

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

MEETING OF THE
BOARD OF DIRECTORS

OPEN SESSION

Saturday, July 18, 2015

9:05 a.m.

Radisson Blu Minneapolis Hotel
35 South 7th Street
Minneapolis, Minnesota 55402

BOARD MEMBERS PRESENT:

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

STAFF AND PUBLIC PRESENT:

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

Wendy Rhein, Chief Development Officer

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

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

Carl Rauscher, Director of Media Relations, Office of
Government Relations and Public Affairs

Marcos Navarro, Office of Government Relations and
Public Affairs

Jeffrey E. Schanz, Inspector General

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

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

Tom Hester, Associate Counsel, Office of the Inspector
General

Lora M. Rath, Director, Office of Compliance
and Enforcement

Janet LaBella, Director, Office of Program
Performance

Jean Lastine, Central Minnesota Legal Services

David Lund, Legal Services of NorthEastern Minnesota

Jessie Nicholson, Southern Minnesota Regional Legal
Services

Don Saunders, National Legal Aid and Defenders
Association (NLADA)

Robin C. Murphy, National Legal Aid and Defender
Association (NLADA)

Terry Brooks, American Bar Association Standing
Committee on Legal Aid and Indigent Defendants
(SCLAID)

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

2 (9:05 a.m.)

3 CHAIRMAN LEVI: Let's call the meeting of the
4 Legal Services Corporation Board of Directors to order,
5 federally noticed in proper time, and ask that we rise
6 and have Gloria lead us in the Pledge of Allegiance.

7 (Pledge of Allegiance.)

8 CHAIRMAN LEVI: Could I have a motion to
9 approve the agenda, Mr. Grey?

10 M O T I O N

11 MR. GREY: So moved.

12 DEAN MINOW: Second.

13 CHAIRMAN LEVI: All in favor?

14 (A chorus of ayes.)

15 CHAIRMAN LEVI: Can I have approval of the two
16 sets of minutes?

17 M O T I O N

18 MR. GREY: So moved.

19 DEAN MINOW: Second.

20 CHAIRMAN LEVI: All in favor?

21 (A chorus of ayes.)

22 //

1 CHAIRMAN LEVI: I first want to thank all of
2 the folks who've presented and made this Board meeting
3 possible. Our visit to Minneapolis was extraordinary.

4 I want to thank our grantees, the programs here. I
5 particularly want to thank Gloria for putting together
6 really quite a remarkable day for us, and although I
7 did it while at dinner last night, I want to do it
8 again today.

9 Gloria, as has been the tradition here, leads
10 a walk group. But she was working so hard on the
11 panel, she yielded that, I think, to Herb Garten. But
12 in any event, the fact is that I know that you planned
13 this for almost the better part of a year, and lined up
14 just terrific people from across the country to come
15 and join us. And we're so very grateful to you. And I
16 want to take a moment to recognize that.

17 (Applause)

18 PROFESSOR VALENCIA-WEBER: I also wanted to
19 thank the Board for being so open to continuously
20 learning more about what happens out in Indian Country
21 to the indigenous people of this country and the first
22 sovereigns who were present on this continent.

1 Every one of our panelists, in my recruiting
2 them, I told them that you are all open and wanted to
3 learn. And their experience yesterday was told to me
4 more than once about how much they had appreciated it,
5 how impressed they were with the receptivity, the
6 degree to which people were interested in what they do
7 and how they do it.

8 These were long-time personal, professional
9 friends, but also especially for the longest people
10 involved, really, the key anchors for much of what is
11 the most respected law in Indian law. You could tell
12 from their experience as practitioners, Supreme Court
13 arguments, that they really were the treasures.

14 So I was happy that they all came and that you
15 had the chance to hear them, and in some instances
16 personally interact with them. Thank you.

17 CHAIRMAN LEVI: Then I also want to thank all
18 of the other members of the Board personally. Between
19 our last Board meeting and this Board meeting, I've
20 been in contact with each and every single one of you
21 and asked you to do something on behalf of LSC.

22 And every single one of you stepped up in your

1 own way to be helpful. Whether it was to step in and
2 handle a Senate or House briefing, whether it was to
3 talk to a representative, whether it was to consider a
4 memorandum or method of handling an issue in front of
5 us, all of you have been so responsive.

6 And I just want to say how fortunate I think
7 we are to have all of you on the Board and working as a
8 team here. It is a team effort. And I want you to
9 know how grateful I am for all of your work. So give
10 yourselves a hand.

11 (Applause)

12 CHAIRMAN LEVI: And then I want to say that
13 the staff worked so hard, and they are frequently
14 short-handed, and they work so hard to put these
15 meetings together. They come fairly quickly. You
16 know, October is less than three months away.

17 And when you throw a 40th in and a Senate
18 briefing or a House briefing, you add these other
19 meetings in; and then, of course, a number of our
20 Committees, as they should, need to meet in between.
21 Our staff works extremely hard to put these meetings
22 together. I know that Bernie is out in the hall, but

1 Becky is here.

2 I just want to recognize all of your work, and
3 then to say that I'm so grateful to the senior staff
4 that also step up to help us and make our work for the
5 Board so much easier.

6 Finally, it's no surprise, but since we've
7 been together, Jim Sandman received a very, very
8 distinguished award from the D.C. Bar. And I asked him
9 to send me his remarks because I've heard how
10 extraordinary they were. I didn't tell him I'm going
11 to send them on to all of you because he's modest about
12 thought.

13 But that if it's all right with you, I would
14 like to include them in that, and just say that we are
15 so fortunate to have Jim as our President, and I'm just
16 grateful every day for that. So I'd like to recognize
17 Jim, and if you'll all join me.

18 (Applause)

19 CHAIRMAN LEVI: It is unfortunate that the
20 Nixon Library is under construction. It didn't seem to
21 us to be a prudent move to be at a construction site,
22 even though I guess one of the meeting rooms would have

1 been available.

2 The rest of the building was going to be under
3 -- we'll try to see if we can get an appropriate Nixon
4 exhibit together, and we will hold the kind of
5 gathering that we were planning to do there on in
6 Southern California, and we will do it in Northern
7 California the evening of the 6th.

8 So that is a small change, but one that I
9 think is appropriate. And we'll hope that we can then
10 return at some later date to the Nixon Library when it
11 is fully reopened and available. But I'm told that's a
12 year out.

13 So with that, that's my report. If there are
14 any questions for me?

15 DEAN MINOW: I would like to take this moment
16 to commend our Eveready bunny chair of the Board whose
17 constant imagination, his ability to connect with
18 people of all kinds, and indeed the fact that he wakes
19 up every morning saying, "What can I do to help advance
20 the cause of the Legal Services Corporation?"

21 So I just salute you, John. You are
22 remarkable.

1 (Applause)

2 CHAIRMAN LEVI: Well, thank you. It means a
3 lot to me, Martha. And I guess that was the first of
4 the members' reports.

5 Are there other members' reports? Father
6 Pius?

7 FATHER PIUS: I just wanted to briefly -- I
8 had the great opportunity -- I didn't participate
9 directly in -- is it Law Days, the ABA Law Days? But
10 working with our staff, I met with a number of people
11 in Congress, including two congressmen, all the
12 Republican side, which I thought was very productive.

13 And so I'm very appreciative to Carol and her
14 staff for setting all that up and allowing me to do
15 these meetings. I followed up with a number of them,
16 and I think some good results have come from some of
17 that. And I will continue to try to keep in contact
18 with those members and with other members that I can
19 do. But I did just want to thank Carol and Treefa for
20 really some great work in helping me set all that up.

21 CHAIRMAN LEVI: Gloria?

22 PROFESSOR VALENCIA-WEBER: I did go do the ABA

1 Days, and while waiting in Senator Udall's office, met
2 some attorneys from New Mexico who look like they're
3 going to be very helpful as we continue to develop what
4 we call the New Mexico Pro Bono Project, trying to have
5 more prestigious recognition of the pro bono attorneys
6 and law firms to what we do. And that just was
7 serendipity.

8 The other thing is in September, Ed Marks, the
9 executive director of New Mexico Legal Aid, and I are
10 scheduled to be the lunch speakers on the new approach
11 that has to happen for pro bono work across this
12 country, and that's before the Albuquerque Bar, which
13 is the largest contingent, the majority of the lawyers
14 in New Mexico. And that's where the largest law firms
15 are. So with Jim's President's report and other
16 things, we really have great information to work from.

17 So I appreciate that.

18 And I also want to thank Janet LaBella for the
19 work that she provided in coordinating the subsequent
20 panel yesterday because that was really important in
21 that impact. And I know that we get spoiled by the
22 competent work of some of our staff, but I still think

1 it needs to be acknowledged.

2 CHAIRMAN LEVI: Other members' reports? I
3 just want to say about Martha Minow if you saw her
4 schedule, you would wonder how one person could handle
5 it. I have never met anybody who is able to carry such
6 a load with such calm judgment and efficiency. She's
7 amazing.

8 And there's no thing on behalf of LSC -- I
9 call her so often I think I drive her office nuts. But
10 she is just remarkable. And I want to say that she's
11 complimenting me -- thank you -- but right back at you.

12 (Applause)

13 MR. MADDOX: John, just a brief report.

14 CHAIRMAN LEVI: Yes, Vic?

15 MR. MADDOX: Last month I had a client
16 engagement in Southeastern Kentucky in the mountains,
17 and I was driving by the AppalReD office in
18 Barbourville. So I stopped and spent a few minutes, 15
19 or 20 minutes, with the staff. I interrupted their
20 Monday morning meeting. It was a good opportunity to
21 get to know some of those people and to have them tell
22 us about their program.

1 Later -- which, by the way, they're closing
2 some offices and laying off some people -- I spent the
3 rest of the day with a lawyer in town in Southeast
4 Kentucky who was a former circuit court judge on the
5 state court system, and asked him what his experience
6 was with the AppalReD lawyers. And he said that by and
7 large, they were extraordinary.

8 I asked him what his view of legal aid and
9 legal services lawyers was. He said that in his
10 experience, they were critical in his courtroom. And
11 so I thought that was worth repeating.

12 I also asked him about the commitment to pro
13 bono among the lawyers in rural Southeastern Kentucky
14 where he's very familiar. He had a three- or
15 four-county circuit in some of the poorest counties in
16 the state. And he said that lawyers older than he,
17 which was about 45, I think, had almost no commitment
18 toward it, and lawyers younger than thought, he
19 thought, had a dramatically higher receptivity and
20 interest in doing pro bono work. So I thought that was
21 encouraging.

