do not need to vote on this.

7 MR. McCALPIN: Okay.

8 CHAIR BRODERICK: The purpose of our meeting
9 this morning in open session as really a subgroup of
10 the Search Committee is to have a discussion about
11 process for the selection of the next president of the
12 Legal Services Corporation, and I thought it advisable,
13 obviously, to do this in public session.

14 I would hope that given the sensitivity of
15 names and that sort of thing, that we could have this
16 discussion, and I think we can, without getting into
17 those specific topics. But I think process is
18 fundamentally important, so that everyone feels that
19 this has been done in a very deliberative way and been
20 done in a thoughtful way and there's a consistency in
21 the process here. And so I want to talk about that
22 this morning.

1 And I had asked Bill McCalpin, who spent -- as
2 many of you did on this phone call, but Bill in
3 particular spent hours and hours and hours in the last
4 presidential search, which was successful in getting us
5 Alex Forger.

6 And Bill was kind enough some months back to
7 send me a box probably weighing 50 pounds of materials
8 which I, believe it or not, actually have gone through,
9 and earlier transcripts to track what was done very
10 substantively and procedurally the last time.

11 But the purpose of today's goal is to talk
12 about process. I think -- subject to hearing from Alan
13 and John at some point here, I think we have identified
14 a half a dozen potential candidates who we would like
15 to interview, and hopefully, we'll find out that they
16 would like to be interviewed.

17 And we have agreed that we will try to conduct
18 those interviews in connection with our next Board
19 meeting, which I guess is the 6th and 7th of March.
20 That's a Friday and a Saturday, I believe. And we have
21 expanded our stay in Washington into that Sunday.

22 And the expectation is that we would start

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 interviews Saturday afternoon and that we would
2 continue those interviews into Sunday, that we would
3 leave time on Sunday for the Search Committee, which
4 consists of members of the Board and also the advisory
5 group, to talk about those interviews.

6 Then, I understand that at least the way it
7 was conducted the last time, the Board members of the
8 Search Committee voted to make recommendations to the
9 full Board -- the Advisory Committee did not have a
10 vote -- and that the Board ultimately made the
11 selection.

12 And I got some memos from Bill which he
13 circulated the last time back in June of '94 and some
14 handwritten notes of interview schedules and so forth.
15 What I would like to do at some point is probably get
16 those to all of you. Those memos are a very thoughtful
17 review of how the process ought to work, and I think
18 maybe with a few changes, they could work successfully
19 this time.

20 But I think what I would like to do is turn
21 the meeting over for a few minutes to Bill McCalpin, or
22 for however long he thinks he needs it, to talk to us a

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 little bit about the process the last time as they got
2 down to the end, as we are now.

3 So with that said, Bill, maybe you could
4 address us on how it worked before and some of the
5 concerns that you may have had and what worked well and
6 what you might recommend we change.

7 MR. McCALPIN: Well, John, seven weeks ago
8 after an earlier telephone conference, I wrote you,
9 not sure that what I had heard in that conference was
10 what was proposed. And I tried to remember at that
11 point what we had done the last time.

12 But in the meantime, I've asked Vic to look
13 for the tape, because I'm sure that we had tapes of
14 those meetings. And he tells me this morning that he
15 found the tape of the 18th of June, but it's blank. My
16 recollection is that we had about seven, I think,
17 people that we interviewed. And I think we interviewed
18 four one day and three the next.

19 CHAIR BRODERICK: Just, Bill, on that point,
20 some of the interviews were approximately -- well, some
21 of them were 45 minutes. Some of them were an hour and
22 15.

1 MR. McCALPIN: No, I thought we reserved an
2 hour and-a-half for each one. That was my
3 recollection. I think we went an hour and a quarter,
4 but I thought it was more than an hour.

5 CHAIR BRODERICK: I think it was an hour and a
6 quarter.

7 MR. McCALPIN: Yeah, that may be. And I think
8 we had two in the morning and two in the afternoon.
9 And I think that we had planned to have eight, but for
10 one reason or another, somebody bowed out at the last
11 moment, so that we had only three on the second day.
12 That's my memory.

13 Although I can't remember precisely how many
14 members there were on the Board Search Committee -- I
15 think it was four or five -- I know that it was less
16 than a majority of the Board. And everybody on the
17 Board was invited to attend the two days that we
18 conducted the interviews in June of 1994.

19 I think that everybody attended except Smegal,
20 and my recollection is that he was in Europe at the
21 time, and at some part of it, we cut him in by
22 transatlantic telephone, not for all the interviews,

1 but I think toward the end for the discussion. As I
2 recall, it was in the middle of the night or something
3 where he was.

4 In addition, at that time, we had a non-Board
5 advisory committee, I think, of about six people.
6 They, too, were all invited to sit in on the
7 interviews. And Alan and John were, as I recall,
8 there, as well. So we perhaps had as many as 16 or 18
9 people sitting around a U-shaped table. The
10 interviewee was at the open end of the U, the opposite
11 end of the chair.

