

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS MEETING

RETURN TO CORPORATION
SECRETARY ARCHIVES FILE

OPEN SESSION

September 16, 1991

9:00 a.m.

The Ramada Renaissance Hotel
Ballroom A
1001 County Line Road
Jackson, Mississippi 39211

Board Members Present:

George W. Wittgraf, Chairman
Guy V. Molinari, Vice Chairman
Howard H. Dana, Jr.
William Kirk, Jr.
Jo Betts Love
Penny Pullen
Thomas D. Rath
Basile E. Uddo
Jeanine E. Wolbeck
Norman Shumway

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11:30 PM
Executive Office

Staff Present:

Alan Severson, Vice-President
Patricia Batie, Secretary
Kathy deBettancourt
Emelia DiSanto, Director of Monitoring and Compliance
Victor Fortuno, General Counsel
David Richardson, Treasurer and Comptroller
Ellen Smead
Charles Moses

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P R O C E E D I N G S

1
2 CHAIRMAN WITTGRAF: Good morning. The regularly
3 scheduled board meeting of the board of directors of the Legal
4 Services Corporation will be in order.

5 We have a number of guests, as we did yesterday. I
6 would note that we have one particular glutton for punishment,
7 the immediate past chairman of the board of directors of the
8 Legal Services Corporation, Mike Wallace, is here, and I'll
9 trust it's only because we're in Jackson, Mississippi and very
10 close to him, but we certainly welcome him any time in
11 Washington or anyplace else that we are.

12 It's nice to see that somebody is willing to come
13 back and listen to some of the same debates, perhaps, that he
14 or she has listened to for years and years. There's a certain
15 similarity. I guess Mr. Houseman might confirm the sameness
16 of some of the discussions, but thank you, Mike, for coming.

17 MR. WALLACE: Thank you for coming to Mississippi.
18 Welcome down here.

19 CHAIRMAN WITTGRAF: Ms. Wolbeck.

20 MS. WOLBECK: I have something I'd like to read
21 before we go any further with the meeting. Some people may
22 have planes to take, et cetera.

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R E S O L U T I O N

1
2 "Whereas, one year ago, David H. Martin assumed the
3 presidency of a divided and contentious corporation and began
4 the task of restoring trust; whereas, David H. Martin
5 developed creative ways to communicate with the legal service
6 community and began to rebuild a shared sense of common goals;
7 whereas, the Corporation, under his leadership, has made
8 significant progress in performing its vital and regulatory
9 functions in a manner less burdensome to its grantees;

10 "Whereas, David H. Martin's stewardship has greatly
11 contributed to the credibility of the Corporation and promoted
12 its interests with the U.S. Congress and the legal services
13 community; whereas, David H. Martin's leadership has
14 strengthened the Corporation and provided a more solid base
15 for it to meet the challenges of the future, be it resolved
16 that the Board of Directors of the Legal Services Corporation
17 commends David H. Martin for his good and faithful service as
18 president and wishes him every success in his future career."

19 MR. KIRK: I second the resolution.

20 CHAIRMAN WITTGRAF: You've heard the resolution made
21 by Ms. Wolbeck, seconded by Mr. Kirk. Is there discussion?

22 (No response.)

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1 CHAIRMAN WITTGRAF: Hearing none, those who are in
2 favor of the adoption of the resolution as presented will
3 signify by saying aye.

4 (Chorus of ayes.)

5 CHAIRMAN WITTGRAF: Those opposed, nay.

6 (No response.)

7 CHAIRMAN WITTGRAF: The ayes appear to have it. The
8 ayes do have it. The resolution is adopted. Again, David, as
9 we said yesterday and last night, thank you.

10 (Applause.)

11 MR. MARTIN: Thank you all again. It has been a
12 wonderful year and a difficult year and a special year. Thank
13 you. I have to catch a cab and get to the airport. Best of
14 luck to you.

15 CHAIRMAN WITTGRAF: We'll turn, then, to the next
16 item on the agenda, that's Agenda Item No. 8, the report of
17 the Audit and Appropriations Committee, that committee having
18 met earlier this morning upon notice. Mr. Dana.

19 M O T I O N

20 MR. DANA: Mr. Chairman, thank you. As the Board
21 knows, annually, based upon a recommendation of the committee,
22 we adopt a budget, and at least twice during the year, we

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1 typically revise that budget, at least as it relates to the
2 Corporation.