22 CHAIRMAN LEVI: Do you think it's because the

1 senior lawyers are afraid of it, that they don't know
2 how to do them?

3 MR. MADDOX: I think it's because it's not
4 been part of their culture and their training. I think
5 partly it's because younger lawyers -- it's been more
6 part of the law school experience, I think. And I
7 think the Bar Association, the Access to Justice
8 Commission, the Supreme Court in Kentucky, as most
9 states now, is emphasizing that more. So it's
10 encouraging.

11 CHAIRMAN LEVI: I should also say that Dean
12 Vischer sent me -- I asked him for his remarks. He
13 sent them to me, and if any of you would like them, or
14 should I just assume you all want them?

15 SEVERAL BOARD MEMBERS: Yes.

16 CHAIRMAN LEVI: I will forward them.

17 Any further member reports?

18 (No response.)

19 CHAIRMAN LEVI: The President's report.

20 PRESIDENT SANDMAN: Thank you, John. Good
21 morning. I'd like to report on five items today.
22 First, I'll give you an update on two things that LSC

1 is doing internally to improve its businesses
2 processes. Second, I'll give you a brief update on
3 steps we're taking to implement the recommendations of
4 the fiscal oversight task force.

5 I'd like to report on two recent briefings we
6 had, ,one in the Senate, one in the House, to educate
7 Congress about the work that we do. I'll give a brief
8 report on private funding; I don't want to repeat what
9 I said at prior Committee meetings, so I'll go through
10 that quickly.

11 Finally, I'd like to report on the work on the
12 ABA Commission on the Future of Legal Services. I am a
13 member of this commission. The term "legal services"
14 here refers not to legal aid but to legal services
15 broadly. But the work of the commission has a lot to
16 do with what our mission is.

17 We're doing a couple of things to improve our
18 internal business processes. We're implementing what
19 we call a data portal. It will be available in
20 mid-September for LSC Management and later in the fall
21 for OIG to access.

22 This portal is a cloud-based integrated

1 gateway to information about our grantees, and will be
2 open to all LSC staff. This is directly related to
3 some of the recommendations of the Fiscal Oversight
4 Task Force.

5 The task force recommended that we break down
6 the silos in LSC. We've had a situation where
7 information about grantees has been available to some
8 staff but not to others. And this is a use of
9 technology to make sure that everyone who is dealing
10 with a grantee, regardless of what office they're in,
11 has access to all of the information that LSC has about
12 the grantees. The portal will use Salesforce for data
13 management and reporting and Box for document
14 management.

15 We're also going to be purchasing, as I've
16 mentioned before, a new grants management system. We
17 recently went through a request for proposal process
18 that was administered by our consultants at Barker &
19 Scott. We're down to two vendor candidates for our new
20 grants management system, and we'll be making a
21 decision this summer about which to select. We expect
22 to implement the new grants management system in 2016.

1 Our current grants management system is
2 antiquated and very complicated. It's a system that
3 we've added to and revised over the years to the point
4 where it's so customized that we can't use the updates
5 that the original vendor provided.

6 We can't apply their updates to our system
7 because what we've developed is so different from their
8 basic model. So this will bring us more into the
9 mainstream, and I think will be a critical improvement
10 in the work that we do.

11 I don't know how well you know Peter Campbell,
12 who's our Chief Information Officer, but he is an
13 enormous asset to LSC. I hear you talk about your
14 legacy. I hope that I might be around for a long time,
15 however long you're around, but Peter and his office
16 are a legacy here.

17 What they're doing to improve our basic
18 business processes, this is something that's going to
19 last a long time. These are improvements in the way we
20 do business that have enormous benefits to our mission
21 of doing great grantmaking and great grants oversight.

22 And I'm very grateful to Peter and his staff.

1 So as I just mentioned, these things are part
2 of our implementation of the recommendations of the
3 Fiscal Oversight Task Force. I don't believe that the
4 task force had specific recommendations about
5 technology, but we've taken the spirit of
6 recommendations and incorporated them into our
7 technology improvements.

8 We provided a tracker recently to you
9 electronically and in hard copy yesterday to show you
10 what we've done step by step to implement the
11 recommendations of the task force, and will be posting
12 the tracker on our website.

13 We are now in the process of recruiting for a
14 new director of our office of data governance and
15 analysis. This was not a specific recommendation of
16 the task force, but I think that instituting this
17 office and hiring a first-rate data analyst is
18 completely consistent with the recommendations of the
19 task force.

20 One thing that I think we're doing very
21 effectively to implement the recommendations of the
22 task force is to coordinate the work of Management, LSC

1 Management, with the Office of the Inspector General.
2 I don't think that the relationship between Management
3 and the Office of Inspector General has ever been
4 better than it is today.

5 We do operate in a spirit of communication,
6 coordination, and cooperation, what Jeff Schanz refers
7 to as his three C's, every day. We have a relationship
8 of mutual respect. We share a mission. Both
9 Management and the Office of Inspector General are
10 concerned with avoiding waste, fraud, and abuse, and
11 improving the efficiency of our operations. I think
12 that the relationship that Jeff has established between
13 his staff, particularly John Seeba and Dan O'Rourke,
14 and Management is a wonderful thing.

15 The concerns that you had previously that we
16 didn't have access on the Management side to the work
17 of the Office of Inspector General, those concerns are
18 gone. The Office of Inspector General is very generous
19 in sharing their information with us, and when they
20 turn something over to us for enforcement proceeding,
21 we get the benefit of their work product. This is a
22 big change, and it's a very positive change. And I

1 want to compliment my colleagues in the Office of
2 Inspector General for their work.

3 CHAIRMAN LEVI: Can I stop you? I should have
4 included them in my thanks because in fact, you have to
5 put so much together for these meetings, you and your
6 staff, Jeff. And maybe we can just take a moment to
7 ask you guys to stand up and recognize you, too.

8 (Applause)

9 PRESIDENT SANDMAN: We had two recent
10 briefings in the Congress. The first was a Senate
11 briefing on April 15th. It was sponsored by Senator
12 Lamar Alexander, Republican of Tennessee. John
13 introduced the presentation, and the subject was
14 unrepresented litigants in state courts: What's
15 happening with the deluge of pro se litigants in our
16 state courts across the United States today?

17 We had an all-star panel, four chief justices,
18 the chief justices of Texas, Florida, Tennessee, and
19 Minton -- and Kentucky, I'm sorry, Chief Justice Minton
20 of Kentucky. A bipartisan group of chief justices,
21 some of them elected, some appointed. Some are former
22 trial judges, others not.

1 We have 50 staff attend the briefing from 30
2 Senators' offices, and it was a bipartisan group of
3 staff. Great interest, as Carl mentioned; there was a
4 lot of tweeting from the presentation. This is how we
5 educate the staff who are critical to our work about
6 what we do.

7 We had another briefing on May 12th that was
8 cosponsored by Representative David Jolly, a Republican
9 from Florida, and Representative Derek Kilmer, a
10 Democrat from the state of Washington. And this was on
11 the work that legal aid programs do for veterans.

12 What we do for veterans often comes as news to
13 people who are not familiar with the work of legal aid
14 programs. There is enormous interest on Capitol Hill
15 in the problems of veterans and on the work that
16 organizations like the legal aid programs we fund do to
17 serve them.

18 We had four panel members, former
19 Representative Patrick Murphy of Pennsylvania; Will
20 Gunn, the immediate past General Counsel of the
21 Department of Veterans Affairs; Nan Heald, the
22 executive director of Pine Tree Legal Assistance, which

1 also runs statesidelegal.org; and Brian Noyes, an Iraq
2 war veteran who is a Pine Tree client, who talked about
3 his own experience and the services he received from
4 Pine Tree. We had 40 staff from 15 states attended.
5 It was a bipartisan group.

6 And I'd like to commend Carol Bergman and
7 Treefa Aziz for organizing these efforts. This is very
8 imaginative. We didn't use to do things like this.
9 But Carol and Treefa know how to do business on Capitol
10 Hill. They know the importance of scheduling briefings
11 at lunchtime and serving lunch.

12 (Laughter.)

13 PRESIDENT SANDMAN: This is a very pragmatic
14 approach to trying to reach people that we might not
15 otherwise reach in our legislative endeavors.

16 CHAIRMAN LEVI: Vic spoke at that.

17 PRESIDENT SANDMAN: Yes. Vic opened the
18 presentation there and did a terrific job.

19 MS. REISKIN: That sounds great. So first of
20 all, I want to thank you guys for including a client.
21 I think that's really important, that people hear from
22 the actual intended beneficiaries.

1 Do you happen to know or does Carol happen to
2 know if Mike Coffman or anyone from his staff was
3 there? And if not, is there a copy of that
4 presentation that I could send to him?

5 PRESIDENT SANDMAN: We did video both
6 presentations, and both are available on our website.
7 We do everything we can to push that information out
8 beyond those who are able to attend. Carol?

9 MS. REISKIN: I'll get that and I will have
10 some of his constituents -- we have a member who knows
11 him from church, and I'll have him get it to Coffman.

12 MS. BERGMAN: I have a list back at the office
13 of who actually was there. I don't remember off the
14 top of my head. So I can let you know.

15 Just one clarification. The video of the
16 House briefing is on our website but the Senate one is
17 not. We're still trying to work it out because the
18 Senate Ethics Committee does not allow anything to
19 appear on a website where that is also soliciting
20 donations of any kind.

21 So we're actually working with our vendor in
22 the new website to see if there's a way to create a

1 separate platform that doesn't indicate any mechanism
2 of solicitation because that's going to be an ongoing
3 problem with the Senate Ethics Committee.

4 So we have it. I can send you a personal link
5 to it. But it's not on the website.

6 MS. REISKIN: I just wanted the House one.

7 MS. BERGMAN: Yes. Absolutely.

8 CHAIRMAN LEVI: You could independently
9 forward, though, the link --

10 MS. BERGMAN: Yes.

11 CHAIRMAN LEVI: -- to a Board member, without
12 the site?

13 MS. BERGMAN: Absolutely. We'll get you that
14 because we have it and I can send you. I just can't
15 put a link to it on our website as it is.

16 CHAIRMAN LEVI: Why don't you just -- with the
17 other things that we're sending.

18 MS. BERGMAN: Yes.

19 CHAIRMAN LEVI: That would be great.

20 PRESIDENT SANDMAN: I provided an update on
21 private funding at the meeting of the Governance and
22 Performance Review Committee and the Institutional

1 Advancement Committee. So I'm not going to go through
2 the details again here, but I'll just flip through my
3 highlights as a reminder of what I presented
4 previously.

