

1 Pennsylvania is a big state and we have always  
2 looked at it as being highly funded and yet they qualified  
3 for the greatest amount of expansion money under our formulas.

4 We still have a long way to go.

5 Outside funding, however, is subject to political  
6 whims and we have not had any problems in Pennsylvania. There  
7 have been some visitudes in Delaware and Maryland.

8 I know that the Director of the Baltimore program  
9 has been very concerned. He has worked hard over the years  
10 to get a good program built on a solid base of funding of  
11 a broad variety.

12 And yet you are always faced with the loss of funds.  
13 He did lose a couple hundred thousand dollars this year.  
14 That is not something we can just make up overnight and yet  
15 the Regional Office gets involved in that kind of problem.

16 How do you solve the problem of this sort of thing?  
17 Well, you use special use money and so forth. We are trying  
18 to do the best we can.

19 A lot of Regional Directors would like to have  
20 a larger discretionary pot. You can call it anything you  
21 want, such as special needs or anything.

22 It would be nice to be able to solve those kinds  
23 of problems as long as they are not incredibly large.

24 I thought I would bring up one other example of  
25 how programs are operating within the financial milleu.

1 In Wilmington, we have a program which has been  
2 very active and has had a lot of funding sources. They hired  
3 an attorney who is somewhat controversial and very experienced.  
4 There was a lot of talk in the newspaper about using money  
5 for it.

6 With proper efforts by the bar association and  
7 by the program and by clients, the money was saved, and in  
8 fact, the United Fund money, which was threatened, ended up  
9 being increased.

10 I think that legal service programs are coming  
11 of age and to a large extent this has been history. We are  
12 12 years old in terms of OEO Legal Services, but in the last  
13 two years we now have money and we are stronger and the morale  
14 is up.

15 I think we are coming out of the psychology of  
16 seige or sacrifice or whatever else you want to call it that  
17 we had during the lean years in OEO.

18 That pleases me a great deal. I do feel that  
19 we have to look to the future in a sense that we have to de-  
20 fine legal services as a possible career for those who want  
21 it.

22 This would be a place that they could look to for  
23 good training. It is something that we talked about yesterday  
24 in our Regional Director's meeting.

25 It is something that it is very important to me.

1 From the standpoint of the Regional Office, and from a service  
2 point of view, we are required to monitor and support the  
3 programs.

4 In the near future I would like to, with the help  
5 of Dick Carter and his office, bring more money in for train-  
6 ing for paralegals and those people who serve the elderly and  
7 I am going to have my management specialists give a seminar  
8 for bookkeepers.

9 I am talking about this sort of thing which is so  
10 helpful. It is time for us to be much more positive and we  
11 have the capacity. The money is being given and I am very  
12 optimistic about the future.

13 Thank you very much.

14 MR. CRAMTON: Thank you, Mr. Hamblen.

15 MR. JONES: Thank you, Larry.

16 I will now introduce to you Alberto Moreno, who  
17 is Director of the Corporation's San Francisco Office.

18 PRESENTATION OF  
19 ALBERTO MORENO

20 MR. MORENO: In sharp contrast to some of the  
21 other speakers that we have had who talked about expansion in  
22 a region, we are in an area which includes San Francisco  
23 and Nevada -- we have not had a great deal of expansion.

24 But I am not really troubled with that since I  
25 do agree that the main priority of the Corporation ought to

1 be to get funds to those areas that have never had services  
2 and to those programs that have in the past received low  
3 funds, so to speak.

4 At the same time, however, I do feel there is ano-  
5 ther priority which has to be pulled in after you address  
6 those main problems.

7 That problem has to do with the fact that even  
8 though we talked about their being well funded programs and  
9 low funded programs, nonetheless we are really talking about  
10 that in terms of a bottom line.

11 I do not think that most practicing attorneys on  
12 the Board or in this room would seriously contend that at  
13 least in California an attorney can practice law whether he  
14 is experienced or not and pay for all his staff on \$35,000  
15 a year.

16 But for the purposes of conservation, we will talk  
17 about that figure.

18 In our region there are approximately 35 programs.  
19 We have broken them down for the purposes of analysis into  
20 what we call the well funded programs and the low funded  
21 programs.

