

ORIGINAL

LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS



PROVISION FOR THE DELIVERY OF LEGAL SERVICES  
COMMITTEE MEETING

OPEN SESSION

Saturday, June 18, 1994

9:25 a.m.

Washington Court Hotel  
525 New Jersey Avenue, Northwest  
BALLROOM WEST  
Washington, D.C. 20001

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**Diversified Reporting Services, Inc.**

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WASHINGTON, D.C. 20006

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**BOARD MEMBERS PRESENT:**

Hulett "Bucky" Askew, Chair  
John G. Brooks  
Nancy Hardin Rogers (by phone)  
Ernestine P. Watlington  
Edna Fairbanks-Williams

**STAFF PRESENT:**

Martha Bergmark, Executive Vice President  
Patricia D. Batie, Secretary  
Victor Fortuno, General Counsel  
Eduoard Quatrevaux, Inspector General  
John Tull, Director, OPS/OPEAR

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P R O C E E D I N G S

CHAIRMAN ASKEW: We'll call this meeting to order, please, if we could. This is a meeting of the Legal Services Corporation Board of Directors Provision for the Delivery of Legal Services Committee. I apologize for the delay in the start, but I think we're ready to go now.

I will note the presence of Board member Edna Fairbanks-Williams, committee member. Nancy Rogers is on the telephone and will be participating by telephone. And we also have Board member Ernestine Watlington with us, also.

The first thing I'm going to do is call for an approval of today's agenda.

Edna, may I have a motion on that?

M O T I O N

MS. FAIRBANKS-WILLIAMS: So moved.

CHAIRMAN ASKEW: All those in favor?

(Chorus of ayes.)

CHAIRMAN ASKEW: Second is the approval of the minutes of our last meeting, which was May 13th in Atlanta. I have reviewed the minutes.

Edna, have you had a chance to review them?

MS. FAIRBANKS-WILLIAMS: Yes. They seemed all

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1 right to me.

2 CHAIRMAN ASKEW: Do you want to move their  
3 approval?

4 M O T I O N

5 MS. FAIRBANKS-WILLIAMS: Yes.

6 CHAIRMAN ASKEW: All those in favor?  
7 (Chorus of ayes.)

8 CHAIRMAN ASKEW: Those minutes are approved.

9 The first item on the agenda is a report and  
10 recommendations to the committee regarding monitoring,  
11 evaluation, and support functions. As those of you know who  
12 have been attending this committee's meetings over the last  
13 several months, we have been discussing since the beginning,  
14 really, of our tenure on the Board the functions of the  
15 corporation regarding accountability of programs,  
16 specifically, monitoring and evaluation, complaint  
17 investigations, and other activities.

18 Staff, under the leadership of John Tull, has been  
19 engaged in a review of those functions, and John is going to  
20 be reporting to us today regarding the corporation's  
21 activities in the future. This is not in the nature of a  
22 reorganization or a recommendation of a reorganization of the

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1 corporation. That may occur at the July meeting. But this  
2 is the beginning of that process.

3 There has been a memo circulated to the Board  
4 summarizing John's report to us. We're having copies of it  
5 made, because we realize there are no copies here for the  
6 public. And hopefully, they'll be down in a few minutes, so  
7 you can follow along with this. But I'm going to ask John to  
8 review his report with us, and then we'll have a discussion  
9 of those recommendations.

10 And then I think the process, John, if I'm not  
11 mistaken, is going to be that this committee will have  
12 between now and July to review this report and set of  
13 recommendations. We'll come back at our July meeting,  
14 discuss them further, and vote on them and whether we will  
15 recommend them to the full Board.

16 If we then choose to do so, and the Board adopts  
17 them, we will then provide notice to the Congress of  
18 reprogramming and take it on further than that. But nothing  
19 will occur until the full Board has had a chance to review  
20 and approve these recommendations. Is that right?

21 MR. TULL: That's correct, Mr. Chairman, yes.

22 CHAIRMAN ASKEW: Let me ask you, John, to review

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1 this with us and bring us up to date on anything that has  
2 happened since the last committee meeting in Atlanta.

3 MR. TULL: Thank you, Mr. Chairman.

4 Much of what is contained in the report which was  
5 submitted to you covers matters that the committee has talked  
6 about before and that I have reported to the committee about  
7 before. The difference with this report is, as you stated,  
8 Mr. Chairman, that this is a first step towards a formal  
9 recommendation to the -- to the committee and, therefore, to  
10 the Board, regarding a reorganization of the corporation and  
11 a restructuring of its two divisions, OPEAR and OPS, into one  
12 division; and, second, a recommendation regarding the  
13 creation of a program officer position to carry out the  
14 functions of monitoring to oversee the evaluation function  
15 and to support the effort of the corporation to help programs  
16 improve their operations.

17 MS. ROGERS: Excuse me.

18 MR. TULL: Yes, Nancy?

19 MS. ROGERS: John, when you were referring to the  
20 report you gave to us, are you referring to the June 10th  
21 memo?

22 MR. TULL: Yes.

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1 MS. ROGERS: Okay. Thank you.

2 MR. TULL: You're right on the table next to me, so  
3 you're actually at the witness table.

4 The difference, as I said, is really two things.  
5 One is this is a first step toward a formal recommendation,  
6 and what we're really looking for from the committee is your  
7 reaction and more guidance to us in terms of moving forward.

8 We have suggested to you in the past a number of  
9 approaches. What we will do between today's meeting and the  
10 July meeting in terms of the formal recommendation would be  
11 if the wish of the committee is for us to go forward on the  
12 proposed reorganization or what would become the  
13 reorganization, then a more specific proposal with a budget  
14 and a specific set of recommendations regarding how program  
15 officers in particular might be used would be what we would  
16 propose to provide the committee for July.

17 The core of what has led us to what is a  
18 preliminary recommendation of joining OPEAR and OPS into one  
19 division -- and we have yet to suggest a name for such a  
20 division, because of, I assume, the creative acronyms --  
21 people who make acronyms, will probably work on it over the  
22 next month and will help us out with something which will

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1 catch people's eye.

2           At the core of the recommendation that the two be  
3 joined into one is grounded in really what I think is  
4 reflected in the principles that the Board adopted in  
5 December, which is a recognition that the function of  
6 oversight of programs with regarding to their compliance with  
7 the act and the regulations and having a capacity to help  
8 programs improve is really a part of the continuum and that  
9 it, I think, will be helpful to the corporation to approach  
10 those two functions by having the capacity to carry that out  
11 housed within one shop.

12           I think that's particularly true, given what we  
13 have reported to the committee about before as a result of  
14 the evaluations of OPS and OPEAR, and that is that one of the  
15 things that has characterized the corporation's recent  
16 structure is an isolation of the various functions from each  
17 other and a real lack of capacity to share information and to  
18 have access to information, so that decisions that are made  
19 about a program, whether it is decisions to provide help to  
20 it or decisions to look hard at a compliance issue, that the  
21 information that the corporation has had to carry out those  
22 two functions has been scattered all over the place and that

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1 it will benefit both those functions to have that information  
2 and personnel who are familiar with that information housed  
3 in the same division.

4 That leads to the second part of what we are  
5 recommending to the Board, and that is that the function of  
6 both program oversight and program support be centered or  
7 focused in what we are calling a "program officer position."  
8 Again, what it finally may be called may be something  
9 different, if the committee feels a term would be better to  
10 convey what the function is.

11 But we found it useful to refer in our own thinking  
12 and planning to the individuals as "program officers." That  
13 is, persons who would be assigned responsibility for a  
14 cluster of programs, probably 20. And I say "probably"  
15 because there's a balance here, which is between having a  
16 small enough -- I'm going to call it a "caseload" of programs  
17 to be able to have an understanding of what is going on in a  
18 program, to be able to stay on top of issues that a program  
19 is facing, to develop a thoughtful strategy, to help a  
20 program both meet its responsibilities to comply with the act  
21 and the regulations, and to improve the services that it's  
22 providing that the balance between a small enough caseload

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1 will be able to carry that out -- but the budgetary  
2 constraints which suggest that we need to define the numbers  
3 of program officers in terms of what we can afford to pay  
4 for.

5           And I started my remarks by saying that what we  
6 would prepare for the Board for July would be a more detailed  
7 recommendation. And one of the issues that we need to push  
8 on a bit if we do go forward is to find where that balance  
9 lies. But at this point, I think it's likely that the  
10 balance will fall somewhere in the range of 20 programs per  
11 program officer.

12           There are some issues that arise in the context of  
13 thinking about program officer function which we are in the  
14 process of thinking through. And certainly, the folks to  
15 whom we look for advice and counsel to push us, field working  
16 groups, as well as others, will be helpful in helping us  
17 think through these issues. One is, I think our current  
18 thought is that the program officer should be working in a  
19 state or in a region so that they develop a familiarity with  
20 the service area that they have responsibility for the  
21 programs within which the programs operate.

22           There's issues that arise within that, Native

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1 American programs, migrant programs, state support, national  
2 support. And the question of what is the best way to have  
3 those clusters of programs be assigned is one which involves,  
4 again, a balancing of some issues. Having an understanding,  
5 for instance, of Native American issues would suggest or of  
6 migrant issues would suggest that a program officer who works  
7 with and is assigned to migrant programs would make sense.

8 On the other hand, one of the notions which  
9 underlies the recommendation is a belief that the  
10 corporation's role should be to help the delivery system to  
11 improve. And, to some degree, that means being aware of and  
12 helping support the system within a state or within a region,  
13 particularly within a state.

14 So the degree to which a state support unit clearly  
15 is integral to what happens within a state and a migrant  
16 component or a migrant program within a state similarly would  
17 relate to issues which affect often a significant number of  
18 clients within that state, which suggests that the clustering  
19 should be organized regionally, even for those programs and  
20 those populations.

21 But those are issues where there is a balance  
22 between competing interests. And they're issues that we're

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1 in the process of thinking through internally within the  
2 corporation and with others, as well.