5 Finally, I'd like to report on the work of the
6 ABA Commission on the Future of Legal Services. This
7 is an initiative of William Hubbard, the current
8 president of the ABA, to try to address some of the
9 very significant challenges facing the legal profession
10 and legal education today.

11 There was a summit at Stanford Law School back
12 in early May that I attended, and I thought it was
13 fascinating. I thought the most impressive presenters
14 were the people who are not lawyers, people who talked
15 about innovation basically in the field of self-help,
16 do-it-yourself work.

17 They had speakers like the person who was
18 responsible for creating Expedia and travel websites,
19 which really transformed the travel business. And
20 there was another from Trulia and Zillow, websites that
21 have transformed real estate transactions.

22 What their messages were about was the

1 importance of making information available to people
2 without having to go through an intermediate about how
3 to access, aggregate, and make information available to
4 people in an easy way.

5 And the message I took from them was that the
6 self-help movement is going to affect the practice of
7 law. We're not immune from it. And if we try to avoid
8 it, people will work around our efforts to avoid it.

9 There was one speaker, though, who said
10 something that really struck me. Oliver Goodenough,
11 who's a professor at Vermont Law School -- he is a
12 lawyer. And what he said was, "We treat access
13 problems as if they were a bug in the system rather
14 than a feature of it."

15 I think it's critically important to recognize
16 that the legal problems that the clients of the
17 programs that LSC funds today are problems that they
18 have to address alone. This is the phenomenon that we
19 hear about over and over again from the judge panels
20 that we convene.

21 Huge numbers of unrepresented people are
22 overwhelming our courts. They deal with a system that

1 was created by lawyers for lawyers, a system that was
2 built on the assumption that you have a lawyer, and
3 that doesn't work when you don't.

4 Many of the things that we do to try to
5 resolve their problems are workarounds. They're using
6 duct tape and baling wire to deal with fundamental
7 access problems, and the solutions are inadequate to
8 the challenges that they face. So until we rethink the
9 service delivery model and what the process is actually
10 like for people who can't afford representation, we're
11 going to be very limited in the progress that we make.

12 One thing that was very heartening to me is
13 that the work of our technology summit is routinely
14 cited in the deliberations of this commission as a
15 model for what we should be aiming for.

16 And people can almost quote the goal of the
17 summit, to provide some form of effective assistance to
18 100 percent of persons unable to afford an attorney for
19 dealing with essential civil legal needs. Some form of
20 effective assistance for 100 percent -- in other words,
21 don't ever turn anyone away with nothing, which is what
22 happens too often today.

1 This is becoming a mantra. I love hearing it
2 quoted. People use the terminology as if it were their
3 own. This is a good sign. Implementing it is
4 something else, but one of the particular
5 recommendations of the summit, that is, to create
6 statewide portals for one-stop access to assistance
7 with civil legal needs, is being pursued aggressively
8 by the commission. And I'm very happy and grateful to
9 William to have a seat at the table.

10 I'd be happy to answer questions.

11 CHAIRMAN LEVI: Julie?

12 MS. REISKIN: It's more of a thought. I'm
13 wondering if we should have a panel, a Board meeting,
14 just focusing on unrepresented litigants, and have a
15 variety of perspectives, and not just the judges, but
16 have maybe -- I've been thinking a lot.

17 Maybe we should have even some sort of focus
18 group or something with some unrepresented litigants to
19 ask, so what would help? And I know that again, like
20 one of the speakers said, there are some that they want
21 to talk about the fringes on the flag or whatever, and
22 I'm not talking about those because I don't think

1 anything we say is going to help that.

2 But it's just a thought. We keep talking
3 about it, but we haven't focused on it. And I also
4 think no one's really asking those folks, what is it
5 that you need?

6 CHAIRMAN LEVI: Charles?

7 MR. KECKLER: Yes. This actually follows on
8 Julie's question or thought, as it were, and it's
9 another thought, which is, looking into the issue of
10 pro se as we've done over a number of years, there
11 really still seems to be inadequate national data on
12 it. Yes. I mean, exactly. The National Center for
13 State Courts and -- it's just not there.

14 As a preliminary matter, it seems as though --
15 and I don't know whether we as LSC need to take an
16 effort or the ABA needs to take an effort. Somebody
17 needs to, clearly, or multiple somebodies, need to take
18 an action to solve this lack of data problem because
19 it's really persistent and almost puzzling now.

20 PRESIDENT SANDMAN: We're making progress on
21 that. That's something that LSC can't do by itself.
22 This is a job for the National Center on State Courts,

1 and they're doing it. They've had to start with some
2 basic definitional problems: Who is pro se? Sometimes
3 someone starts a case with a lawyer and the lawyer
4 drops out. How do you track that?

5 But they are developing standards for
6 identifying who is pro se and for trying to get state
7 courts to implement it. Even then, though, they're
8 limited in their power. This is state by state, and
9 sometimes county by county. They don't have the
10 ability to impose requirements on states and counties.

11 But I think that particularly because of their
12 relationship with the Conference of Chief Justices,
13 they're able to get the attention of people who might
14 be able to implement that. It's being worked on, and
15 the necessity for data is front and center.

16 CHAIRMAN LEVI: Jim, the commission that
17 you're on, what's going to happen now as William
18 evolves out of the presidency?

19 PRESIDENT SANDMAN: The commission will
20 continue for at least another year. His successor as
21 president, Paulette Brown, has authorized the
22 continuation of the commission. So we'll continue our

1 work.

2 CHAIRMAN LEVI: Does she have a seat at the
3 table, or is he going to continue to chair it?

4 PRESIDENT SANDMAN: He doesn't chair it, but
5 he's actively involved. She definitely has a seat at
6 the table.

7 CHAIRMAN LEVI: Martha?

8 DEAN MINOW: Just first, Jim, tremendous work
9 all year. This is really superb.

10 I do have a question going from your report
11 about the summit. Was there discussion, and if not,
12 should we explore the steps that are necessary beyond
13 information? So access to information is one thing.
14 Helping people figure out what they themselves should
15 do and how to do it is something else.

16 PRESIDENT SANDMAN: Yes, very much so. And in
17 fact, that is part of the recommendation of our
18 technology summit, that when we speak about some form
19 of effective assistance for 100 percent, the form of
20 effective assistance is going to depend on the
21 individual.

22 It's going to depend on the sophistication of

1 the client, the nature of the matter, what's at stake,
2 whether the opponent is represented or not. All of
3 those things need to be factored into considering what
4 effective assistance means. Sometimes information will
5 be sufficient; sometimes not.

6 CHAIRMAN LEVI: Father Pius, and then Gloria.

7 FATHER PIUS: Again, thank you, Jim, for the
8 wonderful report. I just want to change tracks a
9 little bit.

10 I think one of the things we all realized,
11 coming to the Board, was the problem of financial
12 oversight with the Corporation, especially the siloing,
13 and the fact that we have moved just dramatically
14 within the last several years to fix that.

15 And one of the, I think, great advantages of
16 modern technology, especially with cloud technology, is
17 to make these things more available. But the risk of
18 that, of course, is the data security issues. Those
19 things can sometimes, especially if you're doing them
20 through internet connections, can put data at risk, a
21 problem we've seen recently, obviously, with the
22 federal government.

1 I'm wondering whether it might be helpful to
2 provide a nontechnical, brief summary to the Board on
3 just some of the data security issues to make sure that
4 those are being addressed adequately to protect the
5 data because we've seen what happens when you have
6 antiquated systems and the risk of data being hacked,
7 for lack of a better word.

8 PRESIDENT SANDMAN: I'll ask Peter to report
9 on those matters at the meeting in October.

10 We don't have a lot of confidential
11 information from our grantees. We don't get individual
12 client information from them. The risk of breaches of
13 personally identifying information, at least insofar as
14 information about our grantees is concerned, I think is
15 very low.

16 To the extent that we have information about
17 LSC employees, that's a different matter. But that's
18 not what we're talking about having accessible through
19 our data portal.

20 PROFESSOR VALENCIA-WEBER: To the issue of not
21 just accessibility to information that's understandable
22 to the user, and also what Martha raised of what

1 happens afterwards, what actually happens, I was
2 impressed by our tech conference in San Antonio, at
3 several sessions I went to.

4 And in one session, it was not a lawyer. It
5 was not somebody affiliated with a practice, but
6 somebody who designs web pages for all kinds of
7 ventures. And that was quite useful, but it really
8 came clear when I went to a session about accessibility
9 to services for LGBT people.

10 And the panel program was put together
11 involving some of our LSC-funded attorneys as well as
12 other pro bono attorneys, all of whom identified
13 somewhere in that population, as well as a couple of
14 users.

15 And it was really incredibly practical because
16 we got down to the level of the imagery, the vocabulary
17 that invites or disinvites, the use of avatars that
18 promote continued use as well as tracking in a way that
19 the person knows a further followup is involved for
20 that individual, who in that particular community is
21 offering the services, and where they go to; and in
22 better individual operations, people who will help make

1 an appointment for you there.

2 And it was really one of the best
3 presentations I've seen that covers all of this. And I
4 think our tech conferences, to the extent they can do
5 that, will help all of us.

6 CHAIRMAN LEVI: Thank you, Jim.

7 Mr. Inspector General?

8 MR. SCHANZ: Yes, sir, Mr. Chairman. I have
9 with me today Dave Maddox, the assistant inspector
10 general for management and evaluation, and you've
11 already seen the President of the Corporation commend
12 the new, fairly new, AIGI, Mr. Dan O'Rourke. So I will
13 be very brief in my statements, and then cede my time
14 to my colleagues.

15 I did want to reinforce some of the changes
16 that we've made in the audit process, so I'll put on my
17 John Seeba hat. He's floating in a river somewhere in
18 Europe on vacation, so I'll do the best I can.

19 But what I told you at the closed session and
20 I think the open session of the Audit Committee was
21 taking the advice of the Board, Management, and my own
22 staff, we've made some fundamental changes in how we

1 roll out our audit reports.

2 We're providing a synopsis for the convenience
3 of the Board, and that's one positive. Based on our
4 discussions earlier this week, we will be sending the
5 audit report to all the board members that we can
6 capture. We'll work with Management in this regard.

7 Finally, based on my 43 years experience in
8 this type of work, I'll put an IG note on each report
9 that we roll out highlighting what I feel is the most
10 important subject matter of the report.

11 So with that, I'll turn it over to Mr. Maddox.

12 MR. D. MADDUX: In terms of activities, OIG
13 planning, we've had two recent significant
14 developments. One is we've released our new OIG
15 strategic plan for years 2015 through '19.