12 We had some concern about the number of people
13 there and whether it would degenerate into kind of a
14 mishmash of things. So what we decided to do was to
15 assign, as I recall, two members, one from the Board
16 Committee and one from the Advisory Committee to lead
17 the discussion with each candidate.

18 They rotated around the different ones, and
19 they did that, and it fell into kind of a pattern after
20 the first time or two, with the substance of the
21 questioning, discussion, drawing out of comments and
22 that sort of thing was pretty much -- followed pretty

1 much a pattern.

2 Now, that doesn't mean that other members in
3 attendance couldn't participate in the interview if
4 they wanted to, and, of course, many did, some more
5 than others and some with respect to some candidates
6 rather than with respect to other candidates.

7 My own feeling was that the interviews went
8 well, in spite of the fact that there were so many
9 people in the room. It didn't get out of hand, as I
10 recall, and the interviews went along fine. After the
11 last interview, we asked each member of the Advisory
12 Committee to comment with respect to each of those
13 persons who had been interviewed without ranking them
14 or, in effect, expressing a choice, a vote or anything
15 of that sort.

16 And we went around to each member of the
17 Advisory Committee and elicited their views with
18 respect to each candidate who had been interviewed.
19 When that was concluded, we thanked the members of the
20 Advisory Committee for their participation and
21 assistance and excused them from the room.

22 At that point, we then went around to the

1 Board members and gave them the opportunity to comment
2 with respect to each of the people who had been
3 interviewed. When that was concluded, we took a vote.
4 And --

5 CHAIR BRODERICK: When you say "we," you mean
6 the Search Committee?

7 MR. McCALPIN: The Board, the whole Board, all
8 10 people, if I'm right. And there was a clear
9 majority of the Board in support of one candidate,
10 Alex. As I recall, it was seven votes out of what I
11 think were the 10 Board members who were in attendance.

12 With that -- as I recall, this was on the eve
13 of a Board meeting, and we then, I think, contacted
14 Alex and made sure that he was still on board, and I
15 think within a day or so, made the recommendation at an
16 open Board meeting based on the interviews, the
17 comments, and the vote that had been taken a day or so
18 before.

19 Now, that's my memory, and I'm sure LaVeeda
20 and Bucky, I know -- and John, I think you were there.
21 And you all may fill in my aging memory, but that's my
22 memory of how we did it.

1 CHAIR BRODERICK: Well, I have a sheet here,
2 Bill, that you prepared or was prepared per your
3 direction, and it shows seven candidates interviewed.
4 And it showed, as you suggested, two members
5 principally responsible for conducting each interview.

6 And according to your memo back on June 8th of
7 '94, you were proposing -- I don't know if it, in fact,
8 happened that way, but you were proposing that this
9 team approach to the interview, which would be in the
10 presence of other members, would take approximately 45
11 minutes with the applicant or the candidate, and then
12 it would leave 30 minutes for general questioning by
13 other members in the room.

14 MR. McCALPIN: Oh, I see.

15 CHAIR BRODERICK: So that you had two people
16 who were basically getting the essential information
17 with the candidate. The candidate was really only
18 focused, at least directly, on two people and didn't
19 have to worry about being interrupted.

20 And when that process -- at least the way it
21 was designed here, when that process was concluded,
22 then the floor was thrown open for 30 minutes to others

1 who might have questions and presumably for the
2 candidate, if he or she had some questions of the Board
3 generally.

4 MR. McCALPIN: John, I do remember that at the
5 very beginning, we asked each candidate to make any
6 statement that he or she wanted, and I think maybe at
7 the conclusion, we asked them if there was anything
8 else they would like to say to us.

9 CHAIR BRODERICK: According to your
10 handwritten notes, that's exactly what you did. But
11 whether it worked that way, I don't know, but it sounds
12 like that's --

13 MR. McCALPIN: I think it did.

14 CHAIR BRODERICK: Any other recollections? Of
15 course, I know Bucky and LaVeeda certainly --

16 MS. BATTLE: The only thing -- I'm sorry.
17 This is LaVeeda. The only thing that I'm not certain
18 about that I recall was whether at the end of each
19 interview we had some brief discussion among ourselves
20 about that interview before we entered into the next
21 one.

22 MR. McCALPIN: I don't think we did. I

1 thought that we were trying to avoid kind of a straw
2 vote.

3 MS. BATTLE: That may be right. I think we
4 discussed doing it and decided in order to keep
5 everybody's perceptions fresh, that we would hold that,
6 and then we had discussions. You may be right about
7 that, Bill.

8 MR. McCALPIN: One other thing I would say is
9 that we -- having in mind that there may be some
10 advantage to being the last one interviewed, because
11 that was freshest in people's mind, we put the names of
12 the ones to be interviewed in a bowl, and we assigned
13 the sequence of interviews by lot, so that nobody could
14 claim that they had gotten a favored or a disfavored
15 position in the interview process.

16 MS. BATTLE: I remember that, too.

17 CHAIR BRODERICK: A very good thought.

18 MR. ASKEW: The other thing I would add --
19 this is Bucky Askew -- is that Bill began each
20 interview with a statement to the applicant about the
21 process and the position and then asked two questions,
22 as I remember it, of each applicant that were standard

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 questions.