3 In your board books, or in the Audit and
4 Appropriation Committee portion of the board book, at pages 8,
5 9, 10, 11, and 12, there is a revised budget in column 8.
6 There is, in fact, a memo coming to you that describes a
7 series of adjustments in that budget.

8 The memo is not here in the room, and,
9 theoretically, we could wait, but what is recommended is an
10 increase of \$16,500 in the Board of Directors' line for the
11 Corporation, which is primarily taken, I think, from the
12 personnel department.

13 Then, there are a series of adjustments within the
14 various departments of the Corporation, with no change in the
15 line for the Corporation. We are going to end the fiscal year
16 having not spent in the neighborhood of a half a million
17 dollars at the corporation.

18 Without having the detail before you, if you object,
19 we can wait, but your committee unanimously recommends that we
20 adopt the recommendations of management that are, in sum,
21 reflected in the budget documents before you.

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M O T I O N

1
2 CHAIRMAN WITTGRAF: Are you moving the report of the
3 committee, Mr. Dana?

4 MR. DANA: I am.

5 CHAIRMAN WITTGRAF: Is there a second?

6 MR. UDDO: Second.

7 CHAIRMAN WITTGRAF: It's been moved and seconded.
8 Is there discussion? If anybody would like discussion, I
9 believe the controller/treasurer, Mr. Richardson, is
10 available, although is reproducing the documents to which Mr.
11 Dana referred at the moment. Is there discussion? Mr. Dana.

12 MR. DANA: Would you like a vote? I mean, that was
13 in the nature of a motion.

14 CHAIRMAN WITTGRAF: Yes. Was there further
15 discussion?

16 MR. DANA: I haven't heard any. On that motion, I
17 have nothing further.

18 CHAIRMAN WITTGRAF: Those who are in favor, then, of
19 the motion to adopt the amended budget will signify by saying
20 eye.

21 (Chorus of ayes.)

22 CHAIRMAN WITTGRAF: Those opposed, nay.

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1 (No response.)

2 CHAIRMAN WITTGRAF: The ayes appear to have it. The
3 ayes do have it. That motion is adopted. Mr. Dana.

4 MR. DANA: Two other matters that the committee --

5 CHAIRMAN WITTGRAF: Excuse me just a minute. I
6 believe Mr. Richardson now has the documents to which you're
7 referring.

8 MR. DANA: Terrific. Fine. Those can be
9 distributed, and if there are any questions, we hope that Mr.
10 Richardson can answer them. As the Board is aware, the
11 Corporation has endeavored to complete the requirements of our
12 act and put a migrant program in the four states where we did
13 not have a migrant program.

14 We learned, in our meeting this morning, that the
15 Mississippi program has not been placed, and, apparently, a
16 judgment has been made in Washington that it is not a good
17 idea for Mississippi to rely upon lawyers from outside of
18 Mississippi to assist them in providing a migrant program this
19 year.

20 I gather that Mississippi, not having had a migrant
21 program, felt the need to secure expertise outside of
22 Mississippi, and the Corporation is discouraging that. It's

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1 not clear -- it seems to me that that is a policy issue that
2 might well wish to be discussed by the Board.

3 There seems to be some effort to work it out. We
4 heard from Mr. Moses and Harrison McIver, no one from
5 Mississippi during our committee meeting, but it does seem to
6 me that if there is going to be a migrant program in
7 Mississippi this year, somebody better move fairly quickly,
8 since the last half of the migrant season is, presumably, upon
9 us.

10 Finally, the committee has asked the Corporation to
11 look into the census data that is available for Micronesia.
12 As the Board may or may not know, in addition to all of the
13 other programs that we fund, we fund the largest rural program
14 in the world, an area 3,000 miles across and 1,000 miles up
15 and down out in the center of the Pacific where there are
16 varying estimates of people we serve in the neighborhood of
17 somewhere between 1 and 300,000.

18 The Corporation, I think, views it as a only
19 100,000, and they have expressed some interest in getting a
20 fairer shake. So I've asked the Corporation to look into that
21 for us.

22 Finally, we are beginning the process of developing

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1 a consolidated operating budget for next year. Next year
2 starts next month. We hope to make some progress on that in
3 October. Additionally, the Office of Management and Budget
4 would like a number from us to include in their request to
5 Congress, and that number -- they would like to hear from us
6 on October 15.