16 There's two main goals: to promote LSC's
17 effectiveness by delivering high value OIG products as
18 a trusted advisor that identifies areas for improvement
19 and communicates those to stakeholders; a second goal
20 is to advance excellence in OIG performance by
21 effectively managing, leveraging our human resources
22 and information systems. Under those two goals, there

1 are seven objectives and 33 strategies.

2 Our plan was reviewed by the Department of
3 Justice OIG and they found it to be comprehensive,
4 linked to the LSC plan, and smart to include challenges
5 and environmental impacts that influence how and when
6 the plan is carried out.

7 We'd like to thank Julie very much for her
8 comments. We spent quite a bit of time considering
9 those and how to implement those in our planning
10 process through the strategic plan but also through our
11 annual plans.

12 MR. MADDOX: David, can I interrupt?

13 MR. D. MADDOX: Certainly.

14 MR. MADDOX: On that last slide, what are
15 challenges and environmental impacts? What does that
16 mean?

17 MR. D. MADDOX: In a lot of cases, challenges,
18 we've identified LSC's major management challenges as
19 high-risk areas that OIG work should take place in. So
20 it helps us allocate resources in the future of what we
21 ought to be looking at through our own analysis and
22 assessment.

1 In terms of environmental impacts, items that
2 we can't control that will affect how we can do our
3 jobs and our mission, such as funding limitations,
4 other issues being brought up; in court, our access to
5 information, items like that that does impact.

6 MR. SCHANZ: If I could add to that, Victor,
7 in economic terms, and of course I went to law school
8 with law on economics as a focus, that would be called
9 externalities, things that are uncontrollable by the
10 IG. And it's a fairly common term in strategic
11 planning.

12 You may remember I was involved in the GPRA
13 rollout in the Department of Justice, and that became a
14 huge issue. How do you control the uncontrollables?
15 Well, you can't. They just include what could happen
16 under the notion of the term externalities.

17 MR. D. MADDOX: And we had shared that draft
18 plan with you at the last Board meeting.

19 In terms of rolling that out on an annual
20 basis, we updated our FY 2015 work plan that integrates
21 the new strategic plan. So per objective, it lists
22 plans, activities, and performance levels under each.

1 Of course, that factors in available resources and is
2 subject to shifting priorities.

3 For example, last week we received a new
4 congressional request to review LSC's FOIA response
5 process by Senator Ron Johnson's office, the Senate
6 Homeland Security and Government Affairs Committee.
7 And we're working with Ron Flagg's group on how to
8 approach that.

9 To give you an idea of what that looks like in
10 terms of our plan, I've taken out one page from the
11 annual work plan. So under goal one, objective one,
12 here are the activities: Complete 100 percent national
13 coverage of the grantee fraud awareness briefings;
14 issue prevention alerts, as appropriate; perform a
15 combined 12 fraud regulatory vulnerability assessments;
16 continue the subgrant reviews; conduct investigations;
17 our hotline; and develop new prevention and detection
18 initiatives.

19 In terms of internal control audit since the
20 last Board meeting, Jeff had mentioned we've picked up
21 our rate. We've produced four of those -- Florida
22 Rural, LAB, LAFLA, and Community Service of Mid

1 Florida.

2 At this point, I'll turn it over to Dan
3 O'Rourke to talk about recent investigative activities.

4 MR. O'ROURKE: Thank you. So as Jim Sandman
5 referenced earlier, this is an example of one of the
6 cooperation stories, great cooperation, between LSC and
7 the OIG. Over a two-year period, we did reviews or
8 investigations at 20 different subgrantees and came up
9 with some trends that we wanted to discuss and provide
10 to LSC Management to take whatever action they needed
11 to take. And there's a good story here.

12 At Jeff's direction, we developed a summary
13 report of 20 different subgrantees' compliance,
14 particularly related to the Part 1627 related to
15 subgrants, and we found financial risk related to
16 inadequate grantee fiscal oversight, minimal or
17 nonexistent accounting policies, weak internal
18 controls, and a lack of understanding of LSC restricted
19 activities, as well as incidents of inadequate fidelity
20 bond coverage.

21 So we believe, and our report indicated, that
22 these financial risks were caused by the subgrantees'

1 insufficient knowledge of LSC requirements, inadequate
2 oversight by the grantees, and untimely notification of
3 serious fiscal issues to LSC and/or the OIG.

4 The capstone report was provided to
5 Management, which resulted in a briefing to OPP and OCE
6 personnel. And you've got to give a lot of credit to
7 Lynn Jennings; she made that briefing occur and happen.
8 Jim Sandman was in attendance. And we had a lot of
9 good give and take between both OIG and OCE personnel
10 during that briefing. A lot of information was shared,
11 and we both benefitted from that discussion.

12 So the report resulted in LSC Management
13 adopting the recommendations in the capstone report,
14 and they incorporated our changes in the subgrant
15 application process, which is a very good story in
16 terms of the cooperation and the quick response to our
17 recommendations in that subgrant capstone report.

18 As a result of OIG investigations, we found
19 issues related to conflict of interest in some of our
20 investigations where problems occur. Many may have a
21 conflict of interest policy, the grantees; some do not.

22 But you've got to follow the policy to prevent

1 potential fraud.

2 So based upon these incidents of fraud,
3 criminal cases especially, we recommended to the board
4 chairs and executive directors to put together a
5 conflict of interest policy if you don't have one. We
6 referenced IRS as a sample policy for conflict of
7 interest. LSC and the OIG has an LSC policy that they
8 could have used as well as possible examples to put
9 theirs into place.

10 But we're mostly concerned about related party
11 transactions related to family members, friends, and
12 associates. And based upon this fraud alert that we
13 put out a few months ago, the Thompson Publishing
14 Service Single Audit Information Service presented an
15 article which was titled, "LSC OIG Alert Calls for
16 Effective Conflict of Interest Policies as a Proactive
17 Measure to Prevent Fraud." And this article was
18 distributed to all the federal grant compliance
19 community, which is a very good thing for us.

20 PRESIDENT SANDMAN: Dan, could I mention
21 something here? It was as a result of your
22 recommendations that our grant assurances will now

1 require that all of our grantees have conflict of
2 interest policies. Thank you.

3 MR. O'ROURKE: Absolutely.

4 MR. D. MADDUX: The next development, we have
5 a new OIG website, www.oig.lsc.gov. It is of course a
6 critical communications element that we've identified
7 in our strategic plan to communicate more and more
8 effectively throughout.

9 It provides more professional and better
10 management of OIG information, improves organization by
11 unit and by product. It also includes the resources
12 for the IPAs doing the grantee financial statement
13 audits. We hope it facilitates ease of use.

14 Common features, if I may, you'll see this
15 "Report Fraud" button is universal throughout the
16 entire website. It allows for secured fraud reporting.

17 A little bit lower down you can see anyone can sign up
18 for email updates so that no one misses a release of a
19 new OIG report. They'll receive an email update.

20 The site has been tested as 508 compliant.
21 And it is fairly mobile-friendly; we're still trying to
22 make improvements on that front somewhat. But it's

1 fairly close to what we want.

2 Walking across the menu bar to help you find
3 things in the future, here we have Meet the IG. OIG
4 Overview. OIG Professional Standards. So those are
5 the federal standards across all OIGs, the Silver Book
6 for the office as a whole. You'll also find listed
7 there the investigative standards, the audit standards,
8 as well as the evaluation and inspection standards
9 shared throughout all OIGs.

10 Further down that list under About OIG, it
11 talks about our core values. We have a Governance
12 page. We identify LSC Management Challenges. We talk
13 about OIG Planning. So if you look there, that's where
14 you will find our new strategic plan as well as our new
15 updated work plan, and we'll be working on an FY 2016
16 plan in the fall.

17 Budget. Here's where we list our budget
18 request. Staff Directory. We also have a site map
19 across to help people find items. A new change from
20 the old site -- we identify the individual offices,
21 Audit, Investigation, Legal, Management and Evaluation.
22 We provide missions for each office.

1 The next item, Products here, happens to be
2 showing audit reports. And as just mentioned, we've
3 released nine so far in 2015. But it does so on an
4 annual basis. You can go down and see each year's
5 reports.

6 We also have our products -- our Semiannual
7 Reports to Congress, our Investigative Results and
8 Products page, Peer Reviews, Archives. If you want,
9 we've brought things over from our original site that
10 go back to 1995. All of those have been identified,
11 which is apparently a requirement of the updated IG
12 Act, that you maintain OIG reports in the future.

13 The next area is for IPA resources. What kind
14 of audit guidance are we providing to the field? It
15 also talks about our audit quality program, QCRs. We
16 also have a number of IPA Frequently Asked Questions
17 there, so we have kind of an ongoing dialogue with the
18 IPAs that's shared with everyone.

19 Our last site is our Contact the OIG. There
20 we have our OIG hotline. There's a confidential form
21 that informants can fill out. FOIA requests,
22 employment, procurement situations, are all identified

1 there.

2 We think it's a major improvement. Special
3 accommodate for Magali Khalkho, the project manager on
4 this, that was able to pull this together, as your
5 prior meeting and talking about LSC updating its
6 website; to update and migrate content to pull this
7 over was really a monumental task that took a good six
8 to seven months in our case.

9 That's all I have.

10 MR. SCHANZ: Any questions during the open
11 session? We do have some items for the closed session
12 of the Board.

13 CHAIRMAN LEVI: Vic?

14 MR. MADDOX: I agree, it's a major
15 improvement, and I think it's terrific.

16 I wanted to go back to a slide in the earlier
17 presentation. There was a reference to the subgrantees
18 having an inadequate understanding or awareness of LSC
19 restrictions. Is there anything more you can add on
20 your finding in that regard?

21 MR. O'ROURKE: They were doing some issues
22 related to immigration representation. I forget the

1 other issue. There was two issues they were conducting
2 which was not within the LSC regs. So they need a
3 little more guidance. And I think we are going to
4 propose additional training for the subgrantees as
5 well.

6 MR. MADDOX: Yes. Maybe this is for
7 Management. How do our subgrantees -- how are they
8 made aware of LSC restrictions?

9 MS. JENNINGS: I will answer that question,
10 but I wanted to let you know that we are, as we do site
11 visits, going to now as a matter of course go to the
12 subgrantees. We didn't normally do that as part of our
13 onsite visit.

14 So in addition to the additional information
15 that we will be asking in the application, which is the
16 accounting manual, the most recent audited financial
17 statement, the most recent 990, current fidelity bond
18 coverage, conflict of interest policy, and
19 whistleblower policy.

