

ORIGINAL

LEGAL SERVICES CORPORATION
PRESIDENTIAL SEARCH COMMITTEE MEETING

June 16, 1990

10:55 a.m.

Washington Marriott Hotel
Dupont Salon E
1221 22nd Street, N.W.
Washington, D.C.

COMMITTEE MEMBERS PRESENT:

George W. Wittgraf, Chairman
Howard H. Dana, Jr.
Guy Vincent Molinari

BOARD MEMBERS PRESENT:

Jeanine E. Wolbeck

STAFF PRESENT:

Terrance J. Wear, President
Maureen R. Bozell, Secretary

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P R O C E E D I N G S

10:55 a.m.

1
2
3 CHAIRMAN WITTGRAF: At this time the previously
4 scheduled meeting of the Presidential Search Committee will come
5 to order, it being approximately 10:52 a.m., on Saturday, June
6 16, 1990.

7 An agenda has been prepared and included in the Board
8 materials. It's the chair's expectation that the first two
9 items will be dealt with in public or open session, and the next
10 five items will be merged into executive session until such time
11 tomorrow afternoon as we come out of executive session and take
12 whatever actions are necessary and appropriate in open session.

13 That being the chair's understanding of the agenda,
14 the chair is prepared to receive a motion for approval of the
15 agenda.

M O T I O N

16
17 MR. DANA: So moved.

18 CHAIRMAN WITTGRAF: Is there a second?

19 MR. MOLINARI: I'll second.

20 CHAIRMAN WITTGRAF: Discussion?

21 (No response.)

22 Hearing none, those in favor of the agenda as

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1 presented, please signify by saying aye.

2 (A chorus of ayes.)

3 Opposed, nay.

4 (No response.)

5 The ayes appear to have it, the ayes do have it.

6 You'll note, then, as to the second item on the
7 agenda, that being approval of minutes. In fact, we have
8 minutes from May 20 and June 4 in draft form before us, we do
9 not yet because of how recently our last meeting on June 11 was
10 held have a draft of the minutes for that meeting, and probably
11 will have them on a later occasion for our review and approval.

12 At this time the chair is prepared to receive a motion
13 for the adoption of the minutes of both May 20, 1990, and June
14 4, 1990, as drafted.

15 M O T I O N

16 MR. MOLINARI: So moved.

17 MR. DANA: Second.

18 CHAIRMAN WITTGRAF: Discussion?

19 (No response.)

20 Hearing none, those in favor signify by saying aye.

21 (A chorus of ayes.)

22 Opposed, nay.

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1 (No response.)

2 The ayes appear to have it, they ayes do have it.

3 Before moving to consideration of and then the
4 movement to close the session, is there anything else that
5 should come before this committee in open session at this time?

6 MR. MOLINARI: Are we going to go back to an open
7 session after we interview all of the --

8 CHAIRMAN WITTGRAF: It's the chair's expectation that
9 this committee will return to open session at approximately 1:00
10 to 2:00 p.m. tomorrow, Sunday, June 17th. When we conclude our
11 interviews this afternoon at approximately 5:30 to 6:00 p.m.,
12 that we will simply recess the closed session until
13 approximately 8:45 a.m. tomorrow, Sunday, June 17.

14 Mr. Dana.

15 MR. DANA: Is it your intention, Mr. Chairman, to
16 discuss item 4 in executive session or not?

17 CHAIRMAN WITTGRAF: Yes, it is my intention to discuss
18 it in closed or executive session. It seems to me that in our
19 meetings, both in open and closed session on May 20, and as
20 reflected in the minutes of that meeting, that we've pretty we
21 established our procedures that at least are taking us through
22 the interview process.

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1 There will be procedures, I assume, that we'll want to
2 discuss first in closed session and subsequently in open session
3 relating to the next phases or the conclusion of the
4 presidential search process. I think what we've discussed and
5 agreed upon up to now will carry us through the interviews,
6 although if you've got some concerns, please.