2 CHAIR BRODERICK: Well, I'll tell you, Bucky,
3 according -- this is John Broderick -- according to
4 Bill's memo, which I will give to all of you, he did
5 that. And he -- at least his memo says that he
6 suggested three questions. And I assume that those are
7 the two that you're referring to.

8 MR. ASKEW: Yes.

9 CHAIR BRODERICK: But he did start out by
10 asking those. And I cannot recite them at the moment
11 for fear that we may use them again.

12 MR. McCALPIN: I think what I had in mind was
13 to try to start everybody off on the same basis, so
14 that there was a commonality in the way that things
15 started with each one.

16 CHAIR BRODERICK: Yes. You said that, Bill,
17 that you wanted to establish a basis for comparison,
18 but you wanted to start each one of these interviews
19 with two or three identical or similar questions. And
20 presumably, the three that you cited here, you asked.
21 And they would give everybody, at least as the
22 interview opened, a sense of how the different

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 candidates responded.

2 And I think that makes good sense. And
3 probably, we should do that this time. We might even
4 want to use these same questions or in some variation.
5 But I will ship this memo around so that all of us will
6 have it so that we can see what those questions were,
7 and we can decide whether we want to use them or not.
8 But they were good questions, I thought.

9 In terms of -- I'll throw this open. In terms
10 of how we go about it, it seems to me that the process
11 that was followed the last time made great sense and,
12 obviously, it was successful. We have nine people, I
13 think, on our committee. Six of them are Board
14 members. Three of them are non-Board members, Advisory
15 Committee. There are potentially nine of us which we
16 could assign to lead the questioning of the six
17 candidates.

18 I assume, Bill, that last time -- correct me
19 -- you did not ask people who were not on the committee
20 to lead the questioning, or did you also ask other
21 Board members?

22 MR. McCALPIN: John, I think that it was only

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 members of the Search Committee, but I am not sure of
2 that, because among other things, I think we weren't
3 100 percent sure which of the traditional Board members
4 would be in attendance.

5 CHAIR BRODERICK: Well, according to the list
6 here, Bucky, Maria, LaVeeda, Doug, Edna, Ernestine, and
7 John Brooks were on individual teams.

8 MR. McCALPIN: That was the Board and the
9 Search Committee.

10 CHAIR BRODERICK: That's seven.

11 MR. McCALPIN: Where were you?

12 CHAIR BRODERICK: I wasn't there. I wasn't
13 there.

14 MR. McCALPIN: Did you not participate in the
15 interviews?

16 CHAIR BRODERICK: I did not participate in the
17 interviews the last time.

18 MR. ASKEW: I remember distinctly that one of
19 the Advisory Committee members led -- conducted the
20 interview of one of the candidates. Now, perhaps that
21 was agreed upon by the two of them, or what I was
22 thinking is perhaps an Advisory Committee member got

1 assigned the lead interview responsibility. I remember
2 Bill Whitehurst is the one I'm thinking of.

3 CHAIR BRODERICK: Bill Whitehurst and
4 Ernestine were a team.

5 MR. ASKEW: Okay.

6 MR. McCALPIN: I think maybe that -- I think,
7 Bucky, that they agreed -- that Ernestine deferred to
8 Bill.

9 MR. ASKEW: Okay.

10 MR. McCALPIN: I think.

11 CHAIR BRODERICK: Well, looking at this list,
12 then, Ernestine and Bill interviewed one applicant,
13 LaVeeda and Bill interviewed an applicant or candidate.
14 Whitehurst appears twice on this list.

15 MS. CLARK: John, this is Julie Clark. How
16 many people were on the Advisory Committee last time?
17 I'm sorry. I missed that.

18 MR. McCALPIN: I think it was six, Julie.

19 CHAIR BRODERICK: I think that's right. This
20 time, there are only three.

21 MS. CLARK: And I actually don't know about
22 Martha's availability. I don't know if she has thought

1 about that yet. I know that she has some concerns --
2 she thought the process might take three or four days.
3 So I'm just not sure of that.

4 CHAIR BRODERICK: Yeah, she did express some
5 concern about being able to be in Washington for that
6 much time, but I don't know, Julie, if we start
7 Saturday afternoon into Sunday, I don't know whether
8 that's a problem for her. But obviously, I need to
9 find out.

10 MR. WICHLEI: This is Alan Wichlei. When I
11 spoke with Martha -- this is Martha Bergmark we're
12 talking about, right?

13 MS. CLARK: No, Martha Barnett.

14 MR. WICHLEI: I'm sorry.

15 CHAIR BRODERICK: Now, the last time, John and
16 Alan, were you present at this?

17 MR. WICHLEI: Yes. This is Alan Wichlei.
18 Yes, we were.

19 CHAIR BRODERICK: You were both present. All
20 right. Now, I do not know -- I spoke to Doug Eakeley
21 the other day, and he told me that there's some family
22 commitments. He is unavailable, I think, Saturday

1 afternoon and Sunday.