20 This is in the pre-approval stage, and based
21 on what the information is, if it's not responsive, the
22 subgrant probably will be conditionally approved or

1 maybe a special grant condition.

2 MS. RATH: As far as how the subgrantees learn
3 about LSC regulations, we approve, LSC, every subgrant
4 agreement. It gets sent to us before it goes into
5 effect. One of the conditions of every subgrant needs
6 to be that the grantee will provide the subgrantee with
7 LSC regulations, make sure that they have them, make
8 sure that they have access to the CSR Handbook and
9 Frequently Asked Questions.

10 As Lynn said, because of the short staff, we
11 hadn't been doing enough oversight of the subgrantees.

12 We had been depending somewhat on the grantee to do
13 that oversight. We are looking internally, at LSC, how
14 to increase our oversight.

15 One of the things we're talking about doing is
16 a mandatory webinar for every subgrantee before they go
17 into the next cycle, the January 1 cycle, having them
18 attend a mandatory webinar where the OCE staff will go
19 over all of the regulations and restrictions.

20 PRESIDENT SANDMAN: This matter is also
21 addressed in the Grantee Advisory that the Office of
22 Compliance and Enforcement will be putting out.

1 MR. MADDOX: Thank you. I think it is
2 important that LSC be more involved in making sure our
3 subgrantees are aware of those. I've frequently
4 expressed my view that it's important that LSC grantees
5 and their subgrantees stay within the restrictions
6 because I think it has the potential for a lot of
7 troubling and adverse political backlash, and in the
8 immigration field in particular.

9 This is a highly contentious issue right now,
10 and so I'm glad to hear that we are giving more
11 attention to that, Jim. Thank you, Lora.

12 CHAIRMAN LEVI: I assume your tech people are
13 different than the tech folks with respect to the
14 website. Is that -- but do they ever get together?

15 MR. D. MADDOX: That is correct. The OIG has
16 a completely different computer network than LSC
17 Management. I meet monthly with Peter Campbell to
18 coordinate on items.

19 CHAIRMAN LEVI: They do? Okay.

20 MR. MADDOX: Just one more question. Where do
21 I find the capstone report on the website? Is that
22 identified as such?

1 MR. O'ROURKE: You know, it's not. We wanted
2 to consider it confidential in terms of identifying the
3 subgrantees themselves. So we provide that specific
4 information to Management. But we are in the process
5 of doing a generic, redacted version of the subgrant
6 capstone report, and we'll get that out within a week
7 or two.

8 PRESIDENT SANDMAN: I believe that was emailed
9 to the Board, wasn't it?

10 MR. SCHANZ: Yes, it was.

11 MR. O'ROURKE: Was it? Okay. So you have it.
12 But on the website, we're going to be more generic,
13 yes.

14 MR. MADDOX: I'll go to my OIG subfile.

15 CHAIRMAN LEVI: Charles?

16 MR. KECKLER: Just a quick note that of course
17 we are on the ongoing and extended process of revising
18 our subgrant rule, and that deals with a number of
19 issues. But among the things they're considering is
20 the extension of our timekeeping regulation to the
21 subgrantees. And I just want to make people aware of
22 that, that that's a relevant issue with regard to these

1 points that are raised.

2 CHAIRMAN LEVI: Thank you, Mr. Inspector
3 General.

4 MR. SCHANZ: And as always, I am but the
5 conductor of the orchestra. My staff deserves all the
6 credit.

7 CHAIRMAN LEVI: Yes. Thank you very much.

8 MR. SCHANZ: Thank you.

9 CHAIRMAN LEVI: Julie -- oh, are there still a
10 couple of comments? No? Jim, you wanted to say
11 something? Julie, you did?

12 MS. REISKIN: I just wanted to thank you for
13 mentioning and remembering to do the 508. Even if
14 you're technically not a federal agency, it's federally
15 funded, so thank you.

16 CHAIRMAN LEVI: Martha?

17 MR. SCHANZ: I worked for the feds for quite a
18 few years, Julie. That's, yes, very important. Thank
19 you.

20 DEAN MINOW: I just want to commend you for
21 leading by example. The amount of transparency and
22 clarity, it's really quite excellent.

1 CHAIRMAN LEVI: Mr. Grey, Finance Committee?

2 PRESIDENT SANDMAN: Could I mention something
3 just to supplement my report? Charles raised earlier
4 the problem of the lack of data about the number of pro
5 se litigants in state courts. Carol Bergman has
6 reminded me that we're trying to do something about
7 this beyond just persuading the National Center on
8 State Courts.

9 We recently had a meeting with Congressman Joe
10 Kennedy of Massachusetts, a second-term congressman, he
11 worked at the Harvard Legal Aid Bureau, and the
12 experience was very significant to him.

13 He asked how he could help, and one of the
14 things we raised with him was the prospect of
15 introducing legislation that would require that the
16 Department of Justice, as a condition of any grant that
17 it makes to a state justice agency, to get them to
18 report on pro se litigants.

19 We're trying to identify where the levers of
20 power and influence are, and that's one of them. The
21 Department of Justice makes many grants to state courts
22 for a variety of reasons. So we internally drafted a

1 proposed statute that would accomplish that, so we're
2 on it. Thank you for the reminder, Carol.

3 MR. GREY: Mr. Chairman, the Finance Committee
4 met yesterday and proposes, after a detailed report by
5 the Treasurer and Carol Bergman, that with regard to
6 the 2016 fiscal year, that we adopt a temporary
7 operating authority contained in the resolution on page
8 168 of the agenda book.

9 M O T I O N

10 MR. GREY: The Committee approved, and we so
11 recommend.

12 DEAN MINOW: I don't think you need a second.

13 CHAIRMAN LEVI: All in favor?

14 (A chorus of ayes.)

15 CHAIRMAN LEVI: Opposed?

16 MR. KECKLER: I vote nay.

17 MR. GREY: This is a continuing resolution.

18 MR. KECKLER: Oh, I don't --

19 MR. GREY: Do you want to change your vote?

20 MR. KECKLER: Yes. I want to change my vote
21 to yes.

22 MR. GREY: The second resolution before the

1 Committee was presented by Management, and it was a
2 proposal for a request for fiscal year 2017. I will
3 note that the Finance Committee received a briefing
4 from the President of the Corporation and a memo dated
5 July 13, 2015 outlining a process for evaluating the
6 proposal for the 2017 budget.

7 It was contained in a memorandum that was very
8 well documented with regard to the number of
9 individuals in this country who would be possible
10 recipients of LSC services, noting that we have had a
11 steady decline of our budget since the 2007 budget
12 allocation, and that we've been flat for the last three
13 years in our requests for funding for LSC grant
14 services to the field.

15 Believing that, as fiduciaries for this
16 Corporation, that we have a responsibility to educate
17 and inform the public and Congress of the need that has
18 grown substantially in this country, that we should in
19 this particular instance, as an agency charged with the
20 responsibility to fund the services of the legal needs
21 of the poor, that a budget request of \$502,700,000
22 would be appropriate in this case.

1 M O T I O N

2 MR. GREY: It was discussed by the Committee.

3 It was approved, and it is now recommended to the
4 Board.

5 CHAIRMAN LEVI: All in favor? Is there
6 discussion? Yes, sir?

7 MR. KECKLER: Thank you, John. I'm going to
8 vote no against the recommendation. I just want to
9 make it clear that I support a request by the
10 Corporation of an increase over its current
11 appropriation, and more importantly, that it would
12 receive a higher appropriation, as well as the
13 requested one.

14 But as in my previous comments, I believe that
15 in fact our current appropriation is a more appropriate
16 basically on which to base requests rather than prior
17 year budget requests or earlier appropriation levels,
18 as in 2007. Thank you.

19 CHAIRMAN LEVI: Julie?

20 MS. REISKIN: Yes. I just have to say as a
21 client rep, I really strongly support. And on behalf
22 of the people that rely on these services, and who lose

1 their homes and don't have enough to eat or can't get
2 life-sustaining medical care when they can't get
3 access, I would just urge a yes vote. And I really
4 appreciate the thought that went into the
5 recommendation.

6 CHAIRMAN LEVI: Vic?

7 MR. MADDOX: John, I've struggled with this
8 issue. And I find Charles' rationale, at least for me
9 this year, compelling given that the poverty population
10 that we are charged with serving actually dropped by
11 some 8 percent from where we started.

12 So while I appreciate the care and
13 thoughtfulness that Jim Sandman put into his
14 presentation and I find it persuasive in most respects,
15 I'm going to vote with Charles on this and vote no.

16 FATHER PIUS: As I said, obviously it's an
17 important issue, the one that Charles raises, and it's
18 a problem we've addressed before as the Board, so that
19 when our baseline is our past proposal and that
20 baseline keeps getting further and further away from
21 the actual number, then our proposal number gets more
22 and more into the realm of fantasy.

1 That's a long-term problem that I think, as a
2 Board, we do have to take seriously. And we've run
3 into the problem before. It's one of the reasons that
4 we have left the number level for many years. And I
5 think my first year on the Board was the first year I
6 think we actually lowered the request from the previous
7 budget proposal from the year prior.

8 At some point we're going to have to do that
9 again. If the appropriations don't start matching to
10 getting where our proposal is, then the distance
11 between the two is simply going to become too
12 ridiculous for us to do anything with.

13 I don't think we're quite there yet, although
14 I'm worried that we're getting close. What percentage
15 is this over the current amount? We're requesting,
16 what, something like a 40 percent increase?

17 MR. KECKLER: Well, that would depend on what
18 our appropriation is next year.

19 FATHER PIUS: Well, I mean the current.

20 MR. KECKLER: It's about 30 percent, I think,
21 over.

22 FATHER PIUS: Yes. So you're asking for 30

1 percent, which for me isn't quite in the realm of
2 crazy, but it's getting darn near. So it is something
3 I think we should be cognizant of if we want to make
4 this budget request relative going forward.

5 But I do want to make clear, as I think
6 Charles is, no one on this Board thinks that the LSC is
7 getting enough money. And then no one thinks there are
8 enough resources being devoted to the poor. It's the
9 question of how we make that request in a way that is
10 cognizant of the current budget difficulties that we
11 envision, and as well, I think, as the increasing
12 understanding that the federal government shouldn't be
13 the only player in this business and the states should
14 be as well.