22 About 60 percent are well funded and about 40  
23 percent are low funded, which means basically that our well  
24 funded programs receive more or less about \$4.50 or \$5.00  
25 per poor person.

1 Now the problems that we have are basically trying  
2 to go back to these programs that struggled for a number of  
3 years under an administration that did not give them support.

4 It has to be recognized that creates serious  
5 burdens on programs in trying to provide quality services.

6 We have no problem in our region with the quantity  
7 of services provided. If anything, the problem is that most  
8 programs try to provide too much quantity, given the amount  
9 of resources that they have.

10 Our main task has been to try to go throughout the  
11 region and get a sense of direction to our programs that is  
12 geared to providing quality legal services.

13 We are not talking about having our programs do  
14 impact litigation or law reform. We are just talking about  
15 our programs developing good lawyering skills. We think we  
16 have to do that because we think that is the only way we  
17 can provide good services to our clients, and the only way to  
18 attract people who come to legal services as a career.

19 I just want to break down for your four areas  
20 where we are trying to build in a sense of quality into legal  
21 services and how successful we feel we have been and will be.

22 We are trying, first of all, to attract good law  
23 students. For some reason people do not like to talk about  
24 that, but I think just like in any trade, be it plumber or  
25 anything else, there is good or bad.

1 To attract good law graduates, you have to provide  
2 some things. First you have to provide a competitive salary  
3 with comparable institutions and you have to provide super-  
4 vision and training and you have to provide an evaluation  
5 and you have to provide the kind of resources that a lawyer  
6 needs to develop his skills to service his clients.

7 So what we are doing in that area is to review our  
8 programs that our salary schedules will be competitive in  
9 salaries.

10 We are getting programs to evaluate attorneys and  
11 for supervision as well. We are thinking about attracting  
12 people on a long term basis and not just for two or three  
13 years.

14 In terms of packing up those attorneys, we are  
15 asking our programs to look at their resources and we are  
16 providing assistance to them for rebuilding their libraries  
17 and getting their technical equipment.

18 We have two other general areas. We are asking  
19 our programs to review and we are helping them to review the  
20 management structure of programs so that attorneys are not  
21 burdened by what may be efficient management in programs.

22 In that respect, good accounting and good personnel  
23 policy is involved.

24 Finally, we are asking our programs and developing  
25 with them case load management systems to make sure that from

1 the first day the client comes in until the case is closed,  
2 that file on that client is reviewed to insure that quality  
3 service is being provided to the client.

4 Now what has happened is that I think we have been  
5 quite successful in doing that with programs that were  
6 traditionally low funded programs and that is ironic because  
7 what happens is that we think we can go into a program and  
8 insist that the program provide the services and we can  
9 insist that a program hire experienced attorneys and get a  
10 library and get organized and provide good services -- but  
11 that costs money.

12 On programs where there was low funding, we have  
13 that money and we can go to them and say this and they have  
14 been receptive by and large to doing that.

15 On the other hand the big problem we face is with  
16 60 percent of our region that are receiving five and one-half  
17 percent.

18 This is simply not adequate to do the same job.  
19 In all frankness we have not tackled that problem. I have  
20 only been with the Corporation less than two months. I hope  
21 that by the next time I have an opportunity to speak to the  
22 Board, I will have had both more time and more funds to  
23 address myself to that problem.

24 I think that in closing I would just like to give  
25 you an example of what I am talking about.

1 Historically there has been a program in San  
2 Fernando in the Los Angeles area, and contrary to opinion,  
3 is not just people who commute from Los Angeles, but there are  
4 a lot of Spanish and black people who were in the migrant  
5 stream for many years.

6 The story goes as they tried to get back to Los  
7 Angeles they got to the point where their cars would break  
8 down and so everyone would settle in Pocomo in the in the  
9 San Fernando Valley.

10 This is a program that was historically under-  
11 funded. We have now gone into that program and we have  
12 asked them to increase, as an example, their starting salary  
13 for attorneys to \$14,000.

14 That may seem like a lot to some people, but that  
15 same law graduate can go over and work for the County of  
16 Los Angeles and earn \$17,000 or \$18,000 as a starter.

