

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

MEETING OF THE
DELIVERY OF LEGAL SERVICES COMMITTEE

OPEN SESSION

Friday, January 23, 2015

11:20 a.m.

Westin Colonnade Hotel
180 Aragon Avenue
Coral Gables, Florida 33134

COMMITTEE MEMBERS PRESENT:

Father Pius Pietrzyk, O.P., Co-Chair
Gloria Valencia-Weber, Co-Chair
Victor B. Maddox
Julie A. Reiskin
John G. Levi, ex officio

OTHER BOARD MEMBERS PRESENT:

Robert J. Grey Jr.
Harry J.F. Korrell, III
Martha L. Minow

STAFF AND PUBLIC PRESENT:

James J. Sandman, President
Lynn Jennings, Vice President for Grants Management
Rebecca Fertig Cohen, Special Assistant to the
President
Ronald S. Flagg, Vice President for Legal Affairs,
General Counsel, and Corporate Secretary
Jeffrey E. Schanz, Inspector General
Laurie Tarantowicz, Assistant Inspector General and
Legal Counsel, OIG
Daniel O'Rourke, Assistant Inspector General for
Investigations, OIG
David Maddox, Assistant Inspector General for
Management and Evaluation, OIG
Janet LaBella, Director, Office of Program
Performance
Glenn Rawdon, Program Counsel, Office of Program
Performance
Jane Ribadeneyra, Program Analyst, Office of Program
Performance
Lora M. Rath, Deputy Director, Office of Compliance
and Enforcement
Allan J. Tanenbaum, Non-Director Member, Finance
Committee
Jim Cook, Executive Director, Idaho Legal Services,
Inc.
Christine Larson, Executive Director, Three Rivers
Legal Services, Inc.
Allison Thompson, former Executive Director, Three
Rivers Legal Services, Inc.
Nikole Nelson, Executive Director, Alaska Legal
Services Corporation
Anthony Young, Executive Director, Southern Arizona
Legal Aid, Inc.
Rick Moyers, Vice President for Programs and
Communications, the Meyer Foundation
Rafael E. Rodriguez Rivera, Community Law Office,
Inc., Puerto Rico
Charles Hey-Maestre, Executive Director, Puerto Rico
Legal Services, Inc.
Adi Martinez-Romang, Puerto Rico Legal Services, Inc.
Don Isaac, Executive Director, Florida Rural Legal
Services

STAFF AND PUBLIC PRESENT (Cont'd):

Kimberly Sanchez, Executive Director, Community Legal Services of Mid Florida

Barbara Prager, Executive Director, Coast to Coast Legal Aid of South Florida

Kris Knab, Executive Director, Legal Services of North Florida

Joan Boles, Deputy Director, Bay Area Legal Services

Melissa Pershing, Florida Bar Foundation

William Van Nortwick, Akerman LLP

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1 P R O C E E D I N G S

2 (11:20 a.m.)

3 CO-CHAIR FATHER PIUS: Seeing a quorum
4 present, I hereby open the duly announced meeting of
5 the Delivery of Legal Services Committee, and we begin
6 with the first item, the approval of the agenda. Do I
7 have a motion?

8 M O T I O N

9 MR. MADDOX: I move the approval of the
10 minutes (sic).

11 MS. REISKIN: Second.

12 CO-CHAIR FATHER PIUS: So moved and seconded.
13 All those in favor say aye.

14 (A chorus of ayes.)

15 CO-CHAIR FATHER PIUS: Any opposed?

16 (No response.)

17 CO-CHAIR FATHER PIUS: The agenda is approved.
18 We have just one minutes to approve.

19 M O T I O N

20 MR. LEVI: So move.

21 CO-CHAIR FATHER PIUS: Any second?

22 MR. MADDOX: Second.

1 CO-CHAIR FATHER PIUS: All in favor?

2 (A chorus of ayes.)

3 CO-CHAIR FATHER PIUS: Any opposed?

4 (No response.)

5 CO-CHAIR FATHER PIUS: That's passed.

6 The first thing we'll discuss is the
7 evaluations for the Committee's goals. We're still a
8 fairly new Committee and I think we're still finding
9 our sea legs, as it were. We still suffer, I think, a
10 bit of the issues that we've had before, is exactly the
11 purpose and direction.

12 I think the bylaws have given us some more
13 direction, and the revision of the bylaws. But I think
14 probably the greatest concern is the question on what
15 this Committee should be doing.

16 My concern, though, is that there's a sense
17 that doing something means passing resolutions. And
18 I'm not sure that's really the ultimate focus of this
19 Committee. I'm not sure that we'll ever be in a
20 position like some of the other Committees, like Ops
21 and Regs, to be passing a lot of resolutions.

22 I think the purpose of this Committee, one, is

1 to provide a mechanism for the Board to receive more
2 information from Management on the quality of legal
3 services that's being done.

4 I've said this before, and I'm becoming more
5 and more concerned about it or more and more realize,
6 that we receive a great deal of information from the
7 Management about the financial oversight of our
8 grantees, but almost nothing with regards to the
9 quality of legal services provided.

10 I understand it's provided on the website.
11 But we would never say to the Audit Committee, well,
12 the audits are all provided on the website, so that
13 should be enough for you. So I think there does need
14 to be more communication on that, and I'll talk about
15 that in a second.

16 The second thing is I do think that our
17 discussions here provide information --

18 MR. LEVI: Wait a minute. They're not here to
19 hear that. So hold your thought, and restate it when
20 they're here to hear it. But state whatever else you
21 want to say.

22 CO-CHAIR FATHER PIUS: Well, I'll restate it,

1 then, because the other part is relating to that, too.

2 I do think that we do have some impact. I was very,
3 very pleased to see Jim's list of goals for the
4 upcoming year, which he includes some reflection on or
5 some amendments to the performance criteria.

6 I think that's something that we've flagged on
7 this minute. I don't think it would have come up
8 without the discussions on this Committee and without
9 the concern of these Committee members. So while I
10 understand that there's some concern about that all we
11 do is hear presentations and that we don't ever provide
12 resolutions to the Board, I don't think that we should
13 make the passing of resolutions our goal.

14 I think the goal is to begin -- at least my
15 thought is to begin setting up the process by which we
16 get more reporting from Management about the quality of
17 legal services that are done by the Board. And I
18 think, too -- I talked about this with Charles as well,
19 and I'm wanting to get input from this.

20 We have two competitive grants programs, both
21 the TIG grant and now the Pro Bono grant. And there is
22 some financial oversight for it, but there isn't really

1 any oversight for what's actually being done in terms
2 of the work product of these.

3 Given the huge increase in money that's now
4 being allotted, especially to the pro bono, is whether
5 or not there should be at least some report from
6 Management to the Board about what's actually being
7 done in these programs in terms of the work product
8 being done, and that kind of thing, so that the Board
9 has at least some input or some knowledge of what the
10 results of these competitive grants projects are, not
11 as financial oversight, but how it affects the delivery
12 of legal services and whether or not these things are
13 in fact making a difference in the provision of legal
14 services.

15 I think they are; I really do. But I think
16 the more that information is consolidated and given to
17 the Board in a report through this Committee, I think
18 that ought to be at least a part of the regular
19 communication between the Management and the Board on
20 this.

21 So that's my take on the reviews and my
22 response to the reviews. I think the input that we got

1 from the evaluation is good. I think it's accurate in
2 many ways and I think it's right. So I think we're
3 still trying to figure out what it is that we're doing.
4 But I think what that means is setting up the
5 foundation for future work, and I think we ought to
6 have those.

7 Jim, welcome. John wanted me repeat -- I was
8 talking about the evaluations. And there was some --
9 I'll just repeat very quickly -- I think some concern
10 on the Board that this Committee's problem is we don't
11 know what this Committee is doing, or that it isn't
12 doing anything, just listening to reports.

13 My view is that the purpose of this Committee
14 is to provide an outlet for Management to report to the
15 Board on the quality of legal services. And that
16 doesn't necessarily mean we provide resolutions. The
17 Audit Committee does not do a lot of resolutions.