15 So I'm with everyone else saying -- I'll vote
16 in support of this, but I'm with everyone else, I
17 think, as saying that the clear message that everyone
18 should take from whatever this vote is is that funds
19 for LSC are insufficient, funds for legal services in
20 this country, for civil legal services in this country,
21 are insufficient, and that we need to do more, not just
22 in funds but in process to allow more people access to

1 justice. Thank you. And thank you again to Management
2 for a very detailed, a very thoughtful, and a very
3 helpful report.

4 CHAIRMAN LEVI: I should remind you all that
5 this number is smaller than I believe the number that
6 was proposed by our prior Board.

7 DEAN MINOW: So this is a very thoughtful and
8 appropriate discussion, and I think we all are
9 struggling with operating in a context in which the
10 numbers are so not connected to reality.

11 I would like to propose that there be a
12 resolution of the Board that accompanies whatever the
13 vote is on this particular motion to the effect of
14 Father Pius's comments that were just made.

15 I don't know if I can craft it right here, but
16 it's something to the effect of the Board unanimously
17 believes that there is currently insufficient funding
18 for legal services for poor, and therefore for the LSC.

19 And just that, I think, would be a very powerful
20 statement.

21 MS. REISKIN: Yes. I just wanted to briefly
22 respond to what Victor said about the poverty

1 population going down, and I mentioned this, and I
2 appreciate your amendment to the report.

3 For those of us who are living close to the
4 poverty level or near there, it's actually harder when
5 the poverty population goes down and when the economy
6 supposedly gets better because prices go up but our
7 incomes don't go up.

8 Then when the economy's better, it's harder to
9 get housing, so landlords don't take Section 8, and
10 they evict people more. So life actually gets a little
11 harder for those of us at the bottom. So just because
12 the poverty population goes down doesn't mean that the
13 legal needs change. It actually is worse. It's
14 actually harder for those at the very bottom.

15 CHAIRMAN LEVI: Other questions? Comments?

16 MR. MADDOX: Let me just say, John, that I
17 certainly would look forward to Martha's resolution,
18 and I would anticipate supporting it.

19 CHAIRMAN LEVI: I want to make a comment now,
20 too. We've been at this quite some time. When we came
21 into office, the poverty population was in the 50
22 millions. It's in the 60s any way you cut it.

1 Our funding, our actual funding, is way below,
2 and when we came into office, we knew, we were told by
3 our grantees, and we've done the things, I think, and
4 we're continuing to do those things, to assure
5 ourselves of quality production from our grantees and
6 that they stay within the appropriate bounds.

7 But the thing that Father Pius is struggling
8 with I'm struggling with. Of course, I look at it and
9 say, we're in the best position of all of the lawyers
10 in the country to know what's really happening out
11 there. So the way I look at it, my real number is \$880
12 million.

13 But I've listened to you guys. I've actually
14 taken what you have been saying here, even though it
15 puts you on the opposite of this vote, into account in
16 proceeding in this kind of way in this environment.
17 But frankly, it makes me very uncomfortable.

18 Very uncomfortable, and personally very
19 concerned about the future of the country because my
20 own view is that if the weakest among us do not have
21 robust access to the system of justice, there's a
22 tipping point out there. I don't know where it is.

1 We saw some things fray at the edges. We did
2 see that. We were lucky, in my view, that it wasn't
3 the summertime. And that's complicated. And
4 incidentally, in the offices of very conservative
5 folks, staff members came up to me and expressed their
6 own worries about just this issue that motivated
7 President Nixon to found legal services, namely, the
8 rule of law.

9 If you took the numbers that those people put
10 behind legal services and inflation-adjusted them, we
11 would be way beyond the number that Management is
12 proposing. So I'm reluctantly supporting this number,
13 but it's for a different reason and from a different
14 side of the aisle.

15 All in favor?

16 (A chorus of ayes.)

17 CHAIRMAN LEVI: Opposed?

18 MR. KECKLER: Nay.

19 MR. MADDOX: No.

20 DEAN MINOW: May I put forward a resolution
21 that we can craft a little bit better later?

22 CHAIRMAN LEVI: I believe that comes under new

1 business.

2 DEAN MINOW: Oh, I'm sorry.

3 CHAIRMAN LEVI: I think. Isn't that correct?

4 MR. GREY: That would be correct, yes.

5 CHAIRMAN LEVI: Any other Finance Committee?

6 MR. GREY: No.

7 CHAIRMAN LEVI: Thank you very much.

8 Your light is on. Did you have more? No?

9 But you're up. The Audit Committee.

10 MR. MADDUX: Thank you, Mr. Chairman. The
11 Audit Committee met on Thursday and we received reports
12 from Management concerning the risk matrix, the
13 referral to OCE of matters from the Office of the
14 Inspector General. We received a report from the
15 Office of the Inspector General.

16 We reviewed as a Committee the Audit Committee
17 charter, and will continue that process leading up to
18 our next meeting. We received no public comment. We
19 had a confidential session, and there are no matters to
20 bring to the Board. Thank you.

21 CHAIRMAN LEVI: Thank you. And thank you for
22 the work of your committee, I want to say.

1 Ops and Regs?

2 MR. KECKLER: Thank you, Mr. Chairman. The
3 Operations and Regulations Committee met on July 16th,
4 and as usual had a busy session. In addition to the
5 items that I'll bring before you momentarily, we also
6 considered changes to our grant assurances. I had
7 received a briefing on those. And the Committee
8 approved its own work plan in the form of its
9 rulemaking agenda.

10 We have four items to bring before the Board
11 today, all under the auspices of recommendations from
12 the Committee. The first of those is contained in a
13 loose leaf document which you should have received on
14 agriculture worker population data for basic field,
15 migrant grants.

16 This is a notice which Management wishes to
17 publish. It doesn't change anything currently
18 regarding the migrant grants; however, it informs the
19 field about our ongoing process of revising the data on
20 which those grants are distributed.

21 M O T I O N

22 MR. KECKLER: So the Committee recommends the

1 publication of that notice, with some minor amendments
2 that I believe have now been made and distributed to
3 the Board.

4 CHAIRMAN LEVI: All in favor?

5 (A chorus of ayes.)

6 CHAIRMAN LEVI: Was there discussion
7 necessary? No? Aye.

8 Opposed?

9 (No response.)

10 CHAIRMAN LEVI: Next?

11 MR. KECKLER: Thank you, Mr. Chairman. We
12 also completed the Committee's work on Part 1628 of our
13 regulations on recipient fund balances in terms of
14 making that rule more flexible for our grantees as they
15 face unexpected financial events. That is found on
16 page 17 of your Board book. And I believe that final
17 rule was approved without any further amendments.

18 M O T I O N

19 MR. KECKLER: So as presented within the Board
20 book on page 17, the Committee recommends adoption of a
21 final rule for Part 1628.

22 CHAIRMAN LEVI: Comments? Discussion?

1 (No response.)

2 CHAIRMAN LEVI: All in favor?

3 (A chorus of ayes.)

4 CHAIRMAN LEVI: Opposed?

5 (No response.)

6 MR. KECKLER: Thank you, Mr. Chairman. We
7 also presented and discussed a new rulemaking protocol
8 and associated policy statement, which are found pages
9 33 and 36 of your Board book in draft form. There were
10 minor amendments to that -- thank you to Father Pius on
11 that -- which also should have been distributed to the
12 Board. That's correct, that all received that?

13 MR. FLAGG: Correct.

14 M O T I O N

15 MR. KECKLER: Everybody's got that. So the
16 Committee recommends publication, but it'll be
17 published in the Federal Register simply as a notice to
18 the public. However, we recommend adoption and then
19 associated publication of the protocol and the policy
20 statement for rulemaking, as amended.

21 CHAIRMAN LEVI: Comments? Questions?

22 (No response.)

1 CHAIRMAN LEVI: All in favor?

2 (A chorus of ayes.)

3 CHAIRMAN LEVI: Opposed?

4 (No response.)

5 MR. KECKLER: Thank you very much, Mr.
6 Chairman. Our final item of business to bring before
7 the Board is that as a consequence of the rulemaking,
8 as part of our rulemaking agenda, and as well as an
9 aspect of this new rulemaking protocol, Management has
10 presented a justification memorandum on page 49 of your
11 Board book asking for the Board's approval to initiate
12 the process of formal rulemaking with regard to Part
13 1630 and the Property Acquisition and Management Manual
14 of the Corporation.

15 We discussed that matter, and you'll find the
16 memorandum describing the reasons why Management seeks
17 to begin that process, which will be open and seek
18 early input from the field.

19 M O T I O N

20 MR. KECKLER: And the Committee has
21 recommended initiation of rulemaking on these issues.

22 CHAIRMAN LEVI: But that's not a vote?

1 MR. KECKLER: That is a vote. We do ask for
2 the Board's approval to begin the rulemaking process.

3 CHAIRMAN LEVI: Any discussion?

4 (No response.)

5 CHAIRMAN LEVI: All in favor?

6 (A chorus of ayes.)

7 CHAIRMAN LEVI: Opposed?

8 (No response.)

9 MR. KECKLER: Thank you very much, Mr.
10 Chairman. That concludes the report of the Operations
11 and Regulations Committee.

12 CHAIRMAN LEVI: Governance Committee?

13 DEAN MINOW: The Governance Committee met and
14 had a brief report about an inquiry from GAO, where
15 Carol Bergman explained the general inquiry from GAO
16 that she has replied to on our behalf. And Jim Sandman
17 gave us a full report on the status of foundation
18 grants and the LSC research agenda.

19 We requested an amplified written statement, a
20 chart, I should say, of what are the particular areas
21 of focus for existing data collection and evaluation
22 reviews, and what are the proposed future ones, just so

1 we can keep that in mind. And we will get that before
2 the next meeting. And that concludes my report of the
3 Governance and Performance Review Committee.

4 CHAIRMAN LEVI: Any questions? Comments?

5 (No response.)

6 CHAIRMAN LEVI: Institutional Advancement. We
7 met and discussed also the private fundraising efforts,
8 grants that are ongoing, got a report on them. Also,
9 we approved a couple of additional funding requests --
10 funder requests, rather.

11 M O T I O N

12 CHAIRMAN LEVI: We did have an action item,
13 which is the approval of a protocol, which we have
14 recommended, as grammatically corrected by Father Pius.
15 And that is in front of the Board for action.

16 Any discussion about that protocol?

17 FATHER PIUS: Did we get a revised copy of
18 that one? No? Okay.

19 CHAIRMAN LEVI: We're just going to trust that
20 it's coming. And I suppose it can always be amended if
21 there's a word out of place, but --

22 FATHER PIUS: Well, the only substantive

1 change that I also suggested, if everyone agrees, and
2 I'm hoping that's part of the amendment, is to remove
3 the general reference to non-director Committee
4 members.

