

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS MEETING

RETURN TO CORPORATION
SECRETARY ARCHIVES FILE OPEN SESSION

September 24, 1990

8:50 a.m.

Oxford Alexis Hotel
The Sage Room
1600 Seventeenth Street
Denver, Colorado

Board Members Present:

George W. Wittgraf, Chairman
Howard H. Dana, Jr.
J. Blakeley Hall
Jo Betts Love
Penny L. Pullen
Jeanine E. Wolbeck

Staff Present:

Emilia DiSanto, Interim President
Timothy B. Shea, Vice President and General Counsel
Maureen R. Bozell, Secretary
David Richardson, Comptroller and Treasurer

Diversified Reporting Services, Inc.

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

P R O C E E D I N G S

1
2 CHAIRMAN WITTGRAF: Appearing that a quorum of the
3 Board of Directors now is present, our recessed meeting will
4 return to order.

5 Our first order of business is further consideration
6 of the resolution proposed by Mr. Dana, seconded by Mr. Hall.
7 Handwritten reproductions of the resolution should be before
8 everyone at this time.

9 The Chair is going to take the liberty of reading
10 that resolution. The Chair has also made a few stylistic
11 changes which, hopefully, Mr. Hall and Mr. Dana will view as
12 friendly initiatives.

DANA RESOLUTION

13
14 "WHEREAS the LSC regulations governing fund balances
15 that may be retained from year to year (45 CFR, Part 1628)
16 permit LSC recipients to retain no more than 10 percent of
17 their annualized support and give the Corporation the
18 discretion to permit retention of up to 25 percent of said
19 annualized support, under certain limited circumstances, and

20 WHEREAS prudence dictates that the Corporation and
21 its recipients now prepare for the prospect of significant
22 reductions in funding in 1991, as a result of sequestration,

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1 now,

2 THEREFORE, be it resolved that the Board of
3 Directors of the Legal Services Corporation hereby finds that
4 the prospect of sequestration constitutes extraordinary
5 circumstances that warrant waiver under Part 1628, and that
6 the staff shall approve fund balance waivers for such programs
7 as may seek to adopt appropriate budgetary measures to prepare
8 for this contingency.

9 FURTHERMORE, not withstanding the above, if it is
10 determined by November 1, 1990, that there will be no
11 sequestration, this motion shall be of no force and affect.

12 HOWEVER, if prior to November 1, 1990, it becomes
13 known that there will be a sequestration in an amount of less
14 than 15 percent, then the 25 percent fund balance authorized
15 by this resolution shall be reduced by the same percentage
16 amount that the sequestration level is, less than 15 percent."

17 Mr. Dana, would you or Mr. Hall wish to speak
18 further to the resolution?

19 MR. DANA: Yes, Mr. Chairman, I certainly regard
20 your stylistic changes as friendly. I think it might be
21 helpful if the record had an example of what is intended by
22 this last provision.

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1 The intent of this last provision is to -- by way of
2 example, if prior to November 1, the sequestration level is
3 set at 13 percent, then this resolution would authorize a fund
4 balance of 23 percent.

5 CHAIRMAN WITTGRAF: Mr. Hall?

6 MR. HALL: Mr. Chairman, I certainly have no problem
7 with your changes. I agree that there should be an example as
8 Howard has spoken to. It makes it clearer what is trying to
9 be done. It kind of gives you a formula for working out how
10 it would be done.

11 CHAIRMAN WITTGRAF: Further discussion?

12 (No response.)

13 CHAIRMAN WITTGRAF: Hearing none, those in favor of
14 the resolution as read into the record will signify by saying
15 aye.

16 (Chorus of ayes.)

17 CHAIRMAN WITTGRAF: Those opposed, nay.

18 (No response.)

19 CHAIRMAN WITTGRAF: The ayes appear to have it. The
20 ayes do have it. The resolution is adopted.

21 It is the Chair's intention to seek a motion to
22 proceed to executive or closed session. Before he does,

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1 however, he will inquire: Is there further business to come
2 before the Board in public or open session at this time?

3 Mr. Dana?

4 MR. DANA: Mr. Chairman, I want to make a request,
5 but I don't think I need to make it in open session. Thank
6 you.

7 CHAIRMAN WITTGRAF: Further business?

8 (No response.)

9 CHAIRMAN WITTGRAF: Hearing none, the Chair is
10 prepared to receive a motion directing that we proceed to
11 executive or closed session.

12 MR. DANA: Is it our custom to disclose -- it is for
13 the purposes set forth in the agenda?

14 CHAIRMAN WITTGRAF: And in the notice as given in
15 the Federal Register, yes, sir.

16 MOTION

17 MR. DANA: So moved.

18 CHAIRMAN WITTGRAF: Is there a second?

19 MR. HALL: Second.

20 CHAIRMAN WITTGRAF: It has been moved and seconded
21 that we will proceed to executive or closed session. Is there
22 discussion?

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1 (No response.)

2 CHAIRMAN WITTGRAF: Hearing none, those in favor
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.

9 At this time the Chair doesn't really see the need
10 to ask anyone to excuse him or herself from the room.

11 (Whereupon, at 8:57 a.m. the open session of the
12 Board of Directors was adjourned.)

13 CHAIRMAN WITTGRAF: I do not believe there is any
14 further business to be transacted by the board at this time.
15 We are running behind schedule in terms of our hosts here in
16 Denver. The chair is prepared to receive a motion to adjourn.

17 MOTION

18 MS. WOLBECK: So moved.

19 MS. LOVE: Second.

20 CHAIRMAN WITTGRAF: It has been moved and seconded.
21 Those in favor of the motion to adjourn will signify by saying
22 aye.

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1 (No response.)

2 CHAIRMAN WITTGRAF: Hearing none, those in favor
3 signify by saying aye.

4 (Chorus of ayes.)

5 CHAIRMAN WITTGRAF: Those opposed, nay.

6 (No response.)

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