18 My comment was, it's true that audits of
19 grantees are listed on the website. But we would never
20 say to the Audit Committee, that's enough for your
21 oversight. And I think there is very -- and I'm not
22 blaming anyone; I just don't think this has been our

1 practice -- there hasn't been a lot of collection of
2 material and presentation to the Board in a systemic
3 way of the quality of the delivery of legal services.

4 I know how difficult it is, and I don't want
5 to move to -- I'm not saying we ought to have a ratings
6 program in place by next meeting. But there needs to
7 be some avenue. We need to be moving towards a regular
8 provision of that kind of information to the Board.

9 That includes not just the grantees, but the
10 output of our competitive grants programs as well, both
11 the TIG program and now the Pro Bono legal program.
12 And I think how that affects legal services, delivery
13 of legal services, should be part of the oversight of
14 this Committee.

15 So I've restated it once, and twice again.
16 That's my thought, and I just wanted to get some
17 people's responses to the evaluations and to that idea.
18 Gloria?

19 CO-CHAIR VALENCIA-WEBER: Well, I share
20 concern about our being more involved in reviewing
21 performance criteria. But at the same time, those are
22 under construction in response to a number of things

1 from the oversight reports that we had. And I'm
2 willing to wait some, especially as Jim and the Staff
3 develop some more concrete kinds of information they
4 feel they can share with us.

5 The other part from the review that I think
6 remains strong and I have thought from the beginning
7 that it was an issue, and that's training of grantee
8 board members. After the reports yesterday that Lynn
9 Jennings and the other people gave us, it's very clear
10 that we need well-trained board members for our
11 grantees who can perform what board members are
12 supposed to do so that whatever activities are
13 undertaken responsibly, not just in a management style
14 but in fiscal accountability.

15 That's the only way we're going to maximize
16 the number of dollars actually spent in providing legal
17 services to the poor. So that's my two main takes from
18 our --

19 CO-CHAIR FATHER PIUS: I think we'll bring
20 that up when we talk about some of our future topics
21 over the next year. So thank you, Gloria.

22 Julie?

1 MS. REISKIN: I totally agree with what both
2 of you said. I guess my question is when and how -- we
3 talk about the performance criteria, but we bring it
4 up, and then we have a panel, and then we don't ever
5 discuss it.

6 So for example, today is leadership. Well,
7 the leadership thing in the performance criteria is all
8 about the director and nothing about the board. When
9 would be the appropriate time for us to say, well,
10 maybe we should change that and have something in there
11 about the board? Because the board is the ultimate
12 check and balance, and the board is the entity legally
13 responsible for leadership.

14 So to me, I thought it was odd that it didn't
15 -- and I just never understood -- I think I've asked
16 this question about four or five times now since I've
17 been on the Board. When is the time to discuss and
18 say, maybe this needs to be amended?

19 I don't think we should be willy-nilly
20 amending things here, there, and all over. I think we
21 need a process and we need input from all stakeholders,
22 especially clients. So I'm not saying we should just

1 start throwing things out there.

2 But I feel real strongly that these are things
3 that should be looked at, and that when we notice
4 something that to me is glaringly missing, we should be
5 able to do something about it.

6 CO-CHAIR FATHER PIUS: Yes. I know Jim has
7 listed that on his list of goals for the next year, and
8 I think that's important. And we have talked about --
9 at least Gloria and I have talked about -- some of the
10 future topics for this Committee, and that's certainly
11 one of them.

12 I'll talk about that more. But Jim, did you
13 want to add?

14 PRESIDENT SANDMAN: Yes. Performance
15 criterion 4 does address board governance. It's just
16 that today's panel is focused on a subpart of criterion
17 number 4 that deals with executive director leadership.

18 But we currently have underway right now a
19 project to revise the portions of performance criterion
20 4 that deal with board leadership, and we'll have
21 something to bring to the Committee on that.

22 CO-CHAIR FATHER PIUS: Anything else about the

1 Committee evaluation?

2 (No response.)

3 CO-CHAIR FATHER PIUS: Moving on to the next
4 agenda item, and that is the presentations, so what we
5 discussed in the past, and talking about the things we
6 should discuss in the future.

7 We've talked about, and I've talked about with
8 Janet, that the very next meeting that we should have,
9 that is, our meeting in D.C., should really be the
10 beginnings of the -- so not have a panel, but rather
11 have that an extended discussion with Management about
12 some of the things that we would like them to report to
13 us on the quality of legal services.

14 Janet thought that by the April meeting, that
15 would be doable. And we're not looking for something
16 as complicated as what's provided for the Audit
17 Committee, but we are talking about the beginnings of a
18 report on -- so, for example, last year you did 28
19 reviews of different grantees; just a brief report on
20 what those are, the significant problems of those.

21 Some reports on the two competitive grants
22 programs, not in terms of finances but in terms of the

1 actual projects, and the difference that those are
2 making in the community. Those are the types of
3 things.

4 It's an ongoing process. So as the reports
5 are given, we can ask the Board whether there's
6 different information that we think that we should get,
7 things that should be changed as we go forward. But I
8 was hoping that the April meeting would be the first
9 step in that communication between Management and the
10 Committee.

11 Martha?

12 DEAN MINOW: That makes sense to me. One
13 thing that I found very valuable in the panel
14 discussions is the selection of themes or topics that
15 the Board should understand that are either trends or
16 patterns.

17 It might be appropriate, either in the April
18 meeting or in followup meetings, to identify whether
19 there are any such themes or trends that might be
20 relevant to the changes in the performance criteria, or
21 something like that.

22 CO-CHAIR FATHER PIUS: And I don't have the

1 charter right exactly in front of me, but that element
2 is in the charter as well. So I really want those
3 parts of the charter which would call for a Management
4 report to be reflected in that April report.

5 Again, this is the first attempt at it, so we
6 hope to revise it and refine it as we go forward. But
7 to my idea, then, there would be really no panel
8 discussion. It would be more of a discussion with
9 Management.

10 Now, the July meeting, taking on what we've
11 discussed already, the idea of corporate governance has
12 been big. We've talked about this before, and I think
13 the July meeting in Minneapolis is an appropriate place
14 to talk about corporate governance.

15 We've talked about getting maybe some people
16 who are experts in corporate governance and people to
17 talk about corporate governance for a panel on that,
18 especially with regards to Board week.

19 John?

20 MR. LEVI: The only issue there, and I just
21 want to talk -- Gloria and you and I should talk about
22 this -- that meeting is going to be very much dedicated

1 to Native American topics. So to the extent that the
2 Delivery of Legal Services Committee has a relationship
3 to that, it may wish to square that up with that
4 Minnesota meeting. And not to foreclose the other --

5 CO-CHAIR FATHER PIUS: No, no, no. That's
6 fine. I just didn't realize that that was the focus.

7 MR. LEVI: Yes. And so I think that maybe we
8 do the other in October. But think about that between
9 the two of you, and I'm open to your suggestion.

10 CO-CHAIR FATHER PIUS: Yes. Does anybody have
11 any -- and this is opening it up. That's as far as
12 they had gotten, this Board meeting, which is going to
13 be on leadership, the report on the April, and then
14 possibly corporate governance in July, or at this point
15 maybe in October as well.

16 But are there thoughts from some other people
17 on the Committee about things that maybe we should be
18 looking towards in the future? Or do we want to
19 discuss that as we get later in the year? Julie?

20 MS. REISKIN: There isn't an answer to this,
21 but I think it's something that we need to talk about,
22 is the whole issue of outcome measures. I know that

1 there's good work being done on this, but we haven't
2 really ever had a discussion about what is it that we
3 need. What defines quality?

4 I think the panel we just had to me indicated
5 my growing feeling about how important extended
6 representation is and how the quality involved --
7 especially with some of these complex issues like
8 foreclosure and veterans stuff.