2 MR. McCALPIN: I'm not going to be available,
3 either.

4 CHAIR BRODERICK: And you're unavailable. So
5 I don't know -- you know, the last time, Bill, you had
6 basically the full Board there.

7 MR. McCALPIN: Well, I thought we had more
8 than you've indicated, if I -- I had thought that
9 Smegal was the only one missing, but maybe I'm wrong.
10 But that's one reason I wanted Victor to try to find
11 the tapes, because it would probably tell us.

12 CHAIR BRODERICK: This is John Broderick
13 again. I'm just wondering, if we hold these interviews
14 on Saturday and Sunday, and assuming the majority of
15 our Search Committee, including the advisory members,
16 are present, I do not know how many of the Board
17 members who might otherwise leave Saturday afternoon
18 are going to be available to stay over and leave late
19 Sunday.

20 And, therefore, it seems to me we may be in a
21 situation where we, the Board members on the Search
22 Committee, will be making a recommendation for the

1 Board but that the Board might not itself be meeting
2 for a bit. And the timing on people's schedules, the
3 Board might not even have a chance to see the candidate
4 we're recommending.

5 MS. BATTLE: And, Vic, I guess you could help
6 us with this. If we're going to make a decision, is it
7 going to be in the context of a Board meeting noticed
8 as a Board meeting, or a Search Committee meeting? How
9 did they do that before?

10 MR. FORTUNO: I think that what I understand
11 is contemplated at this stage is interviews Saturday
12 afternoon running into Sunday, some time at the end
13 there Sunday for discussion and deliberation, and
14 probably formulation of a recommendation to make to the
15 Board. And then that recommendation would be made to
16 the Board, discussed by the Board, and the final
17 selection made by the Board.

18 MR. McCALPIN: In May?

19 MR. FORTUNO: Timing?

20 MR. McCALPIN: Yeah. As I recall, the next
21 Board meeting after the Sunday interviews is in May.

22 MR. FORTUNO: Oh, yeah. But that's not to say

1 that there couldn't be a Board telecon, for example, at
2 which --

3 MR. McCALPIN: Oh, you're not going to do this
4 by teleconference, picking a president, are you?

5 MR. FORTUNO: Well, it's entirely up to you.

6 MS. BATTLE: I guess what I was asking is
7 whether we should -- and I guess this also affects how
8 we make our reservations for the end of Sunday, whether
9 we're talking about possibly noticing a Board meeting
10 at the end of the deliberations so that we could get it
11 all done the same weekend.

12 MR. McCALPIN: Doug won't be there.

13 CHAIR BRODERICK: Doug indicated he won't be
14 there, so --

15 MR. WICHLEI: This is Alan Wichlei, John. It
16 may be useful to throw in here a couple of -- not
17 everyone in whom the Search Committee is interested can
18 make it on that weekend in March, anyway. Most can,
19 but not all can.

20 CHAIR BRODERICK: So what you're saying is,
21 we're not really going to be able to conclude on this,
22 anyway?

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 MR. WICHLEI: I think that that's possible,
2 unless you're prepared to --

3 CHAIR BRODERICK: Given the numbers -- let me
4 ask you, without disclosing names at this point, given
5 the number of people who can make it -- can you give us
6 a number?

7 MR. WICHLEI: Yes. I count one, two, three,
8 four external and the one internal candidate who
9 definitely can make it from the list -- these are from
10 the list of people that you've expressed an interest
11 in.

12 One person in whom there is definite interest
13 from the outside cannot make it will be out of the
14 country, and then there are two or three people in whom
15 there is some amount of interest whom we have not been
16 able to fully vent as yet. And you are waiting on us
17 to say, "Yeah, you should include them," or, "No, you
18 shouldn't." Their travel schedules have just prevented
19 that.

20 CHAIR BRODERICK: So realistically, we're
21 going to have to reconvene at -- it seems that what we
22 should do is when we reconvene, probably reconvene in

1 connection with a special meeting of the Board so that
2 we could take care of it at that time. If we were to
3 meet again, say, in mid-March, that should be in
4 conjunction, it seems to me, with a special meeting of
5 the Board so that we can complete our interviews and
6 select someone.

7 MR. McCALPIN: John, if you're going to have
8 to do it in pieces, why would you split the interviews?
9 Why wouldn't you schedule all the interviews in
10 connection with a time when, particularly, the chairman
11 of the Board could be there?

12 CHAIR BRODERICK: Well, we could do that, too.
13 I suppose I was just thinking, Bill, since we had
14 signed onto this time slot -- but you're right, we're
15 not wedded to it, and we could do it later in March.

16 MS. BATTLE: I agree with Bill. It would be
17 real difficult to keep the same freshness about
18 candidates that we have interviewed.

19 MS. CLARK: I was worried about that, too.

20 MS. BATTLE: If we were to interview them in
21 two different time frames. So if we really can't get
22 all of our candidates together, it seems to me we

1 should defer the interviews until we can.