3 A part of the report that Martha Bergmark and I  
4 submitted to the committee recites the steps which have been  
5 taken and what the proposals are regarding monitoring and  
6 evaluation policy, which would be what would be carried out  
7 within this unified division. I gave a rather detailed and  
8 overly lengthy report on the design in the last meeting in  
9 May.

10 Other than the degree to which the committee may  
11 have some questions, I would be disinclined, given how much  
12 you've been meeting and how much work you've put in in the  
13 last two days, to make you sit through another recitation of  
14 that.

15 CHAIRMAN ASKEW: Well, has anything changed since  
16 your report to us at the last meeting?

17 MR. TULL: In terms of the design or the proposed  
18 designed for monitoring?

19 CHAIRMAN ASKEW: Right.

20 MR. TULL: No. We have moved forward, I would say,  
21 is the only change. We now have begun the process of field  
22 testing three programs with peer review. They have been sent

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1 the self-profile which we have asked them to fill out and  
2 send back to us in preparation for it.

3 We're in the process of selecting the peer  
4 reviewers to visit those sites, and we have begun a test of  
5 the desk review instrument on 30 programs and have had the  
6 first several of those desk reviews done and have a  
7 preliminary look at that. But that is within the context of  
8 what I reported to the committee on before.

9 MS. FAIRBANKS-WILLIAMS: The one question that I  
10 had was, if somebody breaks their leg and goes to the  
11 hospital, we have certain ones that are doing desk reviews  
12 for certain programs. We will have program officers or  
13 whatever. Is there always somebody that knows exactly what's  
14 going on with that audit and exactly what's going on with  
15 that program at all times who would be in the office? Is  
16 there enough people, so that if somebody is missing, somebody  
17 else is there?

18 MR. TULL: There's two ways. The short answer is,  
19 yes, that is certainly what we would hope to work toward, in  
20 two ways. One is, the program officers will need to be  
21 supported by a staff that have capabilities which help that  
22 program officer in the corporation carry out its

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1 responsibilities.

2           Audit, for example, a key to what a program officer  
3 would bring to his or her responsibility would be an  
4 understanding of advocacy on behalf of low-income people.  
5 People who understand advocacy on behalf of low-income people  
6 often don't understand fiscal issues. And, therefore, we're  
7 going to need a staff, for instance, who can provide that  
8 kind of help and support, so that the program officers would  
9 work with a team of individuals who would help with that type  
10 of function, so that if --

11           MS. FAIRBANKS-WILLIAMS: But are they going to be  
12 as separated as they were before, so they don't know what the  
13 others are doing, or are they going to have togetherness?

14           MR. TULL: I certainly hope they're not as  
15 separated, no. The other thing that we would envision is  
16 that, by clustering programs in regions as well as by state,  
17 that when a program officer would meet, for instance, and  
18 talk about the delivery system within a state, that would be  
19 -- by organizing regionally as well as by state, there would  
20 be other program officers who would have familiarity with  
21 that same set of issues, same programs that are in a similar  
22 area and would work together in terms of thinking through the

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1 kinds of long-term issues that the delivery system in that  
2 particular area would need.

3 And one of the things that we're just beginning now  
4 is to come to grips with the issue of how the corporation  
5 manages its own information, so that there's information  
6 available not in an isolated way the way it has been now, but  
7 where there's access to the same information by virtually  
8 everybody, so that the kind of isolation that was in the past  
9 and that you express your concern about is minimized as much  
10 as can be done.

11 CHAIRMAN ASKEW: In fact, that's one of the goals  
12 of this whole process is to end that segmenting of functions  
13 or segmenting of information about programs.

14 MR. TULL: Right.

15 CHAIRMAN ASKEW: Nancy, did you want to ask  
16 something?

17 MS. ROGERS: Yes. I can't hear you and Edna very  
18 well, although I think I got the gist of what you said. So  
19 if I interrupted, I apologize, because I couldn't tell if you  
20 were talking.

21 CHAIRMAN ASKEW: Tell her to go ahead, John.

22 MR. TULL: Go ahead. I'm the translator, since I'm

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1 close to you, Nancy. Go ahead.

2 MS. ROGERS: Okay. I have several questions. The  
3 plan sounds really sound to me, John, but I wonder if you  
4 could tell me a little bit more about the program officers,  
5 how would they have knowledge about Legal Services' delivery.  
6 Can you tell us a little bit more about what you're looking  
7 for in those people?

8 MR. TULL: Well, I think a combination of persons  
9 who have some experience and grounding in advocacy and having  
10 served as an advocate for low-income people. So one  
11 ingredient is that. The other ingredient is an understanding  
12 on an operation or a systemic level about Legal Services  
13 delivery.

14 That is, something in their background or  
15 experience which would give them an exposure to an  
16 understanding of the kinds of issues that programs face, not  
17 just individual advocates in their legal work, but delivery  
18 system issues, caseload management and hiring and board  
19 relations and client relations and those sets of issues.

20 MS. ROGERS: On the question of coordination, how  
21 will that annual self-certification be worked out with  
22 whatever the IG might be doing?

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1 MR. TULL: Well, we have been sharing the documents  
2 as we have been developing them with the inspector general  
3 and asking for his staff's comments. And we will continue to  
4 do so. The self-certification instrument, which is in draft  
5 form, has actually become, at this point, a list of nearly  
6 every regulatory or statutory compliance issue, although it's  
7 organized around the regulations.

8 But our sense as we began to work with that issue  
9 was that the self-certification is really -- since it is  
10 asking a program to certify that it's in compliance with the  
11 act and the regulations, that there is not a reason to  
12 exclude any of the requirements.

13 And what it really is turned into, I think, will be  
14 not only a compliance oversight tool, but it will really  
15 become an educational tool for programs and boards, as well,  
16 because it is a very complete list of what the regulations  
17 require and a list that I think has been available in some  
18 forms through some of the work which the Center on Law and  
19 Social Policy did with its regs manual some years ago. But  
20 this is really even more detailed than that.

21 And I think when boards of directors -- chairs and  
22 when directors of programs sit down to go through this

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1 certification list and to sign it, I think it will probably  
2 be painfully educative on some issues.

3 MS. ROGERS: Will it require extra expense for  
4 them, in terms of requiring an accountant and so forth?

5 MR. TULL: No, it shouldn't involve any particular  
6 extra expense, because it will be something that once a year,  
7 they will be asked to certify compliance with each of the  
8 steps. But it won't involve any sort of ongoing throughout  
9 the year kinds of activities.

10 It's simply telling us and providing copies of the  
11 policies which demonstrate -- where those policies are  
12 required or where the program has it to submit to us a copy  
13 of the policies and then a copy of the certification, that  
14 they have reviewed the regulations as reflected in the  
15 certification and certify that they are in compliance with  
16 it.

17 MS. ROGERS: Some months ago, we had some testimony  
18 that it would be helpful if, when we redid our monitoring and  
19 compliance and so forth, the evaluation, we coordinated with  
20 state IOLTA programs that are doing something similar. And I  
21 wonder whether that's feasible at this point or whether you  
22 see that as something we'll have to wait and do at a later

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1 point.

2 MR. TULL: I think the process of figuring out how  
3 to coordinate is feasible now. Deciding what it will look  
4 like is probably a few steps down the road. I have met with  
5 and talked on the phone with both persons from the IOLTA  
6 community and from the seniors community, because the Title  
7 III programs that are funded under the Older Americans Act  
8 have similar issues, though they tend to be less active in  
9 the monitoring evaluation field than IOLTA programs do.

10 But we have been in touch with each other to make  
11 certain we do coordinate. I guess there's two aspects of it.  
12 One is, because we are the most active in the field, even in  
13 those states where the state IOLTA foundations are fairly  
14 active, the corporation still, I think, is the major player  
15 in the compliance oversight and will be, with the peer  
16 review, the major player in the performance evaluation  
17 arenas.

18 And I think what the next step will be for us, when  
19 we have finished our design, will be to sit down and work  
20 with them in terms of ways that we can minimize the degree to  
21 which they have to use a lot of resources to ask the same  
22 questions.

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1           The other way that we're coordinating is that we  
2 have -- in developing our own instruments, we have been in  
3 contact with some of the state IOLTA programs, in terms of  
4 things like their self-profiles and their self-assessment  
5 instruments and have utilized some of their thinking in doing  
6 that. So, although ours are somewhat different, they do  
7 reflect some of the same approaches.

8           MS. ROGERS: That's really great. One other thing,  
9 John. And that is, at the last meeting, we talked about your  
10 wrestling with the idea of the advantages and disadvantages  
11 of volunteer versus paid peer reviewers, with the idea that  
12 with volunteers, you would have to train more people, and  
13 that training would be more expensive, but the visits would  
14 be less expensive. And we talked about some of the other  
15 pros and cons.

16           I guess the use of peer reviewers is a way to get  
17 ideas back to the field and so forth. Have you resolved the  
18 tradeoff there?

19           MR. TULL: Yes. I think the resolution of the  
20 tradeoffs is to pay peer reviewers. I think the concerns  
21 that we talked about before and I raised before are still a  
22 cause for moving in that direction. If this were a one-shot

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1 operation, where we were going to do peer reviews once, I  
2 think the consideration would be very different from what  
3 we're trying to do, which is design a system which is going  
4 to last over time and, therefore, has to have a capacity to  
5 keep people engaged in it who are willing to put in the time  
6 and effort that a peer review will call for.

7 And, rather than move into having to pay people at  
8 a time when interest is starting to fall off and we're  
9 starting to have recruiting problems, my sense is -- and I  
10 think the sense of the folks who have looked at this -- is  
11 that we should start by having a clear set of expectations  
12 about what we're going to give to them, which will be  
13 learning, as well as to pay them for their time.