9 But I think we need to really talk about -- so
10 when we talk about outcomes, what do we mean? How are
11 we using data? What is quality? And then are there
12 other output or other measures that we should be
13 looking at like how many calls get returned? Are those
14 things that we should measure? Is that too much for us
15 as just one funder? What are other funders doing?

16 But I think that we need to talk about this
17 more because we talked about it initially at the
18 beginning, and then really, since the strategic plan,
19 we haven't. And I think it's important.

20 CO-CHAIR FATHER PIUS: I think part of it is
21 that we've been gaining information because of our data
22 collection process, which is in process. And I think

1 we've come a long way since then. I don't think we're
2 quite collecting any of that data yet, are we?

3 But once we do start collecting that data and
4 processing it, I would expect some preliminary reports
5 from Management about some of the work that we've done
6 with that; then talking about what we do with this
7 data, how it's used, how it gives us a better sense, if
8 it does give us a better sense, of the quality.

9 But Jim, if you want to address that. I
10 certainly expect more reports on outcome measurements.

11 PRESIDENT SANDMAN: It will be next year
12 before we'd be in a position to report specifics back
13 to the Committee on that. But the suggestions that are
14 coming up here give me a lot of ideas on how we can
15 give you information of the type you're requesting.

16 DEAN MINOW: Well, I just wanted to note that
17 one of the reasons that we're going to foundations for
18 funding is to try to come up with some better
19 understanding about data and quality. So this is two
20 parallel streams.

21 CO-CHAIR FATHER PIUS: Yes. I know we haven't
22 talked about it as a Board, but I don't think that

1 means that nothing's been done. I think it's just a
2 lot of the groundwork is being put together, and once
3 we're in a position to get some more information, that
4 that will be brought to the Board.

5 MS. REISKIN: And I think that's all great. I
6 think we need to figure out some way, whether that's
7 through public input at these meetings or some way or
8 somehow, to get the client perspective on what they
9 think is quality.

10 CO-CHAIR FATHER PIUS: That's very good point.

11 Anyone else? Does anybody else want to about
12 any other ideas about the things perhaps we should be
13 discussing as a Committee?

14 MR. MADDOX: I was just going to say, Father
15 Pius, I'm hoping, in the process of reevaluating
16 performance criteria and expanding reporting and
17 gathering data whatnot, we don't overdo what grantees
18 have to do. I sort of wish Gloria were here because I
19 feel like I'm singing her song.

20 I've never been a legal aid lawyer, but I've
21 been a lawyer. And I don't want to be tracking every
22 phone call I return in a database. So I think there's

1 a risk of just overwhelming the reporting element for
2 no good purpose. I think that's something we need to
3 be aware of as we go forward.

4 CO-CHAIR FATHER PIUS: Yes. And I think
5 Management is very aware of that. It's certainly my
6 impression from Jim, is that they're very aware of that
7 and they want to make this as flexible as possible for
8 the grantees.

9 I don't think it's the purpose of this
10 Committee to define what data is collected, but once we
11 start getting data, to understand how that's being
12 collected. And it's just a part of our duties to
13 oversee that, just to see what this data is, to make
14 sure that they're allowing Management to ensure the
15 proper quality of legal services.

16 Because I just don't think there's very -- at
17 least at the Board's level, I'm not comfortable with
18 the fact that we have a good sense of what that is
19 right now in the same way that we have in terms of
20 finances. It may never be the same, but I think it
21 could be more.

22 Anything else?

1 (No response.)

2 CO-CHAIR FATHER PIUS: Good. I think that was
3 a helpful discussion. We'll be getting back to you a
4 little bit. Gloria and I will talk about the July
5 meeting to John, and we'll think about then a good
6 topic for that as well. Okay? So thank you all.

7 Now I am going to turn to our panel. I'm very
8 excited. One of the things that struck me on my panel
9 when I was at the 40th anniversary is the number of
10 people who found the transition from being a legal aid
11 lawyer to being a legal aid executive director, and it
12 is a very different set of skills.

13 A number of people commented to me about the
14 help of the Meyer Foundation in providing them the
15 resources that needed to be more effective as
16 administrators. So I am very, very please to have Rick
17 Moyers from the Meyer Foundation here to give us some
18 of his input and some of his experience with this
19 because at least from what I have heard, the Meyer
20 Foundation has been very helpful to our grantees in the
21 past.

So I will turn this over. You've seen the

1 performance criteria. We're talking about leadership
2 and the importance of leadership in various
3 circumstances. So I want to turn this over, then, to
4 Mr. Moyers to discuss the issue. Thank you again.

5 MR. MOYERS: Thank you. I'm so happy to be
6 here. I think you know some of this or you wouldn't
7 have invited me, but I just want to reiterate a couple
8 of points.

9 First off, just a quick note on the Meyer
10 Foundation. The Meyer Foundation is one of the largest
11 private foundations that supports nonprofits in the
12 greater Washington region, and we support a lot of
13 legal services organizations.

14 But in addition to our local work, we have
15 been part of a national conversation about nonprofit
16 executive leadership and nonprofit executive director
17 burnout and turnover. And that body of work has
18 collectively come to be known as "Daring to Lead." And
19 there have been three studies produced in 2001, 2006,
20 and 2011.

21 The upshot of that body of work is that there
22 is a substantial amount of evidence that over the next

1 five years to decade, between two-thirds and
2 three-quarters of current executive directors are
3 likely to lose their jobs -- not lose their jobs,
4 they're likely to leave their jobs.

5 (Laughter.)

6 MR. MOYERS: We can equivocate about whether
7 executives have a tendency to overstate their own plans
8 for leaving, and sometimes they do. But nevertheless,
9 there's some evidence that some of the executives who
10 had postponed their retirement as a result of the
11 economic downturn that began in 2007 are now planning
12 to step down.

13 That demographic reality, on top of normal
14 attrition rates due to burnout and just typical job
15 transition, means that we can expect a large wave of
16 transitions over the next decade.

17 At the Meyer Foundation, at other foundations,
18 we believe that this wave of transitions should be a
19 significant concern for any grant-making organization
20 that depends on the effectiveness of its grantee
21 partners to carry out its mission.

22 In our experience, organizational

1 effectiveness is closely linked to effective
2 leadership. And in our experience, many organizations
3 hang in the balance during moments of leadership
4 transitions.

5 This especially critical because most of the
6 organizations that we fund, most of the organizations
7 that you fund, have almost no operating reserves and
8 just don't have any margin for error. They cannot
9 afford the cost of a leadership misstep, and a
10 leadership misstep would have a significant impact on
11 the quality and delivery of legal services.

12 So that's most of what you're going to get
13 from me. This morning we're going to hear from
14 representatives of four organizations that have gone
15 through relatively recent leadership transitions about
16 what we can learn from their experiences and what the
17 Legal Services Corporation and other grant-makers
18 should be keeping in mind as our grantee partners go
19 through transition.

20 As I say that, I didn't know any of these
21 leaders before this session. And I just want to, from
22 an external perspective, commend you on the quality and

1 thoughtfulness of the leadership of the organizations
2 you fund. This is going to be a great panel. It has
3 been great getting to know all of you, and I'm looking
4 forward to the conversation.

5 So on my left -- and have the bios been given
6 to you in your book? So I don't have to introduce
7 everyone?

8 So with that in mind, can you each talk
9 briefly about how you came into the executive director
10 role or what the path was to being an executive
11 director? Because I think that will be significant to
12 some of the later discussion. And start with Nikole.

13 MS. NELSON: I'm Nikole Nelson. I am the
14 executive director of Alaska Legal Services. I came to
15 be the executive director of Alaska Legal Services
16 after serving in my program for about 14 years. I was
17 a staff attorney, and then the supervising attorney of
18 our largest office for the six years before I became
19 the executive director in 2010.

20 MS. LARSON: I'm Chris Larson. I have been at
21 Three Rivers Legal Services since March of 2014. I did
22 not come from within the ranks, so that was a little

1 different. The executive director that had been there
2 previously retired after a 17-year iconic and
3 successful career. She's kind of an icon in our
4 community.