7 So we hope to have a preliminary recommendation for
8 the Board at our October 19/20 meeting. Thank you, Mr.
9 Chairman.

10 CHAIRMAN WITTGRAF: Thank you, Mr. Dana. I assume
11 the matters you've just discussed don't, in your judgment,
12 require any action by the Board?

13 MR. DANA: I'm not sure how to get my hands around
14 the Mississippi migrant problem. I think a policy
15 determination has been made at headquarters -- it's to the
16 clear to me by whom -- that a subgrant will not be permitted
17 or is being discouraged, and, as a consequence, it looks to
18 me, unless there is some action, that yet another year will go
19 by, and the migrant farm workers in Mississippi will have no
20 program.

21 CHAIRMAN WITTGRAF: I thought I understood you to
22 say that you had inquired some of Charles Moses, the deputy

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1 director of the Office of Field Services in the context of the
2 committee meeting; is that correct?

3 MR. DANA: I did discuss it with him. I think he
4 seemed to be reluctant to discuss all aspects of it on the
5 record, and, as you know, we had a short meeting.

6 CHAIRMAN WITTGRAF: Do you wish to inquire further
7 either of Mr. Moses or of Ellen Smead, the director of that
8 office at this time?

9 MR. UDDO: Mr. Chairman?

10 CHAIRMAN WITTGRAF: Mr. Uddo.

11 MR. UDDO: Could I just suggest that we request a
12 report at the next meeting? I think it's clear to those folks
13 that Mr. Dana and the Audit and Appropriations Committee is
14 interested in getting that decision made as expeditiously as
15 possible, and we should, I think, call on them to report to
16 us.

17 If the next meeting is too far away, a written
18 report to the chairman of the Audit and Appropriations
19 Committee within two weeks or something along those lines?

20 CHAIRMAN WITTGRAF: Mr. Dana.

21 MR. DANA: That would be fine. I'm anxious to get
22 -- I think if we don't move on it, there's no point -- then we

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1 got a whole year, or we've got several months. I just think
2 that there ought to be some action, and I guess, as I did in
3 the Audit and Appropriations Committee, would encourage the
4 management to move on this so that we fulfill our obligation.

5 I would think a report to the full board as soon as
6 possible would be appropriate, and I guess I would ask that
7 there be a full report to the full board, and then, whatever
8 action the chairman of the board thinks appropriate, he can
9 move on that.

10 CHAIRMAN WITTGRAF: Ms. Smead, you've heard the
11 request?

12 MS. SMEAD: Yes, Mr. Chairman.

13 CHAIRMAN WITTGRAF: Thank you. One other question,
14 Mr. Dana. You referred to a budget mark for the 1992--
15 excuse me, the 1993 fiscal year, and, apparently, Mr.
16 Richardson indicated to you that the Office of Management and
17 Budget is looking for such an estimate or a mark about October
18 15.

19 We meet again as a board on October 21, which would
20 mean by, say, Tuesday, October 22, it would be possible to
21 provide OMB with such a mark. Is that your intention, to
22 bring that matter to the Board on the 21st of October?

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1 MR. DANA: Yes.

2 CHAIRMAN WITTGRAF: In the past, I think the
3 practice has been for OMB simply to incorporate in its
4 calculations the figure that was appropriated by the Congress
5 for the prior year. Then, for the next year, the Congress has
6 not paid a great deal of attention to OMB, but it would be
7 nice if we could share our thinking with OMB, and, perhaps,
8 bring them along as they develop the Executive budget and the
9 Congressional budget a little bit closer together with our
10 thoughts as well.

11 Mr. Dana.

12 MR. DANA: Mr. Chairman, the one disadvantage about
13 this is that the principal advocates for the field will not
14 have their recommendations entirely refined. This is a
15 complicated year, Ladies and Gentlemen of the Board, because
16 this is the year that the census, new census data gets
17 factored in.

18 We've been operating on old census data or 1980 up
19 through this year. The 1993 year is the year where we use new
20 census data, and the whole question that Mr. Kirk alluded to
21 yesterday of making adjustments to reflect shifts in poverty
22 population and the disruption and dislocations that result

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1 from making adjustments quickly and/or taking forever, those
2 kinds of issues are being debated in Congress, and if we wish
3 to have any part of it, we would have to get about looking
4 into that issue.