2 MR. WICHLEI: This is Alan Wichlei. I will
3 introduce a slightly different slant on that one, which
4 is yes, there is a problem of retaining freshness and
5 so forth.

6 On the other hand, my major concern in the
7 process has been that the interviews with candidates
8 not be limited to just one more formal session with a
9 large collection of Search Committee members and Board
10 members, that there be opportunities for smaller groups
11 getting acquainted, so that you learn in more depth
12 about these people.

13 And if, in fact, you end up wanting to learn
14 about six or eight outside people, that could command
15 more time than you could budget on a single weekend.
16 But I'm not sure. I just raise that.

17 CHAIR BRODERICK: Can I ask, Alan, on that
18 issue, do you have any concerns -- since you've been in
19 contact with these folks -- that if we don't get about
20 the business of doing this soon, some of these people
21 may have second thoughts, or there's some concern that
22 names might leak out, or is that not a concern?

1 MR. WICHLEI: In this particular search, I'm
2 less worried about that than in many. The people that
3 we're talking to -- just looking through this list --
4 are all being recruited. They are happily working at
5 something now, and --

6 MR. ISAACSON: Not actively on the market.

7 MR. WICHLEI: Not actively on the market or,
8 to my knowledge, looking for some other opportunity.
9 I'm not worried about losing folks. Leakage, of
10 course, is always a possibility. But we have had a
11 pretty good track record.

12 MR. McCALPIN: Well, Alan, let me -- I'm not
13 sure that I got the full import of what you were
14 saying, but were you suggesting that small groups of
15 three or four meet with different candidates and come
16 together?

17 It seems to me there is a real advantage in
18 having each candidate seen by all of the people
19 involved in the process, rather than breaking it down
20 into interviews by small groups and the small groups
21 then coming together and exchanging ideas.

22 MR. WICHLEI: Well, your concern is absolutely

1 right, Bill, that if someone has touched one part of
2 the elephant and another person has touched another
3 part of the elephant, it can be hard to put these
4 impressions together in one coherent picture. I
5 certainly wouldn't advocate substituting that for the
6 meeting with everyone.

7 But my concern is that if your only take on
8 some of these people is one session, sort of plenary
9 session, particularly since several of them who are
10 sincerely interested in this do want to have some
11 amount of conversation where they hear from Board
12 members your sense of what's going to be required,
13 what's your notions of your vision, I'm concerned that
14 some amount of personal interactiveness might be
15 missing from a process that only has these somewhat
16 formal appearances before the plenary group and that we
17 might lose a couple of people that way, because they
18 just don't feel that they have had enough interaction
19 with the Board on which to make a decision to leave
20 their current situation for this position.

21 MR. ISAACSON: Bill, this is John Isaacson.
22 Just to underline what Alan has just said, we very much

1 agree that you need to have one large group session
2 with every candidate in which all of the Search
3 Committee and Board members, as many as possible,
4 interview the candidates. We're not trying to take
5 that away, at all.

6 We're just trying to supplement it with a
7 second or even third occasion for the candidates to
8 have more discursive time with Board members and Search
9 Committee members. And we're pressing it a little more
10 this time than we did last time because we have got
11 candidates this time who are more uncertain about you
12 than they were last time around. The setting is very
13 different.

14 MR. McCALPIN: John Broderick, then maybe the
15 thing to do is start that sort of face-to-face
16 interaction, conversations this coming weekend and let
17 the overall meeting follow at a later time.

18 CHAIR BRODERICK: That would be good. What
19 are the thoughts of the group on that?

20 MS. CLARK: John, this is Julie Clark.
21 Although I expressed reservations about the freshness
22 as LaVeeda did, a couple of things occur to me. One is

1 that I think given the people that we're looking at and
2 the candidates, we may have difficulty getting
3 everybody in at the same time. It sounds like John and
4 Alan have done a good job in pinning down at least four
5 or five.

6 The other thing that occurs to me is that it's
7 very rare a fact that you have just one interview with
8 somebody that you want to be president of the Legal
9 Services Corporation. So perhaps we start this coming
10 weekend, and that might be an opportunity for us to
11 decide that some of these candidates wouldn't work, or
12 others would, and they would come in for a second
13 interview.

14 But I fear losing valuable time, and I also
15 think that it's going to be perhaps very difficult on
16 such short notice to get all Board members and all
17 candidates in within, say, the next two weeks or three
18 weeks after next weekend.

19 So I think I would feel rather strongly about
20 starting the process next weekend. And perhaps it
21 would be an opportunity for us to get some ideas or to
22 further refine our thoughts about what we're looking

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 for.

2 CHAIR BRODERICK: This is John Broderick.
3 There is certainly no guarantee that we can pick three
4 days in March and get 100 percent attendance.

5 MS. CLARK: Both by candidates and Board
6 members.

7 CHAIR BRODERICK: Yeah. I'm sure we're going
8 to have a problem, no matter what date we select. And
9 it sounds, listening to Alan, that if five are
10 available for the next Board meeting, we may be talking
11 to as many as three or four more. Alan, is that
12 possible?