5 The board was tasked with looking for a new
6 director, and they hired the Management Information
7 Exchange organization to help them look for a candidate
8 and to vet and interview all of us. And there was a
9 series of several interviews, and as a result, I was
10 fortunate enough to be in the stewardship role of the
11 director at Three Rivers. And I moved to Gainesville
12 in March.

13 DEAN MINOW: Where did you come from?

14 MS. LARSON: I came from Florida Rural Legal
15 Services. I was the deputy director there since 1999.

16 MR. COOK: Good morning. My name is Jim Cook.
17 I'm with Idaho Legal Aid Services. First, I wanted to
18 apologize about my attire. It is still with the
19 Friendly Skies, my suit is.

20 (Laughter.)

21 MR. COOK: I don't always dress like this at
22 meetings.

1 CO-CHAIR FATHER PIUS: Sort of Idaho casual.

2 MR. COOK: Yes. Western casual.

3 I came to Idaho Legal Aid Services in 1999 as
4 a staff attorney, and I was in that role till about
5 2005, when I became the deputy director. And then I
6 became the executive director in April of 2013.

7 MR. MOYERS: This is the iconic leader.

8 (Laughter.)

9 MS. THOMPSON: Oh, yes, sure, iconic. I'm
10 Allison Thompson. I'm the former director of Three
11 Rivers Legal Services because Chris is the director
12 now. I was there until, what, April of last year. But
13 I came into legal services, what, 40 years ago.

14 I started with a program in Florida as a
15 Reggie Fellow at Bay Area Legal Services, and then I
16 went from there to Rhode Island Legal Services as an
17 attorney up there. And then from Rhode Island, I
18 worked with the Legal Services Corporation, as we used
19 to call them monitors. They sound nice now; you call
20 them assessment teams or something, but monitors.

21 I did that for about five years. And then
22 after that, I was recruited to go to the Virgin

1 Islands, where I directed the program for about 15
2 years. Then my folk got sick and I had to come back to
3 the mainland, and so I came back to direct Three Rivers
4 Legal Services, where I've been for the last 17 years.

5 MR. YOUNG: Good morning. Anthony Young,
6 executive director at Southern Arizona Legal Aid. And
7 I came to my job by what I would call a circuitous
8 route. I started out as a staff attorney in Western
9 Nebraska and was both staff attorney, managing
10 attorney, and pro bono coordinator there in Western
11 Nebraska.

12 With the consolidation of legal services
13 programs across the country, Nebraska went from three
14 legal services programs to now one. That led to my
15 move to Arizona, where I started out with one of our
16 sister programs, Community Legal Services, where I
17 managed their Yuma, Arizona office. And then from
18 there, I moved to Tucson, Arizona to my current job.

19 For me, I think coming to this role, a factor
20 in me getting this job, I think, was having
21 participated in the pilot project that LSC had back in
22 early 2000 for a mentor pilot project, where mentees

1 such as myself, managing attorneys, were partnered with
2 executive directors from across the country to work on
3 various projects, to learn what it would be like, and
4 the kind of issues or challenges that directors have to
5 deal with.

6 That made a difference to me in two respects.

7 A, I could put it on my resume, and I think it made a
8 difference for the board in selecting me; I sort of had
9 a stamp of approval from LSC, having participated in
10 that mentor pilot program; and then also for me
11 personally having an opportunity to work on specific
12 projects. And we had a specific project that comes to
13 mind having to do with PAI and the development of a PAI
14 program.

15 So I had the experience of working with a very
16 experienced executive director that came from what I
17 call the old school of how you address PAI, which was
18 essentially seek a waiver, versus how do you then grow
19 a PAI program to really make it a meaningful component
20 of the service delivery model.

21 So that made a difference for me after I got
22 the job as executive director at Southern Arizona Legal

1 Aid to really think about a vision for where our
2 program would go.

3 MR. MOYERS: I just want to observe, after
4 listening to those answers, that compared to the
5 broader nonprofit sector overall, this represents an
6 unusually large number of people who have a lot of
7 experience in the same system and who have moved from
8 deputy or senior program roles into executive director
9 roles, which is unusual. And I also think it's a very
10 healthy thing for this network of organizations, to
11 have leadership pipelines of sorts in place.

12 You also heard the amount of experience in the
13 field and that's on the panel. So I wanted to ask you
14 how you think the operating environment for legal
15 services organizations has changed, maybe over the past
16 two decades or so. And I asked about legal services
17 organizations, but it's really -- this is all
18 nonprofits. I don't see any significant differences.

19 MR. YOUNG: I can start. I guess I would say
20 some of the significant differences -- and there have
21 been many -- have been around the need to raise funds
22 from the private sector, whether it's foundations,

1 private individuals.

2 The idea that we as legal aid agencies not
3 only need to focus on and think of ourselves as law
4 firms but as not-for-profit agencies, and to be willing
5 to join the nonprofit community -- one of the things
6 that I've done in Tucson was to join the group of
7 nonprofit executive directors in Tucson because those
8 nonprofit agencies have similar issues to what we have.

9 They have employment issues. They don't deal
10 with unions; I have a labor union that I have to deal
11 with. But certainly in terms of employment issues,
12 that happens in the nonprofit sector as a whole.

13 Certainly the notion of private foundation
14 support and individual donor support has been a
15 longstanding goal within the nonprofit sector, but it's
16 been a recent thing, I think, in legal services to
17 think about going out and developing resources outside
18 of the legal community.

19 So I think those are the biggest thing. The
20 other thing I want to mention was certainly a unique
21 challenge to me that certainly has happened around the
22 country, is the consolidation of legal aid programs

1 across the country.

2 When I started at Southern Arizona Legal Aid
3 in 2007, we were still experiencing some vestiges from
4 what I would describe as forced marriage in that we had
5 incorporated some Native American programs into our
6 basic field, basically a basic field organization. So
7 they had to become part of our culture. We had to
8 become part of theirs, and they had to become part of
9 ours.

10 It took a lot of effort on my part to really
11 begin to sell the notion that we're one organization
12 both to our Native American component and to our basic
13 field or staff component. So I would cite those as
14 some of the biggest changes that happened over the last
15 two decades.

16 MS. THOMPSON: I think from very old school
17 perspective, going back 40 years, that certainly the
18 use of technology and social media -- I mean, that was
19 just unheard of. I remember when we got the first fax
20 in the office, and being able to use that effectively.

21 In addition to that, I think that looking for
22 funding in different ways is something I think that

1 we're just going to have to find new ways of getting
2 funding for the organizations.

3 Also, making our alliances different. Old
4 school legal services folk, we're real clear about our
5 enemies and our friends, and never the twain shall
6 meet. Now we understand the twain has to meet in order
7 for us to get where we need to go. And some of us are
8 better at it than others. The inclusion of the private
9 bar, the inclusion of political folk who haven't always
10 liked us, I think that's a bit difference.

11 Also, the mentoring of people on the staff to
12 do work other than just the litigation work --
13 networking, outreach, administration, that kind of
14 thing, I think all of those factors are away from where
15 we were when we were doing -- just having a revolution
16 with the big class actions and the law reform. Not
17 that that wasn't a good time, but --

18 (Laughter.)

19 MR. MOYERS: So I'll take one comment from
20 this side. You all have to -- from my left. Anything
21 about outcomes? Or --

22 MS. NELSON: Sure. Sorry, go ahead.

1 MR. MOYERS: You have to collectively make one
2 comment -- no.

3 (Laughter.)

4 MS. NELSON: All right. So I'm making the
5 comment. Right now I think there's been a change, and
6 again, it's part of the initiative that LSC is putting
7 together right now in helping us collect outcomes for
8 our funders.

9 For our program, LSC is a minority funder, and
10 we have been already collecting outcomes for the other
11 programs or funders that give us money. And so again,
12 this is something that's different from the experience
13 of my prior director, who didn't have that need to
14 track that information in the same way that we had.