17 So I feel we would like to have this become com-  
18 petitive. This was historically under-funded. Across the  
19 County in Long Beach there is a traditionally high funded  
20 program, but it historically has had a record of providing  
21 good services.

22 They are paying their attorneys \$11,000 and we do  
23 not have their resources to tell them to pay \$14,000. That  
24 is a problem because what we want to do is to equalize not  
25 only funds, but also quality.

1 That is the problem that we have.

2 Thank you.

3 MR. CRAMTON: Thank you.

4 MR. JONES: Thank you, Alberto.

5 Now I would like to introduce the Director of the  
6 Northern Virginia Office of the Legal Services Corporation,  
7 Walker Thompson.

8 PRESENTATION OF  
9 WALKER THOMPSON

10 MR. THOMPSON: Thank you, Charles. If I may, I  
11 will quickly introduce the members of my staff. Ed McGuire  
12 is the Deputy Director and Ed Amos, is a management specialist.

13 Region 4 consists of the states of Michigan,  
14 Ohio, and West Virginia and Virginia. Last week in our  
15 office, in the Regional Office, we had a staff meeting pre-  
16 paratory to coming here for the two days of meetings that we  
17 have had in New Orleans.

18 We went over the questionnaires that were utilized  
19 in monitoring programs. We went over those questionnaires  
20 in review with the idea of being able to identify the  
21 relevant questions that we felt we could objectively answer,  
22 and to minimize our own bias in current programs and in  
23 assessing programs and in assessing the attorneys in those  
24 programs.

25 In the course of that staff discussion, one of

1 the attorneys said that one problem of trying to reduce the  
2 level of subjectivity in monitoring these is this.

3 When the regional staff person was interviewing  
4 an attorney at a program, the question that he asked himself  
5 was: "Do I feel comfortable with this attorney representing  
6 me?"

7 "If I had a bread and butter issue, would I feel  
8 comfortable with this particular attorney representing me?"

9 I undertook a little exercise to go back through  
10 my own mind doing reports and asked myself that question.  
11 With regard to a number of attorneys that I had interviewed,  
12 in my monitoring visits, I could confidently answer, "Yes,  
13 I would be comfortable with that attorney representing me."

14 When I ask the question in that way, I had to  
15 take into account all of the limitations of the program  
16 and the forces that tugged against the attorney being able  
17 to go all the way with me on my bread and butter issue.

18 The answer, in many cases, was "No" -- in all  
19 instances.

20 That is not obviously a condemnation of the pro-  
21 grams. It is more a condemnation of the frame of reference.

22 The more appropriate frame of reference and a  
23 more fair frame of reference is to ask the question whether  
24 the programs have made an intelligent adaptation to four  
25 years of rigid funding levels -- four years which were also

1 inflationary years.

2           When that question is asked, the programs come  
3 up with very high marks.

4           I have gone into programs and I have seen them  
5 streamline, in view of limited resources, their case manage-  
6 ment procedures, and there seems to be use of paralegals and  
7 careful blends of time consuming complex matters.

8           These are matters of very subtle issues with the  
9 very necessary work that clients have to have and also need.

10           If I can, I would like to leave you with one  
11 problem that troubles me.

12           I would like to make an observation about how  
13 a program in Michigan has been resilient, but nonetheless  
14 done something that troubles me.

15           About two years ago this program found its demand  
16 for uncontested divorces escalating.

17           It was confronted with a need to do something about  
18 it to avoid the time of the attorneys being totally consumed  
19 with uncontested matrimonials.

20           At the same time, the reason for this was because  
21 clients wanted divorces. The program then adopted a procedure  
22 of getting roughly 150 applications for representation a  
23 month on uncontested divorces.

24           The program insisted that clients -- the program,  
25 in fact, insisted that clients for representation attend a

1 monthly seminar. The monthly seminar was conducted by an  
2 attorney who was an expert in the area of matrimonials.

3 The attorney would try to be as detailed as possible  
4 and yet try to be as general as possible.

5 Of course, the reason for that was to weed out  
6 those cases where there was no -- where the residency require-  
7 ments would not be satisfied and where there were no grounds  
8 for divorce.

9 It worked. The program is now able without con-  
10 suming its attorney time, to represent a substantial number  
11 of people in uncontested divorces.