5 CHAIRMAN WITTGRAF: I would assume, then, that a
6 more detailed set of recommendations would be prepared by the
7 committee in January or February so that the Board could
8 review them and recommend them to the Congress by
9 approximately the end of February of next year.

10 MR. DANA: I think that whatever number we come up
11 with, if we do, in fact, come up with a number in October, it
12 will be a tentative sort of target number that we think the
13 Corporation -- we think may, in fact, reflect what we
14 ultimately ask Congress for.

15 CHAIRMAN WITTGRAF: Mr. Kirk.

16 MR. KIRK: As a point of information, you said
17 Congress is now debating how to handle the distribution of
18 money to avoid disruption earlier. They're debating those
19 issues now?

20 MR. DANA: No. These issues get -- no, I think
21 that's not true. I don't think that they are dealing with it
22 now, but they will be dealing with it this coming year.

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1 CHAIRMAN WITTGRAF: Mr. Kirk.

2 MR. KIRK: Is this something that we should be
3 making specific recommendations to Congress on? Is that what
4 you're saying, by February?

5 CHAIRMAN WITTGRAF: Right. I think what will
6 happen, and Mr. Richardson can correct me here, if I'm
7 mistaken, but that by March, the appropriate House and Senate
8 appropriations subcommittees will want figures from us, and
9 then, in either March or April, will want us to speak to those
10 figures so that time will be of the essence once we get to the
11 winter.

12 MR. KIRK: And what committee will be handling this?

13 CHAIRMAN WITTGRAF: What committee of Congress or of
14 the Board?

15 MR. KIRK: Of the Board.

16 CHAIRMAN WITTGRAF: It would be the Audit and
17 Appropriations Committee.

18 MR. KIRK: I have a special interest in that, and I
19 certainly understand the disruption that we're concerned about
20 that would occur if you just took a lot of money out of an
21 office, but, by the same token, you're taking money away from
22 poor people if you make the transition too long.

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1 I would like to take an interest in that, and if you
2 could advise me when you're going to discuss it, I would
3 appreciate being there.

4 MR. DANA: Great.

5 CHAIRMAN WITTGRAF: Anything further on behalf of
6 the Audit and Appropriations Committee, Mr. Dana?

7 MR. DANA: No, Mr. Chairman. Thank you.

8 CHAIRMAN WITTGRAF: At this time, the Chair is
9 prepared to receive a motion that we proceed to Executive
10 Session for the purpose of discussing personnel matters,
11 including the selection of an interim or new president for the
12 Corporation and pending litigation involving the Corporation.
13 Is there such a motion? Mr. Rath.

14 M O T I O N

15 MR. RATH: So moved.

16 CHAIRMAN WITTGRAF: Is there a second?

17 MS. LOVE: Second.

18 CHAIRMAN WITTGRAF: Is there discussion?

19 (No response.)

20 CHAIRMAN WITTGRAF: Hearing none, those who are in
21 favor of the motion will signify by saying aye.

22 (Chorus of ayes.)

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1 CHAIRMAN WITTGRAF: Those opposed, nay.

2 (No response.)

3 CHAIRMAN WITTGRAF: The ayes appear to have it. The
4 ayes do have it. The motion is adopted. At this time we will
5 proceed to Executive Session. It's the Chair's best guess,
6 and his guesses aren't always that good, that we will be in
7 Executive Session for approximately two hours before returning
8 to open session to complete business as suggested by the
9 agenda. At this time, with the exception of the Corporation
10 secretary and the Corporation general counsel, and the
11 reporter, the Chair would ask our other staff members and
12 guests to excuse themselves.

13 (Whereupon, at 9:40 a.m., the meeting adjourned to
14 reconvene in Executive Session.)

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A F T E R N O O N S E S S I O N

(12:50 p.m.)

1
2
3 CHAIRMAN WITTGRAF: The recessed meeting of the
4 Board of Directors will be in order. I apologize to those in
5 the audience for our closed session having gone more than the
6 couple of hours I predicted, but I think the one consistent
7 thread in my predictions is that they're too low.

8 So those of you who have had the experience of
9 sitting through several Executive Sessions probably know that
10 when I say 11:30 that really means more like 12:30 or 1
11 o'clock.