15 So there's been that transition. Again, I
16 think it's a positive one. And I think that we need to
17 do it in order to be competitive in this environment.
18 But it is a change, I think.

19 MR. MOYERS: I was kind of joking. We can
20 take another comment if you want.

21 The followup question to that is: Does this
22 require different skills, new skills and different

1 skills than we might have seen from executive leaders
2 in the past?

3 MR. COOK: My comments are just based on part
4 on working with my predecessor, Ernie Sanchez, who was
5 in the position for some 40 years. Ernie and I used to
6 talk almost every morning when I was the deputy
7 director, and he was frequently saying to me that you
8 almost have to be a politician, an employment law
9 attorney, a HIPAA attorney -- it's this Jack of all
10 trades position now.

11 When he got into the position, that was not so
12 much the case. And I think part of the problem with my
13 program is we did not develop the administrative
14 infrastructure to accommodate that, and I have not yet
15 fully done that, either. So it's one person trying to
16 assume all those roles.

17 I think the response should be the ED does
18 some of each of those things, but also creates more
19 positions to handle those. Because it's really almost
20 impossible for one person to do all of those elements.
21 And I don't know if a lot of legal aid grantees have
22 done that yet.

1 MR. YOUNG: I was just going to add to that.
2 There are pressures on executive directors to keep
3 administration small at a time when, really, we need to
4 be beefing up administration.

5 So when new dollars come to us, those dollars
6 tend to drive us towards hiring more staff to serve
7 more people. Or in my context, I have a labor union
8 that wants to increase its membership. And so they
9 argue for hiring additional bargaining unit members to
10 the detriment of administration.

11 So it's constantly singing this message to not
12 only our boards but our staff about the need for
13 internal controls, the need to have adequate
14 administration to address all of the challenges that
15 are put on us by the many funders that we have, not
16 just LSC.

17 MR. MOYERS: This is off script, but I want to
18 ask this question of the panel because this is an issue
19 that is really important to the sector, I think.

20 How many of you feel like your organizations
21 are woefully under-administered? You're not spending
22 nearly enough on administration, and I'm meaning

1 finance, H.R., fundraising staff, and admin support.

2 MS. THOMPSON: I think I left my program like
3 that, and it was one of the things -- I wrote a letter
4 to my board when I was leaving saying what I thought
5 they needed to look for. I didn't want anything to do
6 with selecting the person, but what they needed to look
7 for.

8 It was somebody who had a different
9 understanding of that. I come from, you get paid
10 nothing and you do all the jobs.

11 (Laughter.)

12 MS. THOMPSON: And that was the noble cause.
13 And really, you come from that generation, the Baby
14 Boomers generation. Whereas I do the fundraising. I
15 do the hiring. I do the firing. I run the program. I
16 do the external politics. That's all my job. So you
17 work yourself into a frenzy, and you complain all the
18 time, and you feel really good, and you aren't doing
19 anybody any favor.

20 So fortunately, I recognized that. And I was
21 leaving, so I did tell my board, these are the things
22 you need to do. And my successor, Chris, I'm sure is

1 going to be doing things a lot different from that.

2 MR. MOYERS: Have you?

3 MS. LARSON: And if I don't, I'll hear about
4 it. No.

5 (Laughter.)

6 MS. LARSON: It's funny. One of the things I
7 always hear when I go address a group, whether it's the
8 county commission people or the folks administering our
9 CAP money or whatever, it's like, Allison was funny.

10 (Laughter.)

11 MS. LARSON: And I'm not. But yes, I do think
12 that we have one gentleman in our office who did the
13 H.R. piece, the technology piece, and the accounting
14 piece, and he's retiring in 20 months. So yes, I think
15 we're going to need to make some serious changes.

16 We may get some pushback from advocates who
17 say, well, we still need an assistant in this office.

18 We are short-staffed over here. We don't have enough.

19 But I think in order for our organization to survive,
20 we are going to have to grow administration, and we
21 won't have to apologize for that to anybody.

22 Like I was saying at breakfast, God forbid,

1 you can get malpractice insurance, if something goes
2 wrong with a case, to make the client whole. But there
3 is no administrative malpractice insurance. If
4 something goes wrong, it's a scandal. It doesn't
5 reflect well on us, on you. Heads roll.

6 So we really don't want to make mistakes.

7 There's a lot more at stake than there used to be
8 because there's so many sources of funding and there's
9 so many ways that you can make a mistake.

10 MR. MOYERS: Anyone else on the admin piece?

11 MS. NELSON: Well, I'll just back up. That
12 same experience with the lack of administration
13 happened with my executive director, who was very old
14 school, too. When I came in and learned what he was
15 doing, all of his job, I thought, I'm not going to do
16 that. I'm not going to take this job and do all of
17 that.

18 So it required, over the course of the last
19 four years, for me to beef up administration. And my
20 board went along with it, and they understood that
21 Andy, bless his heart, had been digging himself into a
22 hole with the best of intentions. But it really isn't

1 a way that you can run a strong organization, I think.

2 MR. MOYERS: What people say -- I'm sorry.

3 MR. YOUNG: Well, I can add a comment there.

4 MR. MOYERS: Go ahead. Just very quickly.

5 MR. YOUNG: I would just say in 2010 through
6 2011, I would have said that our administration was
7 woefully underfunded or supported. Since that time,
8 we've been able to rebuild administration. When we
9 went through the cuts in 2010/2011, not only did we
10 close offices, or an office, we lost administrative
11 staff.

12 But for me, it's been preaching to the board
13 about the need for administrative staff such that when
14 we were able to get the resources, we can target those
15 resources to hire administrative staff.

16 The other thing I would say, it's been looking
17 at our indirect costs and talking to funders about,
18 hey, we have these costs that have to be accounted for,
19 and looking to write that into grants wherever
20 possible. So I just wanted to mention that.

21 MR. MOYERS: So any advice about transition?

22 What are the elements that make transition go well, in

1 your own experiences?

2 MS. THOMPSON: My advice is when you leave,
3 don't let the staff call you and ask you questions.

4 (Laughter.)

5 MS. THOMPSON: Redirect them. Just because
6 you've been there a long time, you've got a new
7 director; that's who you should be talking to.

8 The other thing is that I don't like the idea
9 that people leave when they burn out because I think
10 that -- because you're burned out or you can just
11 afford to leave. I think that we need to be doing
12 something so that people can leave because it's time,
13 and also leave because economically they can afford to.

14 People stay too long sometimes because of
15 that, not that we don't appreciate the wisdom that they
16 bring with them. But if you find out why they're
17 staying and it has to do with money or burnout, we need
18 to be making accommodations for people to be able to
19 leave comfortably and when it's time.

20 I could still run a program, and I'm not
21 burned out. But it's my time. And I think that when
22 you realize that it's your time -- and I told my board,

1 I'm looking for new ideas, new things. I don't want
2 any mini-me's in here. I want to have people to come
3 in to bring to the program a new energy, a new light.
4 Let some light bulbs go off here. That's what we
5 should be looking for as we leave, especially if we've
6 been married to legal services all your lives like I
7 have.

8 Also, supporting the new director -- I know
9 when I came to the program I'm at now, it took me about
10 three years for them to like me. So what I did was up
11 until the time I was leaving, I kept telling my staff,
12 I want you to support the new person, whoever that
13 person is. I want you to be able to do that. I
14 trained my management team to be able to do that.

15 The other thing is I didn't want anything to
16 do with the selection of the new person because that
17 could only lead to messiness. And it's the board's
18 job, anyway. So I didn't need that. That's what the
19 board is for.

20 I helped the board get situated for calling
21 Patty and starting to do the interviews. And I gave
22 them a year's notice. I stayed a year and a three

1 months. But I did give them enough time to plan it.

2 And I think all those kinds of things are important.

3 Chris and I, we have lunch about once a month,
4 not for me to direct the program. But if she wants to
5 bounce something off me or if something needs a
6 historical perspective, then I can give it to her.