5 CHAIRMAN LEVI: Yes.

6 FATHER PIUS: Limited only to non-director
7 members of the Institutional Advancement Committee.

8 CHAIRMAN LEVI: Which we discussed in the
9 meeting as well.

10 FATHER PIUS: Yes. Right. And I assume
11 that's part of the amendment.

12 CHAIRMAN LEVI: And that was a part of the
13 vote of the Committee.

14 FATHER PIUS: Yes.

15 CHAIRMAN LEVI: So all in favor?

16 (A chorus of ayes.)

17 CHAIRMAN LEVI: Opposed?

18 (No response.)

19 CHAIRMAN LEVI: Then the Communications
20 Subcommittee met this morning and had a presentation of
21 the website and really the ongoing social media
22 campaign and the other public awareness efforts, both

1 in connection with the 40th and just generally in an
2 ongoing way on behalf of LSC and its grantees.

3 Anything I left out of that?

4 MS. REISKIN: No.

5 CHAIRMAN LEVI: Okay. That's the report of
6 the Institutional Advancement Committee.

7 Delivery of Legal Services?

8 FATHER PIUS: We had the panel discussion
9 today (sic), and I don't think I could add to John's
10 compliments to Gloria Valencia-Weber and the members of
11 the panel for the incredible job they did today. You
12 all heard that, and I think it was an excellent work
13 and the fruit a great deal of labor from Gloria.

14 And so we thank them again profusely for that
15 and for all the work and the good information we
16 received from that panel. No action items from the
17 Committee.

18 CHAIRMAN LEVI: I would like to observe, I
19 think that work and the work that we've seen coming out
20 of this Committee in its reformatted charter is really
21 working on behalf of all of us and better educating us
22 in the delivery of legal services. And so I know you

1 were an architect of that, and I just want to thank you
2 and congratulate you, too.

3 Strategic planning? Oh, I'm sorry.

4 MS. REISKIN: I think there was a lot of talk
5 yesterday about we should do something. We should try
6 and follow up on some of the stuff we heard. And I
7 don't think anyone has a magic bullet, but could we
8 have a date certain or something where we're going to
9 make sure that we do follow up on this?

10 Again, I don't think anyone knows exactly what
11 to do. But I think everyone feels like something needs
12 to be done, and I just want to make sure it happens.

13 MS. MIKVA: One thing that I thought coming
14 out of this and coming out of a comment talking to one
15 of the people in the programs later is that -- and he
16 was clear that he didn't want the grant to be
17 readjusted, but that they haven't looked at the way the
18 grant is split up between grantees since it was
19 initially done many years ago and it has no
20 relationship to the number of poor-eligible people
21 within the various service areas.

22 I think it would be nice to get a report on

1 how it is split up and how that does compare to
2 eligible --

3 CHAIRMAN LEVI: That's above my pay grade.
4 I'd prefer that to Jim or to folks who have better
5 knowledge of how those grants --

6 PRESIDENT SANDMAN: Yes. Are you referring to
7 the difference between basic field and Native American
8 grants?

9 MS. MIKVA: Yes.

10 CHAIRMAN LEVI: Maybe we can get a report on
11 that in October.

12 FATHER PIUS: Maybe we can do that report in
13 our next meeting. Yes.

14 CHAIRMAN LEVI: Now, as to Julie's comment,
15 that's certainly something that Gloria is taking -- she
16 heard it, too. And we'll consider what to do and how
17 to go about it. We'll certainly have something in New
18 Mexico, but we'd like to do something before that.

19 PROFESSOR VALENCIA-WEBER: Yes. And I think
20 before that, probably just a general discussion or
21 briefing, possibly, about what was raised, including
22 the six questions and people's responses, because there

1 are out there collaborative and long-time efforts that
2 have been made about certain things that happen or do
3 not happen in Department of Justice, Department of the
4 Interior.

5 So we need to at least know that before we
6 discuss what might be appropriate for LSC and decide
7 what if anything we want to do.

8 CHAIRMAN LEVI: Thank you. Strategic plan, is
9 that going to be Father Pius or Gloria? Did we pass
10 out the --

11 FATHER PIUS: It's in the Board book. Well,
12 last year's strategic plan is in there. So we talked
13 -- and maybe, Jim, you can chime in as well because I
14 hadn't prepared, actually, anything -- so we're talking
15 about the strategic plan.

16 I think the process that we're thinking of is,
17 first, that we will not be hiring a consultant. I
18 think there's a general consensus that that was not
19 helpful last time; it would be even less helpful this
20 time.

21 I think the process going forward would be,
22 though, first to elicit information from a variety of

1 sources, including even a public notice in the
2 Register. We don't have to do it, but I think it's
3 just a way to show that we want openness and
4 transparency in the process of doing this.

5 Then to then solicit input specifically to the
6 various constituencies by sending letters, probably,
7 with -- and the preparation for, I think, that -- well,
8 let me back up -- so to specific constituencies
9 eliciting specific information.

10 I think the preparation for the notice period,
11 which we're hoping to approve in October, would be
12 coming together with a list of the kind of information
13 that we want from people to give to us in preparing our
14 document.

15 So if people want to start thinking about that
16 for the October meeting, what kind of information do we
17 want from people that will help us in our strategic
18 planning so that we can input that? I think that's bit
19 more helpful than just doing a generic, please give us
20 information about the strategic plan.

21 And we can do that in -- I think our overall
22 goal would be to have this done, obviously, by the end

1 of the year. This isn't a budget issue, so if we go
2 past the current strategic plan, it isn't the end of
3 the world. So I'm not that worried about that. But I
4 think we can easily get this done by October 2016, or
5 January 2017 at the latest. I don't think that's going
6 to be a problem.

7 The one thing that we didn't talk about, I
8 think, in the process for this was going to be whether
9 or not -- and we don't have to decide this today, but
10 to think about it -- whether we should reserve a
11 separate session, a time for us to get together for a
12 day or two solely to do strategic planning issues
13 outside of a Board meeting.

14 I think we should. I think the general
15 consensus is probably should. But we should think
16 about where that's going to come in. It's obviously
17 going to come in after we get information from people
18 that we've asked to solicit us information, and so
19 probably not until next year, some time early next
20 year, but that we should start thinking about a way to
21 reserve that.

22 So once we do that, then to coordinate the

1 input that we have from the Board, from the people that
2 have given us the information; put out at least a draft
3 plan that we're comfortable with, and put that out to
4 solicit that for information and any comment from
5 people before we then make a final approval.

6 So that's the long term. I haven't assigned
7 dates to these things yet. I will get more of that at
8 the October meeting. But that, I think, is the plan
9 going forward. I think it'll be a bit more streamlined
10 than last time. I think we know what we're doing much
11 more than we were last time.

12 And I think we were in general agreement, I
13 think, on everything last time. I don't think there's
14 going to be that much disagreement this time, either.
15 So maybe some new things we hear from people submitting
16 information, but I don't see that this will be
17 problematic in where we're going.

18 CHAIRMAN LEVI: Well, one on your -- I agree
19 with you about the need to have a day or so reserved.
20 And I have been sort of thinking, although I know that
21 it's complicated for people, that April week when we're
22 in Washington that we might -- it is ABA Day so there's

1 a problem with the juggling of things.

2 But we should look at the calendar and see.

3 It would be good to have that day appended to one of
4 our meetings rather than forcing people to -- but I
5 understand that that may be optimal, to do it some
6 other time.

7 FATHER PIUS: Yes, which is fine. And I think
8 it's good. For me that's fine. I'll be in D.C.
9 probably a bit of time, so for me that's easy. And the
10 other thing about that is while I don't want a
11 consultant, it might be also helpful to think of just a
12 facilitator for that, somebody who's not going to be
13 having us do stupid games, but at least just sort of a
14 blank slate who can at least collate the information
15 that we give and to keep us on track and to keep us on
16 time and to collect information, nothing more
17 complicated than that.

18 CHAIRMAN LEVI: Your light's on over here. Is
19 it Gloria?

20 FATHER PIUS: I'm sorry. Gloria.

21 CHAIRMAN LEVI: Then Charles, then Julie.

22 PROFESSOR VALENCIA-WEBER: In addition to

1 soliciting the outside information, and perhaps this
2 could be a phone conversation involving Jim and whoever
3 is appropriate, but I know during the course of the
4 year from people like Carol and Lynn and others, I've
5 heard some information that you are now collecting
6 under this new structure that you're building, Jim.

7 And I think there will be some internal forms
8 of information that could be very helpful to us, and
9 your judgment about what's ready for putting out -- we
10 don't want to prematurely push anything into a prime
11 time role helping us because some of it is not as
12 securely developed yet or firmly developed.

13 But if you could, among yourselves -- and I
14 remember from Carol, also from Wendy and Lynn, just
15 snatches of things that could be relevant. And that's
16 what I want you to think about.

17 MR. KECKLER: Thanks, John. Two things. One
18 thing about the consultant -- I'm very sympathetic to
19 not necessarily doing that -- one of the functions that
20 they have in the strategic plan process, though, that
21 many organizations do use them for is collecting
22 information, including from employees or on a survey

1 basis or from grantees, if we feel that that would be
2 helpful rather than having Management do it. I'm not
3 deciding that, but that's a consideration, where people
4 do -- organizations do use them for that purpose, and
5 that's a judgment call.

6 The other thing, just to remind us and as a
7 painful reminder, is that the strategic planning
8 process is complicated by the open meetings
9 requirements that are applicable to the organization.

10 So there are different solutions, but we might
11 want to think hard about those solutions, which
12 include, if you remember, we met in smaller groups and
13 then got together in an open meeting to discuss that.
14 That's one way. Doing some of it in an open meeting
15 context is another way. Doing it as briefings.

16 It's a delicate matter that requires some
17 thought about both the tricky legalities of it as well
18 as what would work and what's the right way to fulfill
19 the spirit of the open meetings law while still
20 actually accomplishing successful strategic planning.

21 So I know we all remember that, and we all
22 wish we didn't because it was complex.

1 CHAIRMAN LEVI: Thank you for reminding us.

2 (Laughter.)

3 CHAIRMAN LEVI: But it's an important
4 reminder.

5 PROFESSOR VALENCIA-WEBER: Oh, yes.

6 MS. REISKIN: I'm sure this will come as a
7 complete shock to everyone. What I'm going to say is
8 that we need to make sure that we involve clients from
9 the beginning and get client input. Given your
10 timeline, I think Jim and I will be presenting, as we
11 usually do, at NLADA, and so that'll be in November.
12 So we may have some idea about what questions need to
13 be asked by then, but that's not enough. That's just
14 one little piece in one group.