12 At this time, the Board is prepared to proceed to
13 one or two matters before we adjourned this meeting of the
14 Board. First, I would call on Mr. Molinari. Mr. Molinari.

M O T I O N

15
16 MR. MOLINARI: Thank you, Mr. Chairman. Mr.
17 Chairman, Members of the Board, I move that the Board extend
18 an offer of employment as president of the Legal Services
19 Corporation to Mr. Jack O'Hara for a period of one year under
20 terms and conditions of a contract to be negotiated between
21 Mr. O'Hara and a representative of the Board and subject to
22 ratification by the Board.

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1 CHAIRMAN WITTGRAF: Is there a second?

2 MR. DANA: Yes.

3 CHAIRMAN WITTGRAF: Mr. Uddo seconds the motion.
4 Discussion? Mr. Molinari.

5 MR. MOLINARI: Yes. Mr. Chairman and Members of the
6 Board, and those out there in attendance, the last time we
7 went through this process, Mr. O'Hara's name was put in
8 nomination. He made the cut to the final ten, and since that
9 time, he has been on the Board's payroll, has worked
10 internally with the Board, has served very, very well.

11 Obviously, we all know that being president of Legal
12 Services is one of the most challenging positions that anyone
13 could have in the country. Just by way of background, and I
14 don't have his resume before me, Jack O'Hara, during the
15 Korean War went into the United States Marine Corps, much like
16 myself, as a private, but he came out as a lieutenant.

17 He was, from '54 to '55, an accountant with American
18 Cyanamid. Then he joined the FBI as a special agent from '55
19 through '62. He then became staff director and, eventually,
20 chief counsel of the very important Subcommittee on
21 Investigations and Oversight. That's a subcommittee of the
22 Public Works and Transportation Committee.

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1 I was privileged, during 1983 and '84, to be the
2 ranking republican on that committee, and we were chaired by a
3 wonderful fellow from Atlanta, Elliot Levidus. We developed a
4 very close working relationship. During that two-year period,
5 that subcommittee set a record for the most hours of hearing
6 of any subcommittee in the history of Congress, the most days
7 of hearings, the most field hearings.

8 It was an extraordinary effort with very little
9 sleep by any of us, but the chief staff person, Mr. O'Hara,
10 was the one vested with the primary responsibility of making
11 it all come together, and he did, and he did it well, and we
12 went through a lot of extremely important and very sensitive
13 issues.

14 Thereafter, his Hill experience, he became chief of
15 security for Flying Tigers, and that was during a period of
16 time when security became a very, very major and crucial
17 issue, and he did an extraordinary job in that capacity.

18 We are at a juncture in Legal Services where we've
19 just had a president leave us, and we were about to embark on
20 a rather torturous process seeking a new president. I was on
21 that search committee last time. It takes months, and it
22 takes an awful lot of painful studying and exchanging ideas

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1 and then going through the period of going into the final
2 selections.

3 I believed, and I think that's the consensus of,
4 hopefully, of the Board, that rather than go through that at
5 this moment in the history of LSC, we have somebody, who was
6 one of the ten finalists, who has had almost a year of
7 experience with Legal Services, knows the internal workings
8 probably as well as anybody on the Board or inside LSC,
9 doesn't know the field people as well at this point, but I
10 guarantee you that he will know the field people extremely
11 well.

12 I think, for those of you that are employed by Legal
13 Services here -- back in Washington, will find him somebody
14 that you'll enjoy working with. I looked at the last meeting,
15 when some of program directors -- I was not there, but I
16 studied the minutes, and I saw what the program directors
17 talked about and their recommendations in the hiring of a new
18 president, and they talked about the learning curve and what a
19 problem that is for Legal Services, for a president.

20 They talked about the learning curve being, in some
21 cases, as much as two years, if you were just a program
22 director, and that, if you were to become president of LSC,

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1 that you might have a longer learning curve.

2 They talked about listening to the field; critically
3 important. I think credit should go to David Martin for what
4 he did in listening to the field. He started to open up that
5 process. I think you'll see Mr. O'Hara expanding upon that.

6 They talked about somebody who could go up to the
7 Hill with a great deal of credibility, and you wouldn't find
8 anybody, you won't find anybody who would better possess the
9 ability to go up to the Hill with a great deal of credibility.