7 MR. YOUNG: What I would add is probably two,
8 maybe three things. One is board education, board
9 training, from the perspective of having an
10 appreciation or understanding for what they need, what
11 the challenges are for that organization. And I think
12 that's a place where LSC can help boards.

13 There was a time when LSC did provide
14 trainings to boards, particularly around inclusion and
15 involvement of diverse groups, both in the leadership
16 of the program and in the everyday work of the program.

17 So I think LSC certainly could help with board
18 training.

19 The other thing that I think, from my vantage
20 point, is taking the time to really assess the needs of
21 the organization. Oftentimes when new directors come
22 in, they have a vision for what they want to do. Staff

1 has a vision for what they'd like to see happen. The
2 board may have a vision. And everybody's pressuring
3 the director to move in a certain direction.

4 I think taking the time to go on a listening
5 tour, visiting the various offices and communities that
6 the organization is excepted to serve, goes a long way
7 in helping the director in terms of framing that
8 vision, making it what would work best for that
9 community.

10 So I think those are the two things. There
11 was a third thing that I'm forgetting, so I'll pass on
12 that.

13 MR. COOK: I'd like to make a comment.

14 MR. MOYERS: Yes.

15 MR. COOK: I think what Anthony just said was
16 part of my experience. But one thing, my program,
17 there was this, oh, my gosh. Ernie's been there 40
18 years. Are the lights going to work tomorrow when we
19 have a new ED? Because everybody had been with Ernie
20 forever.

21 So I think a huge part with the success of our
22 transition was communication. And when I say that,

1 that sounds just kind of a generic term. But what I
2 mean is, I inundated our people with information. In
3 fact, I created something called the Administrative
4 Update. It goes out every two weeks. We're on our
5 45th edition.

6 They know what we're going to do, and I ask
7 for their comments. And whether it's on staffing,
8 whether it's on policy-directed changes, whether it's
9 on we just got new grants or lost grants, whether it's
10 on we're going to meet with the Supreme Court on this
11 issue, they know the admin unit is working for them and
12 is working hard.

13 But they also know the direction we're going.
14 And if they want to have input, they can, and they
15 will be heard. So there's not a bunch of surprises.
16 There wasn't this new guy in; we start to cut heads
17 off. It's telling them where we're going to go before
18 we go there, telling them as we do it, and then telling
19 them after we did it.

20 So there's a path that everybody understands.
21 There's no surprises. And I think that that's made
22 people buy into a lot of the -- we did layoffs. We did

1 a lot of very difficult things. But they understood
2 why. And also, after our finances improved, they saw
3 the benefits of it. But I think just telling them
4 what's going to happen really helped them.

5 MS. LARSON: I think Anthony is dead on. The
6 first thing that we did the first week I got there was
7 I took a road trip and I went to every office. I sat
8 with every staff member.

9 First I had a meeting outlining my vision for
10 how I wanted life to be at Three Rivers and building on
11 the legacy of what had already gone before. And then I
12 sat with each staff person and heard about what kind of
13 work they were doing. They showed me examples. I
14 wanted to get a really good feel.

15 In my own head, I decided I was not going to
16 make any drastic changes in the first six months at all
17 because it just takes a lot of time to get up to speed
18 and to learn the community, the staff, the board, who
19 you're dealing with. Yes, if you have to make a
20 decision because there's some kind of crisis, fine.
21 But I think we kept things in place, and now gradually
22 we're making some changes.

1 But you want to build on the legacy that you
2 already have. You want to honor and respect the people
3 that have been working so hard. You certainly don't
4 want to come in and say, everything was wrong and I'm
5 going to change it. That would just not win you any
6 support, and it would be the wrong move.

7 MS. NELSON: Well, and I think I'm just going
8 to piggyback on what everyone else here has said. In
9 our service area -- which is incredibly vast; Alaska is
10 the largest service area, I think, aside from maybe
11 Micronesia, that LSC serves. And most of our offices
12 -- we have 11 offices, only four of which are connected
13 on the road system. So going on a driving tour isn't
14 possible.

15 (Laughter.)

16 MS. NELSON: That said, it was really
17 important. Even though I had effectively grown up in
18 the program, I knew everyone, it was really important
19 for me during that transition to maintain communication
20 with my predecessor, to understand his thought process,
21 where our organization -- we got to the position we
22 were in through very thoughtful means.

1 It wasn't happenstance. People had made
2 thoughtful decisions to take certain actions. So I
3 needed to understand both historically why we had ended
4 up there and to look at those decisions, putting on a
5 different hat.

6 Again, if you had told me when I first took
7 the job that there was somebody about Alaska Legal
8 Services I didn't know, I would have fought back at
9 that point. But when I put on the hat as executive
10 director, I realized that the perspective changes
11 everything.

12 I also needed to make sure that I could build
13 unity within my program, which seems a little bit
14 strange, given that I had been there for so long and
15 felt like I had good relationships with all of our
16 offices.

17 But again, people were worried. Is this going
18 to be urban-centric now? Will you only be serving the
19 needs of Anchorage? What about the rural offices, your
20 bush offices? Are you going to understand and help us
21 meet our needs?

22 So again, communication, from my perspective,

1 was very important. And I did something similar to I
2 think what Jim is talking about. We have the ALSC
3 Scoop, which is a newsletter that I send out every
4 couple of weeks just updating everyone on what's
5 happening across the organization administratively,
6 making sure that our administrative offices are seen --
7 telling folks what our comptroller is doing to support
8 the work in the field, which seems like a little bit
9 silly, perhaps.

10 But if people understand what the head
11 financial officer is doing to help you provide
12 services, I think they're going to be less likely to
13 give you pushback when they understand the purpose of
14 it.

15 Also, trying to explain -- for instance, I
16 wanted to take a different direction with our pro bono
17 services in trying to increase that. But I needed our
18 staff attorneys to understand how important volunteers
19 are to the health of a nonprofit organization, and how
20 they can aid you and also your clients in getting your
21 message out. And all of that is just communication,
22 communication, communication, and doing a lot of

1 groundwork.

2 I think that sometimes, as an executive
3 director, you think that those things are secondary to
4 the 150 other things you're supposed to do in any given
5 day. But I really think that they're the base in
6 making sure that your organization is healthy first and
7 then it will ease your workload upstream or downstream.

8 MR. MOYERS: If we have a lot more time for
9 this discussion today -- and I mean a lot more time,
10 like another hour --

11 CO-CHAIR FATHER PIUS: No.

12 MR. MOYERS: I've been told -- there's a
13 conversation to be had here about boards, and
14 partnership between boards and executives, and the
15 changing role of the executive/board partnership,
16 including how the board can relieve some of the burden
17 for executive directors so it's not so much about this
18 one person who's carrying such a disproportionate
19 amount of leadership.

20 But instead of having that conversation -- I
21 would encourage you all to have it at some point in the
22 future -- I'm going to ask each of you what the Legal

1 Services Corporation could do to support new leaders.

2 And then we're going to have time for questions.

3 MR. YOUNG: I'll start. Certainly being a
4 beneficiary of the pilot mentoring project, I would
5 promote that as something that LSC should look at
6 reestablishing. It certainly made a difference for me
7 and my colleague in Montana, who also participated in
8 that program. And it's just a way of creating a
9 pipeline of potential leaders that boards can look at.

10 The other thing, I think, is training. I
11 think the MIE, the Management Information Exchange,
12 does a great job with their one-day new executive
13 director training. But I think LSC should look at
14 partnering with MIE and maybe lengthening that and
15 creating a fellowship program, if you will, where new
16 directors can get training or support over a longer
17 period of time as opposed to one day.

18 MS. THOMPSON: I also think that's important,
19 the mentoring. I was a mentor when Anthony was a
20 mentee, and I think that that is a good idea.

21 But also, more guidance. And I don't know how
22 it would be possible, but what would be a really good

1 thing -- if you had really good and objective people to
2 provide actual guidance for the new director. You're
3 not just there by yourself.