13 MR. WICHLEI: I think that's possible, John,
14 yes.

15 CHAIR BRODERICK: And while I'm very sensitive
16 to this notion of freshness, also sitting through 9 or
17 10 interviews over two or three days --

18 MR. WICHLEI: You wonder how fresh you'll be.

19 CHAIR BRODERICK: By the seventh interview,
20 I'm not sure we're doing them a favor. We'll all be
21 pretty tired.

22 MR. ASKEW: John, this is Bucky. Maybe we

1 ought to decide on a number of how many people we would
2 talk to the weekend of March 7th or 8th, how many we
3 think we could do well and arrange those and go forward
4 and then from there, some of them may drop out. Last
5 time, at least one candidate dropped out right during
6 or after the interview.

7 MR. McCALPIN: I think it was just before.

8 MR. ASKEW: Or just before. And we could then
9 decide among those four or five that we interview
10 whether they should be invited back for a full
11 interview with the Board. So I agree that I think we
12 ought to do what we can the weekend of March 7th and
13 8th, since we're going to be there and then hopefully,
14 that would speed up the process from there.

15 CHAIR BRODERICK: Well, if we were to start on
16 Saturday afternoon -- obviously, when the Board breaks,
17 there will be some time for lunch -- and get some fresh
18 air. And I think we're going to conduct these
19 interviews, as I understand it, off site. It seems to
20 me that would be the consensus. I don't know the last
21 time whether that was the case, Bill.

22 MR. McCALPIN: Yes, it was. We were -- I

1 think that not your hotel, Wyndham Bristol, but that
2 other one on New Jersey Avenue over there -- you know,
3 the one where you stayed the last time.

4 CHAIR BRODERICK: The Washington Court.

5 MS. BATTLE: The Washington Court?

6 CHAIR BRODERICK: Right.

7 MR. McCALPIN: I think that's where we were.

8 CHAIR BRODERICK: We were.

9 MS. BATTLE: Is that where we're scheduled to
10 be this time? This is LaVeeda.

11 CHAIR BRODERICK: You know, LaVeeda -- John
12 Broderick -- I'm not sure. I spoke the other day to a
13 member of the staff whose name alludes me at the
14 moment, and it seemed to me they were talking about
15 another hotel entirely. It wasn't the Wyndham Bristol,
16 and it wasn't the Washington Court.

17 MR. FORTUNO: This is Vic here at this end. I
18 believe, Judge Broderick, you were speaking with
19 Barbara Assante.

20 CHAIR BRODERICK: Yes, I was.

21 MR. FORTUNO: And there was a problem with
22 getting rooms at the Wyndham Bristol. They were able

1 to accommodate you overnight but had no other rooms
2 available. I believe they do have meeting rooms, but I
3 think what you may have discussed with Barbara was a
4 possibility of the Sofitel.

5 CHAIR BRODERICK: She mentioned to me that
6 that was available.

7 MR. FORTUNO: So that you know, I believe --

8 CHAIR BRODERICK: We didn't talk about the
9 Washington Court at all.

10 MR. FORTUNO: So that you know, I believe that
11 there are meeting rooms that could be used for
12 interviews at both the Wyndham Bristol and the Sofitel.

13 MS. BATTLE: Where are most of the people,
14 Victor -- I mean, where are most of the Board members
15 going to be?

16 MR. FORTUNO: Barbara's here with me, and
17 maybe she can address that.

18 MS. ASSANTE: I believe Jean is looking at the
19 Sofitel Hotel for the rest of the Board members.

20 MR. FORTUNO: Could everyone hear that?

21 CHAIR BRODERICK: Yes, the Sofitel.

22 MR. McCALPIN: Let me say, my recommendation

Diversified Reporting Services, Inc.

1025 VERMONT AVENUE, N.W. SUITE 1250

WASHINGTON, D.C. 20005

(202) 296-2929

1 is -- we had one meeting in a meeting room at the
2 Sofitel, and I thought that it was a very inadequate
3 meeting room.

4 MS. BATTLE: I was about to say the same
5 thing. Yeah, I don't think that they have -- they
6 either don't have meeting rooms, or the rooms they have
7 are very small.

8 MR. ASKEW: They're very small, and you enter
9 also by the kitchen into it, almost. It's not a good
10 place for people to wait privately if they came for an
11 interview.

12 MR. FORTUNO: Would you like us to check the
13 Washington Court or the Hyatt across the street from
14 the Washington Court nearby the Corporation?

15 CHAIR BRODERICK: Yeah.

16 MS. BATTLE: That probably makes sense.

17 MR. FORTUNO: Okay.

18 MS. BATTLE: Now, is the Washington Court not
19 available for us to be able to stay there, as well?

20 MS. ASSANTE: I think Jean, who is making the
21 reservations, mentioned that the Washington Court was
22 booked, but I'll check with her on that.

1 MS. BATTLE: Yeah. It would work, I think,
2 particularly since we want to facilitate trying to get
3 as many Board members who are in town for the meeting
4 to also stay for these interviews, if it could be held
5 at the place where everybody's staying.