14 The amount that we're talking about paying is not  
15 extravagant, which is, in part, relying on the belief that it  
16 is a two-way street, that while, clearly they're going to be  
17 essential to us and to the programs that they're helping us  
18 evaluate, that there is a benefit for them. But it's over  
19 time, a benefit which will probably cease to be adequate  
20 recompense for them to stay involved.

21 CHAIRMAN ASKEW: Let me reinforce what Nancy said  
22 about IOLTA and other funders. They have contacted me,

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1 although it was quite some months ago, about the two things  
2 you mentioned, coordination with them as we go forward to see  
3 if there's any way to lessen the burden on programs,  
4 particularly as each funding source comes in to do its own  
5 monitoring process, is there any way to coordinate that so  
6 that a program may only have to go through it once a year for  
7 everybody following the same sort of process.

8 But secondly, a number of the IOLTA programs feel  
9 like they have something to teach us because of what has been  
10 going on in the last 12 years and what they have had to  
11 develop in terms of oversight of their grantees and are very  
12 anxious to share with us their learning from that. And I  
13 think it would be a mistake in many ways if we didn't take  
14 advantage of that. Sounds like you've opened those doors,  
15 and those communications are happening. And that's what  
16 should happen. And I encourage you to pursue that.

17 On the second issue of the job description for the  
18 program officer, hopefully, by July, we can have a little bit  
19 more specific discussion of that. Don't expect you to have  
20 that now, obviously. And secondly, if this plan is not  
21 approved, it would be moot.

22 But assuming we're moving in the direction of

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1 approving this plan, it would probably be helpful if the  
2 committee could discuss more fully in July exactly what the  
3 criteria would be for that position and what sort of skills  
4 and background and that sort of thing we're looking for, so  
5 that, assuming we approve all of this in July, you can move  
6 forward very quickly to implement that plan and not have to  
7 spend a good bit more time developing that after the decision  
8 is made. So I would encourage you to keep that going in the  
9 interim between this meeting and the next one.

10 MR. TULL: Okay. Sure.

11 CHAIRMAN ASKEW: Are you going to go on further  
12 with the presentation?

13 MR. TULL: Not unless you have further questions.

14 CHAIRMAN ASKEW: The other issue which you touched  
15 on in the beginning was about budget for this. Is your  
16 thinking that you will have some budget information to  
17 present to us in July about the cost of implementation of  
18 this, or would that be still premature based upon the status  
19 of our appropriation and what our management administration  
20 budget will be for next year?

21 MR. TULL: We will, I think, be prepared to provide  
22 a little more detail about what the costs of this would be,

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1 because certainly to decide to go forward on it is something  
2 that needs to be grounded in clarity that it can be done in  
3 terms of what the fiscal constraints are.

4           Having said that I had no other thing, I just was  
5 going to mention one sentence, that a part of the change that  
6 we would propose in terms of a collapsing of OPEAR and OPS  
7 into one division would be to take what in the past has been  
8 the information and the communications function which was  
9 housed in OPS and to have that formally be made a part of the  
10 executive office. In fact, their positions there on whether  
11 it's a technically a reorganization or not is probably a  
12 close legal question.

13           It's certainly one we would want to advise Congress  
14 of doing to keep them apprised. But it would involve as a  
15 part of what has been a conscious effort to make certain that  
16 there's coordination of the communications both internally  
17 and externally within the corporation -- that that is  
18 affected by this. And some of the personnel would end up  
19 there.

20           CHAIRMAN ASKEW: That's good and deserves more  
21 thought and attention. And, in fact, over the last two days,  
22 I think the Board has discussed quite a bit the issue of

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1 communications and relations to entities outside the  
2 corporation. And it's something I think the Board as a whole  
3 and the new president will be asked to pay a good bit of  
4 attention to over the short term.

5 And so this fits into that discussion, I think. So  
6 that is an issue that's going to get a good bit of attention  
7 over the next few meetings, I think, from the Board.

8 Would anybody in the audience like to make any  
9 comments or ask any questions?

10 MS. ROGERS: Yes, I have a question about timing.

11 CHAIRMAN ASKEW: Yes? Go ahead, Nancy.

12 MS. ROGERS: John, can you begin hiring people  
13 before the Board votes the reorganization, or does that need  
14 to wait?

15 MR. TULL: I think we certainly could begin to try  
16 to identify some folks and begin to let people in the  
17 community know that this is likely to happen and begin what  
18 will be a process of recruitment which will take some time.  
19 I think we probably would not be prepared to hire anyway,  
20 because we want some people with sophistication and  
21 experience, and that's going to take the kind of work that it  
22 always does to get the number of quality people that we're

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1 talking about, as well as to take a hard look at how we best  
2 utilize folks that are in the corporation now and making  
3 certain that they have the opportunity for career  
4 advancement, as well, with what we're moving toward.

5           So I guess the short answer, having given you, as  
6 I'm want to do, the long answer, is that we certainly can  
7 begin to move forward, but hiring before July is unlikely to  
8 happen in any case. So it probably would not be a question  
9 we would have to face in terms of whether that would be  
10 somehow inconsistent with our responsibilities to notify  
11 Congress.

12           MS. ROGERS: Thank you.

13           CHAIRMAN ASKEW: And also the responsibility to a  
14 fair and open hiring process, also.

15           MR. TULL: Right.

16           CHAIRMAN ASKEW: Any comments, questions?

17           (No response.)

18           CHAIRMAN ASKEW: Let me move to the second item on  
19 the agenda, which is report on activities, including the  
20 application of the corporation for national and community  
21 service and the law school clinical civil legal services  
22 grants. I need to step out of the room, and I'm going to ask

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1 Edna if she would take this report. We have an expression in  
2 the South, "I need to go see a man about a dog." I'll be  
3 right back in about two minutes.

4 Kathleen?

5 MR. TULL: You have the good fortune of not having  
6 to listen to me for a few minutes. Kathleen?

7 MS. WELCH: Comic relief from John. You are funny,  
8 though, John.

9 Good morning. As you know, I'm Kathleen Welch from  
10 NAPIL. And when last we spoke, I think, in mid-April, we had  
11 just selected -- when I speak of "we," it's the partnership  
12 between the corporation, NLADA, NAPIL, and the project  
13 advisory group -- had just selected 13 sites, 13 field  
14 programs to participate in the development of a proposal to  
15 create a National Service Legal Corps.

16 And we submitted a proposal at the end of April  
17 that involved 13 local sites working on virtually every  
18 priority issue within the President's National Service  
19 Program, domestic violence, housing, homelessness prevention,  
20 community economic development issues, education, and  
21 pesticide poisoning prevention.

22 And the proposal we submitted at the end of April,

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1 which was done with a great deal of careful work and revision  
2 with all the local programs, was a proposal to create a  
3 project that was worth about \$2.3 million, about 900,000 of  
4 that which would come from the Corporation for National and  
5 Community Service, and the reminding funding, \$1.4 million,  
6 would be put up in matching sources from the national  
7 partners and primarily from the local field programs.

8 We submitted that proposal, as I said, at the end  
9 of April. And we heard at the end of May from the  
10 Corporation for National Service that we had been selected  
11 from among a few hundred proposals as a semifinalist. And  
12 several of us went in to meet with proposal reviewers, I  
13 guess, at the very end of May and had a fairly positive  
14 meeting, informative meeting.

15 I think we learned that the Corporation for  
16 National Service is very interested in us. We were pleased  
17 that there were some folks in the room who had some  
18 background and knowledge and understanding of Legal Services  
19 and asked some rather probing questions about our commitment  
20 to comply with the advocacy restrictions within the  
21 Corporation for National Service regulations, whether or not  
22 we were willing and able to reduce the size of our budget and

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1 the number of our sites, and whether or not we were willing  
2 to work carefully with our programs to revise the objectives  
3 that they put forth and what they plan to get done during the  
4 proposal period.

5 At any rate, at the end of that meeting, I think  
6 one thing we learned that was very encouraging to me was that  
7 not only was the Corporation for National Service interested  
8 in our proposal, but that they were now beginning to talk  
9 about model legal corps and ways of involving lawyers over  
10 the long haul, which is a huge advancement from a program  
11 that was not at all interested in us a year ago.

12 Within the last couple of days, we got notice from  
13 the corporation or signals from the corporation that were  
14 extremely positive. And I feel confident -- which, if you  
15 knew me, you would know I never say this about grant  
16 proposals -- I feel quite confident that we will get  
17 something from this proposal, and if not full funding,  
18 something slightly short of that.

19 There's a press announcement that the President and  
20 Eli Segal are doing on Monday, and so we'll have formal  
21 notice then. But I feel quite sure that the "National  
22 Service Legal Corps," as we have been calling it, will become

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1 a reality and, ultimately, will fund roughly around 50 new  
2 positions in Legal Services.

3 CHAIRMAN ASKEW: Wonderful. Thank you.

4 MS. WELCH: Thank you.

5 CHAIRMAN ASKEW: John, the law school clinics?

6 MR. TULL: The law school clinics are also close to  
7 birth, though still close. I'm trying to think of the right  
8 metaphor, which without getting totally far afield, I'll stop  
9 and just say that they're almost -- I'm sure I'll be able to  
10 come up with the metaphor later, but it just slipped away  
11 from me.

12 I think I reported last time, there were 99  
13 proposals that were submitted for grants. They have gone  
14 through the first round of review by a set of peer reviewers  
15 that we asked to review them. The peer reviewers were three  
16 from law school clinics and three from Legal Services  
17 programs, as well as from the staff of the corporation. And  
18 they agreed to read, each of them, 33 of the reports.

19 We had, believe it or not, a bristling competition  
20 for folks who could be peer reviewers, which, given the fact  
21 that they were paid a very modest honorarium, they agreed to  
22 read some 1,500 pages of grant proposals, I considered a sign

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1 that this is taken very seriously -- either a sign that it's  
2 taken very seriously or that there's a lot of really crazy  
3 people out there. And they have finished their process now  
4 and are having a meeting Monday to review their  
5 recommendations and then the second round.