4 Directors many times feel like there's nobody
5 to bounce things off of. There's nobody to turn to.
6 I'm up here alone. I've got a staff looking at me,
7 waiting for me to screw it up.

8 (Laughter.)

9 MS. THOMPSON: Having real mentors some place
10 in the service of the region or the state that can work
11 with them on a periodic basis.

12 MR. MOYERS: Yes. But would a coach -- are
13 you talking about coaching, like executive coach?

14 MS. THOMPSON: Oh, that's the new word. Yes,
15 whatever. A coach, yes. Coaching.

16 MR. MOYERS: Go ahead, Anthony.

17 MR. YOUNG: I was just going to make a comment
18 following up on Allison's comments.

19 NLADA and the African American Project
20 Directors, to address the isolation associated with
21 this role, have created the support circles.

22 MS. THOMPSON: Yes.

1 MR. YOUNG: And so it's created an opportunity
2 for me to talk about issues that I can't talk about
3 with anybody else with other colleagues at my level who
4 have an understanding of the kind of challenges that
5 executive directors face.

6 So I think what the NLADA has done and the
7 African American Project Directors have done around
8 support circles, that may be something that LSC can tap
9 into and help to make it more robust to support new
10 executive directors. So I just wanted to mention that.

11 MS. THOMPSON: Having a safe support circle, I
12 think, is real important to a brand-new director who
13 wants to feel more confident than they actually feel
14 and having a safe place to be able to talk about it.

15 MR. COOK: I think that's a good point. My
16 closest compatriot is probably 350 miles away. So it
17 is sort of an isolated -- especially in my state.
18 There are no other providers, and I would have to go to
19 Helena, Montana or Seattle, Washington if I wanted to
20 actually see somebody else. So it is a rather
21 isolating experience, and that would be very positive.

22 The MIE new directors training was very good,

1 but it's very short. And it would be nice if after --
2 that was, I think, my second month on the job. It
3 would be nice to have something after that at some
4 point.

5 But my big issue would be a model set of
6 policies from the LSC. I have updated 26 policy
7 directives since I've become the ED. And even after I
8 updated them, the OCE came and found that we had things
9 like our household definition wrong, very embarrassing
10 mistakes.

11 I have spent so many hours working on policy
12 directives. And it would be really great if, when I
13 took the position, I could look at a standard set, just
14 model policies based on the regulations, that made me
15 secure that these are okay. These are good.

16 These are solid, and things that I can give,
17 not just that I can read, but a part-time receptionist
18 with high school diploma can read because everyone we
19 hire we give this giant pack of policy directives.
20 It's absolutely overwhelming. And we say, okay, you
21 master that even though you work for us ten hours a
22 week.

1 So I have problems with people -- not only my
2 competence keeping them up, but making them so people
3 can understand them. And I think if you did something
4 that was voluntary so people aren't saying, hey, the
5 LSC is forcing this on me, I would look at it as
6 something that I would go to for probably 90 percent of
7 my policy directives. There might be a few that for
8 some reason I would feel like we need to modify them.

9 I think it would lead to better compliance
10 throughout the entire system. I think OCE and the OIG
11 would have less to do when they come because they would
12 say, look, okay. You've got 50 policies, and 40 of
13 them are the standard. We know, at least on paper,
14 you're doing things right. We'll look at other issues.

15 I just think it would be very helpful, also,
16 to the senior EDs when you update the PAI regulation,
17 does it make sense to have 132 EDs go and say, okay,
18 we've got to update the PAI reg, and what do we do? It
19 would be nice if they could see what the LSC thinks is
20 a common-sense, clearcut, plain English way of doing
21 that. And I just think that would be a win/win for
22 both the programs and the LSC.

1 PRESIDENT SANDMAN: Could I just follow up on
2 that? Are you talking about model policies dealing
3 with matters that are required by LSC regulations?
4 You're not talking about policies involving how you
5 deal with your personnel and sick leave and things like
6 that. Is that right?

7 MR. COOK: Just with LSC regulations, yes.

8 MS. LARSON: For example, OCE was in my office
9 when I left yesterday. They were asking us about our
10 PAI commitment and what we were doing. And I was
11 telling them that there were now changes to the reg
12 that allowed law student participation in some cases to
13 count towards our 12-1/2 percent requirement, and we
14 sure have an abundance of law students in our service
15 area. We're grateful for that.

16 But I asked them, well, when does the time
17 that we're spending with law students count towards our
18 PAI contribution? Can we charge a case to PAI because
19 the law student is working on it together with us?

20 What happens when the semester ends and they
21 leave us and the staff attorney is working alone on the
22 case? Or should it just be the time we spend

1 supervising them to help us with a non-PAI case? And
2 they said, we will take all these questions back to
3 Washington and we will let you know.

4 So I agree that sometimes it would be really
5 helpful if there was an internal guidance about these
6 things so that we don't make mistakes because we don't
7 want to make mistakes. We would really like to get it
8 right.

9 MR. YOUNG: Can I just make a quick comment on
10 that? A recent experience of ours is where we created
11 a contracting policy at the directive of OIG. I then
12 send the draft policy -- this is before I submit it to
13 the board -- and say, take a look at it. Is it okay?
14 And they say, no. We're not going to comment.

15 So then I take it to my board and my board
16 approves. Then I find out they didn't like it. And so
17 then we had to go back to the board to change it. And
18 so all of that, that whole exercise, could have been
19 avoided if we could have been told, here's a model
20 policy, or policies were out there at the start..

21 MS. THOMPSON: Can I just say one thing?

22 MR. MOYERS: If it's tiny. If it's quick.

1 MS. THOMPSON: This is quick and has nothing
2 to do with anything. But it has something to do with
3 me and my history with legal services.

4 We have to work on diversity in leadership in
5 legal services. It's absolutely incumbent upon us,
6 with the changing demographics of the world, and for us
7 being a justice organization, in the leadership not to
8 do better.

9 I think it should be something that should
10 come directly from LSC that encourages, and not just a
11 little pat on the head, but seriously encourages that,
12 and to listen to those people who are bringing it to
13 your attention.

14 MR. MOYERS: Anything else to answer the LSC
15 question? And then I've --

16 CO-CHAIR FATHER PIUS: Yes. Because I would
17 like to open this up to questions. I think we're
18 running very low on time.

19 MR. MOYERS: Yes. This is when I was
20 instructed to end.

21 MR. LEVI: Well, we can have a few more
22 minutes here.

1 CO-CHAIR FATHER PIUS: For questions.

2 MS. NELSON: So the one thing I would say that
3 I think might be a useful use of LSC's time and
4 resources is connecting new directors to the whole body
5 of information about nonprofit management that's
6 already available, like for instance on the Meyer
7 Foundation.

8 One of the things that was very useful to me
9 when I first became the director is participating in a
10 local group called the Foraker Group. I was certain
11 when I came here that there must be one in every state
12 if Alaska had one, but in speaking with Rick about it,
13 it turns out it's a bit anomalous.

14 So it's a fantastic program, a nonprofit that
15 supports other nonprofits and provides nonprofit
16 management training to a whole scope of nonprofit
17 leaders. And so through this process -- it was over a
18 ten-month period -- I would meet monthly with other new
19 directors serving nonprofits, and learned a grant deal
20 of information about nonprofit management.

21 It was inexpensive. It was only about \$3,000.
22 And encouraging LSC recipients to search out those

1 resources in your local community instead of LSC
2 recreating the wheel, looking to outsource that, and of
3 course then just filling in the gaps with the things
4 that are specific to LSC.

5 MR. LEVI: Do you have regular program counsel
6 from LSC that you can bounce things off of? Do you
7 each have a person that is designated for you? And
8 have you, informal or otherwise, a formal mentor/
9 mentee type among your executive director crew or
10 colleagues? And is that something that's even been
11 suggested?

12 MS. NELSON: We do have someone from the
13 Office of Program Performance who is assigned to each
14 of our programs. And then as far as official mentors
15 or mentees, no. There's not an official mentor/ mentee
16 program. There is a support group of new executive
17 directors that I participate in that has the director
18 from Hawaii, New Mexico, Montana, and then also one of
19 the D.C. programs.