6 MS. ASSANTE: Right.

7 CHAIR BRODERICK: All right. With respect to
8 Bucky's suggestion -- this is John Broderick -- if we
9 were to conduct two interviews or three interviews,
10 maybe, on Saturday and two on Sunday morning so people
11 could leave Washington sometime early Sunday afternoon,
12 do people think that would be too ambitious? So that
13 we could get five out of the way, assuming all five
14 were available?

15 MR. ASKEW: Are we predicting that the Board
16 meeting's going to end by noon on Saturday?

17 CHAIR BRODERICK: Well, maybe that's too
18 optimistic. I guess I was, Bucky. I was hoping it
19 would be over by noon or 1 o'clock.

20 MR. McCALPIN: I think it will not be over by
21 noon. I have seen the agenda, and -- in fact, I even
22 recommended to Doug yesterday that he consider starting

1 at 8 o'clock instead of 9:00 because of the agenda.

2 But I think it will certainly go to 1:00.

3 MR. ASKEW: Barbara, do you know when Doug has
4 scheduled his return flight?

5 MR. McCALPIN: Yes, 3 o'clock.

6 MR. ASKEW: All right. The meeting will end
7 at 2:00. No later than 2:00, I'll say that. I've
8 learned, I make my reservation based on Doug's return
9 flight.

10 CHAIR BRODERICK: In theory, then, we could
11 conduct perhaps two interviews on Saturday? Because
12 people will be tired, too. And maybe three on Sunday,
13 and we could still be out of there early Sunday
14 afternoon?

15 MR. ASKEW: Right. I think that's better.

16 CHAIR BRODERICK: Does that make sense?

17 MR. ASKEW: Yeah.

18 CHAIR BRODERICK: Do people think 5:00 is too
19 ambitious?

20 (No response.)

21 CHAIR BRODERICK: If not, why don't we --
22 we're going to go into executive session at some point

1 to talk about particulars here and identify individual
2 candidates. But why don't we at least theoretically
3 try to do an hour and 15 minute interviews as was done
4 before, starting maybe at 3:15 or so, get two out of
5 the way on Saturday, and try the same thing on Sunday.

6 MR. ASKEW: Sounds good to me.

7 CHAIR BRODERICK: Is there anything else --
8 what I would propose doing once we get the names, I
9 would propose circulating to the Search Committee,
10 including the advisory group, the teams for each
11 interview, which would be, obviously, subject to your
12 review and comment.

13 You might have some thoughts about how that
14 ought to be devised. But somebody, at least, has got
15 to put pen to paper. And I would be willing to make
16 the first stab at that and then circulate it to all of
17 you. And if we make some changes, we can make them
18 pretty quickly so that the teams will know for whom
19 they're responsible.

20 I will circulate Bill's memo, which identified
21 the questions -- and there were three in number -- that
22 I guess I would start out by asking each candidate.

1 And maybe they'll have a brief opening statement and
2 some remarks at the end, if they chose to. And we
3 would basically conduct the interview, I think, with
4 those teams.

5 And we would leave a very respectful amount of
6 time, maybe 30 minutes or more, for other members of
7 the committee or other members of the Board who are
8 present to also engage in that discussion, to at least
9 give it some order.

10 MR. McCALPIN: John, let me make a suggestion.
11 It may be putting the wrong slant on what John Isaacson
12 and Alan have said. I wondered if this first
13 preliminary whatever you want to call it, session, with
14 the candidate might be less formal than we had the last
15 time with the initial questions and the teams and that
16 sort of thing.

17 The impression I got from what they said was
18 that what these people wanted was kind of an informal
19 back-and-forth discussion -- "What do you think?" "What
20 do you think?" "This is what I think" -- rather less
21 formal than what we went through the last time.

22 MS. BATTLE: I will say that at least with one

1 of the interviews the last time -- and this is LaVeeda
2 Battle speaking -- because we had established a
3 structure as to how the interviews were to take place
4 and who was to lead them, the other members other than
5 those who were leading never got a chance to ask a
6 question.

7 And I didn't feel comfortable jumping in,
8 because it wasn't my turn, so to speak. So I think
9 interactive makes more sense in an informal setting,
10 just because it may facilitate us getting through all
11 the things that we need to do. We had people who
12 weren't willing to cut the candidate and say, "Well,
13 I've got some other things I want to ask you, as well,"
14 who were the leaders, and the rest of us sat there.

15 So I think some informality but some
16 structure, based on having done some preplanning about
17 some issues that we want to get on the table from all
18 of the candidates makes sense, but flexibility so that
19 we can gauge how we actually conduct the interviews
20 based on the candidates.

21 CHAIR BRODERICK: LaVeeda -- John Broderick --
22 are you suggesting that the interviews we conduct this

1 next weekend would be different in type than the ones
2 we might conduct two weeks hence?

3 MS. BATTLE: No.

4 CHAIR BRODERICK: Because we would have the
5 same interview format, it would just be a little more
6 relaxed, a little less structured.