7 MR. DANA: My only thought was that we might want to,
8 in effect, put item 4 at the end of the agenda to the extent
9 that we are talking about procedures as opposed to individual
10 people. That will take place in the sunshine after we know who
11 the individual people are.

12 CHAIRMAN WITTGRAF: It's my expectation, as I
13 indicated earlier, when we return to open session tomorrow
14 afternoon, that we will take what action as necessary as
15 pertains to all five items, 3, 4, 5, 6 and 7 on the agenda.

16 Does that make sense?

17 MR. DANA: It does, as long as it's clear. I know it
18 is in your mind and in mine that we will not take actions on
19 procedures that should normally be taken in the sunshine while
20 we're in executive session.

21 That deliberation, to the extent that it's appropriate
22 will take place in the sunshine as opposed to in executive

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1 session.

2 CHAIRMAN WITTGRAF: Right. Any actions in connection
3 therewith --

4 MR. DANA: Obviously will be recorded.

5 CHAIRMAN WITTGRAF: -- in open session.

6 Anything else?

7 (No response.)

8 At this time the chair is prepared to entertain a
9 motion for the committee to move to executive or closed session.

10 M O T I O N

11 MR. MOLINARI: I'll so move.

12 MR. DANA: Second.

13 CHAIRMAN WITTGRAF: Discussion?

14 (No response.)

15 Hearing none, those of favor of the motion, please
16 signify by saying aye.

17 (A chorus of ayes.)

18 Those opposed, nay.

19 (No response.)

20 The ayes appear to have it, the ayes do have it. We
21 are now moving to closed or executive session. In fact, our
22 first interview is scheduled to begin in just a minute or two.

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1 It's the chair's preference and request at this time
2 that all persons, other than the four board members, excuse
3 themselves from the meeting. In that regard, and as consistent
4 with the law, the Sunshine Act, our proceedings are being taped.

5 It's the chair's expectation that Mr. Dana will be the
6 acting board secretary during the closed portion of our meeting
7 and that Jeanine Wolbeck, a member of our board who is in
8 attendance today, in addition to the three committee members,
9 will assist us with the maintenance of the tapes for the
10 recording of the interviews and other deliberations in executive
11 session.

12 Is that your understanding, Mr. Dana?

13 MR. DANA: It is, Mr. Chairman.

14 CHAIRMAN WITTGRAF: Ms. Wolbeck?

15 MS. WOLBECK: Yes, it is.

16 PRESIDENT WEAR: Mr. Chairman?

17 CHAIRMAN WITTGRAF: Mr. Wear.

18 PRESIDENT WEAR: Thank you, Mr. Chairman.

19 I have a couple of questions, Mr. Chairman. In
20 looking at the list of interviewees, I noticed that Mr. Rother
21 is not on it. He was one of the finalists, as I understand it?

22 CHAIRMAN WITTGRAF: He is the last interview tomorrow.

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1 Maybe there are different drafts, Mr. Wear.

2 PRESIDENT WEAR: When I counted it up there were nine
3 or ten in the group officially, has someone fallen by the
4 wayside?

5 CHAIRMAN WITTGRAF: No, my list has ten.

6 PRESIDENT WEAR: I beg your pardon, you're right.

7 Also, it was my understanding as a result of the
8 earlier conference calls that the decision was going to be made
9 this morning on whether to interview Mr. Allbright?

10 CHAIRMAN WITTGRAF: That is correct.

11 PRESIDENT WEAR: Under the regulation, Mr. Chairman, I
12 think the president has the right to attend board meetings as an
13 ex officio member. I don't know how strongly I feel about it,
14 but I wanted to put that on the record here this morning.

15 If it's the committee's desire that I absent myself,
16 I'll be glad to do that.

17 CHAIRMAN WITTGRAF: As I had indicated during one of
18 our telephone conversations this past Thursday, June 14th, Mr.
19 Wear, I think speaking as one of the three committee members and
20 as a member of the board, for my purposes I guess I'll feel less
21 inhibited in questioning interviewees about how they perceive
22 the operations of the corporation up to this time and what ideas

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1 they have regarding the operation of the corporation in the
2 future.