10 Again, chief counsel to the democratic side, to the
11 majority side, who had an extraordinary relationship with
12 republicans. He's apolitical. He's not an ideologue. He
13 would come to this board without an agenda, without the
14 preconceived notions as to how this should work, but he also
15 recognizes that it's a very difficult assignment.

16 I think he will enjoy a very good working
17 relationship with the members of the Board, and one of the
18 program directors said, on the issue of controversy, and
19 that's something we always talk about when we talk about Legal
20 Services, interesting to note, he said, "We shouldn't
21 eliminate controversy, and I don't guess you ever will, but
22 controversy should be kept in its place," and I think it

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1 would.

2 Then, finally, the last comment that I read that I
3 thought was significant, "Look at the resumes of the people.
4 Is this person used to working collegially?" I can assure you
5 that in the case of Jack O'Hara, the answer is a resounding
6 yes.

7 So I am enthusiast about putting in nomination his
8 name, and therefore, Mr. Chairman, with a great deal of
9 excitement, promise for the future, I nominate Mr. O'Hara to
10 be the next president.

11 CHAIRMAN WITTGRAF: Thank you, Mr. Molinari. You've
12 made your motion. It's been seconded by Mr. Uddo. Is there
13 further discussion? Mr. Dana.

14 MR. DANA: Mr. Chairman, I look forward to
15 enthusiastically endorsing this nomination. This is a tough
16 time. This is our second recess board in that many years. It
17 looks as though we may be a recess board another year. We
18 have a corporation that needs to be centered and needs to feel
19 confident in its president, and we believe that this
20 corporation will feel confident in Jack O'Hara.

21 I think that, to date, it would be fair to say that
22 he is an unknown quantity to the grantees for which we exist,

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1 and I think that it's my sense that very soon that unknown
2 quantity will dissipate, and the next president of the Legal
3 Services Corporation will be seen as a friend, as someone that
4 can be talked to, someone that can help the staff, help us
5 make policy, and then, very, very effectively, carry it out.

6 He is well regarded internally by those who have
7 worked with him. He has the confidence of this Board, and I
8 think, in time, he will have the confidence of the field, and
9 I'm looking forward to the future.

10 CHAIRMAN WITTGRAF: Further discussion? Mr. Kirk.

11 MR. KIRK: I'd just like to say that I think this is
12 another step toward bridging the gap between the Board and all
13 aspects of the Corporation. I look forward to working with
14 Mr. O'Hara. I think he represents a person without political
15 ties, who will be intensely independent, and a terrific sign
16 for this corporation.

17 Ms. Pullen ask that I speak for her and say that her
18 meeting with Mr. O'Hara last night was very positive and that
19 she looks forward to working with him in the future.

20 CHAIRMAN WITTGRAF: Thank you, Mr. Kirk. Further
21 discussion?

22 (No response.)

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1 CHAIRMAN WITTGRAF: Let me just make a couple of
2 comments to reiterate and expand upon some of what Mr.
3 Molinari has said. It was at my instigation and with the help
4 of Pat Batie and in the presence of Mr. Dana and Mr. Kirk as
5 presidential search committee members where were joined by Ms.
6 Love and by Ms. Wolbeck and by Ms. Pullen and Mr. Hall, who
7 aren't here at the moment, to receive the thoughts of four
8 project directors, actually, a few more who joined us in
9 Chicago a week ago Friday, Ada Shen-Jaffe, Charley Dorsey,
10 Sheldon Roodman and John Asher were there at my specific
11 request.

12 I think at least three other project directors were
13 there as well and representatives of other interested groups.
14 A lot of our discussion really dealt with the possibility of a
15 long-term selection process, and, as Mr. Molinari indicated,
16 we've just been through a long selection process, and we were
17 concerned with the possibility of a four- to six-month
18 selection process, a four- to six month learning curve, and
19 another eight to ten to 12 months of uncertainty.

20 We'd like to think that we're on the brink of
21 expanded appropriations for the Legal Services Corporation and
22 for the projects it funds. We'd like to think that we're on

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1 the brink of the first reauthorization legislation in a decade
2 and a half. We'd like to think that we're on the brink of
3 enhancing the quality of legal services that are provided by
4 the recipients of the federal money, be that through
5 experimentation in the area of competitive funding, be it
6 through peer review, be it through a kinder, gentler,
7 supportive technical assistance oriented monitoring process,
8 that we're on the brink of several important developments and
9 that it's critical that we keep moving forward as
10 expeditiously as possible.