7 MS. BATTLE: Yes, exactly. That's what I'm
8 suggesting.

9 CHAIR BRODERICK: Okay. And that will
10 accommodate some of Alan's terms, as well.

11 MR. ISAACSON: This is John Isaacson. I
12 apologize. I have to get off, drop out of the phone
13 conversation. I have a previous engagement at 11:30.
14 So Alan will carry the ball for us.

15 CHAIR BRODERICK: Well, I hope that we're all
16 off this phone conversation close to 11:30.

17 MR. ASKEW: John, may I ask a question before
18 you leave? Do you have any literature on conducting an
19 effective interview that you could circulate to us
20 before next weekend?

21 MR. ISAACSON: Sure, yes. We have a piece
22 that we often give to search committees on how to

1 approach the interview and some things you might want
2 to learn in the course of an interview and how to get
3 them, so we can circulate that. Okay.

4 MS. BATTLE: And one final thing to John. Did
5 we get any feedback that you think would be instructive
6 to us as we go through this process again that you can
7 recall, that you can share with us?

8 MR. ISAACSON: Well, you did a very nice job
9 last time. And one thing to do is to do it as well
10 again. There were some things that could probably
11 usefully be learned.

12 I think one was that because we did the
13 organization around the two lead interviews, as LaVeeda
14 said, other people didn't come in, and then that does
15 mean that there isn't quite as many topics on the table
16 as you might get in terms of the interview in terms of
17 a little more on the speech making capacity of a
18 candidate, rather than being able to cross examine
19 them. Moving to a slightly less formal setting will
20 probably help that.

21 CHAIR BRODERICK: John?

22 MR. ISAACSON: Yes?

1 CHAIR BRODERICK: John Broderick. Is there
2 some concern -- if there are 9 of us and perhaps as
3 many as 12 or 13 people on some of these interviews and
4 it's kind of anybody can ask whatever they want
5 whenever they feel like it, is that overwhelming for a
6 candidate?

7 MR. ISAACSON: I don't think so. The average
8 sizes of our search committees are that large. They
9 are very conventional. And, in fact, these things are
10 better when there's more give-and-take, because you see
11 a real person in front of you.

12 I would say one other thing that is fair,
13 John, is that we're hiring someone here -- or you're
14 hiring someone here to go into an extraordinary public
15 role, so that someone who is intimidated by a dozen
16 people peppering them is probably in trouble.

17 CHAIR BRODERICK: In view of the comments,
18 which I think make some sense, should we assign teams
19 to have some lead responsibility, just to get things
20 rolling, make sure that there's somebody in charge,
21 asking some serious questions?

22 MR. ISAACSON: But I think this is sort of

1 your task, John, in a way, is to make sure that
2 everybody in the place is thinking about the questions
3 they care about and is on their toes and ready to come
4 in and ask them, make sure things are stirring.

5 Just to underline one more thing, something
6 Alan said earlier, your candidates look different this
7 time. They're a little more reluctant, more worried,
8 as they should be, and a different breed of cat.
9 They're not necessarily coming with the same history
10 with Legal Services that other people came last time.
11 And they want more give-and-take.

12 But I think while you do want the first part
13 of the session and the first 30, 40 minutes focused on
14 them, on their history, on what prepares them for this
15 work, you also then want the second part in which they
16 are able to say to you, "Here's how I think Legal
17 Services is positioned these days. Is that what you
18 think?"

19 You can either do that in the same one
20 session, or our original idea was that you might create
21 very small, informal groups in addition to the
22 interview off line with each of the candidates,

1 logistically complicated, but it could be done.

2 CHAIR BRODERICK: Okay. Is there anything
3 else that folks think we need to talk about in public
4 session, or can we take a vote to go into executive
5 session and talk about specifics here, who can show up
6 and who can't?

7 Because if there's no other sense here, I'm
8 going to be circulating some material, and I'll
9 hopefully circulate some sort of a brief outline, as
10 well, as to how we can go about this, consistent with
11 our discussions this morning.

12 So unless there's something else you feel we
13 need to talk about, why don't we see if we can get a
14 motion here to go into executive session?

15 MR. FORTUNO: Actually -- this is Vic -- what
16 I would suggest you do is simply end the meeting. What
17 you're about to do is not considered a meeting under
18 the Sunshine Act.

19 CHAIR BRODERICK: Oh, all right.

20 MR. FORTUNO: And to go into executive session
21 has certain implications that are unnecessary here. So
22 I would just end the meeting, and then once the meeting

1 is ended, I'll shut the door, and Alan can go ahead and
2 inform you of the things that he had to report.

3 CHAIR BRODERICK: Okay. Then I guess we need
4 a motion to adjourn.

5 M O T I O N

6 MR. ASKEW: So moved. This is Askew.

7 MS. BATTLE: I would second that. This is
8 LaVeeda.

9 CHAIR BRODERICK: All those in favor?

10 (Chorus of ayes.)

11 CHAIR BRODERICK: All those opposed?

12 (No response.)

13 CHAIR BRODERICK: Meeting is adjourned.)

14 (Whereupon, at 11:22 a.m., the meeting of the
15 Presidential Search Committee was concluded.)

16 * * * * *