12 But the other question we have to ask is, "Why  
13 were plaintiffs -- applicants for assistance who sincerely  
14 wanted divorces -- why did they have to go through this  
15 process which betrayed the confidentiality of an attorney-  
16 client relationship that perhaps was not an attorney-client  
17 relationship, but betrays the spirit of confidentiality?"  
18 -- one of the things that paying customers go to lawyers to  
19 get.

20 I think it would perhaps be helpful if we all  
21 think of ourselves in this situation if we can and having  
22 a desire to achieve an end and a need on various sensitive  
23 matters and ask questions about the achievement of every  
24 end in front of a group.

25 I think that poses one of the dilemmas that

1 Legal Services has to face.

2 MR. JONES: Thank you, Walker.

3 I now want to introduce David Gilbert, who is  
4 Regional Director in the Denver Office of the Corporation.  
5 He also has in that office an Indian desk and he will intro-  
6 duce his staff attorney, who works at that desk.

7 You can do it in any order you want to do it,  
8 Dave.

9 PRESENTATION OF  
10 DAVID GILBERT

11 MR. GILBERT: Thank you. Speaking last, I am  
12 able to make the observation from what the other regional  
13 directors have said that I think it is amazing that, in fact,  
14 we are doing pretty much the same types of things. That is  
15 not always the way it was.

16 I think that is a good thing that has happened  
17 in the Corporation.

18 Also speaking last, I think it enables me to make  
19 some points that some of the others have made implicitly  
20 but perhaps have not been made completely.

21 Just to give you a broader prospective of what  
22 some of about, I will emphasize.

23 First of all, I would like to talk a little more  
24 about staff than the others have done, in that I think the  
25 Corporation has hired some very special people.

1                   And our office is an example of that. For example,  
2 we have Art Lucero, the Deputy Regional Director in the office.  
3 Art came to the Denver regional office after serving four  
4 years as the Director of Colorado Rural Legal Services.

5                   He had been a reggie before that and had been a  
6 reggie for two years in Santa Fe where he was a native. I  
7 am doing this in order of people.

8                   MR. CRAMTON: Is he here?

9                   MR. GILBERT: Yes. Art, please stand up. I am  
10 doing this in order of when people came to our office.

11                   Joan Leberman is our management specialist. She  
12 came to us after five years with the Native American Rights  
13 Fund in Boulder, Colorado. As you know, the Corporation  
14 funded the Indian Law Support Center, which is a component  
15 of the Native American Rights Center.

16                   Thirdly, we have a staff attorney in the office,  
17 Dwayne Bilton, a native of Waco, Texas, most recently with  
18 the Houston Legal Foundation for three and one-half years.

19                   We also have Jay Fletcher, who will address you  
20 briefly.

21                   Again, in terms of varied backgrounds, Jay has  
22 a degree in electrical engineering and a law degree from  
23 Valpirso. He was Director for two years at the Wisconsin  
24 Legal Services program, which is not one of the LSC programs,  
25 but an LEAA program.

1           What we have in our office are people from differ-  
2 ent parts of the region and different places and also the  
3 average of more than five years in legal services.

4           That may not compare very favorable with the  
5 years that you gentlemen may have been in practice, but for  
6 legal services, it is pretty good. I think it helps us have  
7 credibility when we visit programs, and helps us understand  
8 some of the problems that some of our programs have.

9           We are a unique region. As Paul Newman said at  
10 the outset, we have an extra attorney because we have an  
11 Indian desk in our region.

12           We cover, in essence, parts of 11 states in various  
13 ways. We have the regular legal services programs in Utah,  
14 Colorado, Arizona, and New Mexico and Texas and Oklahoma.

15           In essence, this is the Southwest Region. It is  
16 heavily Chicano and Indian. In East Texas it is substantially  
17 black.

18           Our office, and the personnel in the office reflects,  
19 in effect, the clientele in the region. Texas has really  
20 taken the lion's share of our time this year. Texas has as  
21 many poor people as New York and as many people as California,  
22 give or take a few thousand.

23           Yet in terms of Corporation funding, California and  
24 New York are funded somewhere in the \$12-\$16 million range.  
25 When I came to Denver from Boston a little more than a year

1 ago, Texas was getting \$2.5 million for the same number of  
2 poor people.