11 In that regard, we chose to move as quickly as we
12 could and to bring in a president to begin today, the day
13 after Mr. Martin leaves, so that we won't lose what momentum
14 we've built. Mr. Molinari picked up on some of the comments
15 made by Ms. Shen-Jaffe and by Mr. Dorsey and Mr. Roodman and
16 Mr. Asher.

17 I'd go along that same line and mention a couple of
18 the other things. Ms. Shen-Jaffe did talk about concerns with
19 instability and uncertainty, and that's one reason we've gone
20 today to Mr. O'Hara, to avoid that.

21 She talked about leadership. We think that that's
22 present and been demonstrated through the years in the person

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1 of Mr. O'Hara. She talked about the need to recognize the
2 breadth of groups, the diversity of groups, involved in the
3 provision of legal services, and we have no doubt that based
4 upon his congressional experience, Mr. O'Hara will be able to
5 see that breadth and diversity and does see it already, in
6 fact.

7 She talked about the need to be a successful and
8 accomplished manager, and I don't think there's any question
9 that Mr. O'Hara is that. She talked about the need for
10 integrity, and I know there's absolutely no question about
11 that, as far as Jack O'Hara is concerned.

12 She talked, too, as did her colleagues, about a
13 demonstrated commitment to the goals of Legal Services
14 projects, preferably a commitment demonstrated through work
15 experience or something similar. I know that the commitment's
16 there. Mr. Molinari knows the commitment's there.

17 It's been a commitment that's been largely internal
18 to the Corporation to date. Those of you who are from the
19 field or in the field understandably want to find out who Jack
20 O'Hara is, want to learn of that commitment, but I believe it
21 does exist, based upon his knowledge of the intimate workings
22 of the Corporation and the concept of federally funded legal

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1 services over the last year, and I know that Mr. O'Hara is
2 going to make a concerted effort to learn as much as he can
3 firsthand from the people who do directly provide legal
4 services and not just from our corporate staff and not just
5 from us who are not on the front lines day in and day out.

6 In fact, if I'll shut up here quickly, we'll be able
7 to move to a forum involving project directors and
8 representatives from the states of Alabama and Mississippi and
9 Louisiana, and Jack's learning curve will be able to
10 accelerate right on the spot this afternoon.

11 The last year and a half have been tough, and when
12 Guy Molinari and I visited with Norm Shumway one day last
13 week, I'm sure that we left him wondering why it was he wanted
14 to get involved in this undertaking when we told him of the
15 lawsuits and the disagreements and the comings and goings of
16 personnel, but I do think, as was suggested by Mr. Kirk and
17 Mr. Dana, that we're moving beyond that.

18 Mr. Shumway is a part of that, Mr. O'Hara is a part
19 of that. We're about to put in place a new Inspector General,
20 Mr. Quatrevaux, Ed Quatrevaux, who will be a part of that, and
21 we're very optimistic, and we hope that our friends in the
22 field can share our optimism and that we can continue to work

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1 together rather than at loggerheads, and I have no doubt that
2 we'll accomplish a lot more as we do work together.

3 Further discussion? Hearing none, those who are in
4 favor of the motion will signify by saying eye.

5 (Chorus of ayes.)

6 CHAIRMAN WITTGRAF: Those opposed, nay.

7 (No response.)

8 CHAIRMAN WITTGRAF: The ayes appear to have it. The
9 ayes do have it. The motion is adopted. Jack, there may be a
10 few people in the room who don't recognize you yet. I hate to
11 make you a moving target, but why don't you at least stand so
12 they know where the target is and who he is. Jack O'Hara.

13 (Applause.)

14 CHAIRMAN WITTGRAF: Is Mr. Fax back? Is he through
15 faxing? Mr. Fax, are we prepared to move forward?

16 MR. FAX: If I may have a moment off the record with
17 Mr. Kirk, then I believe we are prepared.

18 CHAIRMAN WITTGRAF: Please. While Mr. Fax is
19 conferring with Mr. Kirk, let me mention, for the benefit of
20 the members of the Board in particular, my thoughts regarding
21 committee structure in light of the changes we've undergone in
22 our composition.