6 They have had the second round of the sort of final  
7 cuts sent to them. So we should be prepared to make  
8 decisions fairly soon on the grants, as well.

9 CHAIRMAN ASKEW: Do you have an anticipated date of  
10 when those grants would be sent to the President for  
11 signature?

12 MR. TULL: I do. The date is end of June, first  
13 part of July. It's within the next several weeks.

14 CHAIRMAN ASKEW: So by the time of the next  
15 committee and Board meeting, it should be over?

16 MR. TULL: Yes. We should have decisions made on  
17 those.

18 CHAIRMAN ASKEW: Great. Were you pleased?

19 MR. TULL: Yes.

20 CHAIRMAN ASKEW: Ninety-nine sounds very  
21 impressive.

22 MR. TULL: Yes, it was. And I did not read the

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1 1,500 or the 4,500 pages of specific proposals, but the staff  
2 that did read them, I've had several conversations with. And  
3 they were quite pleased with the quality of the proposals  
4 that they received.

5 CHAIRMAN ASKEW: Great.

6 Nancy? Ask Nancy if she has any --

7 MS. ROGERS: Yes. How did we make out, in terms of  
8 the three areas we have indicated in the special focus?

9 MR. TULL: There were 13 that were in the  
10 sabbatical category, there were 27 that were submitted in the  
11 law school fellowship program, and there were -- the rest  
12 were in the innovative category.

13 CHAIRMAN ASKEW: Anything else?

14 (No response.)

15 CHAIRMAN ASKEW: Thank you very much. We'll look  
16 forward to hearing about both of those.

17 Kathleen, assuming this happens on Monday, I hope  
18 there's some way to notify everybody that this has occurred  
19 and what's going to happen from here. I assume there's still  
20 some unanswered questions about some of this, even if on  
21 Monday we hear that this has been approved.

22 MS. WELCH: Particularly if there's a budget cut, I

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1 suspect there will be some unanswered questions about how we  
2 meet the goals of the proposal and also cut the budget, since  
3 we have done quite a bit of that already.

4 CHAIRMAN ASKEW: Well, great. This is a model of  
5 how the corporation and its staff can work with other  
6 entities to do something that's of benefit to programs and to  
7 clients.

8 MR. TULL: I would just like to say that Kathleen  
9 and NAPIL, as well as NLADA, have been really wonderful to  
10 work with on this project. The corporation has not had a  
11 great deal of experience in submitting joint proposals, maybe  
12 none, to my knowledge, but it certainly suggests that it's a  
13 good road to go down when the quality of the organizations  
14 and the people involved are people like Kathleen and Don. So  
15 we're grateful for all the work they have done.

16 CHAIRMAN ASKEW: Great. Thank you.

17 MS. ROGERS: Kathleen, this is Nancy. Thanks,  
18 again. It really was a wonderful proposal, and it  
19 represented an enormous amount of work. And I think it's  
20 going to be a solid benefit for our clients.

21 MS. WELCH: Thank you, Nancy. It has been a fun  
22 project for us to work on and a lot of work and, I think,

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1 ultimately, good for the corporation and good for the field  
2 if it gets funded.

3 CHAIRMAN ASKEW: And not to be overlooked, good for  
4 the Administration, maybe. If this works and works well, it  
5 will be something, hopefully, that they can take pride in to  
6 demonstrate this is a worthwhile idea and something that can  
7 continue into the future. Because I think, from what I  
8 heard, they were as anxious to have us participate as we were  
9 to participate. So hopefully, it will be a win-win for  
10 everybody. Thank you.

11 MS. WELCH: Thank you.

12 CHAIRMAN ASKEW: The next item is the issues  
13 related to program improvement. I'm going to ask Martha  
14 Bergmark to join John.

15 I reflected with John that over the last 27  
16 meetings of this committee -- is that right? Since December,  
17 we have spent much if not all of our time discussing  
18 monitoring evaluation compliance issues, because those were  
19 the things that needed to be addressed first. But the  
20 principles we adopted that Nancy was very active in drafting  
21 spoke to program improvement issues and joining with field  
22 programs in a joint effort to improve the quality of the

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1 delivery of legal services to clients.

2           And we have not been able to spend enough time --  
3 because of the press of business and the need to address the  
4 other issues first, we have not been able to spend enough  
5 time on discussing support, training, technical assistance,  
6 and those program improvement issues that, frankly, I think  
7 are the most important things for the future, once we have  
8 been able to settle the first set of issues.

9           So what we wanted to do today was begin a  
10 discussion of that. It's going to be a lengthy discussion,  
11 lasting over many meetings of the committee and involving a  
12 lot more people in the future, specifically, the working  
13 groups that are active on these issues, other people in the  
14 community, client groups, in terms of their perspectives on  
15 this, and anyone else who is willing to come forward and  
16 share with us their perspectives and ideas about this.

17           The way we wanted to begin this was to talk  
18 somewhat about the history of this, how the corporation has  
19 responded in terms of program needs and providing technical  
20 assistance and training, what else has been available to  
21 programs historically in these areas outside the corporation,  
22 basically bring us up to date of where we stand today, not

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1 talk so much at this stage about the future. That will be  
2 for meetings yet to be held.

3 But develop for us a common base of understanding  
4 of what has been going on, what is happening, what has  
5 worked, what hasn't worked, possibly, and what we need to  
6 know before we begin discussing how should we be doing this,  
7 and how much of our resources we should invest in this.

8 So I've asked Martha and John to help bring us up  
9 to that level of understanding. And anyone else -- there are  
10 people in this audience who have had a lot of experience with  
11 this over the years, too. And I'm going to ask them, to the  
12 extent they have things to offer to this committee in terms  
13 of our education, to please pitch in.

14 With that, I don't have a particular scheme about  
15 how we go about this, but I'll ask John or Martha, whichever  
16 one would like to go first, to just begin.

17 MR. TULL: Thank you, Mr. Chairman. I can start  
18 and say that this certainly is the exciting part of what the  
19 opportunities are that the corporation has in front of it.  
20 The program improvement side of the equation was certainly --  
21 much of the principles which the Board adopted in December  
22 reflected the concern that you just stated regarding the

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1 importance of helping programs to improve as the corporation  
2 carries out its responsibility.

3 And I think as we have wrestled with both the  
4 monitoring and compliance issues, which has been the focus of  
5 much of the work, it has always been in the context of having  
6 that be a part of a larger capacity of the corporation to  
7 address what is really the basic issue with all of the work  
8 that we do, and that is how clients get served and how  
9 clients get served with quality work that responds to the  
10 needs that they have. And the significance of the program  
11 improvement agenda grounds in that and is really the core of  
12 what really is the principal oversight function of the  
13 corporation, which is performance accountability.

14 The other thing that we have been mindful of as we  
15 have talked about this and thought through this is the  
16 complexity of it and that it will involve a set of  
17 discussions and a set of decisions that this committee will  
18 need to wrestle with and that the Board will need to make  
19 that relate to a number of issues, that relate to the  
20 capacity for the system both within the corporation and  
21 outside, for technical assistance, for training.

22 It relates to the substantive support agenda,

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1 because one of the things that we have learned, I think, in  
2 the last 12 years is that issues which relate to management  
3 of the system and support of the system itself can't be  
4 divorced from the substantive work that's related to clients  
5 and that the interplay between those two is something that  
6 always needs to be woven into the analysis and into the  
7 decisions that the corporation makes about how it carries out  
8 its responsibility.

9 That has been complicated by many more  
10 opportunities but also challenges as to how to use technology  
11 and use resources that the corporation didn't even have to  
12 wrestle with in the 1970s because the technology wasn't  
13 there. And the relationship to technology with all of these  
14 issues is one which is much more complex now and, as we all  
15 know, changing at an incredibly fast and accelerating pace.  
16 And so that adds to the challenge of it but also to the  
17 potential, I think, for really addressing it.

18 And the last is the issue which the corporation has  
19 expressed a significant -- the Board has expressed a  
20 significant commitment to, and that is client engagement and  
21 making client engagement work in the delivery system and  
22 having that also be a piece of the tapestry which is woven

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1 out of all of the issues that I just listed.

2 I guess there's two other issues, and that is, this  
3 has got short-term and long-term consequences. The fact that  
4 the program improvement side of the agenda has been so  
5 neglected in the last few years makes for a particular need  
6 immediately to have a capacity to help programs improve. And  
7 part of the reason for the recommendation that the committee  
8 just looked to regarding program officers is related to  
9 having a capacity within the corporation to in as short a  
10 term as possible begin to help programs address their needs  
11 for improvement.

12 The issue you asked us to address today, as you  
13 said, is the history. And it's a fascinating history. It  
14 certainly shows that this is an area which has constantly  
15 been a source of ferment, discussion, effort, ups and downs.  
16 There's three major periods in the history of the technical  
17 assistance and training agenda with Legal Services.

18 Before the corporation was created by Congress in  
19 1974 when Legal Services was funded through the Office of  
20 Economic Opportunity and later called the Community Services  
21 Administration, most of the technical assistance and training  
22 work -- or much of it was done out of the corporation through

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1 contracts.

2 National League And Defenders Association had a  
3 contract to provide management training and training, which  
4 was a reflection, as well, of what was a model in which  
5 monitoring was also done outside the corporation.

6 But what I'm going to spend my time talking a  
7 little bit about today is what was done by the corporation  
8 in-house, which is the middle period from the time the  
9 corporation was founded till around 1982. And Martha will  
10 address the period from 1982 to the present, when most of the  
11 effort to provide assistance to programs, technical  
12 assistance and training, et cetera, was outside the  
13 corporation with the other institutions that are part of the  
14 delivery system.

15 I won't walk you through year by year, although it  
16 is fascinating to watch the trends which took place between  
17 1975 when the corporation began officially and 1982, when it  
18 went through a rather radical change in its approach to how  
19 it supported programs.