3 Perhaps Texas has even more poor people since there  
4 are millions of uncounted aliens from across the border also  
5 in Texas.

6 What we have done -- and I would like to stress  
7 what we are up to here -- in our expansion funds we have  
8 tried to establish structures just as the structure of the  
9 Corporation has two or three or four year funding plans --  
10 we have tried to establish structures that will enable us  
11 to equalize in future years much more easily than was done  
12 this year.

13 I know other Regional Directors will agree with  
14 me that it will make life in future years a lot easier.

15 For example, Utah is now a state-wide organizat-  
16 ion. In future years with expansion monies, it will be  
17 just as simple as pie to pick up some of these.

18 We have a jurisdiction for a state and we are  
19 serving right now only three cities in it. In future years  
20 we will know where the money is going to go in Utah. You  
21 give it to a program and it easily can pick up the cities  
22 that it has enough money for.

23 Where the numbers of poor people live, it can  
24 be done that way.

25 Similarly, in Oklahoma, where we had \$400,000 of

1 expansion money, we did not simply just go in and pinpoint  
2 a couple of cities.

3           What we did was to meet with all concerned and  
4 in essence we are in the process of setting up an East and  
5 West Oklahoma legal services program.

6           These are two programs, so that in the future  
7 years what we have now set up is a structure whereby in four  
8 or five years the whole state will be covered.

9           In very quick order in future years, as soon as  
10 the monies are available, we can just spin them right out  
11 and have them go.

12           I make this point and I stress it because I think  
13 this is something that the other offices have done. I think  
14 it indicates the kind of long term planning that is involved.  
15 It will make the operation in future years a lot easier.

16           MR. STOPHEL: David, you have the largest areas  
17 of rural populations, so to speak. How are you approaching  
18 the problem of reaching out to those rural programs?

19           MR. GILBERT: It varies. For example, as you have  
20 probably seen from the ABA movie, Day of Justice -- a program  
21 like Colorado rural has a Migrant Division, which in essence,  
22 uses vans to go out.

23           Texas Rural Aid has expanded up into the Winter  
24 Garden Area of Texas, towards Crystal City. It is partly an  
25 experimental process of having permanent para-legals in

1 certain locations, and at the same time combining them with  
2 the proven method of having circuit riding by attorneys out  
3 of central offices.

4 So we get conglomerations of many attorneys in  
5 offices. We found this to be a positive kind of factor.

6 We also have the permanent presence in communities  
7 in smaller towns in the form of paralegals, so the community  
8 has a sense that there is a person there all the time that  
9 they can go see and make contact with.

10 It is a way to get around that dilemma of the  
11 attorneys in the office, altogether, and yet not just having  
12 only circuit riding which has not much of a presence.

13 Those are two examples of the kinds of things  
14 that we have done.

15 Before introducing Jay for a brief explanation  
16 of how special and different the problems of the Indians  
17 are --

18 MR. MONTEJANO: Before you get into that, I would  
19 just like to ask something.

20 MR. GILBERT: Yes?

21 MR. MONTEJANO: The numbers of illegal aliens  
22 in the West and Southwest is just staggering. I know that  
23 some local programs are now in the dilemma of whether or  
24 not to serve illegal aliens, from Mexico, specifically.

25 I know you have that problem and Al has that

1 problem on the West Coast.

2 What specifically are you doing or are you going  
3 to do about that problem in your region?

4 Number one, do you serve them, and if you do serve  
5 them, how do you do it?

6 MR. GILBERT: It varies. It is frankly an impossi-  
7 ble situation and there is no answer. I do not pretend to  
8 know one.

9 In Texas Rural Legal Aid, it serves the Rio Grande  
10 Valley and the strip of 200 miles running from Brownsville  
11 all the way up the Rio Grande to Rio Grande City.

12 If that program accepted every illegal alien walk-  
13 ing in the door, not only would they do nothing else, but they  
14 could not serve one-tenth of the illegal aliens.

15 Programs involved with the migrant stream, such  
16 as Colorado Rural, will serve illegal aliens simply because  
17 the crush is not there as much as Texas. They are able to  
18 deal with the issues somewhat.