3 If you are not here, likewise if I can be
4 presumptuous, I think that the interviewees, at least one of
5 whom is a present member of the staff of the Legal Services
6 Corporation, at least one of whom previously has been a member
7 of the staff of the Legal Services Corporation will be less
8 inhibited in sharing their views with the board.

9 I do think it's in the interest, as I indicated to you
10 Thursday, of the most candid interviews possible for the
11 committee members and Ms. Wolbeck and Mr. Hall, who I believe
12 will be joining us later today as a board member, for none of
13 the members of the staff to be present, including the president,
14 including the secretary and, in fact, including the reporter.

15 I think that we've made the necessary arrangements to
16 comply with the law, even in the absence of all those persons in
17 the form of the tape recording which, as I understand the law,
18 the tape recording is all that's necessary. A transcript will
19 not be necessary unless one of the board members requests the
20 transcription of the interviews, or unless at some point a court
21 orders us to prepared a transcript of the interviews.

22 Those are my thoughts, Mr. Wear, and I think I more or

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1 less expressed them to you this past Thursday.

2 PRESIDENT WEAR: Mr. Chairman, if I might just add, I
3 recall that when I was interviewed for this position I think the
4 secretary was present, I'm not sure about the general counsel at
5 that time.

6 So I --

7 CHAIRMAN WITTGRAF: It's my understanding --

8 PRESIDENT WEAR: It may be some departure from past
9 practice, it may not matter.

10 CHAIRMAN WITTGRAF: It's my understanding, at least in
11 1985, the round of interviews prior to your selection that the
12 only person in attendance was special counsel, a man named
13 Baker, that the outgoing president was not in attendance, nor
14 according to the documentation that I've seen was the secretary
15 of the board.

16 PRESIDENT WEAR: I think at that time, Mr. Chairman,
17 the outgoing president had gone.

18 CHAIRMAN WITTGRAF: It's certainly possible.

19 PRESIDENT WEAR: A factual difference.

20 CHAIRMAN WITTGRAF: I've stated my position. I guess
21 if one the other committee members wants to speak to it, now is
22 a good time.

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1 (No response.)

2 It's my understanding that the board secretary will be
3 present throughout the deliberations to assist us with the
4 comings and goings of the candidates being interviewed. I
5 guessed depending upon your, Mr. Wear, and Mr. Shea as general
6 counsel, schedules, it would be it convenient if we know of your
7 whereabouts so that if any questions do arise which require your
8 or general counsel's counsel, that we would be able to obtain
9 that counsel, if that's agreeable with you and Mr. Shea, our
10 general counsel.

11 PRESIDENT WEAR: Yes, sir, it is agreeable. We'll be
12 glad to do that.

13 MR. SHEA: Certainly.

14 CHAIRMAN WITTGRAF: Thank you.

15 MR. MOLINARI: George, if I may?

16 CHAIRMAN WITTGRAF: Sure.

17 MR. MOLINARI: I would just simply -- I think it might
18 be a better procedure for us if we ask Mr. Wear to excuse
19 himself from the deliberations, rather than to do it otherwise.
20 I think it would be a better record.

21 PRESIDENT WEAR: Mr. Chairman.

22 CHAIRMAN WITTGRAF: Fine. Mr. Wear.

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1 PRESIDENT WEAR: Yes, Mr. Chairman. I don't feel
2 strongly about it one way or the other, so I'm going to exceed
3 to your request.

4 CHAIRMAN WITTGRAF: Thank you. I do appreciate that.
5 In addition to your courtesy in doing that, I'll ask then that
6 any other staff members and the reporter, who is not a staff
7 member, but a consultant required to be here today, all excuse
8 themselves.

9 Thank you.

10 (Whereupon, at 11:07 p.m., the Open Session of the
11 Presidential Search Committee of the Legal Services Corporation
12 was recessed to Executive Session, to be reconvened on Sunday,
13 June 17, 1990.)

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