20 Looking at that history, there was three themes  
21 that emerged from it. The first that as, I think, we are  
22 challenged to do in the next decade and -- well, certainly

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1 the next year and hopefully to support the next decade, the  
2 approach to training and technical assistance and the support  
3 function needs to be thought of strategically, with a broad  
4 sense of the needs of the delivery system for serving the  
5 clients that it's responsible to respond to.

6 There were a significant amount of resources which  
7 were spent on training and technical assistance during the  
8 period of 1975 to 1982, a very significant amount,  
9 significantly more, to a very large degree, than has been  
10 spent in recent years and that is now budgeted. And those  
11 were all spent very much in the context of a sense of  
12 responsibility for addressing really broad issues that the  
13 system was facing and which programs within the system were  
14 facing and, therefore, which affected the capacity of both to  
15 serve clients.

16 The period from 1975 to about 1980, there were  
17 really three ways that technical assistance and training  
18 monies were used. The first was, when the corporation began  
19 in 1975, much as this corporation now has a challenge, one of  
20 the challenges that the corporation when it began faced was  
21 repairing the damage to a system which had been stagnant in  
22 terms of the funding and a capacity to really address its own

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1 internal issues in terms of how to serve clients.

2 And so some of the money which was spent was really  
3 focused on just repairing and building an infrastructure. To  
4 some degree, it was just building it, because Legal Services  
5 was still so young and so modestly funded that in many  
6 aspects, there wasn't even an infrastructure which had begun  
7 to develop. So some money was spent simply repairing damage  
8 and building bridges on roads that hadn't yet had them built  
9 yet.

10 The second, and certainly a major theme of what was  
11 done with training and technical assistance, was to support  
12 the very significant effort of the corporation during that  
13 time period to expand into unserved areas. Very large budget  
14 increases took place for the corporation, and much of that  
15 were monies aimed at expanding services into counties where  
16 there had been no programs, creating programs where there had  
17 been none. And that created an enormous demand for support  
18 for new entities, for entities which had been small and  
19 suddenly were very large.

20 And there were two principal focuses of that. One  
21 was planning, helping programs to learn how to plan and to  
22 address fundamental structural issues; and second, to help

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1 the managers who were challenged with many larger and more  
2 complex responsibilities than they had had before. Project  
3 Takeoff was a very thoughtful effort on the part of the  
4 corporation to identify issues that were involved in  
5 expansion, to identify issues which were involved in helping  
6 new managers do their job well.

7 And the third theme, I think, during that time  
8 period was to begin to bring some real order to the  
9 understanding of Legal Services and to the systems within  
10 which we operated. Legal Services -- for those of us who go  
11 back as far as the 1970s, I think we remember that in the  
12 early 1970s, there was a pride and chaos and that management  
13 systems and to speak of management systems was really  
14 inconsistent with the values that people brought to Legal  
15 Services. And, therefore, there was an awful lot of work  
16 that was done in the midst of chaos.

17 And people began to recognize certainly before the  
18 corporation was founded -- but the corporation recognized and  
19 took serious responsibility for the need of the delivery  
20 system to have some sense of how to operate and to have a  
21 real understanding of what management means and to develop a  
22 capacity for priority-setting and develop a capacity for

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1 planning.

2           And the period from 1975 to 1980 was a time when a great  
3 deal of effort was spent on thinking through those systems,  
4 both on a macro level, meaning with broad messages going  
5 through regional meetings and through large trainings to  
6 convey to programs a set of messages around good management;  
7 and, second, to do that on an individual level. That is,  
8 with individual programs, to have the capacity with technical  
9 assistance grants through regional offices to help  
10 individuals put systems in place which would work.

11           The second period when there was, I think, a  
12 significant shift in the focus of technical assistance and  
13 training but, again, a reflection of the corporation's  
14 recognition of broad themes that needed to be addressed that  
15 were affecting the system, was the period from 1980 to 1982.  
16 And there were really four aspects of that.

17           The first was retrenchment. Having gone through a  
18 period of very significant expansion of resources which were  
19 available suddenly and somewhat painfully, I think the system  
20 suddenly found itself faced with having to turn around in  
21 some areas and go the other way. Certainly, when the  
22 significant budget cuts took place in 1981, that was a major

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1 theme for all programs. And there was a significant effort  
2 to use training and technical assistance to help programs  
3 work through issues related to how to retrench, issues which  
4 we face again today. I would add, though, a footnote.

5           The second is the efforts to think through how the  
6 delivery system needed to function and to be more ordered  
7 about what the management of Legal Services meant, I think,  
8 went to a much more sophisticated level. There were efforts  
9 to develop group case acceptance in a way which would work,  
10 to think through issues of caseload control, specialization,  
11 and a great deal of effort and significant amount of money  
12 that went to both training and technical assistance aimed at  
13 helping programs and the system address those issues.

14           Third was use of private attorneys, that the  
15 adoption of the private attorney involvement regulation  
16 carried with it a responsibility to help programs think  
17 through that. And the corporation, both internally in its  
18 own work, began an effort to address how to better use  
19 private lawyers and local programs, obviously, on their own,  
20 also face those questions and got both training and technical  
21 assistance to do that.

22           And the fourth area is technology, that in the

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1 early '80s is when this explosion of technology really began  
2 to accelerate it at a pretty rapid pace. And that began to  
3 raise for programs, again, a number of issues of how to use  
4 that technology, how to make appropriate choices about what  
5 technology to use. And the corporation began, I think, a  
6 process of thinking through how to help programs with those  
7 issues.

8           The second broad theme that relates to this time  
9 period is that this was not a one known approach to technical  
10 assistance and training. There was a symphony. The  
11 corporation was organized, as I think most of us remember,  
12 into regional offices. And regional offices themselves  
13 provided a significant amount of technical assistance and  
14 training.

15           In 1976, each regional office had a management  
16 specialist which was assigned to it, both to oversee the  
17 finances and the auditing function within the programs that  
18 those offices were responsible for, but management  
19 specialists also brought a dimension to the function of the  
20 corporation which was to help think through management  
21 systems and to have a capacity to push programs to function  
22 better in that regard.

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1           And regional offices in 1979 had regional training  
2 coordinators assigned to each of them. One of the judgements  
3 that was made in the late '70s was that the training  
4 functions which had been very active -- there were 53, 60, 75  
5 trainings per year that were put on by the corporation in  
6 various ways. In 1979, there was a push to have decisions  
7 made more locally and to have regional training coordinators  
8 available in each region to help that happen and to help  
9 training take place on a local level.

10           Office of Program Support was a very large division  
11 which basically oversaw the training, developed training  
12 designs, both with regard to legal work, substantive legal  
13 work, management, client engagement, Board involvement. The  
14 Research Institute, which was operated within the corporation  
15 and gave the corporation and the Legal Services delivery  
16 system a capacity to foresee and to move ahead into new  
17 substantive issues as they developed also had a significant  
18 role to play in training around issues related to advocacy  
19 and substance.

20           And each of the divisions of the corporation was  
21 fairly active in providing training and support. The audit  
22 division was very active in developing the fundamental

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1 criteria and having trainings across the country of  
2 administrators and project directors in appropriate and  
3 effective oversight of their finances.

4           The equal opportunity office of the corporation did  
5 some trainings to help programs address affirmative action  
6 issues. And I think what characterized the corporation  
7 generally in this time period was that it had a number of  
8 staff members, both in regional offices and in Washington,  
9 that were very experienced persons with Legal Services, and  
10 one of whom is the Chair of this committee, and that that  
11 insight into Legal Services' work gave the corporation a real  
12 grounding that made the work that it did very much focused on  
13 helping programs.

14           The last theme -- and I'm not going to go through  
15 the numbers, because you all have worked hard, and listening  
16 to numbers would be even worse than listening to a rendition  
17 of history. But what characterized all of these efforts was  
18 a very significant commitment of resources to responding to  
19 each of the issues that I just described, carrying out the  
20 themes, I guess, that I just described. The office of  
21 program support was a large division with a budget of as high  
22 as --

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1 CHAIRMAN ASKEW: \$6 million.

2 MR. TULL: Thank you. It's even bigger than that.

3 CHAIRMAN ASKEW: How much?

4 MR. TULL: I think at one point, it was \$9 million,  
5 although you probably remember better than I. It's very  
6 hard. There were not only program support, but there were  
7 program improvement efforts which were aimed at addressing  
8 specific issues. And the funding for program improvement  
9 efforts were as high as \$10 million, which were supported and  
10 were in concert with the program support budget.

11 There were efforts to examine and improve the  
12 delivery system. The investment income, which came from the  
13 way the corporation received its money and invested it at  
14 that time, generated \$4 million, which became available for  
15 what was called the "QUIP project," which was "quality  
16 improvement." Some smile from remembering all those days.

17 That was an opportunity for programs to experiment  
18 locally with new ways to provide service and to test out ways  
19 to improve the delivery system. So I guess the bottom line  
20 on that is that I think what has characterized the challenge  
21 that the corporation has now -- and Martha will speak in  
22 about one and-a-half seconds to the history after 1982 -- but

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1 that time period, in terms of the corporation's budget, was  
2 characterized by a very, very significant diminution of  
3 resources that went to this effort and a very sharp drop in  
4 that. And 1982 was a watershed year.

5 CHAIRMAN ASKEW: Well, let's stop maybe for a  
6 minute and talk a little bit about that first period. And  
7 both of you were program directors during some of that  
8 period, so you were both recipients of some of this effort,  
9 as well as, in John's case, being a provider of these  
10 services.

11 Ernestine and I were talking yesterday about the  
12 QUIP project, because she was a recipient of one of those  
13 grants, one of the most successful grants the corporation  
14 made, and remembers it very fondly. And I think the creative  
15 use of that money and the creative sort of projects it  
16 funded, as well as a lot of the things that were done by OPS  
17 and by the Research Institute during that period, are things  
18 that stood us in good stead, both in terms of survival and  
19 retrenchment and in living through this period, but also in  
20 terms of the long-term health of this program.