20 MR. LEVI: And who established that? Did we
21 or did you informally do it?

22 MS. NELSON: It turns out my program officer

1 from OPP, Stephanie Edelstein, introduced us. And then
2 NLADA started facilitating those calls to start with,
3 and it's sprung up from there and continued on.

4 MR. YOUNG: And I would just say the African
5 American Project Directors Association has what's
6 called support circles, where we're paired with other
7 directors from around the country. And since Arizona
8 is a three-state LSC-funded program, I've been paired
9 with someone in another state.

10 CO-CHAIR FATHER PIUS: All right. If there
11 are any other questions? Robert?

12 MR. GREY: Let me just pursue the diversity
13 issue for just a second and ask you, in the best of all
14 worlds, if we could form the perfect outreach or the
15 perfect development strategy, for achieving the best
16 representation of our communities in legal services,
17 what are your thoughts about that?

18 You made an observation. But part of that is
19 process, and what do you do about it and how do you go
20 about it? And if you had the right ingredients, what
21 would it look like?

22 MS. THOMPSON: The reason I was emphasizing

1 leadership, because I never had problems. When I got
2 to my program, I think there was one minority person in
3 the program other than me. And then by the time I
4 left, it was about 50/50.

5 I never had a problem at all finding diverse
6 staff. And that ethnic staff, abled and disabled,
7 races, countries, languages -- I had the U.N. there.
8 But that was because I affirmatively acted to get them.

9 I didn't say, oh, no, well, we don't have any
10 of those, or we would have -- legal services has the
11 same few people that we march out every time to
12 represent the diversity of the organization, which is
13 unfortunate.

14 I think that regardless of what people say,
15 it's not going to happen until, one, we have to be very
16 mindful of being able to afford people. A lot of
17 people who live in poverty, they have to have better
18 salaries in legal services in order to keep them.

19 Two, if the leadership is developed and
20 there's diversity among the leadership, it is easier to
21 be able to recruit and to keep like staff. I believe
22 that. That's what I believe. That's been my

1 experience.

2 I just think, even though it's a bad word, we
3 have to affirmatively act to create diverse staffs in
4 legal services. We've got to go to the National Bar
5 Association. We've got to go to -- is it BLSA? I
6 couldn't remember, it's been so long for me -- BLSA.
7 We have to make sure that there's connections.

8 When I was a director, kids came in from the
9 college. Not kids, they're grown folk at the college
10 that came in, and they would say, oh, well, we heard
11 about you from this person or that person. The
12 leadership in our local minority bar association came
13 out of our legal services programs because we had more
14 diverse staff there.

15 So one follows the other. If you're really
16 making an effort and doing some sort of evaluation of,
17 what does our staff look like? What does our
18 population look like? What do people look like? And
19 even beyond it reflecting the population you have, I
20 think the diverse staff brings a richness to your
21 program and an understanding of things that you just
22 don't have ordinarily.

1 MR. ISAAC: Can I address that?

2 CO-CHAIR FATHER PIUS: If you want to come up
3 to the microphone and very briefly --

4 MR. ISAAC: I'm the current vice president --

5 CO-CHAIR FATHER PIUS: Just give your name
6 again.

7 MR. ISAAC: Don Isaac, Florida Rural Legal
8 Services. I'm the current vice president of AAPDA, and
9 we had a very intentional way of seeking diversity. In
10 our meetings it would be a main discussion about, who
11 are the diverse managers in the country?

12 It's a pipeline. We would discuss them, and
13 then not steal from each other every time we found a
14 director somewhere, but as an intentional way of
15 looking at it, an intentional way, like Allison says,
16 going to job fairs, going to minority job fairs. It
17 has to be intentional.

18 That's not just for diversity purposes. It's
19 for quality purposes, too. You need to go and get the
20 best people, and not just anybody just walking off the
21 street. So we had an intentional -- we still have an
22 intentional model for how we seek managers, et cetera,

1 and we're always looking for diverse managers in our
2 programs.

3 CO-CHAIR FATHER PIUS: All right. It looks
4 like we're just about out of time.

5 One thing that I'm just going to -- I know
6 Rebecca's going to kill me, but I always like to put
7 this back to the performance criteria. I do note that
8 one of the performance criteria in leadership does
9 include that the program provides opportunities for the
10 development of a diverse group of leaders. So it's
11 certainly something that we mention.

12 But there are some things that you have talked
13 about that we haven't, that you've talked about that
14 really aren't reflected, I think, in our performance
15 criteria. One of those, although we do have a separate
16 section on communication, communication is not
17 mentioned at all in leadership, in the leadership
18 section. I think that might be something we should
19 consider in the future.

20 The other thing is that our leadership section
21 in the performance criteria is all downwards, that is,
22 over the agency. But there's no sense of leadership

1 with regards to the board of directors.

2 I think we realize more and more that the
3 leadership of the executive director with regards to
4 the board of directors is also a crucial part of the
5 leadership of the organization. And I think that's not
6 really reflected in the leadership.

7 Then the sense that not only within your
8 organizations but outside, how is the person looked at
9 as a leader within the legal services community, among
10 the other grantees or other legal services community?
11 And how is he looked at within the community, the poor
12 community that's being served as well? Is legal
13 services considered a participant or a leader within
14 the community itself?

15 I think these are things we've all talked
16 about as indicators of leadership for an executive
17 director and a program that aren't really reflected in
18 the performance criteria.

19 Just very briefly, if there's anything else,
20 if you've had a chance to look at the performance
21 criteria, where if you think there's anything else that
22 perhaps might be specifically mentioned that's not

1 mentioned in there as a sign of a good leader? Any
2 thoughts on that?

3 You probably don't have it in front of you,
4 but if you have thought about it -- or send us an
5 email. I'm happy to send an email on this because I
6 like to concretely tie it back to these performance
7 criteria.

8 So with that, and seeing that there are no
9 other questions, I just wanted to really thank you. I
10 think this has been a wonderful discussion. It's a
11 discussion we've been looking forward to have for quite
12 a while. And I do especially want to give thanks to
13 the Meyer Foundation and their participation, not only
14 here at the meeting today, but their work on fostering
15 good leaders and good leadership in the nonprofit
16 community, and the model of leadership they provide in
17 that, and the example of leadership both by existing
18 and former executive directors in this model of
19 leadership.

20 I certainly encourage those of you -- we
21 talked about the mentor/mentee relationship. And a
22 good leader is not only one who seeks a mentor but one

1 who, as an established leader, provides mentorship to
2 others.

3 I think the legal services community will look
4 at you folks as mentors in the future, and hopefully,
5 as time permits, that you allow yourself to mentor
6 those who were once in your positions as beginning
7 executive directors. So thank you very much for your
8 time and for your leadership.

9 (Applause)

10 CO-CHAIR FATHER PIUS: We do have a few other
11 items on the agenda that we have to finish. The next
12 item on the agenda is, if I'm not mistaken, is there
13 any public comment? Are there any members from the
14 public who would like to provide any comment?

15 (No response.)

16 CO-CHAIR FATHER PIUS: Seeing none, is there
17 any other business that the committee needs to address?

18 (No response.)

19 CO-CHAIR FATHER PIUS: And seeing none, do I
20 have any motions?

21 M O T I O N

22 CO-CHAIR VALENCIA-WEBER: Move to adjourn.

1 CO-CHAIR FATHER PIUS: Moved to adjourn. Any
2 second?

3 MR. MADDOX: Second.

4 CO-CHAIR FATHER PIUS: All those in favor?

5 (A chorus of ayes.)

6 CO-CHAIR FATHER PIUS: Any opposed?

7 (No response.)

8 CO-CHAIR FATHER PIUS: And this Committee is
9 adjourned. Thank you all very much.

10 (Whereupon, at 12:34 p.m., the Committee was
11 adjourned.)

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