19 So we are in the position of leaving it to local  
20 Boards of Directors to set priorities rather than setting it  
21 from the Regional Office.

22 It is to those groups -- it is tough to have  
23 illegal aliens represented on your Boards because technically  
24 you have American citizens on your Boards.

25 MR. MONTEJANO: If you did, your illegal aliens

1 would simply outnumber your poor people in any given area in  
2 Texas.

3 MR. GILBERT: I would be interested in your  
4 suggestion, if you have it.

5 MR. MONTEJANO: We have been wrestling with it  
6 ourselves. Possibly this could be at more of a Corporation  
7 level type of policy rather than leaving it to local Boards,  
8 because I think we have the basic question as to whether we  
9 serve them and should we serve them and if so, how in relation-  
10 ship to the other poor people, or citizens of this country.

11 I do not know the answer. It is a difficult  
12 question.

13 MR. EHRLICH: We have set it as a matter of Corporat-  
14 ion policy. Congressmen ask about the illegal aliens. If it  
15 were unquestionably clear that a person were not in this  
16 country legally, then we would not represent him.

17 But to label somebody an illegal alien usually  
18 is answering a question that is a very real question and one  
19 that very often the programs are asked to help on and very  
20 often that help is very much needed.

21 We have also said that aliens are entitled just  
22 like citizens to representation. We feel that we do not and  
23 should not discriminate on the basis of citizenship.

24 It almost never is clear that somebody is an  
25 illegal alien, but if it is, we would not represent them.

1 I think that is generally done and usually the question that  
2 an alien faces -- or one question is whether or not in fact  
3 he or she is illegal.

4 MR. GILBERT: But speaking for the other regional  
5 directors, I know that they share my view that the Corporation  
6 being in existence for 18 months -- it has been an enormous,  
7 exciting and fruitful period for us.

8 Now after so many years to be able to go off point  
9 zero and expand enormously and to see also the fact that, for  
10 example, in Texas -- and it is surprising somewhat to me --  
11 that the acceptance of the Corporation and legal services  
12 is staggering.

13 We could easily have spent twice as much money  
14 in expansion in Texas this year as we had.

15 There are requests from Wichita Falls and Midland  
16 and Odessa and Amarillo and Lubbock and places, some of which  
17 we can go to this year and some of which we can't.

18 But these requests are coming in -- these requests  
19 were not solicited. Somehow they find out where we are and  
20 they call.

21 The pressure is absolutely enormous.

22 I think this speaks all for the Corporation. With-  
23 out saying anything more I would like to introduce you to  
24 Jay Fletcher, who, I might add, is a Crete Indian.

25 There are not many indian lawyers in the United

1 States. There are probably only a total of 40 or 50, Jay?

2 MR. FLETCHER: The last number I heard is almost  
3 75.

4 MR. GILBERT: We feel very fortunate to have an  
5 Indian lawyer on the staff of the Corporation and also one  
6 who is very respected by other Indian lawyers in the country  
7 and one who is doing a good job for us.

8 Go ahead, Jay.

9 PRESENTATION OF  
10 JAY FLETCHER

11 MR. FLETCHER: I will apologize before I get going  
12 for trying to fit so much into a short presentation. But  
13 since I have been with the Corporation, I have been trying to  
14 collect information and statistics so that I could better  
15 answer questions of the Corporation that they may have about  
16 the Indian community.

17 I have come up with piles of statistics and infor-  
18 mation and examples that are more current and hopefully more  
19 accurate than statistics that have been available to the  
20 Corporation in the past.

21 It will help describe the population breakdown as  
22 well as the needs.

23 Also as a typical attorney, I have brought with  
24 me a piece of information that I should mark as Indian's  
25 Exhibit Number 1 for identification.

1 (Whereupon, Mr. Fletcher produced  
2 a large map.)

3 MR. FLETCHER: Dwayne, would you help me with this?

4 This should where the Indian population is scatter-  
5 ed, as well as our existing programs.

6 (Whereupon, a large map was  
7 displayed for members of the  
8 Board.)

9 MR. FLETCHER: I understand that the Corporation  
10 has recognized that in fact there are many unique needs to  
11 be served in the Indian community and several problems in  
12 trying to meet those needs with legal services coverage.