21 And I think we're in sort of a similar stage today,  
22 where we need to rethink what the corporation's role in all

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1 of this will be and how much resource we're going to devote  
2 to it and how the other stakeholders fit into this and how  
3 we're going to get back to those days of being very creative.

4 The other thing that happened as a result of all  
5 that training and technical assistance, I think, was building  
6 a community. From 1975 maybe to 1978, it grew from \$70  
7 million to \$321 million and expanded dramatically in terms of  
8 the number of people who were touched by it, but all of them  
9 coming in and feeling like they were part of something bigger  
10 than just their branch office or their local program through  
11 the new lawyer training or through regional meetings or  
12 through other sort of substantive training events.

13 People had a real sense of being a piece of  
14 something bigger, and it was very meaningful to them. And we  
15 lost that, obviously, in the '80s. And we need to think  
16 about how we recapture that as we move forward. But let's  
17 reflect a little bit about that period.

18 Martha, as a project director during that time, do  
19 you have any insight about what was the most useful or  
20 important pieces of that that might be important to us as we  
21 move into the future? As one of the expansion programs  
22 starting from scratch and as a new program director who all

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1 of a sudden received a check in the mail for whatever it was,  
2 whatever was most supportive of you in your program that was  
3 provided by the corporation during that period?

4 MS. BERGMARK: Well, I think there are clearly some  
5 lessons to be drawn from that. But it was, as you've just  
6 noted, a somewhat unique period. We were funded in 1978,  
7 sort of in the midst of this period you're talking about, and  
8 were confronted immediately with start-up issues and then  
9 almost immediately thereafter with cutback issues. So there  
10 were very dramatic expansion and then reduction issues to  
11 deal with.

12 And what we face now, I hope, will not be -- while  
13 it will be significant, won't be nearly that dramatic. But  
14 what we did find enormously useful was both the knowledge of  
15 folks in the regional offices or in our regional office in  
16 Atlanta who were, in effect, program officers for us -- Guy  
17 Lescalt in Atlanta was someone who was there to look to for  
18 sort of special needs things, for help in locating places to  
19 hold retrenchment retreats, to getting copies of what other  
20 people were doing on priority setting and on case acceptance  
21 for materials and that sort of thing.

22 So a person was sort of our key link to what was

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1 going on elsewhere. As I looked back through the annual  
2 reports and the budget requests, it was fascinating to me to  
3 see what enormous commitment of resources and effort had gone  
4 into it that I could then recall pieces of. But they really  
5 came to me through a couple. I happened also to know Alan  
6 Houseman, so I was probably better hooked in than many with  
7 what range of resources there was at the national level and  
8 then came to be hooked in with the project advisory group, as  
9 well.

10 So I had a way in to what the resources were. But  
11 really, the key link was someone or a couple of people in the  
12 regional office who were corporation folks who could put a  
13 project director who was brand new in touch with what the  
14 resources were that were available.

15 CHAIRMAN ASKEW: An affirmative model of the  
16 program officer concept, possibly, in terms of a  
17 clearinghouse of information, help and assistance?

18 MS. BERGMARK: That's right. And referral to  
19 others, to other project directors in the region, to helping  
20 to foster a sense of community that you just made reference  
21 to, and get me and others connected to that whole set of  
22 resources. I wasn't looking to Guy Lescalt to answer my

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1 questions about how to deal with Jeff Davis County,  
2 particularly, but he was a resource for who I might talk to  
3 anywhere in the country, really.

4 And NLADA and PHE have -- as I'll talk about in a  
5 minute, have filled some of that gap. But it was fascinating  
6 to see what an enormous commitment and effort had gone into  
7 it, that then LSC just completely dropped out of the picture.

8 CHAIRMAN ASKEW: We were also, I think, funding  
9 entities at that time like the National Clients Council and  
10 others who were doing trainings. Part of their mandate from  
11 the corporation and, clearly, what they wanted to do was  
12 provide forum for people to come together and develop.

13 And one of the issues -- and this will be part of  
14 what you're going to talk about, Martha -- I think that we're  
15 going to have to address for the future is, assuming -- and  
16 as long as I'm here, this will be a clear priority -- that  
17 the corporation is going to make a firm commitment to  
18 training and technical assistance and reinvigorating that  
19 whole effort and doing what it can to put more resources into  
20 it and to rebuild the capacity that we have lost, there will  
21 be this issue about where does the corporation's role begin  
22 and end, and where do others' roles begin and end.

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1           And how do we make sure that this effort happens,  
2 and it happens to the benefit of programs and clients, but  
3 happens in a way that's the most effective way to do it, as  
4 opposed to -- I suppose one idea could be to go back to the  
5 old corporation model of having an OPS that's \$9 million and  
6 100 staff people that are actually doing the training,  
7 designing it, delivering it, paying for it, in terms of  
8 bringing program people together.

9           And the corporation becomes the source of all of  
10 that, as opposed to funding others to do that or supporting  
11 others in their efforts to do that. And that's something  
12 that we'll have to address as we go through this process.  
13 But it needs to be looked at in terms of the historical  
14 perspective of what has worked best and what has not worked  
15 so well.

16           And what are we accomplishing beyond just  
17 delivering a piece of training or technical assistance? Are  
18 we promoting the building of a community? Are we making sure  
19 that others have the skills that they need to do this,  
20 whether we're around to pay for it or do it ourselves? Are  
21 we going to leave something in our place that will survive?

22           When we left in 1982, we left things in place that

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1 continued on even without corporation support, which is very  
2 important to that whole 10-year period, not that we're ever  
3 going to face that kind of crisis again. But we don't want  
4 to do anything that supplants or disempowers people to do  
5 this for themselves if that's the most appropriate way to do  
6 it.

7 MS. BERGMARK: I think that's right, and I think  
8 the story of the last 12 years confirms that we need to take  
9 account of what has developed, that yes, there was a  
10 commitment by the corporation to provide resources for  
11 program improvement, but there was an equal commitment by  
12 programs themselves and by clients and advocates to see to  
13 that and to look for ways to accomplish that and create  
14 institutions -- as I go through my little list of what has  
15 happened in the last 12 years, clearly, the vacuum has not  
16 remained a vacuum, and folks have risen to the occasion to  
17 the best of their ability.

18 So it is a matter of figuring out what is the best  
19 way for LSC as a new player, really, in this -- or a renewed  
20 player to resume an appropriate role.

21 CHAIRMAN ASKEW: Why don't you go on with that?  
22 Let me introduce that by saying one thing. When the budget

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1 cuts came and when retrenchment began, there was a very  
2 serious concern from the corporation that programs in the  
3 crisis and under the pressures they were under would  
4 sacrifice a lot of things in an effort to maintain some other  
5 things. And we were afraid that what they would sacrifice  
6 was a training capacity, because those might have been the  
7 easiest things in the budget to eliminate, as opposed to  
8 having to lay off people to close offices.

9           Whatever the alternatives were, a lot of the  
10 retrenchment training and advice that went out to programs  
11 during that period was, "Please be very thoughtful about the  
12 way you go about this." I don't know how well we succeeded  
13 in that effort, in terms of what happened in the early '80s  
14 and whether programs did that or not. But why don't you  
15 cover what you're going to cover, and then we'll talk about  
16 that?

17           MS. BERGMARK: I'm going to pick up in late '81.  
18 As John related -- he has a little chart there with these  
19 numbers on it that try to indicate what was spent by the  
20 corporation on program improvement. And it's really a little  
21 difficult to pinpoint that. The \$6 million number is a  
22 pretty good number, I think, on what was spent on training by

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1 the corporation. But to calculate what was spent on  
2 technical assistance requires some sort of percentage of  
3 regional office work and OPS work and a number of other  
4 things.

5 So it was clearly very much in excess of \$6  
6 million, because that was really simply the money directly  
7 allocated to training. So we may not be able to quite  
8 capture a number, a dollar amount that was spent. But we do  
9 know that in late '81, the corporation made three sets of  
10 grants to try to preserve a capacity for training and  
11 technical assistance.

12 The first group of those was for regional training  
13 centers. And initially, the grants for regional training  
14 centers were for \$1.5 million total. That was quickly  
15 slashed. Actually, the regional training centers from '83 to  
16 the present have averaged \$761,000 a year in funding. So  
17 they were cut in half, on average, for their annual grants  
18 over the next decade. And they remain at that fairly low  
19 level. So that was one set --

20 MS. ROGERS: Martha, I'm sorry. Was that total for  
21 all?

22 MS. BERGMARK: Yes, for five centers. There were

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1 five regional training centers funded, and an average total  
2 amount from about 1983 till now of \$761,000. So that's only  
3 a little over \$100,000 per center. And total personnel in  
4 the country is only about eight or nine people. So it's a  
5 fairly modest commitment.

6 Two grants were made to NLADA in late 1981  
7 totalling just under \$2 million. And I'm going to talk a  
8 little bit more about that, because that was a fairly  
9 significant sum. And then there was an additional grant made  
10 to the Western Center on Law and Poverty of about \$700,000 to  
11 do some training and technical assistance.

12 The NLADA grant went for five different categories  
13 of activity. The largest of those was for management  
14 development and technical assistance. And that project  
15 really became the beginnings of NLADA's then ongoing  
16 commitment to training for Legal Services folks.

17 The management project was to provide management  
18 training and technical assistance to LSC grantees in areas  
19 like office and personnel management, planned management  
20 responses to changes in funding, private bar relations,  
21 client participation, evaluation and assessment, office  
22 structure and efficiency, and management of legal work. The

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1 second component was for leadership development.

2 CHAIRMAN ASKEW: You should probably note, these  
3 were one-time grants. They were not recurring.

4 MS. BERGMARK: These were one-time grants. This  
5 was a one-time not quite \$2 million infusion of money. And  
6 for each of these items, the history of NLADA thereafter  
7 shows that NLADA carried on many of these activities as best  
8 it could with other sources of funds, but never again with  
9 the kind of infusion of resources that this initial grant  
10 provided.