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1 The pattern this year has been that I have made
2 assignments as to committee membership and the heads of the
3 committee subject to ratification by the Board. A few of our
4 colleagues are not present, so let me just mention that my
5 recommendation to the Board is going beyond where we are at
6 the present time to withdraw myself from our Special
7 Reauthorization Committee and to appoint Mr. Shumway to that
8 committee, also, to appoint Mr. Shumway to the Operations and
9 Regulations Committee, and to make Mr. Rath the Chairman
10 thereof.

11 Finally, to appoint Ms. Pullen to the office of
12 Inspector General Oversight Committee and to make Mr. Kirk,
13 who, fortunately, is not listening, the Chair thereof.

14 If those pose any particular concerns or problems
15 for anyone, hopefully they'll mention that to me between now
16 and our next board meeting, and we can make some adjustments
17 if need be, but those would be the changes occasioned by the
18 resignation of Mr. Shumway -- excuse me, of Mr. Guinot, and
19 the appointment of Mr. Shumway, as the Chair sees them.

20 At this time, the Chair is prepared to entertain a
21 motion to ratify the employment contract negotiated by our
22 special counsel, Charles Fax, with Edourd Quatrevaux.

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MR. UDDO: So moved.

CHAIRMAN WITTGRAF: It's been moved by Mr. Uddo. Is there a second?

MR. KIRK: Second.

CHAIRMAN WITTGRAF: It's been seconded by Mr. Kirk. Is there discussion?

(No response.)

CHAIRMAN WITTGRAF: As the Chair indicated at the outset of the meeting yesterday, it's his understanding and continues to be that Mr. Quatrevaux is prepared to begin employment as Inspector General tomorrow, Tuesday, September 17. Is there further discussion?

(No response.)

CHAIRMAN WITTGRAF: Hearing none, those who are in favor of the ratification of the employment contract with Mr. Quatrevaux will signify by saying aye.

(Chorus of ayes.)

CHAIRMAN WITTGRAF: Those who are opposed, nay.

(No response.)

CHAIRMAN WITTGRAF: The ayes appear to have it. The ayes do have it. The motion is adopted. The contract is

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1 ratified. Is there further business to come before the Board
2 at this time?

3 (No response.)

4 CHAIRMAN WITTGRAF: If not, I would remind the Board
5 members and our friends in attendance that our next regularly
6 scheduled board meeting and one or two attendant committee
7 meetings are on Sunday and Monday, October 20 and 21, in
8 Portland, Maine, and we can only hope that the folks in the
9 Greater Portland, Maine area are nearly as hospitable as those
10 in the Greater Jackson, Mississippi area.

11 MR. DANA: It's going to be tough.

12 CHAIRMAN WITTGRAF: And I should say at this point
13 that we thank our colleague, Ms. Love, we thank Ms. Batie, Ms.
14 Smead and Mr. Moses of our staff, and everyone who has been a
15 part in making our trip, our visit to Jackson, so enjoyable,
16 thanking them for it. You set a high standard. We hope that
17 it's a standard that can be met in Portland and elsewhere in
18 the months ahead.

19 I am prepared to receive a motion to adjourn.
20 Before I do, let me just say, as an administrative matter,
21 we're prepared to move right into our forum with the projects
22 directors from the three states here. We would ask the people

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1 who are here to present some of their thoughts and concerns to
2 us to move up to the front row of chairs so that they can, one
3 at a time, come forward, then, or a couple at a time, to the
4 witness table.

5 We will continue to function in an open forum, and
6 there will be a record made, although, technically, we will
7 not be in the context of a board meeting. I'd ask the
8 indulgence of you who are good enough to share your time and
9 your thoughts with us that some of us will be going in and out
10 as necessitated by our travel arrangements and by a few other
11 things.

12 So please don't accept our comings and goings as a
13 sign of rudeness, but rather as the necessities of getting out
14 of Jackson, now that we've had the chance to be here for a day
15 or two.

16 M O T I O N

17 MR. UDDO: I move that we adjourn.

18 CHAIRMAN WITTGRAF: Is there a second?

19 MS. WOLBECK: Second.

20 CHAIRMAN WITTGRAF: It's been moved by Mr. Uddo and
21 seconded by Ms. Wolbeck that we adjourn. Those who are in
22 favor will signify by saying aye.

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