15 So I'm happy to work with whomever on how to
16 include as broad a possible subsection of clients,
17 particularly but not only client board members, but
18 low-income people from around the country, and again, I
19 think specific questions, not just, "What do you
20 think," to have real and meaningful input, and not have
21 it be an afterthought, which I know was not anyone on
22 the Board. That was a consultant issue, I think. But

1 last time, it felt like it turned into an afterthought,
2 and I want to make sure that doesn't happen again.

3 CHAIRMAN LEVI: Thank you. Thank you for
4 those comments.

5 FATHER PIUS: Yes. And it would be maybe
6 helpful -- Jim, you don't have to do this today, but
7 maybe to think about it by the October meeting -- to
8 talk about how much you think we can do some of the
9 facilitating in-house, or whether you think, based on
10 your own staffing levels, it would make more sense for
11 us to hire an outside consultant with a very defined
12 job.

13 CHAIRMAN LEVI: And then, to that extent, it
14 would be helpful between now and then if the Board
15 members that have been through strategic planning and
16 have really first-rate people to suggest for that kind
17 of role, that would be very helpful. And that could be
18 done at any time.

19 FATHER PIUS: Yes. And if you could just -- I
20 can serve as just the collector of information for all
21 this.

22 CHAIRMAN LEVI: That would be great, yes.

1 FATHER PIUS: And then I can forward it on.
2 So those are two things if you want to give me
3 information before the October meeting, both people you
4 think might be good consultants and questions we should
5 ask outside in terms of getting them to focus on
6 information that would be helpful to us in our
7 strategic planning.

8 CHAIRMAN LEVI: It would be clients and
9 grantees.

10 FATHER PIUS: Yes.

11 MS. JENNINGS: Without having consulted with
12 Jim, but we have been working with a consultant
13 internally for at least a year and a half who
14 understands our processes internally. They are great
15 facilitators. So I would say that might be somebody
16 who --

17 FATHER PIUS: Yes. My strong recommendation
18 is to have somebody who's familiar with what we do.

19 MS. JENNINGS: Right.

20 FATHER PIUS: That's one of the problems
21 before.

22 CHAIRMAN LEVI: If you have somebody like

1 that, then --

2 MS. JENNINGS: Right. Somebody who -- and
3 everybody has been extraordinarily pleased with their
4 work performance. So I think that that is -- they're
5 so familiar with all of our work processes that that
6 would be helpful.

7 CHAIRMAN LEVI: We might ask them -- maybe
8 Father Pius could have a conversation with them, Father
9 Pius and Gloria could, before the October meeting and
10 assure themselves that they could -- yes.

11 PROFESSOR VALENCIA-WEBER: Right.

12 DEAN MINOW: That sounds great. I just
13 wonder, Father Pius, if you think it would be helpful
14 for members of the Board to identify three to five what
15 you think are the most important things that ought to
16 be part of this plan or affect the priorities so that
17 we have a jump start on that conversation.

18 FATHER PIUS: Yes. And then even those could
19 provide more information to turn into questions that we
20 can seek from others. Yes. I think that's very good.

21 At this point I was thinking more of process, but
22 process also looks forward to substance, and we

1 certainly should start thinking about substance as
2 well. I'm sure we all are, but we should start making
3 them more concrete.

4 CHAIRMAN LEVI: And frankly, we would probably
5 want to survey the groups that we surveyed the last
6 time. And I can't remember, but somebody must have a
7 list of who that was, and we can get that out and in
8 front of folks.

9 PRESIDENT SANDMAN: We have that.

10 CHAIRMAN LEVI: Yes. That we're now at the
11 end of that discussion.

12 So we're now on -- Lynn, are you doing the the
13 -- or Ron?

14 MS. JENNINGS: Ron and I will do it. I'm
15 going to update on the Pro Bono Innovation Fund.

16 As you mentioned yesterday in your remarks, we
17 for the 2015 round received 59 submissions under the
18 letter of intent, and then we invited 25 people for
19 full applications. Jim and I are meeting with the
20 group in probably early August to make final decisions,
21 and all the 25 applications came in for \$6.2 million,
22 with an average of \$245,000 request.

1 One thing we are doing is we are going to add
2 to everyone's budget travel money to attend the Equal
3 Justice Conference. We had a really good working
4 session during the 2015 EJC with the first round of
5 grantees, but not all of them have the budget to do it,
6 so we're going to adopt what we do with our TIG grants
7 and make sure that that is a line item in their budget
8 so that we can create that community to work together
9 from the very beginning.

10 We're also submitting a proposal for NLADA to
11 talk about what makes a good -- the more we can get out
12 there to talk about what makes a good proposal, what
13 we're looking for, what the deficiencies are, the
14 better. So we're going to start doing that at NLADA as
15 well as EJC.

16 With respect to the 2014 round of eleven
17 grantees, the group of Mytrang Nguyen, Meredith Horton,
18 and Alla Polyakova continue their oversight, and things
19 seem to be going well.

20 And we have also had the competition for an
21 evaluator. We had eight submissions, and we
22 interviewed three, and we have chosen Clarus Research,

1 who were finishing up the paperwork, and then they will
2 begin their evaluation process soon. It's a
3 minority-owned women's business.

4 That's my report.

5 MR. FLAGG: I would just add a couple things
6 briefly. We continue to implement the new PAI, what
7 were new PAI regulations. The torrent of questions
8 that we got when the regulations were new has largely
9 subsided; we're still getting a few questions. And we
10 continue to answer those and update our Q&A page on our
11 website.

12 The same folks that Lynn referred to as
13 working on the Pro Bono Innovation Fund are also
14 helping us think about, as we move forward, how to
15 improve and upgrade our pro bono toolkit and how to
16 work going forward, would that within LSC and in
17 coordination with the ABA and other stakeholders, on
18 facilitating rules or work on rules around the country
19 that would facilitate pro bono.

20 So I think over the course of the next year,
21 that's something that we're definitely focused on.

22 CHAIRMAN LEVI: Any other comments?

1 Suggestions?

2 DEAN MINOW: I think that's great. My sense
3 is that the ABA doesn't have a lot of resources to
4 actually update what's going on, and so if we don't,
5 either, then maybe we need again to look for some
6 outsiders to help us on that.

7 And then particularly to pick up on the Jim
8 Sandman's report on the summit in Stanford, it does
9 seem to me that that's a set of understandings that go
10 beyond what the task force itself thought about. And
11 yet we ought to again take our learning from TIG and
12 other activities and build that into the toolkit or
13 otherwise into the pro bono work.

14 CHAIRMAN LEVI: I also should say with the
15 toolkit coming out, you've probably heard, as we've
16 been traveling the country, about changes in CLE and
17 credits. And we've heard about limited changes to the
18 corporate --

19 MS. JENNINGS: Corporate counsel and --

20 CHAIRMAN LEVI: Yes. To senior lawyers and to
21 limited scope. And so you're hearing the flowers
22 blooming. I don't know if there's anyway to track what

1 states are doing what and whether anybody's doing that,
2 at some point actually show a chart of it. I know this
3 is in the hands of access to justice commissions.

4 MR. FLAGG: We actually have a living,
5 breathing document that does try to keep up with that.

6 We have that, and I believe the ABA has that on their
7 website as well. So that is something that we are
8 keeping track of.

9 CHAIRMAN LEVI: I would think maybe in
10 October, as a part of the end of our 40th, it would be
11 nice to take a look at what this has prompted and be
12 forward-looking and positive about it because I think
13 it's made a tremendous contribution to the legal
14 landscape. Yes, Gloria?

15 PROFESSOR VALENCIA-WEBER: Yes. That huge
16 Excel spreadsheet that you have has been very useful
17 when you generated it in the past because it's helped
18 to move conversations in some of the states about, for
19 instance, the CLE credit for pro bono lawyers who agree
20 to be trained to do particular cases. And that's an
21 inducement.

22 So we were looking at that. And to the extent

1 that you can issue that, again that continues to be
2 helpful in those dialogues as we're trying to reshape
3 the environment, which is also one of the Pro Bono Task
4 Force goals.

5 MS. JENNINGS: Well, I think we can certainly
6 update it. And we can work with the access to justice
7 staffer and Steve Scudder and Cheryl at the ABA.

8 CHAIRMAN LEVI: Other comments? Questions?

9 (No response.)

10 CHAIRMAN LEVI: Public comment?

11 (No response.)

12 CHAIRMAN LEVI: No public comment today.

13 Consider and act on other business?

14 M O T I O N

15 DEAN MINOW: I'm about to email to everyone a
16 draft. But here it is, with thanks to others for their
17 input.

18 "Whereas current funding for the Legal
19 Services Corporation fails to provide adequate funds to
20 support access to legal representation for the eligible
21 population; and whereas the Board of Directors of LSC
22 has approved a budget request for FY 2017;

1 "Now, therefore, be it resolved that as
2 members of the Board of LSC, we join in recognizing
3 that the current funding for civil legal services for
4 the poor, as defined by law, is inadequate, given the
5 documented and ongoing needs of individuals and
6 families across the nation.

7 "We are instructed by the Conference of Chief
8 Justices and the Conference of State Court
9 Administrators, who jointly recommended 'a significant
10 increase in LSC to fulfill the nation's promise of
11 equal justice under law.'"

12 MS. REISKIN: Second.

13 MR. MADDOX: I'm in full support of the draft
14 resolution.

15 MR. KECKLER: I also support this resolution.

16 CHAIRMAN LEVI: Other comments? Questions?

17 (No response.)

18 CHAIRMAN LEVI: All in favor?

19 (A chorus of ayes.)

20 CHAIRMAN LEVI: Opposed?

21 (No response.)

22 MR. MADDOX: Thank you, Martha, for drafting.

1 DEAN MINOW: Thank you for helping.

2 CHAIRMAN LEVI: Any other new business?

3 (No response.)

4 CHAIRMAN LEVI: We now need to authorize an
5 executive session of the Board and closed the meeting.

6 Can I have a motion to do that?

7 M O T I O N

8 FATHER PIUS: So moved.

9 CHAIRMAN LEVI: Second?

10 MS. REISKIN: Second.

11 CHAIRMAN LEVI: All in favor?

12 (A chorus of ayes.)

13 CHAIRMAN LEVI: We'll now take a ten-minute
14 break, then, and resume.

15 (Whereupon, at 10:55 a.m., the Open Session of
16 the Board was adjourned to Closed Session.)

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