11 Leadership development was the second piece of that  
12 grant. Standards development was a project that had started  
13 at the corporation but was continued with the help of  
14 corporation funds. And then the ABA, as you know, ultimately  
15 passed standards for providers of legal services.

16 Training on private bar delivery was the fourth  
17 area. And the volunteer lawyer project in Boston carried out  
18 a number of activities to help programs both with training  
19 and with technical assistance in delivery of services by the  
20 private bar.

21 And finally, a very small portion of the money was  
22 for a library manual for Legal Services programs that was

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1 ultimately folded into the management project and became part  
2 of the management project's development of resources and  
3 materials and manuals and so forth for assistance to  
4 programs. So that was the NLADA grant.

5           Once that outplacng of funding by the Legal  
6 Services Corporation happened, LSC was really removed from  
7 the picture, except insofar as it monitored those funds  
8 subsequently. Recently, LSC has, as you know, made  
9 meritorious and innovative grant awards and been, to some  
10 extent, involved in program improvement efforts through the  
11 comparative demonstration project.

12           But as far as LSC as a player in the delivery of  
13 training and technical assistance to programs, our role ended  
14 in the early '80s. But that didn't mean that nothing  
15 happened, as I said earlier. And I would like to simply list  
16 the fairly lengthy number of activities and programs that  
17 exist today to help provide training and technical assistance  
18 to programs. The regional training centers still do exist  
19 and provide training and other forms of support in their  
20 regions.

21           In addition to that, staff at NLADA and PAG have,  
22 in essence, served as sort of the hub for people as a source

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1 of assistance. They answer questions and refer folks to  
2 other players in this field. NLADA has continued to provide  
3 training directly and technical assistance indirectly through  
4 its annual conference, its annual substantive law  
5 conferences, its experienced manager conferences, litigation  
6 director and senior advocate conferences, and others. So  
7 NLADA has continued to maintain a national training program.

8 CHAIRMAN ASKEW: Mostly having to be supported by  
9 the --

10 MS. BERGMARK: By the Ford Foundation.

11 CHAIRMAN ASKEW: By the Ford Foundation, and then  
12 trainees having to pay a good bit of the expenses themselves  
13 or programs having to pay for participation, right?

14 MS. BERGMARK: Completely. Yes, they completely  
15 pay. To some extent, that activity has been subsidized by  
16 the Ford Foundation, the ABA, and then dues money from  
17 programs. That training role, I think, is what sort of led  
18 NLADA, with the support community, into the uniting support  
19 project. And that conference is concluding right about now  
20 or a couple hours from now in Atlanta and is a project that  
21 has been instrumental, I think, in helping support centers  
22 better coordinate their efforts.

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1           The Center for Law and Social Policy has been  
2 instrumental in responding to programs' inquiries about  
3 regulatory compliance and other issues related to the Legal  
4 Services Corporation. And Alan, you all know, has been  
5 absolutely a critical player for all these years. Since  
6 leaving the Research Institute, he has been at the Center for  
7 Law and Social Policy and, in effect, has been, himself, in  
8 his own person, a key deliverer of both training and  
9 technical assistance and support for programs.

10           The Management Information Exchange, MIE, is an  
11 organization that through its staff, its library, its new  
12 project director training, and roundtable discussions  
13 addresses many of the issues that program managers face. It  
14 started as an effort to support program managers in their  
15 issues relating to labor relations and has expanded from  
16 there to be a much broader resource to program managers.

17           The ABA Center for Pro Bono has offered peer  
18 technical assistance to Legal Services' programs through the  
19 years. The fundraising project, a Ford Foundation funded  
20 project, got started about four years ago now to provide  
21 assistance to programs with expanding and diversifying their  
22 resources.

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1 State and national support centers around the  
2 country provide a variety of training and technical  
3 assistance, as do the regional training centers. And there  
4 are various technical assistance projects and activities that  
5 go on in different states that service programs in a variety  
6 of areas, management, as well as substantive areas.

7 Sort of the informal network of peers and  
8 consultants who have served the community over the years have  
9 been part of this entire kind of fabric of technical  
10 assistance and other support. Again, PAG and NLADA and MIE  
11 and others, I think, have been a hub of referral and  
12 coordination of that kind of activity.

13 But both the project advisory group and NLADA  
14 realized a couple of years ago that that whole network was  
15 pretty fragmented and pretty inadequate to what we were  
16 seeing as the needs and initiated a new project, which we  
17 started off with a survey of programs about their technical  
18 assistance needs and which ultimately developed into a new  
19 project calls "PALS," the program assistance and leadership  
20 support project, which is jointly sponsored and funded by PAG  
21 and NLADA.

22 That project got its start with a survey that

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1 actually John Tull did and put that in the form of a report.  
2 And I thought I would report very briefly on -- this was two  
3 years ago. This is a 1992 survey. So it's recent enough, I  
4 think, to be helpful, in terms of looking at what programs  
5 indicated their needs were.

6           There were three areas that program managers felt  
7 were areas of greatest current unmet need. Those were, one,  
8 increasing and measuring productivity; two, motivating staff;  
9 and three, establishing new delivery methods. They also  
10 identified areas of future need, things they thought they  
11 were going to be needing help with in the future.

12           And I'll name just six of the top ones of those.  
13 Using technology was universally identified, help with  
14 fundraising, help with productivity, help with succeeding in  
15 a competitive environment, help with cultural diversity  
16 issues, and help in improving the delivery system to meet  
17 emerging client needs. So those were areas that were  
18 mentioned.

19           The survey also indicated that existing resources  
20 were covering some areas well. And I want to mention one in  
21 particular. As you know, NLADA has had a project to assist  
22 programs with coping with LSC monitoring. And you'll be

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1 pleased to hear that three more respondents to the survey got  
2 help with that than thought they needed it.

3 (Laughter.)

4 CHAIRMAN ASKEW: What year was this?

5 MS. BERGMARK: This was in 1992. So you'll be  
6 pleased that --

7 CHAIRMAN ASKEW: That may be on the rise these  
8 days. We don't know.

9 MS. BERGMARK: It may be. The only area in the  
10 survey that indicated a need that was more than being met,  
11 thank you very much, was in the area of help with that. So  
12 the survey led to an adoption by both the PAG steering  
13 committee and the NLADA civil council of a joint agreement to  
14 move forward with the project called PALS resulted in the  
15 solicitation of a peer assistance group. So there is sort of  
16 a databank of folks available in the areas that were  
17 identified in the survey.

18 And that project is managed by Harrison McIver at  
19 PAG and is staffed by Jeff Brown at NLADA. It is a project  
20 that has not had the financial support that it needs, I  
21 think, really, to have the sort of impact it needs to.  
22 There's definitely a consensus among programs, I think, that

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1 there's a need for much greater attention to this area and  
2 that resources have not been there to do it.

3 Just to tie this back into your earlier report --  
4 and I know we're presenting the historical perspective and  
5 not moving into the future yet -- but you should know that a  
6 key piece of the PALS project has been a capacity to diagnose  
7 problems as they come in. A frustration we were feeling in  
8 NLADA and PAG was simply to get a question. And I would get  
9 the questions, as you know, once you were no longer at NLADA  
10 about monitoring.

11 You would hear about a problem, and often, it was a  
12 problem that needed much more substantial assistance than I  
13 was going to be able to give on the phone. It often  
14 needed --

15 CHAIRMAN ASKEW: On Friday afternoon.

16 MS. BERGMARK: Exactly. And they were issues that  
17 needed far more attention than just, "How do we cope with  
18 this when the monitors are here next week?" So a capacity,  
19 though, to have an understanding of what was going on in that  
20 program and to know who it was that that project director  
21 needed to be put in touch with was something that we felt we  
22 had only inadequately.

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1           We do see that a move towards something like a  
2 program officer model, a capacity at the corporation to have  
3 a knowledge of what's going on with programs sufficient to  
4 make appropriate referrals to existing entities and others to  
5 provide assistance may be a model that we should explore.

6           MS. ROGERS: Martha?

7           MS. BERGMARK: Yes?

8           MS. ROGERS: Am I interrupting? On my side, I  
9 can't tell.

10          MS. BERGMARK: No, go ahead.

11          MS. ROGERS: First, what John said about how in the  
12 past, or at least the distant past, there were sort of trends  
13 in technical assistance. And your report of John's survey  
14 that more recently, there's much more diversity in terms of  
15 what programs want, that it's not a period in which there are  
16 a whole bunch of new programs starting or something like  
17 that, so that there are different needs.

18                 And also, what you said about the crowds that you  
19 got at PAL coming often on the eve of monitoring visits when,  
20 in fact, it wasn't a question just of dealing with monitors  
21 but of a problem that they realized there was a problem about  
22 the time they were having a visit, made me think about an

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1 exploratory conversation that Bucky and Edna and I had in  
2 early January when we talked to somebody who had done quite a  
3 lot of law schools monitoring.

4           And what he was suggesting was that, ultimately --  
5 and I may not have it exactly right, but what I recall from  
6 that exploratory discussion was the impression when we left  
7 that, ultimately, a really efficient way to get technical  
8 assistance to a lot of programs would be to weave it right  
9 into the evaluation program, so that, just as a kind of a  
10 rough example, if a program knew that a year from now, six  
11 months from now, they were going to have an evaluation visit,  
12 they would then do a self-study in which they identified  
13 their strengths and weaknesses.

14           And at the time that they identified their own  
15 weaknesses, they also identified those weaknesses for which  
16 technical assistance would be really helpful. But would it  
17 help, say, three or four months ahead of a peer review visit?  
18 And then, they said after that technical assistance, if the  
19 corporation could make it available, they would make it  
20 available at that time, knowing what the programs thought  
21 were their high priority needs.