13 I have several statistics that would even better  
14 explain those needs and some of the problems that are involved  
15 with them and related to them.

16 I would like to just go over what amounts to a  
17 short summary of those things.

18 For instance, according to the Bureau of Indian  
19 Affairs' statistics, there are about 1.1 million Indians in  
20 this country now, native Americans.

21 Of those, about 60 percent live on more than 500  
22 Indian reservations and communities across the country.

23 The map shows the major ones in blue.

24 I have individual copies of the map which I will  
25 make available to the Board.

MR. THURMAN: Are those reservations?

1 MR. FLETCHER: Those are reservations and you will  
2 notice many dots and squares which are recognized Indian  
3 communities, some of those without tribal lands.

4 They are recognized by the Federal Government as  
5 tribes with tribal identities. Most of them have tribal  
6 governments and are recognized for Indian services.

7 MR. MONTEJANO: How are those people represented?

8 MR. FLETCHER: Approximately 60 percent of these  
9 Indians live on reservations. Twenty-five percent live in  
10 urban situations and the remainder are rural or scattered  
11 in between.

12 So the 60 percent number does not really represent  
13 the actual numbers of Indians on the reservation areas, be-  
14 cause many of them live just off the reservation and they  
15 technically are off the reservation, but still relate to  
16 the reservation for their needs and assistance.

17 Of the 1.1 million, approximately 75 and as high  
18 as 95 percent, in some places, of the rural ones are indigent  
19 by Federal standards.

20 That comes to a total nationwide estimated number  
21 of 850,000 indigent Indians by Federal standards.

22 Of those, the Corporation is currently serving,  
23 at least in a nominal sense, approximately 300,000.

24 The overlay here shows the areas covered by our  
25 9 existing LSC Indian programs.

1           Although they are funded at a total level of about  
2 \$2.7 million at a cost of \$8.08 to Indian poor, they are also  
3 serving non-Indians within that service area. This brings  
4 their average cost of service to \$7.11 per poor served.

5           That figure, however, is above \$4.90 average for  
6 LSC programs. Three of these programs are functioning below  
7 that \$4.90 program.

8           California has a state-wide Indian program function-  
9 ing at \$2.75 per poor. Nevada functions at less than \$4.00  
10 and Zuni Legal Aid handles three Indian pueblos as well as  
11 6,000 non-Indians at a cost of \$4.33.

12           So that when Indian programs were denied equalizat-  
13 ion monies collectively, those three programs did not get a  
14 penny of money which is desparately needed.

15           We have gotten unsolicited requests from across  
16 the nation for needed expansion, in addition to proposed  
17 expansion of our existing programs.

18           The second overlay shows a double cross-hatch area  
19 of requested expansion by existing programs.

20           That proposed expansion would go into 22 new  
21 reservations or Indian communities at a cost of about \$1,123,000.

22           The red area shows areas where requests have come  
23 in on a nation wide scale unsolicited, as I have said, although  
24 only half of those have submitted proposals that have budgets  
25 affixed to them.

1           They needed money that they could substantiate on  
2 paper and this has totaled more than \$2 million in need for  
3 these red areas.

4           As the Corporation is well aware, the cost of  
5 delivering the services to Indian communities is higher  
6 than the average cost of delivering coverage to the indigent  
7 people.

8           I have been collecting data to show why. Among  
9 them are some of the problems shared with the Alaskan pro-  
10 grams, which concern area and remoteness of area served.

11           The Navajo reservation, which is this large blue  
12 area, covers 14 million acres and larger than some of the  
13 Eastern states covered and it is covered by DNA People's  
14 Legal Services.

15           This area down here around the Mexico border is  
16 3 million acres. The areas covered in the sparse disburse-  
17 ment of Indians in those areas result in telephone bills of  
18 more than \$2,000 per month and required travel on a per  
19 attorney per month basis of 2,000 to 5,000 miles.

20           This is because these programs average 110 miles  
21 one way to the State courts and 160 miles one way to the  
22 Federal courts.

23           They find themselves in Federal court on a regular  
24 basis because of the unique legal relationship which Indians  
25 have with the Federal Government.