22           And putting it in in that way had a couple of

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1 advantages. One is the one that you've already mentioned,  
2 and that is that's a time when you have an incentive to work  
3 on problems, because somebody's about to come. And what you  
4 can then have them report is that although there were  
5 problems in the past, there is an aggressive management  
6 response to it, and, in fact, they have already identified a  
7 program to deal with it, with the help of some technical  
8 assistance.

9           So it no longer becomes something they're hit for  
10 in the report, but instead something they're praised for  
11 positively addressing.

12           The second one deals with the diverse problem, that  
13 the time at which a program is doing a self-study they're  
14 therefore in the position to identify what their priorities  
15 are in terms of technical assistance a little bit more  
16 efficiently than they might be able to do at a time that  
17 they're not quite so focused on the whole picture. I just  
18 throw that out because I think that was before both of you  
19 came on board. And it struck us as an idea that seemed, at  
20 least on its face, worth exploring.

21           MS. BERGMARK: I agree.

22           CHAIRMAN ASKEW: Yes, that was a very useful

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1 conversation and something we should attempt to incorporate.  
2 One thing. I wonder if you overlooked this. The LAP project  
3 at NLADA in terms of matching programs with people from the  
4 ABA litigation section or big law firms to do major  
5 litigation is another thing that actually was generated by  
6 the litigation section, not by us. And I think it has worked  
7 quite well, from what I've heard.

8 MS. BERGMARK: It has worked excellently and, in  
9 fact, has been replicated by a similar arrangement with the  
10 business law section of the ABA. Now, there's a project  
11 called "ABC," a business commitment to link program lawyers  
12 and clients with business lawyers who can provide help with  
13 community development issues in particular, housing  
14 development problems and so forth.

15 I didn't list that one because we sort of think of  
16 that as more substantive support than we do technical  
17 assistance, precisely. But you're exactly right. If we  
18 really were going to make a complete list of all those  
19 resources, it would be much longer than the one I just gave  
20 you.

21 CHAIRMAN ASKEW: Well, we're running out of time.  
22 This is a conversation beginning and will continue. I think

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1 one thing you could do to help us would be, before the next  
2 meeting, send us some materials, some historical materials.  
3 The PALS survey, I wasn't aware of, and I think would be very  
4 helpful to us in terms of getting at least a picture on that  
5 day in 1992 of what programs said their needs were and begin  
6 informing us.

7 Any historical documents you can find that are not  
8 too lengthy that explain some of the history you've been  
9 talking about here to help bring us up to date would be very  
10 useful.

11 MS. BERGMARK: We have about six feet or so of  
12 materials.

13 MR. TULL: Your standard of "not too lengthy" may  
14 sort of make it a little tough.

15 CHAIRMAN ASKEW: Don't send any more paper taller  
16 than me.

17 MS. ROGERS: Limit it to six feet.

18 (Laughter.)

19 MS. BERGMARK: We have already read that carefully.

20 CHAIRMAN ASKEW: I'm not suggesting --

21 MS. ROGERS: Is there time for another question?

22 MS. BERGMARK: I beg your pardon?

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1 MS. ROGERS: Is there time for a few more  
2 questions, or are you out of time?

3 CHAIRMAN ASKEW: No, it's time.

4 MS. ROGERS: One thing that I'm wondering about and  
5 maybe I should say a little concerned about is, I don't think  
6 it would be a huge mistake to do something that would destroy  
7 the innovative stuff that has been happening over the last  
8 years, because one of the things that is not only good but  
9 essential include training and technical assistance that  
10 would really be excellent. And that takes the kind of  
11 creativity and high incentive that when you find it, I don't  
12 think you ever want to destroy it.

13 But one of the things that also is of concern to me  
14 is the fallout that seems to come when there is a contract on  
15 a national level for consulting or contracting out something  
16 they you might think on a national level the corporation  
17 could as easily do.

18 And I distinguish that from something else, which  
19 is sending the money to programs locally so that they locally  
20 can contract with teachers they think are really great  
21 teachers and so forth. But what would be done at the  
22 national level, what we would decide should be done at

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1 national levels through a contract with another national  
2 organization, it honestly worries me. And I wonder whether  
3 decisions like that come to the Board.

4 CHAIRMAN ASKEW: Yes. I would say, ultimately,  
5 they would, in terms of the amount of money that would be  
6 invested. And a review of this whole process, I think, is  
7 something that this committee intends to invest time in over  
8 the next few months. And that is the very issue that I  
9 raised earlier, I think, is how do we encourage innovation  
10 and support these efforts, and where does the corporation's  
11 role begin and end in all of this, beyond raising the money  
12 and putting the money to work.

13 That's only the first small piece. The bigger  
14 piece is, how do we get this done, and what's the best way to  
15 do it? And that deserves a lot more attention and discussion  
16 from a broader group than is here today, obviously. But the  
17 first step in that, to me, was to learn from the past. Let's  
18 don't jettison all of that before we start moving in.

19 Let's make sure we understand what has happened and  
20 what has worked and what hasn't worked and what we have  
21 gained from it in more ways than just the actual training  
22 that was imparted, like this idea of building a community.

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1 Let's see what we learned from all of that before we start  
2 making decisions about the future. But yes, I think it would  
3 come back to this committee and, ultimately, to the Board in  
4 terms of the broader policy issues involved in these  
5 decisions.

6 MS. BERGMARK: And I think you'll want to hear, as  
7 well, directly from some of these folks who have been  
8 thinking about this and providing assistance themselves.  
9 Certainly, the delivery working group process that's being  
10 sponsored by PAG and NLADA will have input into this. They  
11 have had working groups that have arisen out of the uniting  
12 support project, a training delivery working group, a  
13 management training working group, and others that are sort  
14 of coming together to help inform your process, as well.

15 CHAIRMAN ASKEW: Right.

16 MS. ROGERS: Just a second question that was raised  
17 to me by a couple of the Ohio project directors, and that is,  
18 when we begin talking about training in particular, there  
19 might be a reason to think differently about curriculum  
20 development from the delivery of the training itself and that  
21 there may be -- when we decide locally and nationally, that  
22 we might divide those two things differently. In other

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1 words, there might be more of a reason, I think, nationally  
2 to develop curriculum, as opposed to developing the seminars  
3 themselves and picking the instructors.

4 CHAIRMAN ASKEW: Good idea. Anything else, Nancy?

5 MS. ROGERS: Just one other question that I had at  
6 various points. When we were initially approached by some of  
7 the folks in the law school community about what the local  
8 grants ought to do, some of the initial proposals had to do  
9 with using some of that money for training, and particularly  
10 since money for training was small and there seemed to be  
11 some money in that pot.

12 And then, ultimately, as time went on and the  
13 comments came through, there was very little enthusiasm  
14 expressed for that. And we dropped it, ultimately. But I  
15 had a feeling that we didn't have very much input either at  
16 the beginning or the middle. And I guess I would throw that  
17 out as something else that I would be interested in, Martha  
18 and John, your recommendation with respect to whether that  
19 ought to be woven into the training part or whether it really  
20 deserves not to be.

21 CHAIRMAN ASKEW: Great.

22 MR. TULL: Okay. We will give thought to that,

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1 yes.

2 CHAIRMAN ASKEW: Let me raise one other issue.  
3 Then we need to bring this to a close. Edna and Ernestine  
4 have been working with James Head on the whole issue of  
5 client engagement. That was mentioned, John, in your remarks  
6 earlier and about the deficit we have had out there over the  
7 last period of time.

8 Edna, is there anything you want to offer in this  
9 discussion about that as it relates to the discussion we have  
10 been having?

11 MS. FAIRBANKS-WILLIAMS: No, I don't think so,  
12 except that I'll be going to that meeting with the planning  
13 group Sunday and Monday. Did you want to do this mission  
14 statement?

15 CHAIRMAN ASKEW: That's going to be for the Board,  
16 not for the committee.

17 MS. FAIRBANKS-WILLIAMS: Oh, okay.

18 CHAIRMAN ASKEW: Well, thank you for your  
19 presentation. Let me ask you that between now and the next  
20 committee meeting, if there are any materials summarizing the  
21 history and the status and especially the surveys or  
22 information about field needs, field desires in this area, it

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1 would be very useful.

2 I know we're going to be hearing from the various  
3 working groups, probably -- I would assume in the fall. I  
4 don't know what their deadlines are for this. This is a very  
5 important discussion for the future. So anything you can do  
6 to keep us up to date -- and I think, if useful, we may put  
7 this back on the agenda again at the next meeting or  
8 certainly future meetings and figure out a way to keep this  
9 conversation going and involving more people in it.

10 The last item is just consider and act on any other  
11 business. Does anybody have any have any business to bring  
12 before the committee?

13 (No response.)

14 CHAIRMAN ASKEW: Let me make one comment. As we  
15 close, John, the first item, I think what the committee's  
16 intent is is to say to you that in concept, your plan  
17 captures the principles envisioned way back many months and  
18 what the committee has discussed over the last several  
19 meetings.

20 And our instructions to you is to move that along  
21 between now and the next meeting and that at the July  
22 meeting, the committee will be prepared to review, approve,

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1 and hopefully adopt it and send it onto the Board. But in  
2 the meantime, we're not saying to you, "Stop until July."

3 Keep refining, keep moving, keep implementing, to  
4 the extent you can without violating the Congressional  
5 requirements here. And in July, we will wrap this up. Okay?

6 MR. TULL: Thank you, Mr. Chairman.

7 CHAIRMAN ASKEW: Is there a motion that the  
8 committee adjourn?

9 M O T I O N

10 MS. FAIRBANKS-WILLIAMS: So moved.

11 CHAIRMAN ASKEW: Second. All those in favor?

12 (Chorus of ayes.)

13 CHAIRMAN ASKEW: The committee is adjourned. Thank  
14 you.

15 (Whereupon, at 11:03 a.m., the meeting of the Board  
16 of Directors Provision for the Delivery of Legal Services  
17 Committee was adjourned.)

18 \* \* \* \* \*

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